

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 1 • FEBRUARY 15, 2008

LEGISLATURE ON THE FAST TRACK  
A SESSION WEEKLY MILESTONE  
PAWLENTY OF PLANS  
DRIVING A NEW PLAN

HF2553 - HF3017





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Tom Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



## Welcome to the second year of the 85th Legislative Session

There was a time when ordinary citizens were barred from attending legislative meetings or getting copies of bills. There was a time when few understood or even had access to the legislative process.

It took a commitment from people like former Chief Clerk Ed Burdick to make the legislative process more transparent. And 25 years ago, Session Weekly was born out of that effort.

Since the first issue in March 1984, the weekly newsmagazine of the Minnesota House of Representatives has stayed true to its founding mission of providing free nonpartisan information about the legislative process, and coverage of House floor sessions and committee hearings. Today, it is only one of the information tools provided by the House reflecting its ongoing commitment to openness.

Now, with greater use of technology and the Web, the House provides more opportunities to reach new audiences with nonpartisan legislative news.

For instance:

- Session Daily - e-mail updates when news from the House warrants;
- unedited, gavel-to-gavel television coverage of House floor sessions and select committee hearings;
- downloadable podcasts of committee meetings and communications from House members;
- easily accessed and updated schedules and information;
- policy and fiscal analysis of many bills; and
- photo images of House members and activities.

It is perhaps fitting that Session Weekly's 25th year marks the first time it is being published on the Web in a format familiar to those who get their news over the Internet.

All of us associated with Session Weekly are proud to continue the tradition of providing nonpartisan news from the House. We welcome your comments and suggestions.

— Session Weekly staff

## CONTENTS

### HIGHLIGHTS

Bonding • 5  
Education • 5

Environment • 6  
Higher Education • 6

Notes • 7  
Late Action • 23

### BILL INTRODUCTIONS (HF2553-HF3017) • 14 - 22

### FEATURES

**FIRST READING:** Legislature sets out on the fast track • 3

**AT ISSUE:** Governor offers betterment ideas in State of the State address • 8

**AT ISSUE:** Minnesotans could pay more in taxes for transportation • 9

**FEATURE:** Session Weekly — rooted in a commitment to keep the public informed • 10-11

**PEOPLE:** Special session delivers for Drazkowski's district • 12

**FEATURE:** Gas tax increase seen as palatable • 23

**MINNESOTA INDEX:** Session 2008 • 24

On the cover: Rep. Paul Gardner, center, is followed by Rep. Kate Knuth as they make their way through a crowd of people with signs, and lobbyists for the first day of the 2008 legislative session, Feb. 12.

—Photo by: Tom Olmscheid



# On the fast track

After a busy interim, members have big plans for 2008

BY SESSION WEEKLY STAFF

**M**any committee and commission hearings. Road trips. A special session for flood relief. Yes, it was a busy interim for legislators. Now, can members translate what they've learned into successful legislation in a three-month window? And can it be done in an election year when tension between parties continues to run high?

A shorter, even-year session is traditionally focused on capital investment projects, but 2008 has the potential to be far from ordinary, with members trying to do more in many areas while trying to overcome a multi-hundred-million dollar budget deficit that may only get larger.

Let's take a look at some of the potentially biggest topics.

## Bonding

What a difference a year makes.

The 2007 February Economic Forecast projected a \$2.6 billion surplus through the

biennium ending June 30, 2009. Now, the national downturn in the housing sector, its effect on the state's lumber industry, tighter credit restrictions, higher energy prices and the lack of state job growth has turned the state's economy south with a projected \$373 million biennial deficit. The February Economic Forecast, to be released Feb. 28, is expected to contain even more dark news.

All this will help determine just how much money the state can bond for capital projects, which traditionally is the focus of the second year of the biennium.

On the session's first day, members began

discussing Gov. Tim Pawlenty's capital investment proposal, which includes a fourfold increase over the previous record investment in local bridges. But some House Capital Investment Finance Division members think that if a comprehensive transportation bill is enacted, it would free up bonding money for other areas, such as higher education.

Of the governor's nearly \$1.09 billion proposal, \$965 million would come in general obligation bonding. The package stays within the 3 percent debt service guideline. But the amount could be adjusted downward if the February Economic Forecast shows a worsening of the state's deficit.

More than 43 percent of the governor's proposal is aimed at statewide projects, 29.8 percent to projects in the seven-county Twin Cities metropolitan area and 27 percent to Greater Minnesota projects.

Transportation accounts for nearly 40 percent of the bill, including \$225 million for local bridge replacement. The amount would be allocated on a priority basis from lists compiled by the Department of Transportation.

Higher education accounts for 23.7 percent of the bill. The University of Minnesota and Minnesota State Colleges and Universities system would each receive \$129 million, under Pawlenty's plan.

The environment and outdoors would receive \$175 million, or 16 percent, of the proposed funds. This includes \$46 million for drinking water and wastewater treatment facility improvements, and \$30 million for wetland preservation activities.

Other than \$40 million for a new arena in Duluth, the proposal contains no local projects.

## Budget

Rep. Loren Solberg (DFL-Grand Rapids), chairman of the House Ways and Means Committee, characterizes Minnesota's economic outlook as a "deep concern."

"There are two looming problems: the housing devaluation is not over and the credit crunch is not over." He said the upcoming February Economic Forecast will make for some tough decisions as legislators deal with a greater than expected financial shortfall in the short- and long-term. "It's going to have to



PHOTO BY TOM OLMSCHIED

On the opening day of session, a conference committee was called to discuss the bill that would put an amendment to the constitution before voters that would dedicate funding for the outdoors and arts. Members of the Dedicated Funding Conference Committee, from left, Rep. Dennis Ozment, Rep. Rick Hansen, Rep. Jean Wagenius, Rep. Frank Moe, Sen. Dennis Fredrickson, Sen. Richard Cohen and Sen. Satveer Chaudhary sign the conference committee report.

First Reading continued on page 4



be a balanced approach of cutting and finding new funding resources,” he said.

The loss of 23,000 jobs in the last few months and shrinking personal income are most worrisome, he said. Those are signs of long-term problems that need greater state investment in education, research and development to solve.

The committee’s lead Republican, Rep. Mary Liz Holberg (R-Lakeville), echoes Solberg’s concern.

“If we are smart, we will make some budget adjustments for the out years,” she said. But any proposal to raise taxes to solve the economic woes will be met with opposition by her party. “We have to respect the families’ budgets. They are hurting more than the state,” she said.

At a Feb. 12 press conference, House Speaker Margaret Anderson Kelliher (DFL-Mpls) and Senate Majority Leader Larry Pogemiller (DFL-Mpls) said a comprehensive transportation bill and a capital investment bill would help the economy by providing new jobs within the next few months. Once those bills are on the governor’s desk, Pogemiller said they will begin, in earnest, to deal with balancing the budget.

## Energy

One of the areas in which Pawlenty and the DFL-controlled Legislature managed to find common ground last year was energy policy, and many lawmakers are hoping that spirit of cooperation will carry into 2008. On the agenda for this year: new legislation aimed at curbing global climate change and creating a cleaner energy economy.

Rep. Bill Hilty (DFL-Finlayson), chairman of the House Energy Finance and Policy Division, said his division will likely act on the recommendations of the Minnesota Climate

Change Advisory Group. The group, which was mandated by last year’s Next Generation Energy Act, is charged with identifying strategies to mitigate the impact of global warming. Its recommendations are expected later this month.

One of the mitigation strategies likely to be discussed is a possible statewide “cap and trade” system for carbon emissions. Under such a system, total emissions would be capped and individual power plants assigned “allowances” of carbon emissions that they could either use for themselves or sell to one another. Other initiatives may include tightening vehicle emissions standards and increasing energy efficiency standards for new buildings constructed in the state.

Hilty said the Legislature may present the governor with a resolution concerning peak oil — the point at which global oil demand will exceed total production capacity, which is projected to occur within as little as five to 10 years. During the interim, Hilty’s committee held two separate hearings on the phenomenon, which some experts say might cause social and economic chaos without proper planning. Hilty and Sen. Jim Carlson (DFL-Eagan) co-sponsor a resolution that would ask the governor for, in Hilty’s words, “a recognition of the problem.”

## Environment

On the heels of a busy interim for the House’s environmental committees, lawmakers hit the ground running, passing a long sought-after measure that has been almost perennially on the wish lists of environmentalists and outdoors supporters.

HF2285, sponsored by House Majority Leader Tony Sertich (DFL-Chisholm) and Pogemiller, will ask voters in the Nov. 4 general election to approve a three-eighths of 1 percent sales tax increase and constitutionally dedicate the money to the wildlife, natural

habitat, clean water and the arts. It was passed 85-46 by the House and 46-16 by the Senate on Feb. 14. The governor does not act on constitutional amendments.

Legislators are hoping to keep that momentum as they attempt to address a broad range of environmental issues, many likely to be initiatives designed to combat or mitigate the effects of global climate change. These include possible new vehicle fuel efficiency standards modeled on a law that was recently enacted in California — a law that, as its opponents note, was recently struck down by the U.S. Environmental Protection Agency.

“There’s a lot of it that’s going to deal with climate change,” House Environment and Natural Resources Committee Chairman Kent Eken (DFL-Twin Valley) said of his committee’s agenda for the session.

First up, however, will be a review of bonding requests from the Department of Natural Resources and other state agencies by members of the House Environment and Natural Resources Finance Division. Improvements and repairs to state parks and trails are likely to figure heavily in the discussions. As outlined in his Feb. 13 State of the State address, Pawlenty supports purchasing land for a new state park at Lake Vermilion; opponents of the governor’s plan say the money would be better spent on repairs and upgrades to the state’s current parks and trails.

## Health and Human Services

An overall health care package to include universal care for all Minnesotans by 2011 and a stronger focus on chronic disease prevention are the main focuses for House health committees this session. Restructuring payments to providers would also be included in that health package, said Rep. Paul Thissen

**Fast Track continued on page 13**



STITCHED PHOTO ILLUSTRATION BY ANDREW VONBANK

**The collapse of the Minneapolis Interstate 35W bridge brought attention to the state’s transportation needs and its aging bridges and roads. The new structure is expected to be open by the end of 2008.**



## BONDING

**Governor's project list draws criticism**

Although Gov. Tim Pawlenty's \$1.09 billion capital budget request hasn't been formalized into a bill, House Capital Investment Finance Division members had plenty of questions.

No action was taken on the proposal, which includes \$965 million in general obligation bonding, shared Feb. 12 and 14 by Commissioner of Finance Tom Hanson.

For example, a \$15 million recommendation to help fund a projected \$23 million cleanup of the Washington County Landfill had plenty of critics. Members wanted to know why Maplewood-based 3M Company, the known source of contaminants in the landfill, wasn't footing the entire bill for cleanup. It was noted that other landfills in the state are in need of remediation, and the governor has not recommended money for those requests.

Transportation and higher education funding proposals also had their critics.

Nearly 38 percent of the governor's bonding money is targeted toward transportation needs, but at the expense of higher education proposals, members said.

Rep. Al Juhnke (DFL-Willmar) said that passage of an omnibus transportation finance bill could free up more money for education needs. "I can't think of a better place to put the money ... to ready students for new jobs. Our colleges need a lot of help," he said.

The governor's bonding priority areas are:

- \$416 million for transportation and transit;
- \$258 million for higher education, with \$129 million for both the University of Minnesota and the Minnesota State Colleges and Universities system;
- \$175 million for environment and outdoors;
- \$96 million for economic development;
- \$68 million for state building asset preservation;
- \$50 million for veterans and military affairs; and
- \$41 million for public safety and corrections.

Overall, about \$294 million in recommendations are targeted for Greater Minnesota, \$324 million is for the seven-county Twin Cities metropolitan area and another \$470 million would be for projects of statewide significance.

This is the largest bonding package proposed by a governor in the state's history, Hanson said.

— L. SCHUTZ

**A VOCAL GREETING**

PHOTO BY ANDREW VONBANK

**Protesters greet members entering the House Chamber Feb. 12, the first day of the 2008 legislative session.**

## EDUCATION

**Library funding proposed**

A plan to help libraries across the state with accessibility issues could be in the House K-12 Finance Division bonding recommendations.

Rep. Mary Murphy (DFL-Hermantown) sponsors HF2558, which would provide \$10 million for library accessibility projects. It was heard by the division Feb. 12, but no action was taken. The bill has no Senate companion.

The Legislature created a program for library accessibility projects in 1994 and approved \$1 million for the program. In 2005, it was expanded to include other types of library improvements. Bonding bills in 2005 and 2006 each contained \$1 million in library funding.

Current law limits individual accessibility grants to \$200,000 or 50 percent of the project costs, whichever is less, and improvement grants are limited to \$1 million or 50 percent of the project costs, whichever is less.

However, Elaine Keefe, a lobbyist for the Minnesota Library Association, said that libraries that bypassed the grant process and came directly to the state received substantially more than the cap.

Rep. Mindy Greiling (DFL-Roseville), the division chairwoman, said a need-based system seemed to be the fairest process,

instead of the money going to the powerful or the fortunate.

Keefe said that, in the past, \$6.62 has been provided locally for every \$1 of state support. She said the renovation needs are staggering because 54 percent of the state's public libraries were built before 1969 and 33 percent were built before 1939. She said that state public libraries

**Mark your calendar**

- Feb. 28: Release of February Economic Forecast.
- House and Senate committee deadlines:  
March 14: Committees to act favorably on bills in the house of origin;  
March 19: Committees to act favorably on bills or companions that met the first deadline in the other body; and  
March 28: Committees to act favorably on major appropriation and finance bills.
- Spring recess is tentatively scheduled from 5 p.m. March 19 to noon March 25.
- May 19: Constitutional deadline for adjournment.

For updated committee schedule information, go to [www.house.mn](http://www.house.mn) and click on the green tab tagged "Schedules." This is updated throughout the day. For a recording of committee meeting times and agendas, call 651-296-9283. This is updated once a day. To sign up for e-mail notification of upcoming meetings, go to [www.house.mn/list/join.asp?listname=houseschedule](http://www.house.mn/list/join.asp?listname=houseschedule).



are expected to request \$120 million this year and \$260 million next year.

Greiling expects the division to hear all bonding proposals within the next week, and submit its proposal to the House Capital Investment Finance Division shortly thereafter.

— T. HAMMELL

### Red Lake seeks more school funding

A \$30 million request to complete two schools in northern Minnesota is on hold.

HF1120, sponsored by Rep. Brita Sailer (DFL-Park Rapids), would appropriate \$30 million to the Red Lake School District to complete high school and middle school renovation projects, including classroom additions, heating plant upgrade and replacement of areas where mold growth is an issue.

It was held over Feb. 12 by the House K-12 Finance Division for possible inclusion in its bonding recommendations.

A companion bill, SF1099, sponsored by Sen. Rod Skoe (DFL-Clearbrook), awaits action by the Senate Finance Committee. The funding was in last year's bonding bill vetoed by Gov. Tim Pawlenty. It was not in his bonding proposal this year.

"We're just kind of flummoxed that it didn't end up in the governor's bonding request," said Rep. Mindy Greiling (DFL-Roseville), the division chairwoman.

Because the district has such low property value, and very little tax base because most of its land is owned by Red Lake tribal members, the district has received four capital loans from the state since 1992 for school projects. It received \$18 million in 2005 to build a new middle school and renovate the high school.

Districts, like Red Lake, without enough property tax base to finance construction projects can qualify for state assistance under the Maximum Effort School Aid Law. Under this program, the state borrows money through bonds and lends it to qualifying school districts.

Monte Hammitt, a consultant to the district, said the district is in dire need of finishing the project, and infrastructure is stretched as far as it can go. "We need to finish our school so we can move forward."

— T. HAMMELL

## ENVIRONMENT

### Toxic chemicals a 'silent epidemic'

Although they have never breathed polluted air, drank contaminated water or eaten toxic foods, the average unborn baby may have literally hundreds of potentially dangerous chemicals in their body.

## OPENING SONG



PHOTO BY ANDREW VONBANK

Prior to the start of the legislative session Feb. 12, Anna Carey and Maddy Sorenson sing "Shines for All to See," a song created for Minnesota's sesquicentennial. Mary Louise Knutson plays the piano.

That was the message of Ken Cook, president of the Environmental Working Group, to members of the House Environment and Natural Resources Committee and House Environment and Natural Resources Finance Division at a joint meeting Feb. 11. No action was taken.

"We don't want (children) to come into the world pre-polluted, and unfortunately that's not the case," Cook said.

Calling the proliferation of toxic chemicals in the environment a "silent pandemic," Cook cited a recent study that found an average of roughly 200 industrial byproducts, pesticides and other substances present in a random sampling of 10 unborn American children.

Cook said that some of the chemicals found had been banned more than 30 years ago, but had apparently remained in the mothers' bodies and been passed on to the children.

According to Cook, the health effects of many of the chemicals in question are unknown; however, some of them have been linked to rising incidences of leukemia, brain cancer, birth defects and other serious conditions. He called for new government regulations on industrial and agricultural chemicals at both the state and federal levels.

David Wallinga, food and health director for the Institute for Agriculture and Trade Policy, said that many chemical pollutants can cause developmental disabilities in children that place an enormous burden on society in

the form of increased special education and health care costs, among others.

Rep. Kent Eken (DFL-Twin Valley) said the state should consider funding more research on the subject, but also suggested that federal action might be more effective in regulating the chemicals.

Rep. Bob Gunther (R-Fairmont) seeking to remind his fellow lawmakers that agricultural chemicals have practical and commercial benefits, asked rhetorically, "What are the reasons we have farm chemicals, and what good do they do mankind?"

— N. BUSSE

## HIGHER EDUCATION

### MnSCU bonding request offered

Officials from the Minnesota State Colleges and Universities system acknowledge that a reduction in their bonding request would put them further behind.

MnSCU officials shared its \$350.2 million proposed capital budget with the House Higher Education and Work Force Development Policy and Finance Division Feb. 12. No action was taken.

Of the proposal, \$273 million would come from state dollars, with the rest self-financed.

"Every state college and university in the system will benefit from this proposal," said



Chancellor James McCormick.

However, in his bonding proposal, Gov. Tim Pawlenty proposes \$99.4 million in general obligation bonding, including \$40 million for asset preservation. The system seeks \$110 million for things like roof and exterior repairs, mechanical and electrical improvements and elevator and fire safety code upgrades. Requests from the individual campuses to MnSCU administration exceeded \$303 million, \$68.5 million more than was requested two years ago.

Allan Johnson, MnSCU associate vice chancellor for facilities, said the system's current backlog in asset preservation is estimated at \$672 million, in part because of limited state money in past biennia and because buildings are getting older.

Other projects on the governor's list include \$25.5 million for a science center renovation at Minnesota State University, Mankato; \$14.8 million for a science building renovation at St. Cloud State University to meet the needs of students in the nursing and pre-nursing programs; \$13.5 million for a transportation and applied technology renovation at St. Paul College; \$13.2 million for classroom additions and renovations at Inver Hills Community College; and \$5.8 million in systemwide science lab improvements.

"While the repair and maintenance of our current structures is important, Minnesota colleges cannot offer a quality education without new and improved facilities on campuses," said Scott Formo, president of the Minnesota State College Student Association.

Jered Weber, a board member of the Minnesota State University Student Association, said that fewer state funds could put more of a burden on students with increased tuition to meet system needs.

The University of Minnesota shared its \$225.5 million request for state bonding with the division on Valentine's Day.

The request includes \$100 million for asset preservation, \$48.3 million for a new building to contain science classrooms and student support services on the Minneapolis campus, \$26 million to renovate Folwell Hall on the Minneapolis campus, \$24 million for a new Bell Museum of Natural History on the St. Paul campus, \$10 million for a building to house the civil engineering program in Duluth and \$7.5 million for a Gateway center in Morris.

Pawlenty's recommendation is for \$129 million, including \$40 million for asset preservation, but zero for the museum.

"Our ability to carry out our mission will be compromised without continued, sustained investment in buildings and infrastructure," said President Robert Bruininks.

— M. COOK

## NOTES

### Several members to step down

Caucus night in Minnesota (held this year on Feb. 5) is the traditional start of the campaign season for the November general election.

Several House members have announced they will not seek re-election, while others have announced intentions to run for a different office. More announcements are expected.

House members who have formally announced they will not seek re-election:

- Rep. Brad Finstad (R-Comfrey)
- Rep. Scott Kranz (DFL-Blaine)
- Rep. Dennis Ozment (R-Rosemount)
- Rep. Neva Walker (DFL-Mpls)

Those seeking party endorsement for different office:

- Rep. Erik Paulsen (R-Eden Prairie) - Third Congressional District
- Rep. Randy Demmer (R-Hayfield) - First Congressional District

— L. SCHUTZ

### New House chaplain needed

After a little more than a year of service as House chaplain, the Rev. Paul Rogers has stepped down.

Before being unanimously elected to the



PHOTO BY SARAH STACKE

**The Rev. Paul Rogers steps down from the podium after receiving a certificate commemorating his work as the House Chaplain for the 2007 session. Rogers will not be returning to the House for the 2008 session.**

position on Feb. 1, 2007, Rogers had retired from full-time ministry responsibilities at the end of 2006.

A heart attack last June and his desire to fully retire from all professional responsibilities pushed him to give up his role at the House, he said.

House Speaker Margaret Anderson Kelliher (DFL-Mpls) presented Rogers with a House resolution Feb. 12 thanking him for his service.

During his 37-year pastoral career, Rogers served congregations in Minnesota, South Dakota and Europe.

Looking at his time at the House, Rogers said, "It's been interesting and moving to see the depths of commitment of the legislators and the staff. I wish the whole state could experience this."

To fill the position, Kelliher will gather names of potential candidates, including suggestions from leaders in the religious community, and then meet with other House members to review the names.

Once the interview process for the next nominee is complete, the name will be presented to the full House for a vote.

— C. GREEN

### Friendly advice

As Rep. Bill Hilty (DFL-Finlayson) strode to the table Feb. 12 to advocate funding for land acquisition near Fond du Lac Tribal and Community College, he received some friendly advice from Rep. Tom Rukavina (DFL-Virginia).

Rukavina, chairman of the House Higher Education and Work Force Development Policy and Finance Division, noted that Hilty has a newly replaced hip, but was quickly corrected by Hilty that it is actually two new hips.

"If I'm not mistaken, they're made out of titanium aren't they?" Rukavina asked.

"I believe they're ceramic," Hilty answered, laughing.

"Don't fall down, buddy," Rukavina responded.

— M. COOK

To find out who represents  
you at the Capitol . . .  
Call House Public Information  
Services at 651-296-2146  
or 800-657-3550

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

# Pawlenty of plans

Governor offers lots of betterment ideas in State of the State address

BY COURTNEY BLANCHARD

**G**ov. Tim Pawlenty took his State of the State address on the road to St. Cloud, where he called on lawmakers to reform health care and education. Pawlenty opened his Feb. 13 speech by celebrating the state's accomplishments during its 150<sup>th</sup> anniversary, but drew somber attention to the trials of last year's flooding, drought, forest fires and the Interstate 35W bridge collapse.

"In 2007, Minnesota faced a decade's worth of disasters in a year's time," he said. "But in the midst of trouble, our state and our nation saw the character and resolve of Minnesota come shining through."

The political scene was also turbulent. Last year, the governor delivered his speech at the traditional venue of the House chamber, when the budget surplus was estimated to top \$2 billion and hopes were high for bipartisan cooperation with the newly-elected DFL majority.

This year's speech, his sixth, came amidst a looming \$373 million budget deficit and high tension between the DFL and Republican caucuses, who are renegotiating several bills vetoed last session.

Reoccurring themes popped up, however, as Pawlenty offered up ways to improve the state's education system, suggested a cap on property taxes and pledged to veto any tax increases.

## Education

Pawlenty again emphasized improving the state's education system, but this time he said he wants to address teacher training.

"Much needs to be done, but let's prioritize by focusing on the area of most acute need and highest impact — training for math and science teachers," he said.

Pawlenty proposed a "world-leading summer training institute" for math and science teachers and asked lawmakers to increase funding for regional math and science academies by 50 percent.

He suggested developing an interactive teaching toolbox modeled after video game technology, available to teachers statewide.

"Let's start by developing a world-class, digitally-stored, always-available, anywhere, anytime, jaw-dropping, eye-popping teaching toolbox accessible to all our teachers and students," he said.

Pawlenty also said he wants to make it easier for mid-career professionals to enter the teaching field, and added that tenured teachers should be held more accountable with annual evaluations.

## Health Care

"Minnesota is the best place in the nation to lead the way on major health care reform," Pawlenty said.

The health care system should focus on quality of care instead of how many procedures a doctor performs, he said.

Using a market-driven system, Pawlenty proposed lowering costs by switching to electronic medical records, standardizing billing, and preventing and treating chronic conditions. The savings could

*"For too much of this decade, we've bounced from one budget crisis to the next, handcuffed by the Governor's political pledges and paralyzed by the scope of the challenges in front of us. That has to stop."*

— House Speaker Margaret Anderson Kelliher

*"I think it was a positive message and it cast a good view for the session as far as parameters he set."*

— Minority Leader Marty Seifert



PHOTO BY ANDREW VONBANK

Gov. Tim Pawlenty delivers his State of the State address in St. Cloud.

be applied to lower premiums or to extend coverage to the uninsured, he said.

## Transportation

Pawlenty didn't linger on the topic of transportation, as the Minnesota Department of Transportation and its commissioner, Lt. Gov. Carol Molnau, grappled with a limited budget while fielding accusations from those who claimed MnDOT was to blame for the bridge collapse and a crumbling transportation infrastructure.

He urged lawmakers to use bonding, not taxes, to fund transportation projects and received a standing ovation from those in his party after he pledged to use his "taxpayer protection pen" to veto any proposed increase in taxes.

State of the State continued on page 13



## Driving a new plan

Minnesotans could pay more in taxes for transportation

By Mike Cook

It hasn't taken long to get the wheels turning on a new transportation funding package.

Sponsored by Rep. Bernie Lieder (DFL-Crookston), HF2800 is similar to the one vetoed last year by Gov. Tim Pawlenty, but also contains some bonding aspects that aim to quickly fix some of Minnesota's estimated \$2.4 billion backlog of deteriorating roads and bridges.

Introduced Feb. 12, the bill was approved one day later by the House Transportation Finance Division on a 12-5 party-line vote, and has stops scheduled in the House Capital Investment, Finance, Taxes and Ways and Means committees by Feb. 19.

A companion bill, SF2521, sponsored by Sen. Steve Murphy (DFL-Red Wing), is also on the fast track. The Senate Transportation Budget and Policy Division heard the proposal for a second time on Valentine's Day.

Lieder and Murphy said the proposal doubles as an economic stimulus package because it would create an estimated 33,000 jobs with good wages and benefits in each of the next five years.

The bill, anticipated to raise \$8.3 billion

in the next decade, calls for a 2-cent gas tax increase on the first day of the month after enactment and another 3-cent bump on Sept. 15, 2008. Taxes on all other fuels would be raised proportionally. The gas tax, which has not been raised since 1988, would also be indexed to inflation, with an annual update beginning Sept. 15, 2010.

According to Lieder, a person who drives 11,000 miles a year, at an average of 20 miles per gallon, would pay an extra \$42 per year.

A \$25 tax credit would be created for lower income people to help offset the increase.

In addition, the bill calls for an increase in vehicle tab fees and removal of tab fee caps instituted by former Gov. Jesse Ventura. However, the change only takes effect once a new vehicle is purchased. The minimum fee would remain at \$35.

"This bill relies on user fees, which is a fair system for funding transportation," said Margaret Donahoe, legislative director of The Minnesota Transportation Alliance. "Those who use the system, pay for the system."

Residents in the seven-county Twin Cities metropolitan area could be subject to a 0.5 percent sales tax increase without a

referendum, if their county leaders choose to join a joint powers board. If all metropolitan counties join, that is expected to produce almost \$2.28 billion in revenue in the next 10 fiscal years.

The board would be charged with allocating new revenues so that at least 50 percent goes for transit purposes and 25 percent for construction and reconstruction of trunk highways and routes of regional significance. The remainder is flexible between transit and roads. No more than 1.25 percent of the total revenues can be used for bicycle and pedestrian programs.

In the other 80 counties, a referendum would be needed to increase the sales tax. If the county adjoins one that is part of the joint powers board, it could join the board and impose the tax without a referendum.

Funding transportation through a sales tax should be statewide at a lower rate, said Rep. Mary Liz Holberg (R-Lakeville), who opposes the bill.

Lieder said an even larger impact comes from the bonding portion of the proposal.

"We have basically \$2.2 billion in trunk highway bonding for 10 years," he said. That includes \$300 million for bridges and \$200 million for roads in each of the first two years. Pawlenty has suggested local road and bridge projects be funded by bonding.

Lieder said it is estimated to cost \$660 million to repair or replace the 13 trunk highway bridges on trunk highways considered fracture-critical. "If this bill were to pass, MnDOT could basically let contracts on all those bridges right after the bill passes, if they would use certain procedures like design-build."

The bonds would be repaid through a gas surtax of up to 2.5 cents, beginning in 2010. That increase would be removed once the bond interest and principal are paid.

The bill is expected to be on the governor's desk by the end of the month.

If the bill is vetoed by Pawlenty, using his self-termed "taxpayer protection pen," it is expected to be overridden in the Senate, but five Republicans would need to go against the governor and join all DFLers for an override in the House.


Rep. Doug Magnus (R-Slayton) doesn't think the votes are yet there. "Some parts of this bill are better, some parts are worse, but we're making progress." 



PHOTO BY TOM OLMSCHIED

John Wilson, right, and David Greene, members of the Coalition to Fund Transportation Now, don stove pipe hats and beards on President Abraham Lincoln's birthday and to draw attention to the transportation issues that were discussed on Feb. 12, the opening day of session.

# Going strong at 25

Session Weekly — rooted in a commitment to keep the public informed

By Nick Busse

**S**ince the first issue rolled off the presses in March 1984, much has changed with Session Weekly: its eight pages have grown to 24; the keyline boards and typesetting machines have been replaced by laptops; the photographers' darkroom has been replaced by digital editing software; and a new thing called the Internet is now home to a full online version of the magazine.

One thing that hasn't changed — in addition to the staff still pulling the occasional all-nighter to keep up with the legislators — is Session Weekly's mission: keeping the public informed in a nonpartisan way. And although many may not remember it, that was once a radical concept.

Today, for the most part, it goes without saying that citizens have a right to know what goes on in their government. Former Chief Clerk Ed Burdick, however, remembers a time at the Minnesota House of Representatives when there was no Session Weekly, no House Public Information Services, and in fact, no public information at all.

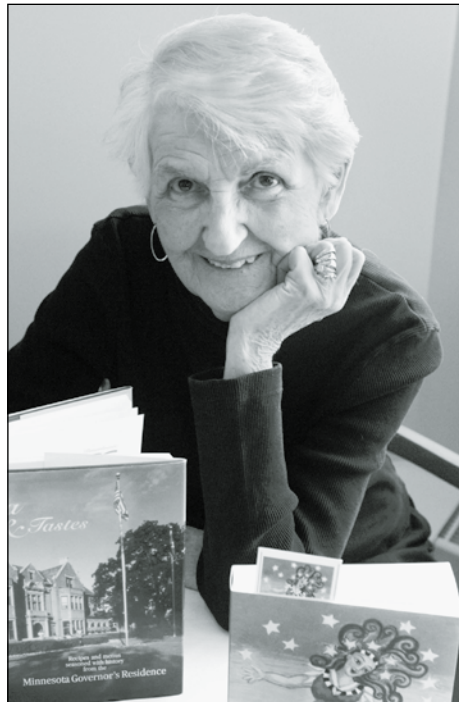
"When I first came to work at the House [in 1941], there was no such thing as a full-time legislative employee, and there were no public records. If you came to the Capitol three months after the session adjourned, there was no place to

go to check on any legislative records. They were all locked up," Burdick says.

Back then, ordinary citizens were barred from attending committee meetings, much less testifying. Nor could they get copies of bills. In fact, since the technology didn't yet exist to reproduce bills quickly and en masse, the legislators didn't even get their own copies.



**Former Chief Clerk Ed Burdick was among those advocating in 1971 for the creation of an "Office of House Public Information."**



**Jean Steiner poses with her books. Steiner transformed the "Office of House Public Information" into a permanent and valued fixture at the House**

(The lucky ones got to read one of two printed copies of a bill before voting on it.)

In short, no one really knew much about what went on at the Legislature.

That was then. Today, in the pages of this magazine, a full staff of writers, editors and photographers provide comprehensive and in-depth coverage of the legislative process here at the House, from gavel to gavel.

As we begin our 25th straight year of publication, we reflect on the long road that brought us to where we are today, the road that lies ahead, and the revolutionary idea that first produced Session Weekly.

## An information office

According to Burdick, in the late 1960s and early '70s, legislative bodies across the country began establishing public information offices as a way of making the legislature more visible

at a time when, in his words, it was "really not a co-equal branch of government." At that time, many legislatures (Minnesota's included) met for a few months every other year. Governors, who worked every day, tended to get all the glory.

"The legislatures — around the country, not just in Minnesota — said, 'Hey, we've got to pull ourselves up by our bootstraps and do a better job of promoting the legislature.' And that's exactly what happened," he says.

In 1971, Burdick and a small group of legislative staffers

PHOTOS BY ANDREW VONBANK



approached House leadership and pitched the idea of an "Office of House Public Information." It was a hard sell, but they got permission to hire a session-only employee.

"It was a one-person operation, and he had a table in a hallway. It really wasn't an A-plus deal," he recalls.

The office got off to a shaky start, hiring and then losing two public information officers in as many years. One problem was a perceived lack of credibility: many of the representatives doubted that a House public information office could remain nonpartisan while working, essentially, for partisan House leadership.

That all changed, however, with the hiring of an energetic and talented newcomer named Jean Steiner.

## Focus on the public

Steiner, who previously worked as a public relations writer for the Minnesota Medical Association, was brought on as the House's new public information officer in December 1973. She remained in that post for the next 15 years, during which time she transformed the office into a permanent and valued fixture at the House.

Although she had never been "politically involved" and knew little about the inner-workings of the Legislature, Steiner came to the job with a powerful conviction: that the focus of public information should be on "educating the public, not just reaching out to politicians."

That was an unusual approach at the time. Up until then, Steiner says, "All information offices had a political person at the head of them; that was the right of the person in power." Her revolutionary idea was to present objective information to the public in a strict nonpartisan manner.

In addition to publishing a variety of educational materials, including legislative directories, informational

pamphlets such as "How a Bill Becomes a Law," and a painstakingly assembled legislative district finder, the office established an annual booth at the Minnesota State Fair. It also began printing legislative newsletters.

From 1975 to 1983, Steiner and her staff experimented with a variety of newsletter formats. One of the most popular, the Weekly Wrap-Up (1976-1981), had its funding cut during a budget crunch; however, in 1984 she was able to start publishing a new, smaller version. It was called Session Weekly.



The first Session Weekly from 1984.

## A resounding success

When Steiner was hired in 1973, the House's information office consisted of exactly two people: Steiner and her session-only assistant, Susan Shephard, who would later become Susan Carlson — as in Mrs. Gov. Arne Carlson. Their work wasn't very glamorous.

"[Susan and I] worked terribly, terribly hard for the information office. It was well into the night every night," Steiner says.

It paid off, however, and it wasn't long before awards and acclaim began pouring in from around the country, both for the office and for Steiner herself. Soon, information officers from other states began calling to

find out what kind of projects the Minnesota House was working on.

"Jean took hold and that office really succeeded," Burdick says. "The public was happy with it, the newspapers were happy with it."

Steiner even recalls attending a national

convention for public information officers in which the main presenter, a reporter from the Des Moines Register, declared, "I don't know why you selected me as the keynote speaker, because I don't believe in public information offices — except for one, and that's in Minnesota, where they are attempting to educate the public, and that could work."

Eventually, Steiner was able to bring on a larger staff that included front desk office assistants, session writers, photographers and

unpaid interns. Today, the office, now called House Public Information Services, includes 11 permanent and eight session-only staff members, and, in addition to publications and photography, is responsible for providing the House's television coverage.

## A bright future ahead

Steiner and Burdick are both retired now, and live coincidentally in the same building in a Roseville retirement community. Since she left the House, Steiner has performed a variety of work, most recently as an author. She co-wrote two books with her daughter, Mary Steiner Whelan — "For the Love of Children" and "This Year I Sing." The latter she also wrote with her granddaughter, Shawn Whelan. Steiner has also performed public relations work for Mary and Shawn's nonprofit group, Give Us Wings, which help impoverished women in Kenya and Uganda. Burdick retired from the House as chief clerk in 2005.

As for Session Weekly, after nearly a quarter of a century of evolution, its basic formula remains the same: articles highlighting key legislative activity; information on House and Senate members and committees; and features on the state's history and culture. Over the years, photos and improved graphic design have been added, along with longer articles.

The magazine remains almost totally unique among government-produced publications. Nebraska is the only other state known to have a weekly nonpartisan news magazine (Unicameral Update) devoted entirely to state legislative affairs.

It is perhaps fitting that Session Weekly's 25th year marks the first time it is being published in an HTML format on the Web, as House Public Information Services continues to expand its activities and presence on the Internet. But despite ever-changing technology, our basic mission is unlikely to change.

"I think the success of the House information office was due to the young people that were willing to work extremely hard because they believed in it," Steiner says. "They believed it was helping the public. And I kept bringing that home to them. We have 134 bosses, as the chief clerk always said, but we all have 2 million plus bosses, and that's who we look for — the faces behind those representatives."



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

# Flood relief

## Special session delivers for Drazkowski's district

By Nick Busse

Former Rep. Steve Sviggum (R-Kenyon), now the state's labor and industry commissioner, offered a word of advice to the man who



Rep.  
Steve Drazkowski

would succeed him as the state representative from District 28B: "Just stick to your values."

His successor, Rep. Steve Drazkowski (R-Wabasha), who was sworn in Aug. 16, 2007, said he's lived by the creed of "rural values" his whole life, emphasizing hard work and community service. He intends to bring these values to the Capitol.

"I grew up on a beef farm and learned early about rural ethics and values ... and that's

really translated very well into my ability to connect and to relate well to our rural district," he said.

Drazkowski, a 42-year-old cable contractor who spent 14 years as an agent and educator with the University of Minnesota Extension Service, said he intends to deliver for his district, especially in the areas of property tax relief and rural transportation infrastructure.

He got the chance to deliver earlier than expected. When two days' worth of heavy rains caused major flood damage in southeast Minnesota in late-August, Drazkowski's district was among the hardest hit. On Sept. 11, 2007, the Legislature convened to approve a flood-relief package, and Drazkowski was able to spend his first night on the House floor helping his district recover from a natural disaster.

Drazkowski, whose father was a township

supervisor and county commissioner, has been an active member of the Republican Party, and in his youth spent many years with organizations like 4-H and Future Farmers of America. He said he felt like the time was right to "jump into the fray" of state politics.

A self-described "big outdoorsman," Drazkowski enjoys hunting and fishing in his spare time. He lives in Wabasha with his wife, Laura, and daughter, Kinsey.

### DISTRICT 28B

2002 Population: 36,528

Largest city: Goodview

Counties: Goodhue, Wabasha, Winona

Top concerns: Property tax relief and rural transportation infrastructure

## Special session brings disaster relief

Less than a month after heavy rains resulted in rushing floodwaters creating a path of destruction through parts of southeast Minnesota, state lawmakers met in special session Sept. 11, 2007, to approve a stream of money to help several southeastern Minnesota communities rebuild.

Sponsored by Rep. Ken Tschumper (DFL-La Crescent) and Sen. Sharon Erickson Ropes (DFL-Winona), the \$157.3 million law includes state aid to seven counties that were designated federal disaster areas following the Aug. 18-19, 2007, storms. Seven people were killed, nearly 1,500 homes damaged and approximately 300 were destroyed.

Effective Sept. 13, 2007, the law provides \$72.3 million of state assistance from the General Fund and \$56 million in general obligation bonding. It also includes \$1 million from the petroleum tank release fund.

The allocations will assist with homeowner and business cleanup; the refurbishing or rebuilding of public infrastructure, including roads and bridges, school facilities cleanup,

repair or replacement; increased student transportation costs; student enrollment changes; replacing state facilities and restoration of natural resources; and help with historic structure cleanup and repair.

The law includes:

- \$51 million to replace roads and bridges;
- \$45 million for employment and economic development purposes;
- \$16 million in low-interest and forgivable loans to homeowners;
- \$4.2 million to repair and replace state facilities and restore area natural resources;
- \$1 million in property tax abatements for flooded homes and businesses;
- \$584,000 in education assistance to include school cleanup and repair, offset enrollment changes and to assist with increased student transportation costs;
- \$250,000 for historic site cleanup, repair and replacement costs; and
- \$100,000 for the Health Department to conduct indoor air quality investigations and sampling in public facilities and nonprofit organizations.

The law also provides \$3.7 million for "flood and drought recovery assistance to affected agricultural producers;" \$1 million to help Cook County and Grand Marais with costs associated with a fire in the Boundary Waters Canoe Area Wilderness earlier in 2007; \$200,000 in fiscal years 2008 and 2009 to Crookston for flood recovery and mitigation issues; and \$100,000 in fiscal years 2008 and 2009 to Browns Valley to assist in recovery from a March 14, 2007, flood.

Further, the law includes \$2 million to provide a state match necessary to receive \$53.2 million in federal grants and aid for the Interstate 35W bridge collapse. It also prohibits insurance companies from stating or implying to a policyholder that filing a claim related to the bridge collapse could result in non-renewal or cancellation of that policy or future premium increases.

SSHFI\*/SSSF1/CH2

— M. Cook



## Fast Track continued from page 4

(DFL-Mpls), chairman of the House Health and Human Services Committee.

The Health Care Transformation Task Force and the Legislative Commission on Health Care Access, met in the interim to discuss access to health care in Minnesota. Both came to similar conclusions on universal health care and focusing on prevention and risk assessment of chronic conditions for long-term cost savings, said Rep. Thomas Huntley (DFL-Duluth), chairman of the House Health Care and Human Services Finance Division. Chronic conditions include diabetes, coronary artery and heart disease, asthma, depression and chronic obstructive pulmonary disease.

"All of this is directed at making health care affordable for people," Thissen said.

Pawlenty expressed similar sentiment on affordability during his State of the State address. He suggested a dramatic reformation to the current health care system, including treating chronic diseases to extend the cost savings to more uninsured.

The commission also recommends health insurance reform to help bring about universal health care.

The recommendations include establishing a set of measurements and reporting goals for insurers to use as standard pay-for-performance models, and establishing uniform expectations and reporting on community benefits to be provided by non-profit health plan companies.

According to the task force recommendations, the current provider payment structures do not meet the needs of patients and health care

providers. By giving incentives or rewards to providers that use innovative methods for higher quality care and lower costs, it would free up doctors and nurses to practice medicine the way they and their patients want, Thissen said.

"I hope the Legislature takes into account the cost of not doing anything in addition to the cost of moving forward with transformation," he added.

## Transportation

A bridge collapse and Department of Transportation funding were both highly energized interim topics.

When the Interstate 35W bridge collapsed Aug. 1, killing 13 people and injuring 85 others, some members wasted little time to begin using the collapse as a symbol of the needed funding for deficient state roads and bridges. Some wanted a special session called in hopes of passing a comprehensive funding package to help relieve the estimated \$2.4 billion in needs.

At a pre-session press conference Feb. 11, Kelliher said a gas tax and Twin Cities metropolitan area sales tax increase, in last year's bill vetoed by Pawlenty, are likely to be revisited this year. "I don't think you can hardly accomplish anything without these," she said. Both are included in HF2800, an omnibus transportation finance bill quickly working its way through the House.

With the immediacy of state funds needed for the bridge replacement, MnDOT officials sought \$195 million in emergency funding to keep all other Fiscal Year 2008 projects on schedule. A Transportation Contingency Appropriations


Group, which included House and Senate leaders, met a handful of times, but allocated only about half of the requested amount.

That amount, to be reimbursed once federal funds are received, is expected to provide the department sufficient funds to let scheduled projects through February. Members, including Solberg, said it would permit the full Legislature to have a say in the additional department funding before the March letting of transportation projects.

However, the new transportation funding package, sponsored by Rep. Bernie Lieder (DFL-Crookston), would cover the needed funding.

The Joint House-Senate Subcommittee on Claims and Pawlenty agreed to create a special \$1 million fund for survivors and victims' families to make up for lost earnings not compensated from other sources, such as workers' compensation or disability insurance. No legislative approval is needed. The money comes from existing appropriations to the Trunk Highway and General funds for tort claims.

A bill for more victim compensation (HF2553), sponsored by Rep. Ryan Winkler (DFL-Golden Valley), was approved Feb. 14 by the House Governmental Operations, Reform, Technology and Elections Committee and sent to the House Public Safety and Civil Justice Committee. Sen. Ron Latz (DFL-St. Louis Park) is expected to offer a similar bill in the Senate. Latz expects a final version to be passed by mid-March.

- House Public Information Services' Nick Busse, Mike Cook, Patty Ostberg and Lee Ann Schutz contributed to this story. 

## State of the State continued from page 8

Yet, he asked lawmakers to pass a bipartisan transportation bill.

"We can't continue the stalemate that has existed for three decades over these issues," he said. "I remain hopeful we can overcome the politics and rhetoric of this debate."

## A 21st century economy

While remaining firm to his promise for no state tax increases, Pawlenty proposed a new entity, the "21st Century Tax Reform Commission" comprised of Minnesota employers, entrepreneurs and investors to recommend tax reforms to boost the economy.

Pawlenty also asked for support on his September proposal, the Strategic Entrepreneurial Economic Development (SEED) initiative, to help create new businesses and jobs.


## Going greener

Pawlenty called for the Legislature to bond up to \$20 million to funnel into low-interest loans that communities can use for green energy sources. He also proposed to increase the use of biodiesels, like soybean oil, in diesel fuel from 2 percent to 20 percent.

Pawlenty asked lawmakers to purchase 3,000 acres of land along Lake Vermilion for a new state park using the Environmental Trust Fund instead of the general fund.

## Veterans

Pawlenty asked the Legislature to pass a military and veteran's package that he proposed in November. The package expands services for veterans, including educational benefits, and supports businesses that employ veterans.

He thanked Chaplain Major John Morris, of the Minnesota National Guard, who led the invocation before his speech, and helped found the state's Beyond the Yellow Ribbon program. The program helps reintegrate soldiers returning from overseas. 

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

## Tuesday, Feb. 12

### **HF2553-Winkler (DFL)** **Governmental Operations, Reform, Technology & Elections**

Catastrophe survivor compensation fund established.

### **HF2554-Carlson (DFL)** **Governmental Operations, Reform, Technology & Elections**

Special session convened by majority vote of both houses of the Legislature or by order of the presiding officers of both houses, and constitutional amendment proposed.

### **HF2555-Slawik (DFL)** **Finance**

Child care assistance provider reimbursement rates increased.

### **HF2556-Eken (DFL)** **Finance**

State park rehabilitation and development funding provided.

### **HF2557-Bly (DFL)** **Finance**

University of Minnesota West Central Research and Outreach Station dairy facilities funding provided.

### **HF2558-Murphy, M. (DFL)** **Finance**

Library accessibility and improvement grants funding provided.

### **HF2559-Brown (DFL)** **Finance**

Wind energy production tax removed from county apportionment deduction for school districts.

### **HF2560-Ruud (DFL)** **Health & Human Services**

Neuropsychological testing coverage required for children diagnosed with cancer, and medical assistance coverage extended.

### **HF2561-Slawik (DFL)** **Finance**

Early childhood learning and child protection facilities grants modified.

### **HF2562-Kelliher (DFL)** **Finance**

Minneapolis; Orchestra Hall and Peavey Plaza pre-design funding provided.

### **HF2563-Hilty (DFL)** **Finance**

Big Lake Area Sanitary District wastewater treatment system funding provided.

### **HF2564-Hilty (DFL)** **Finance**

Barnum supply well funding provided.

### **HF2565-Hilty (DFL)** **Finance**

Carlton supply well funding provided.

### **HF2566-Hilty (DFL)** **Finance**

Moose Lake wastewater collection and treatment facility project funding provided.

### **HF2567-Scalze (DFL)** **Taxes**

Local government aid formula need measure provisions modified.

### **HF2568-Wardlow (R)** **Finance**

Eagan; Ring Road project completion funding provided.

### **HF2569-Anzelc (DFL)** **Finance**

Minnesota Public Utilities Holding Company Act adopted.

### **HF2570-Solberg (DFL)** **Finance**

Special Minnesota sesquicentennial license plates authorized.

### **HF2571-Howes (R)** **Finance**

Paul Bunyan State Trail development funding provided.

### **HF2572-Greiling (DFL)** **Finance**

Guidant John Rose Minnesota Oval improvements funding provided.

### **HF2573-Hansen (DFL)** **Agriculture, Rural Economies & Veterans Affairs**

Pesticide use prohibitions modified.

### **HF2574-Hamilton (R)** **Finance**

Windom Dam renovation or removal funding provided.

### **HF2575-Wollschlager (DFL)** **Finance**

Red Wing biosolids processing facility funding provided.

### **HF2576-Greiling (DFL)** **Finance**

Guidant John Rose Minnesota Oval improvements funding provided.

### **HF2577-Welti (DFL)** **Finance**

Independent School District No. 2899, Plainview-Elgin-Millville, community education fund balance adjustment corrected.

### **HF2578-Sertich (DFL)** **Finance**

Floodwood business park development funding provided.

### **HF2579-Bigham (DFL)** **Finance**

Washington County; Disabled Veteran's Rest Camp improvements funding provided.

### **HF2580-Haws (DFL)** **Governmental Operations, Reform, Technology & Elections**

Elections; right of access to multiple unit residences for campaign and election purposes clarified.

### **HF2581-Howes (R)** **Finance**

Ah-Gwah-Ching Regional Treatment Center Campus redevelopment funding provided.

### **HF2582-Howes (R)** **Agriculture, Rural Economies & Veterans Affairs**

Vietnam Veterans Day designated as March 29.

### **HF2583-Hamilton (R)** **Finance**

Jackson County; Prairie Ecology Center funding provided.

### **HF2584-Peterson, A. (DFL)** **Finance**

Nassau fire station funding provided.

### **HF2585-Ward (DFL)** **Health & Human Services**

Ambulance services; inter-facility transport requirements modified.

### **HF2586-Howes (R)** **Health & Human Services**

Cass County hospital district established.

### **HF2587-Huntley (DFL)** **Health & Human Services**

Smoking ban exception removed relating to patients in a locked psychiatric unit.

### **HF2588-Ward (DFL)** **Health & Human Services**

Regional treatment centers and state-operated nursing homes relocation authorization required.

### **HF2589-Hamilton (R)** **Governmental Operations, Reform, Technology & Elections**

Worthington Regional Hospital included in privatization retirement coverage.

### **HF2590-Ward (DFL)** **Health & Human Services**

Emergency Medical Services Regulatory Board members authorized to serve two consecutive terms.

### **HF2591-Olin (DFL)** **Health & Human Services**

First responders authorized to staff basic life support ambulances under certain conditions, and staffing flexibility allowed for rural ambulance providers.

### **HF2592-Koenen (DFL)** **Finance**

Upper Sioux Community water system improvements funding provided.

### **HF2593-Koenen (DFL)** **Finance**

Southwest Area Storm Sewer Project development funding provided.

### **HF2594-Dill (DFL)** **Finance**

North Shore state parks and trails funding provided.

### **HF2595-Hosch (DFL)** **Finance**

Paynesville; Washburne Avenue improvements funding provided.

### **HF2596-Hosch (DFL)** **Finance**

Cold Spring downtown riverfront redevelopment project funding provided.

### **HF2597-Hosch (DFL)** **Finance**

Warner Lake Park land acquisition funding provided.

### **HF2598-Hosch (DFL)** **Finance**

Stearns County; Rocori Trail funding provided.

### **HF2599-Brod (R)** **Local Government & Metropolitan Affairs**

Memorial Day observances county expenditure limit increased.

### **HF2600-Kelliher (DFL)** **Transportation Finance Division**

Minneapolis; Interstate 394 engine brakes use restriction authorized.

### **HF2601-Fritz (DFL)** **Environment & Natural Resources**

Cannon River wild and scenic rivers program lands removed.

### **HF2602-Nornes (R)** **Public Safety & Civil Justice**

Police vehicles used to transport police dogs exempted from window glazing restrictions.

### **HF2603-Olin (DFL)** **Finance**

Kittson County ATV trail funding provided.

### **HF2604-Olin (DFL)** **Finance**

Thief River Falls; multi-events complex phase II aquatic center funding provided.

### **HF2605-Olin (DFL)** **Finance**

Hallock Ice Arena funding provided.



**HF2606-Olin (DFL)****Finance**

Thief River Falls pedestrian and bicycle pathways system funding provided.

**HF2607-Olin (DFL)****Finance**

Roseau east diversion flood control project funding provided.

**HF2608-Solberg (DFL)****Finance**

Grand Rapids fire and hazardous response team facility funding provided.

**HF2609-Lieder (DFL)****Finance**

Crookston ice arena complex funding provided.

**HF2610-Juhnke (DFL)****Environment & Natural Resources**

Anglers authorized to take fish with two lines.

**HF2611-Juhnke (DFL)****Finance**

Kandiyohi County; Grass Lake restoration funding provided.

**HF2612-Juhnke (DFL)****Finance**

Ridgewater Community and Technical College science lab renovation funding provided.

**HF2613-Juhnke (DFL)****Finance**

Sibley State Park facilities improvements funding provided.

**HF2614-Juhnke (DFL)****Finance**

Ridgewater Community and Technical College asset preservation funding provided.

**HF2615-Juhnke (DFL)****Finance**

Willmar wastewater treatment facility rehabilitation funding provided.

**HF2616-Sertich (DFL)****Finance**

Chisholm street improvements funding provided.

**HF2617-Bly (DFL)****E-12 Education**

Early childhood education programs teaching employment requirements modified.

**HF2618-Welti (DFL)****E-12 Education**

School district career and technical education transition coordinators grants provided.

**HF2619-Tschumper (DFL)****Health & Human Services**

Birth certificate correction information provided.

**HF2620-Clark (DFL)****Health & Human Services**

Cord blood bank established statewide.

**HF2621-Tschumper (DFL)****Health & Human Services**

Well water testing required by the Department of Health for private well owners, renters or occupiers of property.

**HF2622-Nornes (R)****E-12 Education**

Early childhood family education program teacher licensure requirements modified.

**HF2623-Norton (DFL)****E-12 Education**

School district test results required to be provided by the state's testing contractor by the first week in May.

**HF2624-Urdahl (R)****E-12 Education**

Teacher quality improvement task force established for effectively integrating secondary and postsecondary academic and career education.

**HF2625-Slocum (DFL)****E-12 Education**

P-16 statewide education partnerships required to include legislators.

**HF2626-Clark (DFL)****Finance**

Senior citizen identification card fee eliminated.

**HF2627-Hilstrom (DFL)****Public Safety & Civil Justice**

Public nuisance law requirement affecting evidentiary thresholds and numbers of triggering incidents for specific offenses changed.

**HF2628-Norton (DFL)****Transportation Finance Division**

Provisional driver's license requirements modified.

**HF2629-Rukavina (DFL)****Finance**

Unemployed worker direct assistance funds required.

**HF2630-Brown (DFL)****Taxes**

Sales tax on purchase of certain school district vehicles eliminated.

**HF2631-Urdahl (R)****Agriculture, Rural Economies & Veterans Affairs**

Dairy investment matching grants provided.

**HF2632-Urdahl (R)****Public Safety & Civil Justice**

Public service corporations required to share appraisal information with landowners.

**HF2633-Brod (R)****Transportation Finance Division**

Driver's license acceptance requirements from another state or jurisdiction as valid form of identification modified.

**HF2634-Doty (DFL)****Governmental Operations, Reform, Technology & Elections**

State employee sick leave donation provided.

**HF2635-Olin (DFL)****Finance**

Northland Community and Technical College asset preservation funding provided.

**HF2636-Anzelc (DFL)****Local Government & Metropolitan Affairs**

Towns; recognition of service expenditures authorized.

**HF2637-Slawik (DFL)****Finance**

Child care absent day requirements effective date modified.

**HF2638-Jaros (DFL)****Health & Human Services**

MinnesotaCare definition of income for the non-farm self-employed modified.

**HF2639-Gottwalt (R)****Health & Human Services**

Legend drugs prescribing provisions changed.

**HF2640-Otremba (DFL)****Health & Human Services**

Prenatal insurance waiting periods prohibited; pregnancy pre-existing condition eliminated; parenting grant and hotline established; alpha-fetoprotein and adoption information required; adoption tax credit established.

**HF2641-Anzelc (DFL)****Finance**

Canisteo Mine Outflow Project funding provided.

**HF2642-Anzelc (DFL)****Finance**

Itasca County; steel mill funding provided.

**HF2643-Nelson (DFL)****Finance**

Hennepin Technical College funding provided.

**HF2644-Faust (DFL)****Finance**

Mora; senior center funding provided.

**HF2645-Faust (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Minnesota National Guard Youth Challenge Program participation report required.

**HF2646-Faust (DFL)****Finance**

Hinckley Fire State Monument funding provided.

**HF2647-Bly (DFL)****Higher Education & Work Force Development Policy & Finance Division**

Teach education and comprehension helps program grants administrative funding clarified.

**HF2648-Bly (DFL)****Finance**

Northfield; public safety and regional emergency operations center funding provided.

**HF2649-Brown (DFL)****Finance**

Kindergarten pupil unit count for all-day, every day kindergarten increased.

**HF2650-Brown (DFL)****Finance**

Principals' Leadership Institute money appropriated.

**HF2651-Peterson, A. (DFL)****Finance**

AgLand Center funding provided.

**HF2652-Drazkowski (R)****Governmental Operations, Reform, Technology & Elections**

English designated as the official state language.

**HF2653-Clark (DFL)****Finance**

Neighborhood land trust definition modified.

**HF2654-Rukavina (DFL)****Finance**

Iron Junction; sewer expansion funding provided.

**HF2655-Rukavina (DFL)****Finance**

Aurora; wastewater treatment facility, phase II funding provided.

**HF2656-Lanning (R)****Finance**

Minnesota State University, Moorhead capital improvements funding provided.

**HF2657-Bigham (DFL)****E-12 Education**

School boards required to seek information from prospective employees and the Board of Teaching about disciplinary actions against employees.

**HF2658-Hosch (DFL)****Finance**

Independent School District No. 750, Rocori; account transfer authorized.

**HF2659-Rukavina (DFL)****Finance**

Virginia; Mining Haul Road economic development project funding provided.

**HF2660-Urdahl (R)****Taxes**

Livestock farming operations items exempted.

**HF2661-Severson (R)****Finance**

Sartell; Central Minnesota Regional Parks and Trails funding provided.

**HF2662-Peterson, S. (DFL)****Local Government & Metropolitan Affairs**

Metropolitan Council members staggered terms provided.

**HF2663-Peterson, S. (DFL)****E-12 Education**

Schools required to use environmentally sensitive cleaning and maintenance products; task force established.

**HF2664-Koenen (DFL)****Agriculture, Rural Economies & Veterans Affairs**

New veterans home to be established and operated in Montevideo.

**HF2665-McNamara (R)****Transportation Finance Division**

General obligation bonds authorized as additional revenue source for trunk highway funding; and constitutional amendment proposed.

**HF2666-Rukavina (DFL)****Finance**

Gilbert wastewater treatment facility improvement funding provided.

**HF2667-Rukavina (DFL)****Finance**

Hoyt Lakes and White rail and infrastructure project funding provided.

**HF2668-Otremba (DFL)****Finance**

Alexandria Technical College law enforcement center funding provided.

**HF2669-McNamara (R)****Governmental Operations, Reform, Technology & Elections**

State government officials long-distance phone records approval provisions modified.

**HF2670-Paulsen (R)****Public Safety & Civil Justice**

Child predators required to wear tracking and monitoring devices after release from prison, penalties prescribed.

**HF2671-Urdahl (R)****Governmental Operations, Reform, Technology & Elections**

Nursing facility payment rates required to recognize pension benefit costs.

**HF2672-Urdahl (R)****Finance**

Annandale Tactical Training Center funding provided.

**HF2673-Urdahl (R)****Finance**

Dassel elevated water tank funding provided.

**HF2674-McNamara (R)****Finance**

Fracture-critical bridge replacement funding provided, sale of trunk highway or general obligation bonds authorized depending on adoption of a constitutional amendment.

**HF2675-Urdahl (R)****Finance**

State park and recreation area acquisition funding provided.

**HF2676-Mullery (DFL)****Finance**

Voluntary paid parental leave provided.

**HF2677-Fritz (DFL)****Finance**

Faribault water reclamation facility construction funding provided.

**HF2678-Fritz (DFL)****Finance**

Minnesota State Academy for the Deaf campus; Mott Hall renovation funding provided.

**HF2679-Fritz (DFL)****Finance**

Ellendale water system improvements funding provided.

**HF2680-Fritz (DFL)****Finance**

Medford wastewater and water system improvements funding provided.

**HF2681-Dettmer (R)****Taxes**

Christmas trees grown for resale considered an intensive use and agricultural land relating to property taxes.

**HF2682-Lillie (DFL)****Finance**

Ice arena operation school district levy authority increased.

**HF2683-Otremba (DFL)****Agriculture, Rural Economies & Veterans Affairs Finance Division**

Minnesota Agriculture Education Leadership Council expiration date modified.

**HF2684-Eken (DFL)****Finance**

Becker County Indian burial site acquisition funding provided.

**HF2685-Fritz (DFL)****Finance**

Bloomington Prairie sewer improvements funding provided.

**HF2686-Fritz (DFL)****Finance**

Minnesota Correctional Facility, Faribault, phase 3 expansion funding provided.

**HF2687-Westrom (R)****Local Government & Metropolitan Affairs**

Local government requirements for use of certain non-conforming lots limited.

**HF2688-Westrom (R)****Finance**

Elbow Lake infrastructure funding grant provided.

**HF2689-Slawik (DFL)****Finance**

Child care assistance basic sliding fee waiting list reduction funding provided.

**HF2690-Laine (DFL)****Finance**

Fridley; Springbrook Nature Center redevelopment funding provided.

**HF2691-Haws (DFL)****Finance**

St. Cloud Regional Airport land acquisition funding provided.

**HF2692-Haws (DFL)****Finance**

St. Cloud Civic Center expansion funding provided.

**HF2693-Laine (DFL)****Finance**

Fridley; Northstar commuter train station funding provided.

**HF2694-Doty (DFL)****Finance**

Little Falls; Pine Grove Zoo funding provided.

**HF2695-Moe (DFL)****Finance**

Bemidji State University property acquisition funding provided.

**HF2696-Mullery (DFL)****Public Safety & Civil Justice**

Police departments reimbursed by Department of Corrections for cost of predatory offender community notification hearings.

**HF2697-Johnson (DFL)****Finance**

Great River Road historic roadside properties development and restoration funding provided.

**HF2698-Haws (DFL)****Finance**

Sartell; Central Minnesota Regional Parks and Trails grant provided.

**HF2699-Moe (DFL)****Finance**

Bemidji State University Sattgast Science Building addition funding provided.

**HF2700-Moe (DFL)****Finance**

Bemidji State University property demolition funding provided.

**HF2701-Moe (DFL)****Finance**

Bemidji State University asset preservation funding provided.

**HF2702-Mullery (DFL)****Commerce & Labor**

Employee organization access to employees provided at certain meetings, tax treatment of employer expenditures related to opposing employee unionization efforts specified, and penalties imposed.

**HF2703-Jaros (DFL)****Finance**

Lake Superior Mississippi Railroad scenic railway improvements funding provided.

**HF2704-Dill (DFL)****Finance**

Vermilion Highlands Wildlife Management Area shooting sports facilities funding provided.

**HF2705-Moe (DFL)****Finance**

Bemidji State University science lab renovation funding provided.

**HF2706-Doty (DFL)****Finance**

Camp Ripley military museum funding provided.

**HF2707-Lenczewski (DFL)****Finance**

Bloomington; Old Cedar Avenue Bridge replacement funding provided.

**HF2708-Hilstrom (DFL)****Finance**

Independent School District No. 279, Osseo, grant provided to construct the Northwest Hennepin Family Center in Brooklyn Center.

**HF2709-Demmer (R)****Finance**

Wind energy revenue payments to school districts restored.

**HF2710-Haws (DFL)****Finance**

Correctional facilities statewide spending authorized.

**HF2711-Slocum (DFL)****Health & Human Services**

Health and auto insurance reimbursement required for emergency care provided by first responders.

**HF2712-Kalin (DFL)****Finance**

Chisago County; dam safety modifications spending authorized.

**HF2713-Moe (DFL)****Finance**

Bemidji Regional Event Center spending authorized.

**HF2714-Winkler (DFL)****Finance**

Perpich Center for Arts Education spending authorized.

**HF2715-Magnus (R)****Finance**

Rock and Nobles counties rail line state loans forgiven or converted to grants.



**HF2716-Bigham (DFL)****Finance**

Red Rock Corridor Transit Way funding provided.

**HF2717-Kalin (DFL)****Public Safety & Civil Justice**

Controlled substance minimum fines offenses disbursement authorized to juvenile substance abuse court programs.

**HF2718-Moe (DFL)****Finance**

Publicly owned housing funding provided.

**HF2719-Atkins (DFL)****Public Safety & Civil Justice**

Employee in position of authority and student sexual relations prohibited.

**HF2720-Atkins (DFL)****Public Safety & Civil Justice**

Loitering prohibited near schools and places where children congregate.

**HF2721-Dominguez (DFL)****Commerce & Labor**

Auto insurance and certain claims practices regulated.

**HF2722-Cornish (R)****Environment & Natural Resources**

Electronic licensing system agents permitted to charge a higher fee to credit card users, and notification of higher fee to individuals required.

**HF2723-Cornish (R)****Taxes**

Wells; disposition of certain tax increment revenues provided after decertification of a district.

**HF2724-Haws (DFL)****Finance**

St. Cloud State University asset preservation funding provided.

**HF2725-Hansen (DFL)****Governmental Operations, Reform, Technology & Elections**

Public Employees Retirement Association police and fire fund annuity authorized for a divorced spouse of a deceased retiree who elected a single life annuity.

**HF2726-Peterson, A. (DFL)****Environment & Natural Resources**

Angling license fees modified.

**HF2727-Howes (R)****Finance**

Independent School District No. 113, Walker-Akeley, authorized to rectify 2007 property tax levy for taxes payable in 2008.

**HF2728-Dill (DFL)****Finance**

Knife River-Larsmont sanitary district to the Duluth/North Shore sanitary district grant reappropriated.

**HF2729-Morrow (DFL)****Finance**

Heritage trail funding provided.

**HF2730-Doty (DFL)****Finance**

Camp Ripley training and exercise center funding provided.

**HF2731-Hansen (DFL)****Finance**

Water and Soil Resources board statewide projects funding provided.

**HF2732-Loeffler (DFL)****Finance**

Minneapolis; St. Anthony Parkway Bridge replacement funding provided.

**HF2733-Mahoney (DFL)****Finance**

St. Paul; Keller and Phalen parks master plan funding provided.

**HF2734-Clark (DFL)****Finance**

Neighborhood land trusts funding provided.

**HF2735-Mullery (DFL)****Public Safety & Civil Justice**

Peace officer training in managing and policing citizens with mental and emotional problems funding provided.

**HF2736-Mullery (DFL)****Finance**

Statewide landlord registry study provided, and report required.

**HF2737-Anzelc (DFL)****Environment & Natural Resources**

Wetland bank credit provided under certain state-held conservation easements.

**HF2738-Beard (R)****Finance**

Lower Minnesota Watershed District dredge material site projects funding provided.

**HF2739-Cornish (R)****Finance**

Wells; historical Wells Depot renovation funding provided.

**HF2740-Erickson (R)****Environment & Natural Resources**

Mille Lacs County; taking of white and albino deer prohibited.

**HF2741-Solberg (DFL)****Finance**

Grand Rapids; Wastewater treatment facility reconstruction authorized.

**HF2742-Fritz (DFL)****Finance**

Minnesota State Academies, Frechette Hall spending authorized.

**HF2743-Kalin (DFL)****Finance**

Chisago County; Ojiketa Regional Park created.

**HF2744-Greiling (DFL)****Finance**

State bond financed property sale proceeds distribution modified.

**HF2745-Wagenius (DFL)****Finance**

Environment & Natural Resources trust fund repayment provided.

**HF2746-Lesch (DFL)****Environment & Natural Resources**

Plastic bag recycling provided, civil penalties provided and rulemaking authorized.

**HF2747-Simon (DFL)****Health & Human Services**

Complementary and alternative health care practices modified.

**HF2748-Liebling (DFL)****Finance**

Administrative services unit required to apportion the necessary amount to purchase medical professional liability insurance coverage and authorizing fees to be adjusted to compensate for the apportioned amount.

**HF2749-Liebling (DFL)****Finance**

Olmsted County; nursing facilities reimbursement rates increased.

**HF2750-Moe (DFL)****Health & Human Services**

Ambulance service in the state trauma system transport criteria modified.

**HF2751-Ruud (DFL)****Finance**

Kinship navigator program established for grandparents and relatives raising related children, grant provided.

**HF2752-Ruud (DFL)****Health & Human Services**

Kinship support program established.

**HF2753-Rukavina (DFL)****Health & Human Services**

White Community Hospital District established and authorized to levy property taxes.

**HF2754-Scalze (DFL)****Health & Human Services**

Poultry and pork products containing arsenic additives sales prohibited to retail stores and restaurants.

**HF2755-Lenczewski (DFL)****Health & Human Services**

Physical therapy coverage required to include physical therapy for maintenance of health status for patients with progressive conditions.

**HF2756-McFarlane (R)****Finance**

Tamarack Nature Center; Destination for Discovery funding provided.

**HF2757-Hornstein (DFL)****Finance**

Imminent bridge collapse warning device required to be developed by the commissioner of transportation and report required.

**HF2758-Hausman (DFL)****Finance**

Central Corridor Transit Way design and construction authorized.

**HF2759-Kalin (DFL)****Finance**

Lindstrom; Trunk Highway 8 bridge replacement funding provided.

**HF2760-Mahoney (DFL)****Finance**

Bioscience public infrastructure grants provided.

**HF2761-Hausman (DFL)****Finance**

State museum of natural history funding provided.

**HF2762-Wardlow (R)****Governmental Operations, Reform, Technology & Elections**

Teachers Retirement Association; service credit for prior Illinois teaching service purchase authorized.

**HF2763-Gardner (DFL)****Taxes**

Anoka County; library governing bonding provision modified.

**HF2764-Poppe (DFL)****Finance**

Austin; flood relief funding provided.

**HF2765-Poppe (DFL)****Finance**

Austin; Austin Area Success Center funding provided.

**HF2766-Haws (DFL)****Finance**

St. Cloud State University; integrated science and engineering lab design funding provided.

**HF2767-Lieder (DFL)****Finance**

Northland Community and Technical College, East Grand Forks funding provided.

**HF2768-Haws (DFL)****Finance**

St. Cloud State University; Brown Hall science renovation funding provided.

**HF2769-Haws (DFL)****Finance**

St. Cloud Technical College; Allied Health Center design funding provided.

**HF2770-Kahn (DFL)****Finance**

University Research Park project area funding provided.

**HF2771-Lanning (R)****Finance**

Minnesota State Community and Technical College, Moorhead funding provided.

**HF2772-Fritz (DFL)****Finance**

Minnesota State Academies asset preservation funding provided.

**HF2773-Atkins (DFL)****Finance**

Inver Hills Community College funding provided.

**HF2774-Haws (DFL)****Finance**

St. Cloud Technical College funding provided.

**HF2775-Anzelc (DFL)****Finance**

Rainy River Community College asset preservation funding provided.

**HF2776-Norton (DFL)****Finance**

Olmsted County; new steam line from Olmsted Waste-to-Energy Facility to Rochester Community and Technical College Campus funding provided.

**HF2777-Gardner (DFL)****Environment & Natural Resources**

Solid waste management tax revenue disposition modified.

**HF2778-Poppe (DFL)****Finance**

Riverland Community College funding provided.

**HF2779-Paulsen (R)****Finance**

Lifelong learning account program established, tax credits to employees and employers for contributions to lifelong learning accounts allowed.

**HF2780-Jaros (DFL)****Local Government & Metropolitan Affairs**

Duluth; food and beverage sales tax rate increase authorized; proceeds authorized for certain improvements.

**HF2781-Jaros (DFL)****Taxes**

Disaster response vehicles exempted from registration tax and fees.

**HF2782-Bigham (DFL)****E-12 Education**

K-12 athletic coaches required to undergo criminal history background check.

**HF2783-Swails (DFL)****E-12 Education**

P-20 education partnership established.

**HF2784-Mullery (DFL)****E-12 Education**

Public school students required to complete service learning hours as a condition of graduating from high school.

**HF2785-Gardner (DFL)****E-12 Education**

Conflict of interest exception established for certain school contracts for professional and other services.

**HF2786-Mullery (DFL)****Commerce & Labor**

Qualified rehabilitation consultant fees modified.

**HF2787-Mullery (DFL)****Governmental Operations, Reform, Technology & Elections**

Public Interest; certain private actions on behalf of one or more persons alleging unlawful business, commerce or trade practices provided.

**HF2788-Anzelc (DFL)****Local Government & Metropolitan Affairs**

Nashauk Public Utilities Commission membership increased from three to five members.

**HF2789-Dill (DFL)****Public Safety & Civil Justice**

Reestablishment cost limit provisions amended.

**HF2790-Eastlund (R)****Public Safety & Civil Justice**

Maximum bail increased for unconditional release of impaired driving defendants who have been taken into custody following arrest.

**HF2791-Juhnke (DFL)****Finance**

Kandiyohi County veterans home funding provided.

**HF2792-Juhnke (DFL)****Governmental Operations, Reform, Technology & Elections**

Baseball park proposals required.

**HF2793-Murphy, M. (DFL)****Finance**

Duluth Entertainment Convention Center arena funding provided.

**HF2794-Thao (DFL)****Environment & Natural Resources**

Crossbow hunting of bear and turkey allowed during regular firearms seasons.

**HF2795-Tschumper (DFL)****Governmental Operations, Reform, Technology & Elections**

Local government; Public entities may hold meetings or events after 6 p.m. on March 4, 2008.

**HF2796-Anzelc (DFL)****Finance**

Koochiching County renewable energy clean air project funding provided.

**HF2797-Anzelc (DFL)****Finance**

Wheeler Point community sanitary sewer collection and treatment system funding provided.

**HF2798-Anzelc (DFL)****Finance**

Northome sanitary sewer, water and storm sewer rehabilitation project funding provided.

**HF2799-Anzelc (DFL)****Finance**

Baudette water towers funding provided.

**HF2800-Lieder (DFL)****Finance**

Transportation finance bill appropriating money for highway maintenance, local roads, emergency relief related to the I-35W bridge collapse, establishing a bridge improvement program; issuing bonds; and modifying motor fuel taxes.

**HF2801-Anzelc (DFL)****Finance**

Voyageurs Heritage Center and Voyageurs National Park Headquarters funding provided.

**HF2802-Gardner (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Open burning of solid waste prohibited.

**HF2803-Greiling (DFL)****Governmental Operations, Reform, Technology & Elections**

Teachers retirement association coverage election authorized for a specified Minnesota State Colleges and Universities employee.

**HF2804-Gardner (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Buckthorn eradication ordinances authorized.

**HF2805-Mahoney (DFL)****Commerce & Labor**

Restricted plumber licenses effective dates modified.

**HF2806-Brown (DFL)****Finance**

Albert Lea landfill remedial waste systems funding provided.

**HF2807-Brown (DFL)****Finance**

Independent School District No. 242, Alden-Conger, funding provided for Alden Community Center.

**HF2808-Brown (DFL)****Finance**

Blazing Star Trail segment funding provided.

**HF2809-Brown (DFL)****Finance**

Rose Creek sewer systems upgrade funding provided.

**HF2810-Moe (DFL)****Finance**

Bemidji National Guard Training and Community Center roof repair funding provided.

**HF2811-Atkins (DFL)****Commerce & Labor**

Board of Accountancy governing provisions modified.

**HF2812-Seifert (R)****Finance**

Independent School District No. 411, Balaton, account transfer authorized.

**HF2813-Winkler (DFL)****Finance**

Metropolitan transportation projects state funding prioritization required for projects that have been awarded federal funding.

**HF2814-Howes (R)****Finance**

Walker water main funding provided.

**HF2815-Hilty (DFL)****Finance**

Moose Lake sex offender treatment program facilities phase 2 expansion funding provided.

**HF2816-Morrow (DFL)****Local Government & Metropolitan Affairs**

Nicollet County auditor-treasurer office made appointive.

**HF2817-Morrow (DFL)****Finance**

Lafayette wastewater collection system improvements funding provided.

**HF2818-Johnson (DFL)****Finance**

Battle Creek Winter Recreation Area snowmaking system funding provided.

**HF2819-Johnson (DFL)****Finance**

Lower Afton Trail funding provided.

**HF2820-Eastlund (R)****Public Safety & Civil Justice**

Safe cabs program matching-grant pilot program established to assist communities in providing safe transportation for intoxicated persons.

**HF2821-Hansen (DFL)****Finance**

High resolution digital elevation data funding provided.

**HF2822-Fritz (DFL)****Finance**

Trunk Highway 60 in Faribault expansion funding provided.

**HF2823-Bigham (DFL)****Finance**

Dakota County restorative justice services funding provided.

**HF2824-Kalin (DFL)****Environment & Natural Resources**

Comfort Lake - Forest Lake Watershed District classified as a watershed management organization.

**HF2825-Atkins (DFL)****Finance**

Inver Grove Heights; Heritage Village Park funding provided.

**HF2826-Gardner (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Buckthorn designated as a primary noxious weed, and municipal ordinances authorized.



**HF2827-Welti (DFL)**  
**Local Government & Metropolitan Affairs**

County historical society funding modified relating to cities of the first class.

**HF2828-Howes (R)**  
**Local Government & Metropolitan Affairs**

Property owner authorized to obtain a cartway to obtain access from a navigable waterway to island property.

**HF2829-Hornstein (DFL)**  
**Finance**

Minneapolis; Grand Rounds parkway improvements funding provided.

**HF2830-Davnie (DFL)**  
**Finance**

Minneapolis; emergency operations center and regional fire training center funding provided.

**HF2831-Davnie (DFL)**  
**Finance**

Minneapolis; Franklin LRT station and 46th St. station redevelopment area infrastructure improvements funding provided.

**HF2832-Slawik (DFL)**  
**Finance**

Trunk Highway No. 5 Maplewood; preliminary engineering improvements funding provided.

**HF2833-Slawik (DFL)**  
**Finance**

Trunk Highway No. 5 Maplewood; improvements feasibility study funding provided.

**HF2834-Wollschlager (DFL)**  
**Finance**

Cannon River pedestrian bridge funding provided.

**HF2835-Liebling (DFL)**  
**Finance**

Rochester; Mayo Civic Center Complex renovation and expansion funding provided.

**HF2836-Haws (DFL)**  
**Finance**

Non-metro regional parks and trails system recommendations required, funding provided.

**HF2837-Thao (DFL)**  
**Health & Human Services**

Optometrist practice and licensing provisions modified.

**HF2838-Thao (DFL)**  
**Health & Human Services**

Optometrist disciplinary actions provided for specified conduct.

**HF2839-Brynaert (DFL)**  
**Finance**

Mankato; performing arts theater and Southern Minnesota Women's Hockey Exposition Center design funding provided.

**HF2840-Cornish (R)**  
**Finance**

Pemberton community center funding provided.

**HF2841-Nornes (R)**  
**Finance**

Aquatic habitat acquisition funding provided.

**HF2842-Ruud (DFL)**  
**Finance**

Eden Prairie; Camp Eden Wood improvement and expansion funding provided.

**HF2843-Simon (DFL)**  
**Governmental Operations, Reform, Technology & Elections**

Presidential election; two electoral votes awarded to candidate with the highest nationwide vote total.

**HF2844-Simon (DFL)**  
**Finance**

Southwest Transitway Corridor environmental impact statement and preliminary engineering funding provided.

**HF2845-Ward (DFL)**  
**Finance**

Cuyuna State Recreation Area improvements funding provided.

**HF2846-Greiling (DFL)**  
**Finance**

School district alternative facilities bonding eligibility standards modified.

**HF2847-Laine (DFL)**  
**Taxes**

Fridley tax increment financing district authorized.

**HF2848-Bly (DFL)**  
**Finance**

Mill Towns State Trail construction funding provided.

**HF2849-Gottwalt (R)**  
**Finance**

Stearns County; Quarry Park and Nature Preserve land acquisition funding provided.

**HF2850-Brown (DFL)**  
**Taxes**

Agricultural property tax classification extended to brothers and sisters.

**HF2851-Solberg (DFL)**  
**Finance**

Grand Rapids; Southside Fire Hall funding provided.

**HF2852-Hansen (DFL)**  
**Taxes**

Local government aid city aid base increased for specified cities.

**HF2853-Bigham (DFL)**  
**Finance**

Trunk Highway No. 61 specific service signs installation required.

**HF2854-Hansen (DFL)**  
**Taxes**

Local government aid city aid base increased for specified cities.

## Thursday, Feb. 14

**HF2855-Ward (DFL)**  
**Governmental Operations, Reform, Technology & Elections**

Public Employment Retirement Association disability benefit election changes permitted.

**HF2856-Ward (DFL)**  
**Transportation Finance Division**

Passengers prohibited in the bed of a pickup truck.

**HF2857-Ward (DFL)**  
**Taxes**

School district referendum market value tax base altered and seasonal recreational property taxation modified.

**HF2858-Ward (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**

Fish-raising facilities excluded from certain licensing requirements.

**HF2859-Paymar (DFL)**  
**Finance**

Department of Corrections system-wide asset preservation funding provided.

**HF2860-Olin (DFL)**  
**Finance**

Independent School District No. 356, Lancaster, transition revenue adjusted.

**HF2861-Olin (DFL)**  
**Finance**

Northland Community and Technical College, Thief River Falls, funding provided.

**HF2862-Olin (DFL)**  
**Environment & Natural Resources**  
State-owned land acquisition limited, real estate taxes payment required on purchased state land.

**HF2863-Cornish (R)**  
**Finance**

Family substance abuse treatment services funding provided.

**HF2864-Ward (DFL)**  
**Finance**

Brainerd-Baxter sewage treatment plant funding provided.

**HF2865-Ward (DFL)**  
**Finance**

Brainerd downtown infrastructure improvements funding provided.

**HF2866-Simon (DFL)**  
**Governmental Operations, Reform, Technology & Elections**

Voter registration application forms use authorized.

**HF2867-Juhnke (DFL)**  
**Environment & Natural Resources**  
Farm unit conservation plan program created, state cost-share program required and task force created.

**HF2868-Brown (DFL)**  
**Finance**

Independent School District No. 2134, United South Central, cooperative facilities grant provided.

**HF2869-Ward (DFL)**  
**Environment & Natural Resources**  
Diesel truck idling reduction technology purchases grant program established.

**HF2870-Nelson (DFL)**  
**Transportation Finance Division**

Limited security interest created for co-signer of loan agreement to purchase motor vehicles.

**HF2871-Dill (DFL)**  
**Environment & Natural Resources**  
Conservation angling license provided.

**HF2872-Nelson (DFL)**  
**Finance**

North Hennepin Community College funding provided.

**HF2873-Nelson (DFL)**  
**Transportation Finance Division**  
USDOT carrier numbers provisions modified governing requirement and use.

**HF2874-Brod (R)**  
**Public Safety & Civil Justice**  
Citizenship and legal status verification required of offenders committed to custody, non-citizen inmates release to United States immigration and customs enforcement required.

**HF2875-Fritz (DFL)**  
**Finance**  
Minnesota State Academies, Pollard Hall funding provided.

**HF2876-Tschumper (DFL)**  
**Finance**  
Chatfield Brass Band Library funding provided.

**HF2877-Paymar (DFL)**  
**Public Safety & Civil Justice**  
Disarming a peace officer crime established.

**HF2878-Bigham (DFL)**  
**Public Safety & Civil Justice**  
Careless driving resulting in death penalty provided, and revocation of violator's driver's license provided.

**HF2879-Brynaert (DFL)**  
**Finance**  
Greater Minnesota business development public infrastructure grant program funding provided.

**HF2880-Moe (DFL)**  
**Finance**  
Greater Minnesota development funding provided.

**HF2881-Faust (DFL)****Finance**

Mora; Spring Lake Trail funding provided.

**HF2882-Faust (DFL)****Finance**

Pine Technical College funding provided.

**HF2883-Faust (DFL)****Finance**

Mora; wastewater infrastructure funding provided.

**HF2884-Faust (DFL)****Finance**

Quamba; wastewater infrastructure funding provided.

**HF2885-Anzelc (DFL)****Finance**

Nashwauk; wastewater infrastructure funding provided.

**HF2886-Anzelc (DFL)****Finance**

Nashwauk; wastewater infrastructure funding provided.

**HF2887-Anzelc (DFL)****Finance**

Effie; wastewater infrastructure funding provided.

**HF2888-Dean (R)****Finance**

Stillwater; flood control funding provided.

**HF2889-Davnie (DFL)****Finance**

Minnehaha Creek Watershed District funding provided.

**HF2890-Ruud (DFL)****Health & Human Services**

Colorectal cancer screening for the uninsured provided.

**HF2891-Ruth (R)****Finance**

Minnesota Wildlife Art Museum funding provided.

**HF2892-Sailer (DFL)****Finance**

Minnesota Job Skills Partnership programs modified.

**HF2893-Greiling (DFL)****Health & Human Services**

School districts authorized to participate in the state employee health insurance plan.

**HF2894-Anzelc (DFL)****Finance**

Coleraine, Bovey, Taconite JWC funding provided to improve aerobic digesters.

**HF2895-Lanning (R)****Finance**

Minnesota Sesquicentennial Commission funding provided for the celebration of Minnesota's 150th anniversary of statehood.

**HF2896-Thissen (DFL)****Local Government & Metropolitan Affairs**

War veterans memorial referendum requirement removed.

**HF2897-Rukavina (DFL)****Finance**

Virginia; veterans memorial funding provided.

**HF2898-Paymar (DFL)****Commerce & Labor**

Claim denials under aviation liability coverage regulated.

**HF2899-Pelowski (DFL)****Finance**

Winona State University; Memorial Hall funding provided.

**HF2900-Carlson (DFL)****Finance**

Hennepin County Medical Center outpatient clinic and health education facility funding provided.

**HF2901-Doty (DFL)****Finance**

Motley; Tri-County Regional Services Center funding provided.

**HF2902-Loeffler (DFL)****Finance**

Minneapolis; Lowry Avenue Bridge funding provided.

**HF2903-Gardner (DFL)****Energy Finance & Policy Division**

Biomass definition extended with respect to renewable energy objectives, distributed energy resources and renewable energy resource planning, and Metropolitan Area Water Supply Advisory Committee expiration date extended.

**HF2904-Pelowski (DFL)****Governmental Operations, Reform, Technology & Elections**

Natural disaster assistance procedures established for state agencies.

**HF2905-Anzelc (DFL)****Finance**

George Washington State Forest; Kabetogama State Forest; Bridge replacement funding provided.

**HF2906-Paymar (DFL)****Public Safety & Civil Justice**

Dangerous dogs regulating provisions changed.

**HF2907-Peterson, A. (DFL)****Local Government & Metropolitan Affairs**

Yellow Medicine County; appointive offices process provided.

**HF2908-Anzelc (DFL)****Finance**

Coleraine; downtown corridor redevelopment funding provided.

**HF2909-Anzelc (DFL)****Finance**

Itasca County; Balsam Lake dam repair funding provided.

**HF2910-Solberg (DFL)****Finance**

Itasca County: North Central Technology Laboratories facility funding provided.

**HF2911-Atkins (DFL)****Public Safety & Civil Justice**

Ticket sale and purchase offenses established.

**HF2912-Cornish (R)****Finance**

Wells; street and infrastructure improvement funding provided.

**HF2913-Peterson, A. (DFL)****Commerce & Labor**

Restricted plumber's license application time extended.

**HF2914-Pelowski (DFL)****Finance**

La Crescent; Wagon Wheel Recreational and Commuter Trail funding provided.

**HF2915-Morrow (DFL)****Finance**

North Mankato; Caswell Park funding provided.

**HF2916-Lieder (DFL)****Finance**

Crookston; ice arena complex funding provided.

**HF2917-Pelowski (DFL)****Finance**

Root River State Trail funding provided.

**HF2918-Kalin (DFL)****Finance**

Shafer; wastewater infrastructure funding provided.

**HF2919-Kalin (DFL)****Finance**

Rush City; wastewater infrastructure funding provided.

**HF2920-Murphy, E. (DFL)****Finance**

Developmental screening aid for children modified.

**HF2921-Dill (DFL)****Environment & Natural Resources**

Angling and fish house license period modified.

**HF2922-Murphy, E. (DFL)****Health & Human Services**

Latex glove use prohibited in food and beverage service establishments.

**HF2923-Drazkowski (R)****Environment & Natural Resources**

State lands sales required to provide funding for transportation projects.

**HF2924-Dettmer (R)****Environment & Natural Resources**

Washington County; tax-forfeited land bordering public land conveyance authorized.

**HF2925-Nornes (R)****Environment & Natural Resources**

Otter Tail County; tax-forfeited lands bordering public water private sale authorized.

**HF2926-Erickson (R)****Environment & Natural Resources**

Wetland conservation enforcement rulemaking modifications required.

**HF2927-Eken (DFL)****Finance**

Red River Valley flood protection farmstead ring levees construction funding provided.

**HF2928-Peterson, A. (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Anhydrous ammonia tanks authorized for farm use, refilling provided, and rules to provide safety and environmental safeguards authorized.

**HF2929-Koenen (DFL)****Finance**

Minnesota River Trail funding provided.

**HF2930-Dill (DFL)****Environment & Natural Resources**

Bear hunting permit drawing provisions modified.

**HF2931-Peterson, A. (DFL)****Finance**

Ortonville; Minnesota River Regional Park funding provided.

**HF2932-Moe (DFL)****Local Government & Metropolitan Affairs**

Cemetery fund use specified.

**HF2933-Dittrich (DFL)****Finance**

Anoka-Ramsey Community College funding provided.

**HF2934-Winkler (DFL)****Public Safety & Civil Justice**

Jury duty service deferral provided for nursing mothers.

**HF2935-Ward (DFL)****Finance**

Nisswa; wastewater infrastructure funding provided.

**HF2936-Westrom (R)****Public Safety & Civil Justice**

Sex offenders required to wear tracking and monitoring bracelets after release from prison, penalties prescribed.

**HF2937-Brynaert (DFL)****Finance**

Open Door Health Center funding provided.

**HF2938-Mahoney (DFL)****Finance**

St. Paul; city bond obligation funding provided.



**HF2939-Hosch (DFL)**  
**Higher Education & Work Force Development Policy & Finance Division**  
MnSCU board policy on credit requirements clarified.

**HF2940-Hortman (DFL)**  
**Commerce & Labor**  
Older vehicle damages disclosure provided.

**HF2941-Hausman (DFL)**  
**Finance**  
University of Minnesota funding provided.

**HF2942-Juhnke (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Livestock investment grant program created and money appropriated.

**HF2943-Madore (DFL)**  
**Finance**  
Transit implementation plan required to meet 80 percent of transit needs in Greater Minnesota by 2015, annual assessment of ADA paratransit ridership needs in metropolitan area required, and annual transit report required.

**HF2944-Kohls (R)**  
**Finance**  
Carver County; Lake Waconia Regional Park funding provided.

**HF2945-Bigham (DFL)**  
**Finance**  
Retired veteran license plates authorized.

**HF2946-Hansen (DFL)**  
**Energy Finance & Policy Division**  
Strategic tree planting inclusion mandated as eligible for direct expenditures as energy conservation improvement.

**HF2947-Hilty (DFL)**  
**Finance**  
Moose Lake south substation expansion project funding provided.

**HF2948-Mahoney (DFL)**  
**Finance**  
St. Paul RiverCentre loan repayment forgiven.

**HF2949-Atkins (DFL)**  
**Public Safety & Civil Justice**  
Salvia divinorum added to schedule IV of the controlled substance schedules.

**HF2950-Murphy, M. (DFL)**  
**Finance**  
Midway Township sewer reconstruction funding provided.

**HF2951-Urdahl (R)**  
**E-12 Education**  
Student participation in school safety drills required.

**HF2952-Urdahl (R)**  
**Environment & Natural Resources**  
Fishing club contest alternative annual fee established.

**HF2953-Urdahl (R)**  
**Finance**  
Litchfield wastewater treatment facility improvements funding provided.

**HF2954-Anderson, B. (R)**  
**Finance**  
Wright County; Bertram Chain of Lakes Regional Park land acquisition grant provided.

**HF2955-Simon (DFL)**  
**E-12 Education**  
School background check requirements modified.

**HF2956-Murphy, M. (DFL)**  
**Finance**  
Northshore Express Inter-City Passenger Rail funding provided.

**HF2957-Wagenius (DFL)**  
**Finance**  
Beneficial use of wastewater demonstration projects grants provided.

**HF2958-Erickson (R)**  
**Finance**  
Morrison County; Sullivan Lake Dam replacement funding provided.

**HF2959-Johnson (DFL)**  
**Commerce & Labor**  
Broadband service mapping project and inventory funding provided.

**HF2960-Olin (DFL)**  
**Finance**  
Hallock water tower funding provided.

**HF2961-Urdahl (R)**  
**Finance**  
Minnesota State Anthem Commission established.

**HF2962-Olin (DFL)**  
**Finance**  
Greenbush water treatment facility funding provided.

**HF2963-Hansen (DFL)**  
**Environment & Natural Resources**  
Lake Superior ballast water discharge regulation established; water exchange, discharge and treatment standards adopted; and civil penalties imposed.

**HF2964-Hilstrom (DFL)**  
**Commerce & Labor**  
Horse racing; purse set-aside and breeder's fund revenue sharing provided, and simulcasting restriction modified.

**HF2965-Gottwalt (R)**  
**Transportation Finance Division**  
Driver's license photographs required to show full head and face.

**HF2966-Nelson (DFL)**  
**Transportation Finance Division**  
State hospitals and institutions and county social service agencies authorized to operate vehicles exempt from payment of registration tax and fees.

**HF2967-Hortman (DFL)**  
**Transportation Finance Division**  
Trailer brake motor vehicle weight limit modified, and penalties imposed for forging or possessing false commercial motor vehicle inspection decals.

**HF2968-Ward (DFL)**  
**Transportation Finance Division**  
Joey's Law; alcohol-restricted driver's licenses distinguishing color and markings specified.

**HF2969-Nelson (DFL)**  
**Transportation Finance Division**  
Motor vehicle carrier weight limits violation civil penalties provided.

**HF2970-Drazkowski (R)**  
**Transportation Finance Division**  
Motorists required to move to far left of roadway before passing road maintenance workers.

**HF2971-Juhnke (DFL)**  
**Finance**  
Wind energy conversion system aggregation program and account established.

**HF2972-Mahoney (DFL)**  
**Finance**  
Minnesota Technology, Inc. renamed Enterprise Minnesota, Inc. and related provisions updated.

**HF2973-Dittrich (DFL)**  
**Finance**  
Permanent school fund subtraction eliminated, education funding simplified and permanent school fund technology revenue dedicated.

**HF2974-Dittrich (DFL)**  
**E-12 Education**  
School trust land citizen oversight committee provided.

**HF2975-Dittrich (DFL)**  
**Finance**  
Permanent school fund subtraction eliminated.

**HF2976-Murphy, E. (DFL)**  
**Finance**  
Child care assistance reimbursement rates modified.

**HF2977-Knuth (DFL)**  
**Finance**  
School district pension subtraction repealed.

**HF2978-Morgan (DFL)**  
**Finance**  
Education finance; basic formula allowance increased, special education revenue proration eliminated, special education funding increased and referendum ballot language modified.

**HF2979-Benson (DFL)**  
**Finance**  
School district location equity revenue study required.

**HF2980-Benson (DFL)**  
**Finance**  
School facilities formulas modified, additional districts qualified for alternative facilities revenue, and deferred maintenance revenue and leased facilities levy increased.

**HF2981-Carlson (DFL)**  
**Finance**  
Intermediate school districts authorized to borrow in anticipation of revenue payments.

**HF2982-Bly (DFL)**  
**E-12 Education**  
Alternative learning centers and charter schools five-year pilot program established to identify systemic improvement measures to best serve eligible students.

**HF2983-Peterson, S. (DFL)**  
**E-12 Education**  
Office of Early Childhood Education established.

**HF2984-Slawik (DFL)**  
**E-12 Education**  
School-age care program modified.

**HF2985-Dettmer (R)**  
**Finance**  
School district military pay salary differential assistance provided.

**HF2986-Kahn (DFL)**  
**Finance**  
Minnesota Humanities Center grant provided.

**HF2987-Juhnke (DFL)**  
**Commerce & Labor**  
Biodiesel definition modified, minimum content increased, tiered content goal created and B20 panel established.

**HF2988-Brod (R)**  
**Local Government & Metropolitan Affairs**  
Towns authorized to refund surplus revenues upon removal of a subordinate service district.

**HF2989-Koenen (DFL)**  
**Taxes**  
Military pensions individual income tax subtraction created.

**HF2990-Kohls (R)**  
**Taxes**  
Motor vehicle sales tax exemption provided for vehicles purchased outside of the United States by active military personnel.

**HF2991-Simon (DFL)**  
**Public Safety & Civil Justice**  
Safe at Home program provisions modified.

**HF2992-Juhnke (DFL)**  
**Finance**  
Little Crow Transit Way funding provided.

**HF2993-Thissen (DFL)****Finance**

Minneapolis forensic crime lab funding provided.

**HF2994-Anzelc (DFL)****Finance**

Big Fork sewer project funding provided.

**HF2995-Kalin (DFL)****Finance**

Amador Township wastewater infrastructure grant provided.

**HF2996-Paymar (DFL)****Public Safety & Civil Justice**

Drug offense judgment deferrals authorized, parole and corrections provisions modified.

**HF2997-Buesgens (R)****Commerce & Labor**

Public employment contracts financial parameters established.

**HF2998-Koenen (DFL)****Environment & Natural Resources**

Free lifetime state park permits authorized for totally and permanently disabled veterans.

**HF2999-Haws (DFL)****Finance**

St. Cloud National Guard Training and Community Center roof replacement funding provided.

**HF3000-Hilstrom (DFL)****Public Safety & Civil Justice**

Statewide public safety radio system financing technical correction provided.

**HF3001-Moe (DFL)****Finance**

Cass Lake wastewater infrastructure grant provided.

**HF3002-Moe (DFL)****Finance**

State trail acquisition, rehabilitation and repair funding provided.

**HF3003-Bly (DFL)****Transportation Finance Division**

Dan Patch commuter rail line planning and development restrictions repealed.

**HF3004-Dittrich (DFL)****Finance**

Anoka-Ramsey Community College phase 2 renovation funding provided.

**HF3005-Gardner (DFL)****Finance**

Groundwater monitoring wells installation funding provided.

**HF3006-Simon (DFL)****Governmental Operations, Reform, Technology & Elections**

Home rule charter jurisdictions procedures established relating to ranked-choice voting.

**HF3007-Simon (DFL)****Public Safety & Civil Justice**

Juveniles under age 16 prohibited from waiving right to counsel during custodial interrogations, except if waiver is made by juvenile's attorney or parent.

**HF3008-Slocum (DFL)****Finance**

Fort Snelling revitalization funding provided.

**HF3009-Morrow (DFL)****Health & Human Services**

Nursing facility employee pension benefit costs treatment provided.

**HF3010-Kohls (R)****Governmental Operations, Reform, Technology & Elections**

Immigration law enforcement non-cooperation ordinances and policies prohibited, and data use authorized.

**HF3011-Ward (DFL)****Health & Human Services**

Regional treatment center or state-operated nursing home relocation authorization required.

**HF3012-Ward (DFL)****Health & Human Services**

Foster and residential care placement provisions modified.

**HF3013-Norton (DFL)****Health & Human Services**

Plasma protein treatments health insurance coverage required.

**HF3014-Hosch (DFL)****Higher Education & Work Force****Development Policy & Finance Division**

Nurses loan forgiveness program clarified.

**HF3015-Erickson (R)****Finance**

Nursing facilities rate increase provided for facilities in Wright, Mille Lacs and Rice counties.

**HF3016-Murphy, E. (DFL)****Health & Human Services**

Medical assistance payment authorized for services provided by more than one home care or hospice agency.

**HF3017-Tschumper (DFL)****Environment & Natural Resources**

Ethanol plant exemption removed from environmental impact statement requirements.

**MEET & GREET**

PHOTO BY ANDREW VONBANK

House Speaker Margaret Anderson Kelliher shakes Gov. Tim Pawlenty's hand after his State of the State address Feb. 13.

# Gas tax increase seen as palatable

## Polltakers weigh in on medical marijuana, Vikings' stadium

During the 2007 Minnesota State Fair, 6,678 fairgoers took the poll conducted by nonpartisan House Public Information Services. It is an informal, unscientific survey on issues discussed in prior legislative sessions and may again be topics of discussion.

### 1. Should the fine for moving traffic violations be doubled if the driver is using a cell phone at the time of the infraction?

Yes	66.6%	(4,419)
No	25.7%	(1,709)
Undecided/No Opinion	7.6%	(502)

### 2. Would you be willing to pay an extra 10 cents per gallon for gas if all the money goes toward state road and bridge improvements?

Yes	58.3%	(3,873)
No	33.5%	(2,226)
Undecided/No Opinion	8.2%	(543)

### 3. Do you support legislation that would prohibit people from suing food manufacturers and vendors for weight gain as a result of consuming certain foods?

Yes	68.6%	(4,547)
No	24.3%	(1,607)
Undecided/No Opinion	7.1%	(471)

### 4. On Veterans Day, should employers be required to give veterans a paid day off?

Yes	45.8%	(3,042)
No	39.5%	(2,622)
Undecided/No Opinion	14.6%	(971)

### 5. Do you support a proposal to amend the state constitution to raise the state's sales tax by three-eighths of 1 percent and dedicate the money to environment and arts funding?

Yes	41.7%	(2,762)
No	48.7%	(3,223)
Undecided/No Opinion	9.6%	(634)

### 6. Should the state allow for medical uses of marijuana?

Yes	58.0%	(3,845)
No	30.3%	(2,007)
Undecided/No Opinion	11.7%	(777)

### 7. Should the state be required to ensure affordable, comprehensive health care for all Minnesotans?

Yes	70.7%	(4,685)
No	22.2%	(1,469)
Undecided/No Opinion	7.1%	(468)

### 8. Should smoking be prohibited within 50 feet of an entrance to public buildings?

Yes	70.2%	(4,656)
No	24.7%	(1,642)
Undecided/No Opinion	5.1%	(338)

### 9. In 2008, should the state bond for \$260 million to restore and expand the State Capitol, which opened in 1905?

Yes	45.3%	(2,994)
No	30.6%	(2,026)
Undecided/No Opinion	24.1%	(1,596)

### 10. Should grants be made to public school districts to provide locally grown food as part of the school lunch program?

Yes	61.3%	(4,062)
No	26.6%	(1,762)
Undecided/No Opinion	12.1%	(803)

### 11. Minnesota currently provides funding for half-day kindergarten. Should funding be increased to provide for full-day kindergarten, if a district chooses to offer this?

Yes	67.1%	(4,447)
No	25.2%	(1,671)
Undecided/No Opinion	7.7%	(513)

### 12. Should public financing be used to help fund a new football stadium to house the Minnesota Vikings?

Yes	13.0%	(862)
No	81.4%	(5,401)
Undecided/No Opinion	5.7%	(376)

### 13. Should liquor stores and car dealers be permitted to open on Sundays?

Yes	57.6%	(3,819)
No	33.9%	(2,243)
Undecided/No Opinion	8.6%	(570)

### 14. Invented in Faribault in 1926, should the Tilt-A-Whirl be designated the State Amusement Ride?

Yes	47.3%	(3,123)
No	21.5%	(1,421)
Undecided/No Opinion	31.2%	(2,065)

## LATE ACTION

### Dedicated funding bill passed

It's been a source of contention and debate at the Legislature for years, and now voters will have their chance to weigh in on the issue of dedicated funding for the environment and the arts.

HF2285, sponsored by House Majority Leader Tony Sertich (DFL-Chisholm) and Senate Majority Leader Larry Pogemiller (DFL-Mpls), was approved 85-46 by the House and then 46-16 by the Senate Feb. 14. If approved by a majority of voters in the Nov. 4 general election, the measure would increase the state's sales tax by three-eighths of 1 percent and constitutionally dedicate the money to conservation and cultural programs.

The money, approximately \$276 million per year, would be divvied up as follows:

- 33 percent (\$91.1 million) to protect fish and wildlife habitat;
- 33 percent (\$91.1 million) to clean up state waters, including 5 percent for sustainable drinking water;



PHOTO BY TOM OLMSCHIED

**Kevin Ausland, a member of Minnesota Sportsmen for Change, welcomes back members Feb. 12 for the 2008 session, and encourages quick passage of a bill that could ultimately provide dedicated arts and environment funding.**

- 19.75 percent (\$54.5 million) for arts and cultural heritage; and
- 14.75 percent (\$39.3 million) for parks and trails.

During a brief floor debate, the bill drew both criticism and praise from members on both sides of the aisle.

House Minority Leader Marty Seifert (R-Marshall) denounced the idea of raising

taxes amid a faltering economy and a projected budget deficit. He characterized the bill as part of a "primal scream of tax increases" being proposed by the DFL majority.

Other House members, including Rep. Mindy Greiling (DFL-Roseville), refused to support the bill on the grounds that it set a potentially dangerous precedent of budgeting through the constitution. Rep. Mark Buesgens (R-Jordan), meanwhile, predicted that voters would reject the measure anyway.

Those who spoke out in favor of the bill included Rep. Dennis Ozment (R-Rosemount) and Sertich, both of whom noted that environmental and cultural heritage funding has withered in recent years.

The bill, which has been around in some form or another for nearly a decade, made some headway in the closing weeks of the 2007 session, but was ultimately not passed before the House and Senate adjourned. It was fast-tracked this year in the hopes that early passage would give supporters adequate time to drum up support for the measure before Election Day.



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

**SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER**

**MAJORITY LEADER: ANTHONY "TONY" SERTICH**

**MINORITY LEADER: MARTY SEIFERT**

## MINNESOTA INDEX

### Session 2008

Number of legislative days in a biennium .....	120
Number available for this year .....	45
Legislative days used in 2006, the last bonding year .....	46
In 2004 .....	52
In 2002 .....	56
Days before constitutional deadline in which members adjourned in 2006 .....	1
Days from when the Legislature adjourned in 2007 to the first day of the 2008 session .....	267
Days between the start of session and Election Day, Nov. 4 .....	266
Date by which members must have their work complete .....	May 19
Number of new House members since the end of last regular session .....	1
(Steve Drazkowski)	
DFL House members .....	85
Republican House members .....	48
Independent Republican House members .....	1
Seat advantage for Republicans at start of 2006 session .....	68-66
Members having announced that this will be their final session .....	4
(Finstad, Kranz, Ozment, Walker)	
Bonding request submitted Jan. 14 by Gov. Tim Pawlenty (in billions) .....	\$1.09
Millions that are proposed in general obligation bonding .....	\$965
Percent of bonding request that are for statewide programs .....	43.2
Percent in the seven-county Twin Cities metropolitan area .....	29.8
Percent in Greater Minnesota .....	27
Millions in 2006 bonding law .....	\$999.98
Amount from general obligation bonds, in millions .....	\$948.64
Members in each body that must pass a bonding bill, as percent .....	60
Percent of each body needed to override any gubernatorial veto .....	66.67
Based on the November forecast, anticipated state General Fund shortfall at the end of the 2008-09 biennium, in millions .....	\$373
House bills introduced during the 2007 regular session .....	2,552
Senate bills .....	2,363
House bills introduced in 2006, the last bonding year .....	1,661
Senate bills .....	1,478
House bills introduced on the first day of session .....	302
In 2006 .....	515

— M. Cook

**Sources: House Public Information Services, House Chief Clerk's Office, Legislative Reference Library, Office of the Governor, Department of Finance.**

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 2 • FEBRUARY 22, 2008



CAPITAL CRISIS VS. CAPITAL INVESTMENT

TRANSPORTATION'S ON THE ROAD

DOGS PUT ON A SHORT LEASH

CASH FOR CHOO-CHOOS

HF3018 - HF3347





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Tom Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Agriculture • 5  
Bioscience • 5  
Business • 6  
Crime • 6  
Development • 6  
Education • 7  
Elections • 8  
Employment • 8

Energy • 9  
Environment • 9  
Game & Fish • 11  
Health & Human Services • 11  
Housing • 12  
Humanities • 12  
Local Government • 13  
Recreation • 13

Safety • 13  
Taxes • 15  
Tourism • 15  
Transportation • 16  
Veterans • 16  
Late Action • 23  
Notes • 23

### BILL INTRODUCTIONS (HF3018-HF3347) • 17-23

### FEATURES

**FIRST READING:** Capital crisis intersects with capital investment • 3

**LATE ACTION:** Transportation bill passed • 23

**NOTES:** One member to step down, another apologizes • 23

**MINNESOTA INDEX:** • 24

**On the cover:** John Lippert of Hudson, N.Y., restores the plaster and paint of the third floor of the State Capitol to its original look. Lippert has been working in the Capitol since September and expects to finish within the week. Elmer E. Garnsey painted the original murals in the early 1900s, working closely with the building architect, Cass Gilbert.

—Photo by: Sarah Stacke



## Eyes on the bond market

Capital crisis intersects with capital investment

The House Capital Investment Finance Division meets Feb. 19.

PHOTO BY SARAH STACKE

By LEE ANN SCHUTZ

**A**s members of the various House finance divisions scrambled this week to ready their capital bonding proposals, across the Capitol Mall, Department of Finance staffers were keeping a wary eye on the bond market.

Could the state capital investment bill be affected by what some financial analysts are calling a developing bond-insurance crisis?

Over the past months, financial problems have surfaced with some major bond insurers, as they have found their own investments entangled in the subprime mortgage mess. Their poor investments have led to a lessening of their credit rating, in some cases. And without a doubt, some municipalities have found limited access to purchasing bond insurance, and their overall cost of borrowing increasing.

### Credit counts

As anyone borrowing money for a new car or house knows, credit counts — and the better your score, the better the interest rate and the more apt you are to get money.

It's no different for the state when it goes looking for financing.

If the state has good credit, most likely it will have little trouble accessing the credit market, said Kathy Kardell, Department of Finance assistant commissioner.

---

***Credit crunch may not necessarily have an effect on state-financed projects, but for small communities or agencies with lower credit ratings, there could be problems.***

---

Fortunately, the state's credit rating is almost perfect with the three top rating firms; Fitch Ratings and Standard & Poor's rate it at AAA, while Moody's Investors Service gives it a notch below at Aa1.

"The people that will have difficulty (accessing funds) will be lower rated credits who, at least in the past, needed credit enhancement, which they typically purchased in the form of municipal bond insurance," Kardell said. These days, only one of the big four insurers has seen their credit rating remain in good standing, she said.

### What buyers want

It's not only the state's good credit that will make bonds attractive to investors, it's the type of bond that would be issued. In the case of capital improvements, they are funded by general obligation bonds.

Kardell explained that these bonds are backed by the full faith and credit of the state. According to the department Web site, this means the state has pledged to levy a statewide property tax to pay the debt service costs, if necessary.

In short, the "state will do whatever it needs to do to pay the bonds off, if it wants to maintain its credit rating," she said. "If you don't do that, carry through on your general obligation pledge, your credit rating would be tremendously affected and your ability to access funds in the market would too."

The credit crunch may not necessarily be affecting state-financed projects, but for small communities or agencies with lower credit ratings, there could be problems.

As with each bonding year, communities come forward to the Legislature with projects they'd like to have the state support. For some communities with lower credit ratings, however, getting eligible projects onto the state's bonding list may be crucial to the project's future.

Kardell explained that a small community

**First Reading continued on page 4**

may be rated in an A category, and in the past, if they were selling bonds of any size, they would almost always access bond insurance to attract buyers. Now, that may not be an option.

In terms of selling bonds, whether at the state or local level, investors are looking to underlying credit, she said, and obviously the better the credit the happier the buyers are going to be.

## Buying and selling

So, once the state gets the OK to sell bonds, who buys them? Kardell said it's generally not banks, but bond funds, insurance companies and individuals — especially through their trust accounts.

Right now, bond rates are very low for investors, making it a good time for the state to sell bonds. She pointed to a recent bond buyer index showing general obligation bonds at 4.47 percent on a 20-year bond. "In the last 12 months it has been as high as 4.81 and as low as 4.08 percent," she said. "So rates have been extremely low."

As Kardell watches Minnesota's capital investment bill move forward, she is watching the interest rate fluctuations closely.

The bond market, like the stock market, is seeing great volatility. If a capital investment bill is enacted, Kardell's concern is scheduling the bond sale.

"We do our best to schedule the state's sale around known bad times, like when the Federal Reserve is meeting or other events that could potentially affect the market. But that's something you can't control. If you are unlucky, we could be taking bids for our bonds on a day when rates are a little bit ziggy-zaggy." But even so, the spikes are low, so the state most likely could be looking at paying out a relatively low interest rate, she said. 🐼

## Frequently called numbers

Area code (651)

House Public Information Services	
175 State Office Building .....	296-2146
Chief Clerk of the House	
211 Capitol.....	296-2314
House Index	
211 Capitol.....	296-6646
Toll free.....	800-657-3550
Senate Information	
231 Capitol.....	296-0504
TTY, Senate .....	296-0250
Toll free.....	888-234-1112
Secretary of the Senate	
231 Capitol.....	296-2344
Voice mail/order bills .....	296-2343
Senate Index	
110 Capitol.....	296-5560

# It's about jobs and equity

## No 'dilly-dallying' around for capital investment proposals

By LEE ANN SCHUTZ

Rep. Alice Hausman (DFL-St. Paul) is reading the financial pages of the newspaper more than usual these days. Although she's aware of the problems facing bond insurers, as chairwoman of the House Capital Investment Finance Division, her focus is getting a capital investment bill onto the House floor, maybe even by the end of next week.

It's been no secret that the House majority is determined to get two bills quickly onto the governor's desk; the transportation bill, and a capital investment bill.

The urgency, according to Hausman, comes from the state's projected deficit; recently released numbers showing a decline in the number of jobs in the state; and the worsening national economy.

The state can't do too much about some of the root causes of the economic turndown — the price of oil and the housing and credit troubles, she said. "Most of these problems will require federal solutions, but we think we can do something about jobs."

She said enacted transportation and capital investment bills can kick-start the process.

"We didn't want to dilly-dally around and not get that money out there. If that transportation bill passes and the bonding bill passes and we can get them to the governor by March 15, that money could be out there and carpenters and trades people would be put back to work."

Hausman set an aggressive goal for finance division chairs to get their bonding bills heard, prioritized and wrapped into a proposal by Feb. 21.

Beginning Feb. 25, the proposals are scheduled to be heard in the House Capital Investment Finance Division, which would begin crafting the bill for consideration. "Our job is to figure out what we have room for this year," she said.

Division members will be looking for regional equity and equity between the various interest areas of need, such as education, transportation, and health and human services, she said. "We'll try to put together a balanced bill that addresses the highest priorities."

She'll also be looking for bills that need to move forward because there is a deadline for

a federal matching grant, such as the central corridor transit project.

## How much to spend?

When the February Economic Forecast is released Feb. 28, the projected \$373 million deficit for the current biennium is expected to grow. Generally, the amount available for a bonding bill is determined at that time. Historically, it is capped at 3 percent of the General Fund. But Hausman said that number is not carved in stone, and she left open the possibility that the capital investment bill may deviate from the practice.

"Way back when Rudy Perpich was governor, he said we should have some sort of

guideline to keep our borrowing in check, and they arbitrarily arrived at 3 percent of the General Fund. It's not in our constitution, it's not in statute; it's not even a rule. It's an informal guideline," she said.

She prefers the calculation be based off debt as a percentage of personal income ratio. Hausman said that in 2004, the national average for debt as percent of personal income was 2.4 percent; in peer

states, it was 2.9 percent. Minnesota was at 1.8 percent.

"So to say that we absolutely can't spend one penny over the 3 percent of the General Fund, is in some sense, irrelevancy," she said.

However, this may not be a battle she is willing to wage at this time, and she expects the division's bonding request to come in near or at the governor's goal of \$965 million in general obligation bonding.

There are similarities between the House and the governor's priorities, but she questions his stipulation that no local projects be included when a Duluth arena project is in his request.

"It would have been easier if he hadn't put it in, because once you put it in, it's harder to argue with other cities that their projects don't have merit. That equity thing is what cities watch for," she said.

Division members traveled the state this summer reviewing projects and she said the locals were "thrilled when we came to town ... it was front page news." To dismiss their projects as pork "insults the average Minnesotan." There is a good in helping many of these so-called local projects, she said.



PHOTO BY TOM OLMSCHIED

***"To say that we absolutely can't spend one penny over the 3 percent of the General Fund, is in some sense, irrelevancy."***

— Rep. Alice Hausman,  
House Capital Investment Finance  
Division chairwoman



**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 14-21. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and \*-the bill, version considered by the House, or the bill language signed by the governor.

## AGRICULTURE

### Problems surface with 'Green Acres'

The 40-year-old Green Acres program, along with two other agricultural land preservation programs, generally reduces property taxes for farmers whose land value is high due to nonagricultural factors, according to a report by the Office of the Legislative Auditor. The general consensus on the purpose of the program is to save farmland by easing the pressure on owners who could be tempted or pressured into selling their land at a high price for development.

But the report, presented to the House Property Tax Relief and Local Sales Tax Division Feb. 15, finds the program doesn't always protect those "green acres" from development in the long run.

No action was taken, but Rep. Paul Marquart (DFL-Dilworth), the division chairman, said the issue would likely be addressed this session, either by tweaking current law or adopting major changes.

The report found program problems, including:

- it does not help all who are eligible, either because landowners don't know about it or choose not to apply;
- the specific purpose of the program is not outlined in law;
- eligibility criteria are outdated and difficult to implement fairly; and
- it does not always protect farmland in the long run, as some owners wait until land prices increase dramatically and then sell.

In 2007, the program reduced landowners' property taxes by about \$40 million. With such a large tax break, the report recommended clarifying current law by stating exactly who should benefit, giving local agencies more responsibility to enforce preservation programs and developing other strategies to encourage owners to keep their farmland.

— C. BLANCHARD

### Bill lays out policy on hemp

Minnesota could join a neighboring state in its effort to allow the growing of industrial hemp.

Rep. Phyllis Kahn (DFL-Mpls) told the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 20 that North Dakota is taking the lead on challenging federal law.

The bill she sponsors, HF2168, would lay out policy for industrial hemp production in the state. However, Kahn said that nothing could happen "until Congress approves the change and the Department of Drug Enforcement actually has granted an application for somewhere." The bill would only be saying that "after the problems are taken care of on the federal level, we'd be ready to go," she said.

The committee approved the bill, and it now moves to the House Public Safety and Civil Justice Committee. There is no Senate companion.

Hemp production was banned by the 1970 Controlled Substances Act, largely because of fears the plant could mask growth of its cousin, the marijuana plant.

Until that time, industrial hemp was grown legally in the United States for a wide variety of purposes, including cloth and paper production. Kahn said that Betsy



PHOTO BY ANDREW VONBANK

**George Weiblen, University of Minnesota associate professor of plant biology, testifies before the House Agriculture, Rural Economies and Veteran Affairs Committee Feb. 20 on a bill that would develop the industrial hemp industry in Minnesota.**

Ross used hemp to create the first American flag, and that a draft of the Declaration of Independence was written on paper made from hemp.

Supporters say that products made from industrial hemp grown in Canada are currently available in this country.

Rep. Steve Drazkowski (R-Wabasha) said hemp grows freely in the state, and is considered a noxious weed. His concern that its presence would only increase in ditches and elsewhere was supported by George Weiblen, a University of Minnesota Department of Plant Biology professor and researcher.

— L. SCHUTZ

## BIOSCIENCE

### Incentives for biotech investors

A pair of bills sponsored by Rep. Ryan Winkler (DFL-Golden Valley) would provide tax incentives designed to stimulate investment in biotechnology startup companies in Minnesota.

The first, HF3143, would create a 25 percent "angel investor" tax credit for those who invest in qualifying Minnesota-based biotech companies, with the total maximum statewide credit capped at \$3 million. The second, HF3144, would prevent investors living outside the state who invest money in Minnesota biotech companies from having to pay state taxes on any investment gains.

Both bills would apply only to investments involving companies with fewer than 25 employees.

The House Biosciences and Emerging Technology Committee approved the bills Feb. 19 after hearing testimony from experts who said the state's tax policies are partially responsible for stunting growth in its biobusiness sector.

John Alexander, president and CEO of Chameleon Scientific and chairman of the Twin Cities Angels investor group, said Minnesota has fallen dramatically behind other states in its ability to attract lucrative, high-tech bioscience companies.

Alexander advocated lower taxes, fewer regulations and greater investment in scientific and technical education to foster a friendlier climate for biotech.

Meanwhile, Michael Berman, who serves on the boards of 12 different medical technology companies, played down the importance of taxes and argued instead that the state should focus on creating "infrastructure" — a high-quality education system and research



institutions capable of partnering with the private sector.

HF3143 now goes to the House Finance Committee and HF3144 to the House Taxes Committee. Neither bill has a Senate companion.

— N. BUSSE

## BUSINESS

### Investing in Minnesota businesses

A bill that would ask the State Board of Investment to invest more of its assets in Minnesota-based companies was approved by a House committee.

HF3142, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), would ask the board to “attempt to ensure” that at least 1 percent of its private equity investments are in venture capital businesses with a majority of their employees in Minnesota. The bill is designed to help provide more startup capital to newer, smaller companies — particularly in high-tech fields like bioscience.

The House Biosciences and Emerging Technology Committee approved the bill Feb. 20. It now goes to the House Governmental Operations, Reform, Technology and Elections Committee. The bill has no Senate companion.

The board is responsible for managing the \$63.5 billion worth of retirement funds, trust funds and cash accounts currently invested by the state. Howard Bicker, the board’s executive director, said that while it has a “pretty good record” of investing in Minnesota companies, the board’s primary mission is to make investments that yield a high rate of return, regardless of their location.

“The State Board of Investment is not really in the economic development business; we’re in the trying-to-make-money business,” he said, adding that the board never passes up an in-state investment opportunity when it’s a good deal.

Don Gerhardt, CEO of LifeScience Alley, disputed that claim, arguing that many potentially lucrative venture capital startups in Minnesota are ignored because of their small size. Calling the bill “extremely important,” he noted that other states have taken similar measures to help grow their high-tech business communities.

— N. BUSSE

## CRIME

### Juvenile interrogation protection

Amy Erickson was 15 years old when she was abducted by three men just blocks from her Dakota County home. She escaped before she could be sexually assaulted.

But her nightmare was far from over.

The police interrogated her for more than two hours, until she said the incident did not happen.

“I was a victim turned into a criminal,” she told the House Crime Victims Subcommittee Feb. 15, fighting off tears. “I always grew up trying to trust the police. ... I didn’t know I could walk out of the room. I didn’t know my rights.”

Warren Robinson, a private investigator, said the interrogation videotape shows Amy asking for her mother, Cindy.

“She felt the only way out of this situation was to tell them what they wanted to hear,” Cindy Erickson said.

Amy Erickson was later charged with falsifying a report to police. That charge was later dropped after it was fought by the family. She believes the police never went after her attackers.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park), HF3007 would prohibit juveniles under age 16 from waiving their right to counsel during custodial interrogations, unless a juvenile’s attorney, parent or custodian, under certain circumstances, makes the waiver. The juvenile may also knowingly and voluntarily consent to the waiver.

“It’s not requiring that a parent be there. It’s giving that as an option,” Simon said.

Approved by the subcommittee, it was sent to the House Public Safety and Civil Justice Committee. It has no Senate companion.

David Brown, an assistant Hennepin County attorney, said the bill could be problematic.

He said defendants are getting younger

and their crimes are becoming more severe, especially when it comes to gang activity. Plus, he said it could sometimes be troublesome to determine a child’s parent or guardian, and then it could take days to find that person.

— M. COOK

## DEVELOPMENT

### Funds sought for new Duluth arena

Since the Duluth Arena opened in 1966, the Met Center in Bloomington and St. Paul Civic Center have come and gone.

Now, supporters say it is time for a new arena near the shore of Lake Superior.

Sponsored by Rep. Mary Murphy (DFL-Hermantown), HF2793 will provide \$40.28 million in state money for a new arena across the parking lot from the current facility.

The bill was held over Feb. 18 by the House Higher Education and Work Force Development Policy and Finance Division for possible inclusion in its bonding recommendations. The appropriation is in the governor’s bonding request.

In addition to providing a new home for the University of Minnesota-Duluth men’s and women’s hockey programs, the facility would provide more convention space, would attract more national entertainers that don’t now come to the city because the current arena seating capacity isn’t large enough, and is expected to bring in millions of new dollars in shopping, lodging and dining. The new facility is expected to seat 7,000 for hockey games and more than 8,500 for concerts. The current arena would remain for other uses.



PHOTO BY TOM OLMSCHEID

The Duluth Entertainment Convention Center Authority (DECC) is requesting \$40.2 million to replace the current arena.

Dan Russell, executive director of the Duluth Entertainment Convention Center, said the arena would be designed to maximize energy efficiencies, including continued use of local, renewable resources.

State funding would be matched by a 0.75 percent increase in the city's food and beverage tax approved by city voters in February 2006. "That local match still works with UMD as a full partner," Russell said.

If funding is approved, construction would begin in the fall. "We're looking at 300 good trades jobs for two years, and trade jobs we can get going this year," Russell said.

A companion bill, SF2426, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Finance Committee.

— M. COOK

## EDUCATION

### Facilities grant program proposed

A \$5 million request to fund early childhood learning facilities across the state is at the forefront of the House Early Childhood Learning Finance Division's bonding request.

On Feb. 14, the division approved the bonding request, bundled in HF2561. The request awaits action by the House Capital Investment Finance Division.

Sponsored by Division Chairwoman Rep. Nora Slawik (DFL-Maplewood), the bill would establish grants to fund preschool and child care centers in areas with high poverty. To be eligible, the facilities must be owned or leased from state or local government agencies.

Richard Bartz, principal of Houston Elementary School, said the school district would apply for a grant to renovate the upstairs of an old Presbyterian church donated to the district. The district renovated the basement for use by preschoolers after the kindergarten expanded to an all-day program in its old location. With more room, the district could lengthen preschool hours, provide parenting classes and house other early childhood programs, Bartz said.

Beth Stanford, director of Semcac Head Start in southeast Minnesota, said the grants would help expand a program that's already had some success in pooling resources of several rural Head Start centers.

"We're serving a primarily rural population, and that's difficult for our program to reach all the families of need. It's just not cost effective for us to have a Head Start center in every small town in our six-county area," she said.

The bonding request also includes a \$3 million recommendation to fund a child and parent resource center in Austin.

Sen. Tarryl Clark (DFL-St. Cloud) sponsors the companion bill, SF2493, which awaits action by the Senate Finance Committee. The Senate version does not include a funding request for the Austin Area Success Center.

— C. BLANCHARD

### A new education office proposed

An Office of Early Childhood Education may be established.

HF2983, sponsored by Rep. Sandra Peterson (DFL-New Hope), would require the governor to appoint a director of the office, with the goal of providing high quality early childhood programs to address challenges families face affecting school readiness and academic success. There is no companion bill in the Senate.

Approved Feb. 18 by the House E-12 Education Committee, it was sent to the House Finance Committee.

This director would coordinate the administration of the early childhood programs and child care programs administered by the Education and Human Services departments, create effective early childhood programs and create a transition between early childhood education and kindergarten.

Art Rolnick, senior vice president and director of research for the Federal Reserve Bank of Minneapolis, said this is an issue of economic development, and it is the best investment the state can make.

"I think this would be a watershed for the state of Minnesota," he said, adding that businesses in the state support the measure.

No fiscal note was provided.

Karen Cadigan, director of outreach and public policy for the Center for Early Education and Development at the University of Minnesota, said significantly less time and money are spent on early learners as opposed to K-12 education.

Rep. Lynn Wardlow (R-Eagan) asked if anybody in the Department of Education currently performs these tasks, and if families would be forced to participate.

"I'm concerned with large government, more bureaucracy," Wardlow said.

Peterson said that as both parents work in more households, more children are being cared for by relatives or in day care. Participation in early childhood programs would remain voluntary, she said.

— T. HAMMELL

### Funding renewable energy projects

A bill to help public K-12 schools design renewable energy projects was held over Feb. 19 by the House K-12 Finance Division for possible inclusion in its bonding bill.

HF3178, sponsored by Rep. Brita Sailer

(DFL-Park Rapids), would provide \$5 million in state bonding money for wind, solar or closed-loop geothermal energy projects that would pay for themselves in 15 years. A companion, SF2972, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate Finance Committee.

"I think we have so much synergy between energy applications and the environment," Sailer said.

Two witnesses, who were involved in a solar wall project in the St. Anthony-New Brighton School District, shared their experience with the division.

"This solar wall was the first in the state of Minnesota to be installed," said Bernie Eikmeier, project manager for McKinstry Essention. The system uses solar energy to heat air, which is then tied into the heating system of the building. The project was expected to pay for itself in 12 years, but engineers now expect it to pay for itself in eight.

Eikmeier said he was skeptical himself of the project, but was surprised when on a bright November day when the outside temperature was 6 degrees that no additional heating was required.

— T. HAMMELL

### K-12 bonding recommendations

The House K-12 Finance Division sent its education funding omnibus bill to the House Education Finance and Economic Competitiveness Finance Division Feb. 20.

HF2558, sponsored by Rep. Mary Murphy (DFL-Hermantown), started as a library improvement and accessibility bill, but was amended to become the division's omnibus finance bill.

A companion, SF2682, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate Finance Committee. It contains only the library grants.

The \$108.7 million in requests are given one of three priorities.

Proposals with a high ranking include asset preservation for the state academies for the deaf and blind, the Perpich Center for Arts Education, library accessibility grants and a grant for the Red Lake School District for building construction.

Rep. Mindy Greiling (DFL-Roseville), the division chairwoman, said almost everything that came before the division would be listed as a high priority in some committees.

"We can fight for anything on the list," Greiling said.

Only \$7 million of the recommendations is included in the governor's bonding proposal for Minnesota State Academies and the Perpich Center for Arts Education.

The state academies are slated for just over



\$2.7 million in asset preservation, and \$3.3 million to renovate Mott Hall on the Minnesota State Academy for the Deaf campus.

Pawlenty recommends \$999,000 for projects at the Perpich Center for Arts Education for asset preservation.

None of the \$91.6 million recommended for Department of Education projects in the finance division are included in the governor's proposal.

— T. HAMMELL

## ELECTIONS

### Exemptions for campaign reporting

Some lobbying activity could become exempt from campaign finance reporting requirements.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Ann Rest (DFL-New Hope), HF1036/SF758\* would exempt lobbying activity at the Legislature related to certifying a ballot question for placement on a statewide ballot. It makes a distinction between lobbying the Legislature to place a constitutional amendment on the ballot and actually campaigning for voters to approve or reject the amendment once on the ballot.

It was approved, Feb. 14, by the House Governmental Operations, Reform, Technology and Elections Committee and sent to the House floor. The bill was approved 65-0 by the Senate last year.

Expenditures in excess of \$100 on activities designed to promote or defeat a ballot question must now be reported to the board.

Marcia Avner, public policy director of the Minnesota Council of Nonprofits, said the ruling that lobbying on constitutional amendments must be reported as political activity poses a problem for nonprofits and charities.

"We don't have political PACS. We don't do political activity," Avner said. "We understand that in the period of time when a group may be working on a ballot initiative that may be more political, but when we are lobbying at the Legislature we want to be consistent with all our other federal and state lobbying requirements. We report our lobbying at the Legislature as lobbying."

— B. HOGENSON

## EMPLOYMENT

### Labor agreement option

A bill that would once again allow state departments to enter into construction contracts containing labor agreements cleared its first House division.

## BULLY FOR UMD



PHOTO BY TOM OLMSCHEID

**"Champ," the University of Minnesota-Duluth mascot, takes part in a Capitol Rotunda rally Feb. 20. Representatives from all University of Minnesota campuses were in St. Paul to gain support for the university's bonding request and other issues.**

Rep. Mike Nelson (DFL-Brooklyn Park) sponsors HF1596, which would overturn a 2005 executive order by Gov. Tim Pawlenty barring this practice. Nelson said the legislation would not mandate the agreements, but would give the option; adding that in these agreements, unions give up the right to strike before a project is completed.

Approved Feb. 15 by the House Labor and Consumer Protection Division, the bill was sent to the House Commerce and Labor Committee.

A companion bill (SF1252), sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Dick Anfang, president of the State Building and Construction Trades Council, said these

types of agreements were allowed before the governor signed his executive order. These agreements provide uniformity between the groups working on the project, and are widely used in the private sector, he said.

Robert Heise, president of the Associated Building Contractors, Inc. Minnesota chapter, said this would essentially eliminate competition and would adversely affect non-union contractors. "The devil is in the details," he said.

— T. HAMMELL

### Bill would raise the minimum wage

For some, the minimum wage is a matter of dollars and cents. Adequate pay given for work done. For others, it's a matter of justice.



Approved Feb. 14 by the House Commerce and Labor Committee, HF456/SF875\*, sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Ellen Anderson (DFL-St. Paul), would raise the state minimum wage above the federal standard, currently at \$5.85 an hour. Already passed by the Senate, it now goes to the House floor.

The bill would raise the minimum wage for large employers (companies with annual sales of \$625,000 or more) to \$6.90 as of July 24, 2008, and to \$7.90 one year later. For small employers (companies with annual sales less than \$625,000), the minimum wage would be \$5.75 and \$6.75 respectively.

The bill would also eliminate the “training wage” which allows employers to pay a lower minimum wage – \$4.90 an hour – to employees under 20 years of age.

Speaking in favor of the bill, Archbishop Harry Flynn of the Archdiocese of St. Paul and Minneapolis said, “We have a long standing belief in the dignity of the worker, and we need to continue this tradition by increasing the minimum wage in a way that demonstrates the value we put not only on our work, but on our workers. This is a matter of justice, not charity.”

Dave Dederichs, manager of fiscal and labor/management policy at the Minnesota Chamber of Commerce, said the state should conform to the federal minimum wage which is scheduled to go up 70 cents in July and will be \$7.25 by July 2009. He also said the bill is flawed because it ties an inflationary index to the minimum wage.

— C. GREEN

## ENERGY

### Energy bonding recommendations

Three energy-related projects have been recommended for bonding: an energy efficiency program for municipal buildings; a waste-to-energy facility in Hutchinson; and a steam pipeline for the Rochester Community and Technical College.

On Feb. 18, the House Energy Finance and Policy Division approved HF1392, which contains its bonding recommendations for 2008. Sponsored by Division Chairman Rep. Bill Hilty (DFL-Finlayson), it now goes to the House Finance Committee.

The three initiatives included in the recommendations are organized by level of priority. On the top of the list, with the highest priority, is a \$10 million request for the Department of Commerce for “green bonds” — grants to municipalities to improve the energy efficiency of public buildings. This comes from a bill (HF1951) sponsored

by Rep. Kate Knuth (DFL-New Brighton). A companion bill, SF2358, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Finance Committee.

Second on the list with a “medium” level of priority is a high tech power plant that would turn solid waste into a source of energy. A \$2.5 million appropriation would fund a plasma arc demonstration facility, to be located in Hutchinson. This comes from a bill (HF167) sponsored by Rep. Paul Thissen (DFL-Mpls). A companion bill, SF171, sponsored by Sen. Dan Larson (DFL-Bloomington), awaits action by the Senate Business, Industry and Jobs Committee.

The third item on the list, designated a “low” priority, is a \$6 million appropriation for the design and construction of a steam pipeline from an Olmsted County waste-to-energy facility to the Rochester Community and Technical College campus. It would supply the college with steam heat and cooling. This comes from HF2776, sponsored by Rep. Kim Norton (DFL-Rochester). A companion bill, SF2658, sponsored by Senate Minority Leader David Senjem (R-Rochester), awaits action by the Senate Finance Committee.

— N. BUSSE

## ENVIRONMENT

### 3M cleanup pledge questioned

Several members of a House subcommittee expressed frustration that the 3M Corporation will not be paying a larger share of the cost of cleaning up a landfill that has been leeching chemical pollutants into the east metro drinking water supply.

The House Drinking Water Source Protection Subcommittee met Feb. 19 to discuss bonding recommendations for the Pollution Control Agency. Among the topics of discussion was a \$15 million request for remediation work at the Washington County Landfill, which is contaminated by perfluorochemicals (PFCs) that are presumed to have been manufactured by 3M.

Gov. Tim Pawlenty has asked the Legislature to approve the request, which would be supplemented by an additional \$8 million pledged by 3M, to help clean up the Lake Elmo site. Several legislators expressed concern that the state’s taxpayers are being asked to pay for more than their fair share.

“I don’t know why they (taxpayers) should be paying when they were not responsible and they didn’t know about it,” said Rep. Jean Wagenius (DFL-Mpls).

Rep. Karen Clark (DFL-Mpls) said that 3M, as the primary — possibly the sole — source of the contamination, should contribute more

to the cost of the remediation.

Rep. Denny McNamara (R-Hastings) agreed that 3M should be pressured to put up additional money for the project, but also praised the company’s willingness to negotiate, as well as their overall contribution to the state’s economy over the years.

“They’ve been admitting that we’ve got to deal with this problem and I think they’re doing it in a positive way,” McNamara said.

Other members questioned the method that’s being proposed to clean up the site.

Rep. Julie Bunn (DFL-Lake Elmo) has introduced a bill that would appropriate an as-yet-undetermined amount of bond money to fund alternative cleanup methods; however, Bunn said that whatever solution is ultimately chosen, action needs to be taken as soon as possible.

“From the citizen’s perspective, what’s most important is that we move this along,” Bunn said.

Bunn’s bill, HF3232, awaits action by the House Environment and Natural Resources Finance Division. There is no Senate companion.

— N. BUSSE

### ‘Clean cars’ emissions standards

A House committee approved a bill that would adopt California’s aggressive “clean cars” vehicle emissions standards for Minnesota.

HF863, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), would enact California’s policy, which is designed to cut greenhouse gas emissions from cars and light-duty trucks 30 percent by 2016. The House Environment and Natural Resources Committee approved the bill Feb. 14 after amending it with some technical changes.

“Under federal law, you have two choices: you have California or the federal standard,” Hortman said, summarizing a complicated and decades-long series of legal maneuvers that have resulted in states being able to opt for either the entire federal standards or the entire California standards, but not parts of both.

More than a dozen other states have already adopted the California standards, which the auto industry opposes. Hortman said the measure is a necessary step forward in reaching the state’s goal of a comprehensive climate change strategy, as outlined in last year’s Next Generation Energy Act.

The new standards would apply to all new passenger vehicles model 2009 and later that are sold or registered in the state. Automakers could use any combination of a number of existing technologies to reduce emissions. However, the standards are currently being challenged in court by the U.S. Environmental

Protection Agency.

Representatives of the auto industry warned that the California standards could hurt Minnesota's ethanol industry as well as raise the price of new vehicles. Greg Dana, a lobbyist for the Alliance of Automotive Manufacturers, called the standards "too aggressive, too soon," and added that E-85 and flex-fuel vehicles were unlikely to be able to meet the standards.

Rep. Tom Hackbarth (R-Cedar) was among several committee members who expressed concern about what they saw as ceding control of environmental policy in Minnesota to the California Air Resources Board, which has the power to change the standards at will.

The bill awaits action by the House Governmental Operations, Reform, Technology and Elections Committee. A Senate companion, SF481, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

### **Watershed management reform**

A bill that proposes a sweeping reorganization of the way Minnesota's waters are managed was approved by a House committee.

HF2536, sponsored by Rep. Morrie Lanning (R-Moorhead), would organize the state into nine watershed basins districts, each governed by a "basin board," and further require water management entities within those districts to coordinate with each other before receiving any state funding. The House Environment and Natural Resources Committee approved the bill Feb. 19 and referred it to the House Local Government and Metropolitan Affairs Committee. It has no Senate companion.

A watershed is an area of land in which all water flows into a lake, river or stream; basins typically comprise numerous watersheds. Currently, the state's watersheds are managed by an uneven and often overlapping patchwork of watershed districts, water management organizations and a slew of other local entities as well as several state-level agencies. With his bill, Lanning seeks to organize water management on a basin-wide level.

Opponents worry that the state would merely be adding another level of bureaucracy to an already complicated system. Rep. Frank Moe (DFL-Bemidji) asked Lanning why the Board of Water and Soil Resources couldn't perform the same functions as the proposed basin boards.

Lanning responded that state agencies like BWSR are often frustrated by the "countless organizations and political entities" that they have to work with to do their job. He argued that the basin boards would make it easier for

the state to deal with individual government entities by organizing them.

The bill originally would have allowed the basin boards to levy property taxes up to \$1 million per basin. Committee Chairman Rep. Kent Eken (DFL-Twin Valley) successfully amended the bill to remove the basins' taxing authority, arguing that property taxes are already too burdensome and that it would slow the bill's progress.

— N. BUSSE

### **Bonding proposals completed**

The House Environment and Natural Resources Finance Division completed its bonding recommendations for the biennium.

HF2957, sponsored by Division Chairwoman Rep. Jean Wagenius (DFL-Mpls), contains bonding recommendations for the Department of Natural Resources, Pollution Control Agency, Board of Water and Soil Resources and Metropolitan Council. The division approved the bill Feb. 21 and referred it to the House Finance Committee.

The bill recommends \$153.6 million for the DNR; \$16.5 million for the PCA; \$48 million for BWSR; and \$23.7 million for metropolitan parks, for a grand total of \$241.8 million in mostly general obligation bonds. The bill represents \$113.7 million more than Gov. Tim Pawlenty's recommendations.

Wagenius said the bill was crafted specifically to provide as many jobs as possible.

A Senate companion, SF2952, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Finance Committee.

— N. BUSSE

### **Trails advocates make their case**

Advocates for state and regional trails lined up Feb. 18 to plead their case for state bond money before the House Environment and Natural Resources Finance Division.

Division Chairwoman Rep. Jean Wagenius (DFL-Mpls) warned testifiers up-front that they were competing with each other for a very limited pool of funds.

"You should know that this committee adores trails. That is not an issue. The issue is ... we don't have an unlimited pocketbook," Wagenius told one testifier.

In all, the division members took testimony on more than 20 bills. Among the largest requests, Rep. Frank Moe (DFL-Bemidji) sponsors HF3002, a \$29 million request to fund 16 state trail projects that together represent the wish list of the Parks & Trails Council of Minnesota.

Moe said the projects are vital to the local economy and to the state's tourism industry. "We need to accelerate and move forward," he

said, adding that the bill would create jobs for the state almost immediately.

A companion bill, SF2490, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the Senate Finance Committee.

Other highlights included:

- a \$10 million request and a separate \$2 million request to complete the Grand Rounds National Scenic Byway and upgrade its lighting fixtures (HF3176 and HF2829, both sponsored by Rep. Frank Hornstein (DFL-Mpls));
- a \$2.19 million request to fund the Rice Creek North Regional Trail in Anoka County (HF2461, sponsored by Rep. Paul Gardner (DFL-Shoreview)); and
- a \$2 million request for a project to remove and replace the Old Cedar Avenue Bridge in Bloomington (HF2707, sponsored by Rep. Ann Lenczewski (DFL-Bloomington)).

All of the bills were held over for possible inclusion in the division's bonding recommendations.

— N. BUSSE

### **No funds for biofuel crops program**

A newly established program to pay landowners to develop their lands for producing biofuel crops will likely go unfunded this year.

A \$40 million bonding request for the Reinvest in Minnesota (RIM) Clean Energy Program was not included in the recommendations approved by the House Watersheds, Wetlands and Buffers Subcommittee. The program was established by the Board of Water and Soil Resources last year at the request of the Legislature.

"We have to make some choices," said Subcommittee Chairman Rep. Rick Hansen (DFL-South St. Paul), whose bill, HF2731, includes a \$42 million bond appropriation for the RIM Reserve program, administered by the board.

Hansen explained that the state currently has limited funds at its disposal. He said the RIM Reserve Program is a better investment because it can leverage \$1.40 in federal funds for every \$1 in state money spent. He added that some of the RIM Reserve funds could be used for similar purposes as the RIM Clean Energy Program.

Critics of the subcommittee's recommendations included Don Arnosti, forestry program director for the Institute for Agriculture and Trade Policy. He said the subcommittee was missing a huge opportunity to establish native perennial biofuel crops on working agricultural lands.

"I believe you're making a tremendous mistake that you will regret for many years," he said.

A Senate companion, SF2640, sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Finance Committee.

The recommendations have also been rolled into HF2957, sponsored by Rep. Jean Wagenius (DFL-Mpls), which contains the bonding recommendations of the House Environment and Natural Resources Finance Division. A companion bill, SF2952, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Finance Committee.

— N. BUSSE

## GAME & FISH

### Bill would regulate ballast water

A bill that would regulate ballast water discharges by oceangoing vessels in Lake Superior had its first hearing in a House division, but will apparently require more work before it goes further.

HF2963, sponsored by Rep. Rick Hansen (DFL-South St. Paul), is designed to curb the spread of aquatic invasive species, including the deadly viral hemorrhagic septicemia fish-killing virus, by ships that travel through the Great Lakes. The House Game, Fish and Forestry Division laid the bill over Feb. 18.

Aquatic invasive organisms can be transported across great distances by surviving in ships' ballast tanks and then being discharged along with the ballast water into new places, where they often wreak ecological havoc. The bill would establish regulations through the Pollution Control Agency that would force ships to treat their ballast water for invasive species before discharging it.

Henry VanOffelen, a natural resource scientist with the Minnesota Center for Environmental Advocacy, said 30 years of regulatory inaction has allowed nonnative species to invade the Great Lakes at a rate of roughly one new species per year. He said ballast water discharges are the source for a majority of the species.

Some would prefer a federal solution to the problem. Adolph Ojard, executive director of the Duluth Seaway Port Authority, said the maritime community supports ballast water regulations but would prefer a national and/or international policy.

Paul Eger, assistant commissioner of the PCA, said his agency is working on a permitting process for ballast discharges that could be implemented as early as September. He said the bill in its current form was problematic, and that a series of technical changes would likely be necessary before it could become law.

Division Chairman Rep. David Dill (DFL-

Crane Lake) agreed with Eger, adding that his division would likely "iron out a few wrinkles" before moving the bill forward.

A companion bill, SF2517, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

## HEALTH & HUMAN SERVICES

### Blood donation age could lower

The House Health and Human Services Committee approved a bill Feb. 19 that would lower the blood donation age to 15 if the person obtains written permission from the person's parent or guardian.

On its way to the House floor, HF1066, sponsored by Rep. Patti Fritz (DFL-Faribault), was the idea of high school student Joe Gibson, who came up with the proposal after seeing his grandfather's energy increase following blood transfusions during cancer treatments. Gibson said he attempted to give blood at his local high school blood drive soon after, but was turned away because of age requirements. The current age requirement is 17 years old.

Several states already allow 16-year-olds to donate, including: California, Georgia, Illinois, Iowa, Kansas, Maine, Maryland, Missouri, Nebraska, New York, Oregon and Washington.

There was no opposition to the bill.

A Senate companion, SF2471, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action by the full Senate.

— P. OSTBERG

### Human Services bonding priorities set

The House Health Care and Human Services Finance Division approved a \$139.8 million bonding request Feb. 20.

HF2091, sponsored by Rep. Thomas Huntley (DFL-Duluth), prioritizes the division's recommendations from high to medium. It now goes to the House Finance Committee.

High priority projects would include: asset preservation and safety and security for several Department of Human Services' treatment centers, grants to the Hennepin County Medical Center and a Native American juvenile treatment center.

Medium priority projects would include: phase two expansion of the Moose Lake Sex Offender Treatment Facility, a multi-county chemical dependency treatment facility and correctional center, Remembering with Dignity money for grave markers and memorial monuments, and renovation to Gillette Children's Specialty Healthcare in St. Paul.

The asset preservation, safety and security upgrades to already built facilities, and repair or demolishing of buildings at the Brainerd Regional Human Services Center are included in the governor's recommendations. The remainder of the projects are not.

HCMC is planning a \$175 million expansion and would be appropriated \$28 million from the state once \$146 million has been committed to the project from nonstate sources. The monies would be used for an education learning center for training rooms and labs.

Erma Vizenor, tribal chair woman for the White Earth Reservation, said the Native American juvenile treatment center would incorporate cultural and spiritual programs to help serve juveniles from all tribes in Minnesota. A former treatment center in Bemidji is now being considered as the location, she said. Under the bill, \$6 million would be available to construct the facility on or near the White Earth Reservation.

The Senate companion, SF1727, sponsored by Sen. Linda Berglin (DFL-Mpls), contains no bonding provisions. That bill was included in last year's health and human services law.

— P. OSTBERG

### Human services bill

The Minnesota Department of Human Services presented a \$99.9 million bonding request to the House Health Care and Human Services Finance Division Feb. 14. Rep. Thomas Huntley (DFL-Duluth), the division chairman, said the proposal could be included in the division's bonding request.

A large portion of the money would be used to finish an expansion at the Moose Lake Sex Offender Treatment Facility. HF2815, sponsored by Rep. Bill Hilty (DFL-Finlayson), would authorize \$90 million to finish a project that will expand bed capacity from 150 to 800.

A Senate companion, SF2679, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action in the Senate Finance Committee.

The request is not included in the governor's recommendations.

The remainder of the request would be used for asset preservation, safety and security upgrades to current facilities, and to repair or demolish buildings at the Brainerd Regional Human Services Center. Those portions are included in the governor's recommendations.

The \$90 million Moose Lake request would begin phase two and "ensure that adequate bed capacity is maintained to facilitate the level of court ordered commitments that the department projects will continue until longer sentencing guidelines for sex offenses mandated by the 2005 Legislature



actually begin to impact the annual number of referrals to the Minnesota Sex Offender Program,” according to the department.

The Legislature first appropriated funds for 100 beds at the Moose Lake facility in 1994. In 1998 money was appropriated for an additional 50 beds. In 2006, \$44.6 million was appropriated for the first phase of the expansion.

— P. OSTBERG

### Smoking cleanup costs

Currently, anyone caught lighting up in a nonsmoking hotel or motel room could be charged no more than \$100.

If signed into law, HF1825, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would fine the smoker for the cost of restoring the room to its original condition. The bill was approved by the House Public Safety and Civil Justice Committee Feb. 14, and sent to the House floor.

David Siegel, president and CEO of the Minnesota Lodging Association, said that according to association findings, each incident can cost an establishment between \$225 and \$250 for clean up, and it happens approximately twice a month. This adds up to a yearly cost of \$6,000, and only 20 to 25 percent of the cost is recouped, he said.

On each registration form, there is an agreement that the guest will pay an extra charge if they smoke in a nonsmoking room, said Mike Woitas, general manager of Country Inn & Suites in Albert Lea. What happens more often than not, Woitas said, is that the credit card companies will not cover the smoking room charges and the hotel is stuck with the cost.

Cleaning up after the smokers can be rather involved, because the hotel or motel may have to clean the drapes, carpets, blankets, comforters and replace the pillows, Woitas said.

Rep. John Lesch (DFL-St. Paul) questioned whether one could tell if someone had been smoking in a room without seeing them do it. Woitas said that besides the smell of smoke, there is usually evidence left behind such as ashes and cigarette butts.

SF2809, the companion bill sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Health, Housing and Family Security Committee.

— C. GREEN

## HOUSING

### Bonding flexibility for homeless

The Minnesota Housing Finance Agency says it would have more flexibility to address long term homelessness needs under a bill laid

over Feb. 19 by the House Housing Policy and Finance and Public Health Finance Division for possible inclusion in its bonding request.

HF2535, sponsored by Rep. John Benson (DFL-Minnetonka), would allow the agency to establish a nonprofit housing bond account within a housing development fund. The agency could then issue up to \$30 million of nonprofit bonds in one or more series to make loans and to finance construction and rehabilitation of permanent supportive housing.

The housing would be used for individuals or families who have been without a permanent residence for at least 12 months or at least four times in the last three years. It would also apply to those who are at significant risk of being without a permanent residence.

The bill is the last request for state money in the plan that began in 2003, to end long term homelessness, said Tonja Orr, agency assistant commissioner for housing policy. The money would fund about 200-350 housing units, she said.

The agency has used general obligation bonds to fund housing since 1990, but state constitutional guidelines require units to be owned by a public entity. Finding a willing and able entity to own public housing has been a struggle partly because of more costly legal fees and extra construction elements in projects, Orr said. The bill's financing mechanism will speed up development of affordable housing because nonprofits won't have to negotiate with local units of government, she said.

Orr said project allocations would be based on communities identifying a need and asking the agency for help.

A companion bill, SF2311, sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Finance Committee.

— P. OSTBERG

### Housing priorities set

The House Housing Policy and Finance and Public Health Finance Division approved its \$32.5 million bonding request Feb. 20.

HF2734, sponsored by Rep. Karen Clark (DFL-Mpls), would appropriate \$30 million to the Minnesota Housing Finance Agency to finance loans and grants for publicly owned emergency shelters, temporary or transitional housing, permanent rental housing and rehabilitation costs to preserve public housing. It now goes to the House Finance Committee.

Also included in the bill is a \$2.5 million grant for a Hennepin County Opportunity Center that would provide a single site to connect the homeless with needed services. Formally introduced as HF3153, sponsored by Rep. Frank Hornstein (DFL-Mpls), the center is part of the county's Heading Home

Hennepin 10-year plan to end homelessness.

The center would provide services such as housing, dental and medical in one location.

Another bill provision would require the Minnesota Housing Finance Agency to establish a working group to address the mortgage foreclosure crisis and submit recommendations to the Legislature by Jan. 1, 2009. The agency is to consider:

- the use of certain bonds to prevent residential mortgage foreclosures and to address the effects of them,
- means to make Community Activity Set Aside mortgages more accessible to neighborhood land trusts, and
- alternative tax classifications for neighborhood land trust properties to make taxation of properties more equitable and to provide an incentive for greater use of land trusts.

Jeff Washburne, director of City of Lakes Community Land Trust, said land trusts create ownership opportunities for low- to middle-income people through such means as financing management and resident training.

Rep. Dan Severson (R-Sauk Rapids) said that bonding obligations could constrain future legislatures.

A Senate companion, SF2829, sponsored by Sen. Mee Moua (DFL-St. Paul) awaits action in the Senate Finance Committee. The Senate bill contains language only pertaining to land trusts.

— P. OSTBERG

## HUMANITIES

### Wildlife museum planned

Minnesota is home to nearly one-third of federal duck stamp competition winners, but they and other wildlife artists do not have a permanent place to showcase their work.

Sponsored by Rep. Connie Ruth (R-Owatonna), HF2891 seeks to change that.

Held over Feb. 18 by the House Higher Education and Work Force Development Policy and Finance Division for possible inclusion in its bonding recommendations, the bill seeks \$1.25 million to help construct the Minnesota Wildlife Art Museum. “This would help create a permanent institution to exhibit, interpret and celebrate this art,” Ruth said.

The plans call for an addition of the Gainey Conference Center, which is owned by the University of St. Thomas, to house the museum. The university now delivers a master's program at the Owatonna center.

Last year, the university became aware that

several of Minnesota's top wildlife artists got their start as commercial artists at Jostens, Inc. in Owatonna, said Doug Hennes, the university's vice president for university and government relations.

"Jostens was run for several decades by Daniel C. Gainey, who left his estate to St. Thomas after his death in 1979," he said.

The university would cover half the construction costs and would pay for operating costs.

Hennes said the \$2.5 million museum would be a partnership between Steele County and the university. It would include temporary and permanent wildlife exhibits, as well as lectures, demonstrations and workshops directed at school-age children.

A companion bill SF2664, sponsored by Sen. Dick Day (R-Owatonna), awaits action by the Senate Finance Committee.

— M. COOK

## LOCAL GOVERNMENT

### Memorial Day funding

A bill that would increase the amount of money counties are authorized to spend for Memorial Day observances got its first approval on President's Day, Feb. 18.

The House Local Government and Metropolitan Affairs Committee approved HF2599 and sent it to the House floor.

The bill, sponsored by Rep. Laura Brod (R-New Prague), would increase the amount a county board is authorized to spend on a Memorial Day observance to \$3,500. The new amount would be effective July 1, 2008, and mark the first increase since the amount was increased from \$1,500 to \$2,000 in 1984.

Prior to the statutes being passed in 1911 and 1921, counties were not authorized to appropriate any money for Memorial Day exercises.

In addition, the bill would increase from \$100 to \$300 the amount a county board is authorized to appropriate to each post of a recognized military service persons' organization or society to help pay for Memorial Day exercises. This amount was last increased in 1979.

A companion bill, SF2463, sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— B. HOGENSON

## RECREATION

### More cold cash for ice needed

In 1995, the Legislature created the Mighty Ducks Ice Arena Grant Program.

The popularity of hockey had skyrocketed, especially among girls, and there didn't seem to be enough ice time for everyone who wanted to play. Communities across the state used the grants to build new sheets of ice or improve existing rinks, according to the Minnesota Amateur Sports Commission.

On Feb. 18, the commission asked the House Minnesota Heritage Finance Division to include a \$5 million request in its bonding request. The funds would resurrect the program, which had run out of money in 2000, said Paul Erickson, executive director of the commission. The bill was held over for possible inclusion in the division's bonding recommendations.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), HF2541 would provide 14 grants for new arenas at \$250,000 each and 15 renovation grants at \$100,000, according to the commission.

The original program funded 61 new sheets of ice, matched by more than \$120 million in public and private funds, Atkins said.

Rep. Dave Olin (DFL-Thief River Falls) asked the committee to include bills, HF2211 and HF2605, to fund ice rinks in Badger and Hallock.

Erickson said Badger contacted the commission in 2002, after the Mighty Ducks program had run out of money. If the program is funded again, he said Badger would likely be eligible for a grant, even though the rink would be used mostly for figure skating, because the town is in Greater Minnesota.

A companion bill, SF2348, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate Finance Committee. Saltzman is a commission board member.

— C. BLANCHARD

## SAFETY

### Emergency preparedness dollars

In 1999, a task force report was presented to the House about fire and law enforcement training facilities. It stressed the need for safe, realistic emergency training and the value of coordinating with federal, state and local agencies.

Sponsored by Rep. Al Doty (DFL-Royalton), HF2730 proposes \$5 million for the design and construction of a homeland security and emergency management training and exercise center at Camp Ripley, near Little Falls.

Presented to the House Public Safety Finance Division Feb. 14, the bill was laid over for possible inclusion in an upcoming public safety bonding bill. The Senate companion, SF2487, sponsored by Sen. Paul Koering (R-Fort Ripley), awaits action by the Senate Finance Committee.

A 53,000 acre, state-owned military training site, Camp Ripley has two aircraft runways, a control tower, an administrative and operations building, helicopter pads, an aircraft hanger and two crash fire rescue bays. Yet, even with these resources, availability is limited for civilian training because of the needs of the military.

Tim Leslie, assistant commissioner of the Department of Public Safety, said this would provide a regional facility where fire and police officials can receive valuable and consistent training for emergency situations. Preliminary plans include a simulated emergency operations center, collapsed structures and a fire hydrant system for a fully automated controlled simulated city.

Leslie also said that the next phase of the Camp Ripley project would include a 50-room dormitory, a cafeteria, burn tower and emergency vehicle driving course. It has a price tag of \$10.19 million, but another funding request will not be made until 2010.

— C. GREEN

### Hands-free cell phone use

A plan would help ensure that drivers keep two hands on the wheel.

Sponsored by Rep. Mike Jaros (DFL-Duluth), HF1822 would require that any cellular phone used while operating a motor vehicle be hands-free. Use is defined in the bill as "talking, text messaging or listening on a mobile telephone."

The House Transportation and Transit Policy Subcommittee sent the bill without recommendation Feb. 20 to the House Transportation Finance Division. There is no Senate companion.

Supporters said the bill is all about safety.

Citing a medical journal, Jaros noted a report stating cell phone abuse while driving causes as many incidents as drunken driving.

"Convenience must come second to public safety," said Kenneth Zapp, an economics professor at Metropolitan State University, whose stepson was broadsided in 2000 by someone who ran a red light while talking on a cell phone.

"When we fly in an airplane, we all accept the fact we go through screening for public safety," he said. "It's inconvenient, but we need to do it. It's equally serious here."

Jaros hopes this bill becomes law quicker than another safety measure, but will have the same result.

"I remember about 20 years when we passed the seat belt law it took about six or eight years to do so," he said. "I didn't think it'd be as effective as it is." Minnesota usually ranks at or near the top in nationwide seat belt usage, including 83.3 percent in 2006.

However, like a seat belt offense, this would be a secondary offense, meaning the driver would need to be stopped for another moving violation.

A person would not be guilty of crime if the phone was used for contacting certain places in response to an emergency, such as calling 911, a doctor, ambulance, fire department or other law enforcement agency.

Rep. Ron Erhardt (R-Edina) said the bill isn't clear if dialing a cell phone would be a violation. Jaros will try to clarify that by the bill's next stop.

— M. COOK

### Dangerous dogs put on a short leash

Some dogs are more dangerous than others. But when dogs attack or bite, some believe the owner is responsible, while others believe it's just the nature of the dog.

Approved by the House Public Safety and Civil Justice Committee Feb. 19, HF2906 would make changes to statute regarding dangerous dogs. Sponsored by Rep. Michael Paymar (DFL-St. Paul), the bill next goes to the House Local Government and Metropolitan Affairs Committee.

The bill would require all dangerous dogs, as defined by statute, be sterilized, and that the owners notify the animal control authority within 30 days if the dog is transferred to a new location. The bill expands the circumstances under which a dangerous dog may be destroyed, but also states that animal control must provide the dog owner with the opportunity for a hearing.

Rep. John Lesch (DFL-St. Paul) proposed an amendment repealing a statute prohibiting municipalities from banning specific dog breeds. He referenced studies from the Centers for Disease Control and Prevention, and from Merritt Clifton, editor of *Animal People*, arguing that certain dogs were disproportionately responsible for deaths and injuries.

"When you have animals that attack this much, and effect this much injury and death, we have to take this into consideration," he said.

Lesch also proposed labeling five dog breeds — pit bull, rottweiler, akita, chow chow, and wolf hybrid — as potentially dangerous.

"Dogs are gonna bite; we're not trying to ban dog bites," Lesch said. "It's the severe attacks, maulings and deaths that we're trying to prevent."

Bill Forbes, secretary and treasurer of the Minnesota Animal Control Association, disagreed. Forbes said since the findings of the Clifton report have not appeared in a professional publication, he did not put much stock in them. He also said that several national and state animal organizations are

## MODEL LEGISLATORS



PHOTO BY ANDREW VONBANK

**"Governor" Wenonah Echelard, right, and "Lt. Governor" Leah Mueller from Winona Senior High School, talk about their experience as Model Legislature students during a Winona Model Legislature technology demonstration at the Feb. 19 hearing of the House Governmental Operations, Reform, Technology and Elections Committee.**

against any breed-specific legislation, and recent scientific reports have shown that areas where bans have gone into place have had little or no positive impact.

Neither amendment was adopted.

The companion bill, SF2876, sponsored by Sen. Ellen Anderson (DFL-St. Paul), next goes before the Senate Agriculture and Veterans Committee.

— C. GREEN

### Response relief plan laid out

A framework for state agencies to use in responding to a natural disaster that qualifies for a presidential disaster declaration may be created.

HF2904, sponsored by Rep. Gene Pelowski Jr. (DFL-Winona), was approved Feb. 20 by the House Governmental Operations, Reform, Technology and Elections Committee and referred to the House Finance Committee.

Pelowski said that throughout Minnesota's 150 years of statehood, a statutory framework or policy for responding to natural disasters has been lacking, leading to a piece-by-piece response.

"There has been no statutory reference," Pelowski said. "What we have done, frankly with the best of intentions, (the result) has been less than adequate."

The bill provides a framework for responding when a presidential disaster declaration has been issued. Appropriations to implement

the bill must be made in law after a disaster has been declared. The bill specifies that state assistance is not for disaster-related costs that are eligible for federal aid, private insurance coverage or other reimbursement.

Rep. Laura Brod (R-New Prague) pointed out the challenges natural disasters pose for smaller communities.

"There are a lot of smaller communities that, whether it has risen to a presidential level or not, obviously have difficulty managing the challenge brought forward by specific disasters," Brod said, using the 2006 tornado outbreak in Le Sueur County as an example.

Pelowski responded by saying the bill will still provide a statutory base for those situations.

"We took the level of a presidential declaration because we needed a base. If there is a disaster that does not warrant a presidential declaration you can look at this statutory language and you can use it disaster by disaster," Pelowski said.

"I think it's smart and I can't believe we haven't done this before," said Rep. Sarah Anderson, (R-Plymouth).

Pelowski stressed that he has worked with Gov. Tim Pawlenty's office on the bill and anticipates the governor's support.

A companion bill SF2607, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Judiciary Committee.

— B. HOGENSEN



## Humane treatment in pet businesses

Puppies and kittens: they're cute and cuddly; they're also part of a growing business.

Rep. Frank Hornstein (DFL-Mpls) told the House Public Safety and Civil Justice Committee that Minnesota is one of the top states for mass-produced dogs and cats. The animals often live in overcrowded wire cages stacked on top of one another, where waste can go from one cage to the cage below.

HF2469, known as the Dog and Cat Breeders Act, would provide state licensing and inspection procedures, additional standards of care, and administrative and criminal penalties for dog and cat breeders.

Sponsored by Hornstein, the bill was approved by the committee Feb. 19 and is headed to the House Agriculture, Rural Economies and Veterans Affairs Committee.

Hornstein said disease and parasites are common among pets purchased from cat and dog breeders, and the problems are sometimes passed onto their new owners.

"This is not only a question of humane treatment of animals; it's also a consumer protection bill," he said.

Keith Streff, director of humane investigations with the Animal Humane Society, said current federal regulations are inadequate, and there are no state laws for dog and cat breeding. In his 23 years in the industry, Streff said, he has never seen or participated in a federal intervention dealing with breeding, no matter how abhorrent the conditions.

Although she has seen the conditions of some of the breeding facilities, and hopes for the day when the current situation ends, Linda Wolf does not support the bill. Wolf, a veterinarian for more than 20 years, said that the bill too specifically targets the smaller breeders and excludes the largest wholesale breeders from the restrictions.

Robert Weise, president of the Minnesota Pet Breeders Association, said there are already laws on the books to protect the animals and that additional regulation won't protect the dogs.

The Senate companion, SF2292, sponsored by Sen. Don Betzold (DFL-Fridley), awaits action by the Senate Agriculture and Veterans Committee.

— C. GREEN

## Protection order delivery

An applicant for an Order for Protection should not have to stalk their stalker just so papers can be served. Sponsored by Rep. Larry Hosch (DFL-St. Joseph), HF1625 would offer assistance. It would allow a restraining or harassment order to be served in an alternative

way, such as to a place where the perpetrator works, their parents' address or that of other nearby relatives.

The bill was approved Feb. 15 by the House Crime Victims Subcommittee and referred to the House Public Safety and Civil Justice Committee. It has no Senate companion.

Hosch cited an example of Jennifer, a woman in his district who had an abusive relationship with the father of her first child. "She has had four Orders for Protection against him. He has violated that order over 40 times. Since their separation, he has not physically harmed her; however, he has continually harassed her, her employer and her children. At this time she is trying to have a fifth harassment order against him, but because she cannot find him, she has not been able to serve him."

Hosch said 13 other states have similar laws, including Florida, Washington and California.

"I drove through the neighborhoods and previous employment sites that he used to be at in the hopes that I could give the police information on where to serve him at," Jennifer wrote.

In cases where more than one restraining order has been filed, the perpetrator would be required to provide the home and employment addresses, as well as the names and locations of their parents, siblings, children or other relatives.

The bill would also provide a way for the petitioner to ask for reprieve from a permanent order after five years by providing to the court that circumstances have changed.

— M. COOK

## TAXES

### Increase for public utilities proposed

The House Taxes Committee approved the omnibus tax bill Feb. 20.

Sponsored by Chairwoman Rep. Ann Lenczewski (DFL-Bloomington), HF3201 includes a provision that is causing speculation about whether the governor will veto the bill.

The provision in question would increase property taxes on public utilities. After the department concluded that the value of the utility properties was lower than previously determined, it changed the rules and dramatically lowered property taxes collected by local governments where the utility companies are located.

Supporters of the provision say the revenue lost by the rule change is too large for cities to endure. Representatives from the utility industry say it's unfair that they were "overcharged" only to have taxes raised near previous levels.

Revenue Commissioner Ward Einess said that neither his department nor the governor supports the class-rate increases. He said the provision was one of four outlined by the governor in last year's veto message, and though he said he couldn't speak for the governor, he speculated that it could result in another veto.

The committee voted against an amendment by Rep. Dean Simpson (R-Perham) that would have excluded the provision.

The omnibus tax bill is scheduled to be heard Feb. 22 in the House Ways and Means Committee. If approved, it will go to the House floor.

— C. BLANCHARD

## TOURISM

### Cash for choo-choo tracks

Promising that he won't be back for another 40 years if the request is granted, the president of the Lake Superior and Mississippi Railroad asked the House Minnesota Heritage Finance Division to include \$450,000 in its bonding bill to fix up tracks.

The railroad's president, Andrew Webb, asked the division Feb. 18 for help to upgrade the remaining 5 miles of the 138-year-old track just outside Duluth. No action was taken on the bill, HF2703, sponsored by Rep. Mike Jaros (DFL-Duluth), the division chairman. There is no Senate companion.

The railroad, a nonprofit, run by volunteers, must conform to federal operating standards even though it's a tourist route, Webb said. The organization needs the money to buy and install 2,000 new railway ties, because only seven of the group's 22 volunteers are "able-bodied" enough to pound a railroad spike into the ground, he said.

"A properly installed railroad tie will last somewhere between 40 and 50 years, so don't expect us to see us back in the next 40 years," Webb said.

The original railroad was a land grant railroad, the first to connect Duluth to St. Paul, dedicated by the Legislature in 1863. The Civil War delayed construction until 1865, and the tracks reached Duluth five years later. By 1970, competition from more powerful trains had long since forced the company out of business and only 5 miles of tracks remained, Webb said.

Local efforts transformed the track into a scenic route near the St. Louis River, using historic coaches from the 1900s, Webb said. He added that the group has operated the railway for almost 30 years without subsidies from state or local government.

"We try to recreate train travel as it was in the 1870s and 1880s," he said. "It's a labor of love."

— C. BLANCHARD

## TRANSPORTATION

### More physically disabled plates

People who are physically disabled might be able to travel around more easily and with less hassle.

Sponsored by Rep. Lyndon Carlson (DFL-Crystal), HF2408 would permit someone to receive up to two sets of disability license plates for their motor vehicles.

The bill was approved Feb. 20 by the House Transportation and Transit Policy Subcommittee and sent to the House Transportation Finance Division.

Carlson said current law allows a qualifying individual to receive up to two disability placards or one set of disability plates and one placard.

That can be problematic when an individual drives or rides in a vehicle without disability plates and also forgets their placard.

Carlson said the bill was brought to his attention by a man who works in a parking ramp at North Memorial Medical Center in Robbinsdale. He said people talk to him almost daily because they are tagged for not having their placard visible in the vehicle.

"He thought, and I concurred, that an easy solution would be to allow them to have two sets of license plates, and then they wouldn't have to worry about moving the placard from one car to the other or forgetting to display it, which sometimes happen," Carlson said.

Rep. Bernie Lieder (DFL-Crookston) wants to ensure that someone with a temporary disability could not get plates for the year, when they are only needed for few months.

"Unless this is specific to someone with a permanent disability, you could have people that should get a temporary placard getting a full-year plate," he said. "Are we going to recreate the problem we had before when the disability community came in and were complaining that they were being usurped by people who weren't disabled?"

A companion bill (SF2204), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Transportation Committee.

— M. COOK

### MnDOT examination raises concerns

A legislative auditor's report offered mixed news for the Department of Transportation.

Released Feb. 19, "State Highways and Bridges" shows that trunk highway pavement

conditions have worsened and are expected to do so further. However, it also indicates overall trunk highway bridge conditions have improved.

"There are a few bright spots, but the overall picture is not good," said Legislative Auditor James Nobles. "Parts of the report are downright grim."

The biggest problem is a decrease in state funding.

Historically, according to the report, the state has relied on transportation taxes to fund the trunk highway system, but tax receipts have not kept pace with inflation. These taxes now account for about half of trunk highway resources, compared to about two-thirds of those resources in 1998. Since 2003, the state has made substantial use of debt financing techniques to support the state trunk highway system.

"When adjusted for inflation, trunk highway funding in fiscal year 1998 totaled \$1.4 billion. In the years since, inflation-adjusted funding reached a peak of \$1.8 billion in Fiscal Year 2003, then decreased to \$1.5 billion in Fiscal Year 2007, a 16 percent decline," the report states.

The report was released two days before the House and Senate were expected to vote on a transportation bill that would raise an estimated \$7.8 billion in the next decade through a gas tax increase, sales tax increase and other fee increases.

MnDOT has a preservation-first policy, and department officials estimate \$672 million per year will be needed between 2012 and 2018 for preservation purposes. Yearly department revenues for that period are forecasted between \$635 million and \$700 million annually.

In recent years the department has strayed from that policy. According to the report, more than half of trunk highway construction spending since 2002 has gone toward system expansion. In Fiscal Year 2001, only 25 percent of allocated revenue was spent on expansion. The department predicts by 2011 there will be twice as many trunk highway miles in poor condition compared to 2007.

"The trends of flattening transportation revenues, quickly rising construction costs and an aging system make it clear that more of the state's transportation resources must be invested in maintenance and preservation of our existing system," said Transportation Commissioner/Lt. Gov. Carol Molnau.

The report also shows that MnDOT is good at completing high-priority bridge repairs, but is falling behind on routine maintenance.

Still, between 2002 and 2007, the percentage of bridge decks areas in good condition has

increased by 4 percent on principal arterials to 55 percent, which is the department target, and to about 60 percent on non-principal roads, 10 percentage points above target.

However, the road quality index used by the department shows that about 66 percent of principal roads were in good condition last year, 6 percent lower than five years prior.

The full report is available at <http://www.auditor.leg.state.mn.us/ped/2008/trunkhwy.htm>.

— M. COOK

## VETERANS

### Communities bid for new vets homes

Several communities are seeking state help in funding new veterans homes or additions to existing facilities, but the request from the City of Montevideo is unique because no bonding money would be needed to build the facility.

Project advocates told the House Veterans Affairs Division Feb. 15 the home would complement the Veterans Community Outbased Clinic, built in 2002 through a partnership with Chippewa County. Land has already been secured, and Montevideo Mayor Jim Curtiss said the community is committed to paying both the local and state share of the construction costs.

Rep. Lyle Koenen (DFL-Clara City) sponsors HF2664, which asks the state to provide funds for the home's operation. The local contribution would be used to solicit the two-thirds federal matching funds also needed to develop the home.

Approved by the division, the bill now moves to the House Agriculture, Rural Economies and Veterans Affairs Committee.

Gilbert Acevedo, state Department of Veterans Affairs' deputy commissioner, said requests for new homes are prioritized by health and safety needs. "Also, there are a number of beds allocated to each state, and that amount is based on the population of veterans in the state," he said, admitting he is unsure whether the state has any unused bed-capacity at this time. Any new home would have to be located at least two hours away "by land," from another veterans home.

The Senate companion, SF2407, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action in the Senate Agriculture and Veterans Committee.

Communities seeking state money to expand current homes or build new ones include: Brainerd, Sauk Centre, Willmar, Fergus Falls and Hastings.

— L. SCHUTZ

## Monday, Feb. 18

### **HF3018-Gunther (R)** **Finance**

Fairmont; Winnebago Avenue Sports Complex funding provided.

### **HF3019-Nornes (R)** **Transportation Finance Division** Highway right-of-way transferred to state rail bank relating to specified tracts.

### **HF3020-Gunther (R)** **Finance** Martin County Community Center funding provided.

### **HF3021-Juhnke (DFL)** **Governmental Operations, Reform, Technology & Elections** Rice Memorial Hospital in Willmar; departments included in privatized public employee retirement coverage.

### **HF3022-Juhnke (DFL)** **Finance** Independent School District No. 347, Willmar, school site minimum acreage requirement waived.

### **HF3023-Simon (DFL)** **Governmental Operations, Reform, Technology & Elections** Judicial vacancy procedures established and modified, judicial performance commission and appellate judicial selection commission created, and constitutional amendment proposed.

### **HF3024-Tschumper (DFL)** **Taxes** Property tax class 4c requirements modified.

### **HF3025-Tschumper (DFL)** **Finance** Peterson wastewater treatment facility funding provided.

### **HF3026-Fritz (DFL)** **Finance** Highway signs for deaf and blind state academies required.

### **HF3027-Wollschlager (DFL)** **Finance** Minnesota State College - Southeast Technical, Red Wing; asset preservation funding provided.

### **HF3028-Wollschlager (DFL)** **Finance** Red Wing wastewater infrastructure grant provided.

### **HF3029-Hilstrom (DFL)** **Governmental Operations, Reform, Technology & Elections** Employers authorized to offer alternative deferred compensation plans.

### **HF3030-Morgan (DFL)** **Taxes** Two-wheel motorized vehicles exempted from metropolitan county wheelage tax.

### **HF3031-Olin (DFL)** **Finance** Middle River wastewater treatment lagoons funding provided.

### **HF3032-Dill (DFL)** **Environment & Natural Resources** Critical habitat private sector matching account modified; outdoor recreation system composition extended to include aquatic management areas; state parks, forests and recreation areas modified; and state land conveyances and authorized.

### **HF3033-Tschumper (DFL)** **Finance** Fountain sewer system expansion and improvement funding provided.

### **HF3034-Mahoney (DFL)** **Commerce & Labor** Electrical, plumbing, water conditioning, boiler and high-pressure piping professional provisions modified.

### **HF3035-Hackbarth (R)** **Environment & Natural Resources** Hunters', Anglers' and Trappers' Bill of Rights adopted establishing and protecting specified rights; dedicating a portion of the sales tax on hunting and fishing supplies to game and fish purposes; and proposing constitutional amendments.

### **HF3036-Sailer (DFL)** **Finance** Non-motorized transportation advisory committee established.

### **HF3037-Heidgerken (R)** **Taxes** School district referendum market value tax base and seasonal recreational property tax modified.

### **HF3038-Ward (DFL)** **Finance** Central Lakes College asset preservation and capital improvements funding provided.

### **HF3039-Loeffler (DFL)** **Finance** Minneapolis; Father Hennepin Regional Park improvements funding provided.

### **HF3040-Peterson, S. (DFL)** **Health & Human Services** Human services residential program sitting provisions modified.

### **HF3041-Murphy, M. (DFL)** **Governmental Operations, Reform, Technology & Elections** Retirement provisions modified relating to actuarial and financial reporting.

### **HF3042-Murphy, E. (DFL)** **Health & Human Services** Direct care registered nurse hospital staffing levels required.

### **HF3043-Hackbarth (R)** **Environment & Natural Resources** Nighttime raccoon hunting hours modified.

### **HF3044-Ruud (DFL)** **Health & Human Services** Mental health rehabilitation workers qualifications modified.

### **HF3045-Hansen (DFL)** **Governmental Operations, Reform, Technology & Elections** Presidential primary election provided.

### **HF3046-Brod (R)** **Finance** Le Sueur County; Lake Washington Park capital improvements funding provided.

### **HF3047-Tschumper (DFL)** **Finance** Whalan unsewered collection and treatment project funding provided.

### **HF3048-Tschumper (DFL)** **Finance** La Crescent wastewater treatment system funding provided.

### **HF3049-Moe (DFL)** **Finance** Deer River Wastewater Treatment Facility renovation funding provided.

### **HF3050-Olin (DFL)** **Finance** Greater Minnesota business development funding provided.

### **HF3051-Emmer (R)** **E-12 Education** Public employer discretion provided relating to leaves of absence longer than one year for teacher representatives.

### **HF3052-Emmer (R)** **Finance** Rockford flood hazard mitigation funding provided.

### **HF3053-McNamara (R)** **Finance** Vermilion Highlands Wildlife Management Area land acquisition funding provided.

### **HF3054-Morrow (DFL)** **Transportation Finance Division** Legislative Route Nos. 295 and 335 removed from the state highway system.

### **HF3055-Solberg (DFL)** **Finance** State agencies deficiency funding provided.

### **HF3056-Hosch (DFL)** **Finance** Richmond sewer service extension funding provided.

### **HF3057-Dill (DFL)** **Environment & Natural Resources** All-terrain vehicle youth operation requirements modified.

### **HF3058-Tschumper (DFL)** **Finance** Brownsville wastewater infrastructure grant provided.

### **HF3059-Smith (R)** **Public Safety & Civil Justice** Sex trafficking established as a separate crime from the promotion of prostitution, and aggravated forgery crime penalties increased.

### **HF3060-Fritz (DFL)** **Finance** State hospital or regional treatment centers deceased residents grave markers funding provided.

### **HF3061-Hilstrom (DFL)** **Health & Human Services** MinnesotaCare prohibited for specified detainees.

### **HF3062-Scalze (DFL)** **Finance** Outdoor traditions investment funding provided for environment & natural resources purposes.

### **HF3063-Nornes (R)** **Taxes** Fergus Falls; income tax credit provided for historic structure rehabilitation expenditures.

### **HF3064-Nornes (R)** **Taxes** Fergus Falls historical zone property tax exemption provided.

### **HF3065-Laine (DFL)** **Finance** Anoka County; Banfill Locke Center for the Arts funding provided.

### **HF3066-Laine (DFL)** **Governmental Operations, Reform, Technology & Elections** Precinct caucus dates established by the appropriate political parties, notice to secretary of state required.

### **HF3067-Swails (DFL)** **Finance** Century College science lab renovation funding provided.

### **HF3068-Dill (DFL)** **Environment & Natural Resources** Snowmobile registration and sticker expiration date provided, temporary permit effective period extended for snowmobiles, off-highway motorcycles, all-terrain vehicles and watercraft, and temporary permit information requirements modified.



**HF3069-Dill (DFL)****Finance**

St. Louis County; Pike River dam engineering and repair funding provided.

**HF3070-Westrom (R)****Finance**

Kensington Area Historical Society funding provided.

**HF3071-Thao (DFL)****Finance**

St. Paul youth drop-in center funding provided.

**HF3072-Laine (DFL)****Health & Human Services**

County-based purchasing law amended.

**HF3073-Faust (DFL)****Finance**

Sandstone; wastewater infrastructure funding provided.

**HF3074-Faust (DFL)****Finance**

Pine City; wastewater infrastructure funding provided.

**HF3075-Moe (DFL)****Environment & Natural Resources**

Beltrami County; private sale of tax-forfeited land bordering public water authorized.

**HF3076-Demmer (R)****Finance**

Oronoco; West Frontage Road funding provided.

**HF3077-Beard (R)****Commerce & Labor**

Occupational licenses provided.

**HF3078-Westrom (R)****Environment & Natural Resources**

Students enrolled in college or high school under the age of 22 authorized to spear fish without a license between Dec. 26 and Dec. 31 annually.

**HF3079-Westrom (R)****Environment & Natural Resources**

Fish spearing earlier open season authorized.

**HF3080-Poppe (DFL)****Finance**

Lansing Township; wastewater infrastructure funding provided.

**HF3081-Poppe (DFL)****Finance**

Nicolville; wastewater infrastructure funding authorized.

**HF3082-Murphy, M. (DFL)****Governmental Operations, Reform, Technology & Elections**

Correctional state employees retirement plan amended, and two employment positions added to retirement plan coverage.

**HF3083-Knuth (DFL)****Commerce & Labor**

Building contractor requirement that homeowner's notice of construction defect be in writing eliminated.

**HF3084-Scalze (DFL)****Commerce & Labor**

Homeowners provided with a longer period within which to notify contractors of construction defects.

**HF3085-Laine (DFL)****Commerce & Labor**

Construction warranties requirement modified, and waivers of the warranty prohibited.

**HF3086-Poppe (DFL)****Finance**

Austin; wastewater infrastructure funding provided.

**HF3087-Poppe (DFL)****Finance**

Racine; wastewater infrastructure funding provided.

**HF3088-Poppe (DFL)****Finance**

Lansing Township; wastewater infrastructure funding provided.

**HF3089-Ruth (R)****Transportation Finance Division**

Temporary permit use allowed while awaiting delivery of license plates.

**HF3090-Morrow (DFL)****Finance**

Department of Transportation position provisions modified.

**HF3091-Gardner (DFL)****Commerce & Labor**

Homeowners permitted to recover all damages incurred due to faulty construction.

**HF3092-Madore (DFL)****Commerce & Labor**

Residential building contractor investigations discontinuance prohibited.

**HF3093-Knuth (DFL)****Commerce & Labor**

Building standards definition amended.

**HF3094-Thao (DFL)****Finance**

Ramsey County; Gillette Children's Specialty Healthcare renovation funding provided.

**HF3095-Simon (DFL)****Governmental Operations, Reform, Technology & Elections**

Equitable compensation limits modified, and state commissioner salary caps modified.

**HF3096-Tingelstad (R)****Finance**

Public land and buildings funding provided.

**HF3097-Heidgerken (R)****Finance**

New Munich; wastewater treatment plant funding provided.

**HF3098-Thissen (DFL)****Finance**

Richfield; All Veterans Memorial funding provided.

**HF3099-Kalin (DFL)****Governmental Operations, Reform, Technology & Elections**

Emergency management training required for executive branch employees.

**HF3100-Heidgerken (R)****Finance**

St. Martin; wastewater rehabilitation and expansion funding provided.

**HF3101-Bigham (DFL)****Public Safety & Civil Justice**

Domestic abuse no contact order violations criminal penalty increased.

**HF3102-Bigham (DFL)****Public Safety & Civil Justice**

Domestic and child abuse previous incidents definitions provided, and predicate crimes list expanded.

**HF3103-Peterson, N. (R)****Finance**

Normandale Community College classroom addition and renovation funding provided.

**HF3104-Benson (DFL)****Finance**

Lease levy funding limit removed.

**HF3105-Zellers (R)****Finance**

Highway 610 funding provided.

**HF3106-Morrow (DFL)****Environment & Natural Resources**

Ethanol plant expansion discretionary environmental impact statements provision provided.

**HF3107-Moe (DFL)****Finance**

Operating referendum revenue authority repealed for fiscal years 2010 and later.

**HF3108-Benson (DFL)****Finance**

Inflationary adjustment limitation removed.

**HF3109-Benson (DFL)****Finance**

Alternative teacher compensation revenue inflationary adjustment added.

**HF3110-Benson (DFL)****Finance**

Referendum allowance limit eliminated.

**HF3111-Benson (DFL)****Finance**

Location equity index created, general education revenue formula modified and school district revenue increased.

**HF3112-Sertich (DFL)****Health & Human Services**

Statewide health insurance pool created for school district employees.

**HF3113-Hortman (DFL)****Governmental Operations, Reform, Technology & Elections**

State budget requirements modified.

**HF3114-Hilstrom (DFL)****Local Government & Metropolitan Affairs**

Park district property acquisition provision provided.

**HF3115-Atkins (DFL)****Commerce & Labor**

First party good faith insurance practices regulated, and remedies provided.

**HF3116-Tschumper (DFL)****Finance**

Minnesota Historical Society funding provided for southeastern Minnesota flood damage.

**HF3117-McNamara (R)****Rules & Legislative Administration**

Legislative employee commuting reduction provision provided.

**HF3118-Tschumper (DFL)****Finance**

Independent School District No. 239, Rushford-Peterson; cooperative facility grant provided, timelines waived.

**HF3119-Howes (R)****Taxes**

Propane-fueled school vehicle purchases exemption provided.

**HF3120-Paymar (DFL)****Taxes**

Tax credit provided to employers that employ persons with criminal records.

**HF3121-Westrom (R)****Finance**

University of Minnesota-Morris; community services building funding provided.

**HF3122-Scalze (DFL)****Finance**

Metropolitan Council funding provided.

**HF3123-Fritz (DFL)****Finance**

State hospitals and regional treatment centers funding provided for grave markers and memorial monuments for deceased residents.

**HF3124-Juhnke (DFL)****Transportation Finance Division**

Coffee shop qualification clarified in determining eligibility for specific service signs.

**HF3125-Simon (DFL)****Public Safety & Civil Justice**

Uniform Probate Code provisions changed.

**HF3126-Ruth (R)****Finance**

Tax registration for intra-city buses fixed.

**HF3127-Ruth (R)****Finance**

Wind energy production tax removed from county apportionment deduction for school districts.

**HF3128-Brod (R)**  
**Transportation Finance Division**  
New Prague; Deputy registrar office location permitted to be within city limits.

**HF3129-Marquart (DFL)**  
**Commerce & Labor**  
Plat requirements modified.

**HF3130-Murphy, E. (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Child Care Advisory Task Force established, and report required.

**HF3131-Walker (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
June/teenth state holiday established.

**HF3132-Mullery (DFL)**  
**Public Safety & Civil Justice**  
Animal fighting provisions changed.

**HF3133-Lesch (DFL)**  
**Public Safety & Civil Justice**  
Social Security number requirement eliminated in marriage dissolution petitions.

**HF3134-Thissen (DFL)**  
**Commerce & Labor**  
Death deed conveyance of interests in real property by transfer provision provided, acknowledgments made in a representative capacity clarified, registered land application clarified, obsolete language eliminated and technical changes made.

**HF3135-Scalze (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Local impact notes requirements changed.

**HF3136-Peterson, S. (DFL)**  
**E-12 Education**  
Constitutional amendment proposed for providing education for young children through age 5.

**HF3137-Sailer (DFL)**  
**Taxes**  
Income or franchise tax credit provided for installation of solar thermal equipment.

**HF3138-Bigham (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
State labor contracts ratified.

**HF3139-Tschumper (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Program for the Assessment of Veterinary Education Equivalence certification recognized, drug use limited, requirements changed and prescription of drugs regulated.

**HF3140-Westrom (R)**  
**Finance**  
Postsecondary enrollment options program modified.

**HF3141-Solberg (DFL)**  
**Taxes**  
Sales tax exemption expanded for public safety radio communication products.

**HF3142-Winkler (DFL)**  
**Biosciences & Emerging Technology**  
State Board of Investment encouraged to make certain of its venture capital investments in Minnesota businesses, and report required.

**HF3143-Winkler (DFL)**  
**Biosciences & Emerging Technology**  
Individual income and corporate franchise credit allowed for investment in Minnesota high technology businesses and appropriation reduced.

**HF3144-Winkler (DFL)**  
**Biosciences & Emerging Technology**  
Jurisdiction limitation provided to tax persons investing in certain entities.

**HF3145-Severson (R)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Historic farm machinery operation licensing requirements modified.

**HF3146-Hilstrom (DFL)**  
**Commerce & Labor**  
Social Security number collection and use restrictions modified.

**HF3147-Fritz (DFL)**  
**Health & Human Services**  
Working group created to study access to emergency mental health services.

**HF3148-Murphy, E. (DFL)**  
**Commerce & Labor**  
Bottled Water Right-to-Know-Act established, and labeling requirements for bottle water added.

**HF3149-Lenczewski (DFL)**  
**Taxes**  
Tax provisions, government data practices, and debt collection provisions modified; and job opportunity building zone requirements compliance provided.

**HF3150-Norton (DFL)**  
**Finance**  
Small business development assistance provided.

**HF3151-Norton (DFL)**  
**Finance**  
Rochester: Lifetrack Resources pilot project funding provided.

**HF3152-Knuth (DFL)**  
**Finance**  
New Brighton; environmental remediation and installation of a gas collection system funds provided.

**HF3153-Hornstein (DFL)**  
**Finance**  
Hennepin County; Opportunity Center funding provided.

**HF3154-Knuth (DFL)**  
**Health & Human Services**  
Safe Cosmetics Act established, cancer causing ingredients disclosure required for manufacturers of cosmetics.

**HF3155-Madore (DFL)**  
**Finance**  
Transit improvement area program accounts established.

**HF3156-Brynaert (DFL)**  
**Health & Human Services**  
Ventilator-dependent nursing facility residents payment rate modified.

**HF3157-Peterson, A. (DFL)**  
**Local Government & Metropolitan Affairs**  
Big Stone County; county treasurer duty assignment authorized.

**HF3158-Slawik (DFL)**  
**Taxes**  
Oakdale; extended duration limits authorized for certain redevelopment tax increment financing districts.

**HF3159-Slawik (DFL)**  
**Health & Human Services**  
MinnesotaCare exception provided to four-month uninsured requirement.

**HF3160-Haws (DFL)**  
**Taxes**  
Tax-forfeited land proceeds apportionment provided for special assessment to governmental subdivision.

**HF3161-Bigham (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Minnesota deceased military personnel current listing provided.

**HF3162-Jaros (DFL)**  
**Taxes**  
Duluth; tax increment financing districts time extension provided.

**HF3163-Atkins (DFL)**  
**Environment & Natural Resources**  
Construction debris and residue prohibited as cover material at disposal facilities.

**HF3164-Kahn (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Presidential primary election allowed as determined by each major political party, precinct caucus dates in non-presidential election years permitted to each party, and caucuses required to be held on first date as other states in region.

**HF3165-Hortman (DFL)**  
**Finance**  
National Sports Center funding provided.

**HF3166-Hausman (DFL)**  
**Finance**  
University of Minnesota; biomedical science research facilities funding program established.

**HF3167-Johnson (DFL)**  
**Finance**  
Senior nutrition funding clarification provided.

**HF3168-Wagenius (DFL)**  
**Environment & Natural Resources**  
Conservation easement management account established, contribution to the account and purpose statement required for future conservation easements.

**HF3169-Drazkowski (R)**  
**Environment & Natural Resources**  
Wabasha County; wildlife management area lands sale authorized.

**HF3170-Scalze (DFL)**  
**Taxes**  
Lawful gambling organizations refund provided for lawful purpose expenditures.

**HF3171-Lenczewski (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Lobbying prohibited by former legislators, constitutional officers, agency heads and certain legislative employees for one year after leaving office.

**HF3172-Pelowski (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Special election and primary provisions changed.

**HF3173-Winkler (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Post-election review procedures changed.

**HF3174-Kahn (DFL)**  
**Finance**  
Minnesota Public Radio digital conversion funding provided.

**HF3175-Benson (DFL)**  
**Public Safety & Civil Justice**  
Attempted robbery penalty increased, robbery involving a motor vehicle crime created.

**HF3176-Hornstein (DFL)**  
**Finance**  
Minneapolis; Grand Rounds National Scenic Byway funding provided.

**HF3177-Simpson (R)**  
**Taxes**  
Wind power generator installation tax credit provided.

**HF3178-Sailer (DFL)**  
**Finance**  
K-12 public school funding provided for renewable energy projects.

**HF3179-Magnus (R)**  
**Finance**  
Minnesota River Basin floodplain management funding provided.

**HF3180-Atkins (DFL)**  
**Finance**  
St. Paul Regional Amateur Sports Facility funding provided.

**HF3181-Benson (DFL)  
E-12 Education**

Education provisions clarified, amended and repealed, and state and district reporting systems analyzed.

**HF3182-McFarlane (R)  
Finance**

Century College funding provided.

**HF3183-Bunn (DFL)  
Finance**

Century College renovation funding provided.

**HF3184-Sailer (DFL)  
Public Safety & Civil Justice**

United States Immigration and Customs Enforcement name correction provided.

**HF3185-Gardner (DFL)  
Health & Human Services**

Hospice services covered under general assistance medical care.

**HF3186-Nelson (DFL)  
Environment & Natural Resources**

Explore Minnesota Tourism director added to definition of public official.

**HF3187-Anzelc (DFL)  
Finance**

Bovey; wastewater infrastructure funding provided.

**HF3188-Magnus (R)  
Finance**

Independent School District No. 671, Hills-Beaver Creek; disability access account funds transfer authorized to undesignated general fund.

**HF3189-Urdahl (R)  
Finance**

Minnesota Historical Society funding provided.

**HF3190-Hilstrom (DFL)  
E-12 Education**

Health and safety revenue allowable criteria set.

**HF3191-Erickson (R)  
Health & Human Services**

Outreach requirements eliminated for school districts.

**HF3192-Brod (R)  
Public Safety & Civil Justice**

Violent crimes committed in school zones sentences enhanced.

**HF3193-Peterson, S. (DFL)  
E-12 Education**

Early childhood family education collaboration incentive created.

**HF3194-Nornes (R)  
Agriculture, Rural Economies & Veterans Affairs**

Fergus Falls; special care unit funding authorized for the state veterans home.

**HF3195-Knuth (DFL)  
Environment & Natural Resources**  
Greenhouse gas emissions cap and trade program principles established, climate trust fund established and its goals and uses specified, studies required.

**HF3196-Clark (DFL)  
Public Safety & Civil Justice**

Commissioner of public safety's annual report on human trafficking required to include information on trafficking of American Indian women and girls.

**HF3197-Fritz (DFL)  
Finance**

Child care licensure requirement modified.

**HF3198-Tschumper (DFL)  
Health & Human Services**

Voluntary statewide pool established to provide health benefits to eligible members, administration and oversight of pool provided.

**HF3199-Loeffler (DFL)  
Health & Human Services**

Minnesota supplemental aid shelter needy provisions modified to include persons moving out of corporate foster settings.

**HF3200-Lenczewski (DFL)  
Taxes**

Internal Revenue Code conforming changes made, tuition and teacher expense additions provided, contractor withholdings required, income tax brackets index temporarily modified, non-resident income assigned to this state and report required.

**HF3201-Lenczewski (DFL)  
Taxes**

Tax policy and administration provisions modified relating to income, franchise, property, sales and other taxes.

## Tuesday, Feb. 19

**HF3202-Faust (DFL)  
E-12 Education**

School districts and charter schools Internet2 opportunities provided for advanced research and education applications.

**HF3203-Dominguez (DFL)  
E-12 Education**

Integration revenue program modified, goals strengthened, Department of Education program oversight increased and integration revenue increased for certain districts.

**HF3204-Cornish (R)  
Public Safety & Civil Justice**

Vehicle window glazing restriction exemptions provided.

**HF3205-Mahoney (DFL)  
Finance**

Pine Island Economic Development Authority utility upgrade and extension grant provided for bioscience research park and integrated medicine facility.

**HF3206-Rukavina (DFL)  
Finance**

School technology permanent funding source created, and fund endowment income distribution modified.

**HF3207-Gardner (DFL)  
Finance**

Century College asset preservation funding provided.

**HF3208-Lanning (R)  
Finance**

Community action grants provided.

**HF3209-Anderson, B. (R)  
Governmental Operations, Reform, Technology & Elections**  
State poem designated.

**HF3210-Anderson, B. (R)  
Health & Human Services**  
Substance abuse treatment annual effectiveness report mandated.

**HF3211-Koenen (DFL)  
Transportation Finance Division**

Trunk highway statewide snow removal standards required, trunk highway closures limited, flashing lights prohibited, civil damages limited for rescue and barricade passing crime reclassified as petty misdemeanor.

**HF3212-Johnson (DFL)  
Commerce & Labor**  
Video programming arbitration provided, and rulemaking required.

**HF3213-Mullery (DFL)  
Local Government & Metropolitan Affairs**  
Hennepin County; housing and redevelopment authority clarified.

**HF3214-Severson (R)  
Taxes**  
Military survivor benefit payment subtraction allowed.

**HF3215-Doty (DFL)  
Finance**  
Flensburg; sewer pipes funding provided.

**HF3216-Shimanski (R)  
Local Government & Metropolitan Affairs**  
County Memorial Day expense increase authorized.

**HF3217-Shimanski (R)  
Public Safety & Civil Justice**  
False police and fire emergency calls included as misdemeanor offense.

**HF3218-Lesch (DFL)  
Public Safety & Civil Justice**  
Child support collection service fees required to be paid by obligor.

**HF3219-Brynaert (DFL)  
Environment & Natural Resources**  
Ammunition restrictions modified.

**HF3220-Davnie (DFL)  
Local Government & Metropolitan Affairs**  
Nonprofit organization grants authorized by political subdivisions.

**HF3221-Murphy, M. (DFL)  
Governmental Operations, Reform, Technology & Elections**  
Minnesota State Retirement System deferred compensation plan provisions amended.

**HF3222-Huntley (DFL)  
Health & Human Services**

Medical assistance preferred drug list amended, asset transfers clarified, cause of action created, lien provisions changed, children's pilot program modified, statewide health information exchange established and estate claims allowed.

**HF3223-Mahoney (DFL)  
Governmental Operations, Reform, Technology & Elections**

Minnesota State Retirement System coverage provisions amended, and technical changes made.

**HF3224-Gunther (R)  
Commerce & Labor**

Boiler operation licensing procedures changed, and rulemaking authorized.

**HF3225-Fritz (DFL)  
Local Government & Metropolitan Affairs**

Medford; Local sales and use tax authorized.

**HF3226-Laine (DFL)  
Finance**

Columbia Heights; Pedestrian bridge funding provided.

**HF3227-Anzelc (DFL)  
Finance**

Private forest land easement acquisition funding provided.

**HF3228-Paymar (DFL)  
Public Safety & Civil Justice**  
Critical public service property trespassing provisions modified.

**HF3229-Nelson (DFL)  
Energy Finance & Policy Division**  
Water utility notice required when customer's heat source disconnected.

**HF3230-Drazkowski (R)  
Finance**  
Flood disaster appropriation purposes amended.

**HF3231-Lesch (DFL)  
Finance**  
Homeless outreach grants provided.

**HF3232-Bunn (DFL)  
Finance**  
Washington County Landfill funding provided.

**HF3233-Seifert (R)  
Taxes**  
Health insurance expenses income tax credit provided.

**HF3234-Simon (DFL)  
Public Safety & Civil Justice**  
Law enforcement vehicle recording transcript pretrial prerequisite eliminated.

**HF3235-Wollschlaeger (DFL)  
Health & Human Services**  
Department of Human Services Background Studies Act modified.



**HF3236-Davnie (DFL)****Commerce & Labor**

Deed, rates of interest and mortgage contracts regulated, borrower's ability to repay verification provided, and mortgage broker's failure to comply penalties and remedies provided.

**HF3237-Sertich (DFL)****Finance**

St. Louis: sewer and water extension funding provided.

**HF3238-Gardner (DFL)****Environment & Natural Resources**

Sustainable water use provided; conservation rate structures, drinking water emergency ordinance, and information sharing required, Pollution Control Agency ombudsman created, fees increased and conservation pricing required.

**HF3239-Dittrich (DFL)****Environment & Natural Resources**

State park permits issuance and reduced fees provisions provided to certain disabled persons.

**HF3240-Dominguez (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Mexican-American veterans plaque placement authorized in the court of honor on the Capitol grounds.

**HF3241-Huntley (DFL)****Finance**

University of Minnesota-Duluth; civil engineering addition funding provided.

**HF3242-Peppin (R)****Governmental Operations, Reform, Technology & Elections**

Maple Grove; firefighter prior service credit transfer authorized.

**HF3243-Peterson, A. (DFL)****Health & Human Services**

MinnesotaCare health coverage eligibility definition modified.

**HF3244-Thissen (DFL)****Health & Human Services**

Uniform Emergency Volunteer Health Practitioners Act enacted.

**HF3245-Ozment (R)****Public Safety & Civil Justice**

Dangerous dog obedience training required, and task force provided.

**HF3246-Winkler (DFL)****Finance**

Adult basic education aid modified.

**HF3247-Thao (DFL)****Health & Human Services**

Dental hygiene advanced practitioner level established.

**HF3248-Scalze (DFL)****Local Government & Metropolitan Affairs**

Municipalities authorized to establish street improvement districts and apportion street improvement fees within districts, street improvement plan adoption required and collection of fees authorized.

**HF3249-Eken (DFL)****Finance**

Red River flood damage reduction projects funding provided.

**HF3250-Anzelc (DFL)****Environment & Natural Resources**

Itasca County; tax-forfeited land lease proceed disposition provided, and private sale of tax-forfeited land bordering public water authorized.

**HF3251-Murphy, E. (DFL)****Health & Human Services**

Psychologists' scope of practice changed.

**HF3252-Solberg (DFL)****Health & Human Services**

Financial responsibility modified for out-of-state children.

**HF3253-Huntley (DFL)****Finance**

Temporary Assistance for Needy Families maintenance of effort programs modified.

**Wednesday, Feb. 20****HF3254-Solberg (DFL)****Health & Human Services**

Health professional educational loan forgiveness program provisions changed, and dental care access services expanded.

**HF3255-Benson (DFL)****Finance**

School reimbursement increased for the school milk program.

**HF3256-Madore (DFL)****Finance**

Minnesota Zoological Garden funding appropriated.

**HF3257-Loeffler (DFL)****Public Safety & Civil Justice**

Sexual offenders facing civil commitment allowed to choose to be confined in correctional facilities while petition is adjudicated, civil commitment cost addressed and county attorney access to data addressed.

**HF3258-Lieder (DFL)****Environment & Natural Resources**

Marshall County; tax-forfeited land bordering public water sale authorized.

**HF3259-Dettmer (R)****Health & Human Services**

Adult foster care and family adult day service provisions changed.

**HF3260-Gunther (R)****Finance**

Lease levy amount increased.

**HF3261-Loeffler (DFL)****Finance**

All Wars Memorial at Sheridan Memorial Park funding provided.

**HF3262-Brynaert (DFL)****E-12 Education**

Alternative school start date provided for 2009 and 2010.

**HF3263-Clark (DFL)****E-12 Education**

American Indian tribes contributions and communities instruction integrated into teacher preparation and licensing requirements.

**HF3264-Hilstrom (DFL)****Health & Human Services**

Non-state client employees authorized to work for community-based treatment and habilitation programs.

**HF3265-Thissen (DFL)****Health & Human Services**

Radiation therapy facility construction moratorium extended in specified counties.

**HF3266-Hamilton (R)****Finance**

Windom fire hall funding provided.

**HF3267-Hamilton (R)****Finance**

Mountain Lake fire and ambulance facility construction funding provided.

**HF3268-Hamilton (R)****Finance**

Worthington fire hall funding provided.

**HF3269-Kahn (DFL)****Finance**

Association of Minnesota Public Education Radio Stations funding provided to assist with the conversion to digital broadcast signal.

**HF3270-Walker (DFL)****Health & Human Services**

Intermediate care facilities provider cost of living adjustments modified.

**HF3271-Ward (DFL)****Transportation Finance Division**

Pickup trucks defined to include mini trucks that meet emissions and safety standards for purposes of registration, taxation and operation.

**HF3272-Sertich (DFL)****Commerce & Labor**

St. Louis County off-sale liquor license authorized.

**HF3273-Eken (DFL)****Environment & Natural Resources**

Natural resources; monument designation authority, state park names and park permit requirements modified; finance report requirements eliminated; and technical corrections provided.

**HF3274-Carlson (DFL)****Finance**

Bottineau Transitway Corridor alternatives analysis, draft environmental impact study and property acquisition funding provided.

**HF3275-Dill (DFL)****Environment & Natural Resources**

Master bear guide license established and rule making required.

**HF3276-Dill (DFL)****Environment & Natural Resources**

Portable bear stands allowed to be left overnight in wildlife management areas.

**HF3277-Howes (R)****Governmental Operations, Reform, Technology and Elections**

Minnesota State Retirement System; Correctional caseworker prior employment recategorized as covered correctional service, and past service credit transfer authorized from general state employees retirement plan.

**HF3278-Westrom (R)****Finance**

Lobster Lake; Central Lakes Region Sanitary Board funding authorized.

**HF3279-Erickson (R)****Environment & Natural Resources**

Wetland restoration order drafts allowed by local government units, and Board of Water and Soil Resources directed to amend rules.

**HF3280-Dill (DFL)****Environment & Natural Resources**

Public land expedited exchanges provided.

**HF3281-Dill (DFL)****Environment & Natural Resources**

Snowmobile safety certificate age requirement exemption modified.

**HF3282-Dill (DFL)****Environment & Natural Resources**

Horse trail pass requirements modified, and new deer license fee category created, muzzleloader scopes allowed and special bear hunting permit provided.

**HF3283-Dill (DFL)****Environment & Natural Resources**

Youth hunting regulations modified.

**HF3284-Dill (DFL)****Environment & Natural Resources**

Voyageurs National Park; State employees prohibited from enforcing federal laws in navigable waters

**HF3285-Dill (DFL)****Environment & Natural Resources**

Turkey hunt application drawing provision modified.

**HF3286-Madore (DFL)****Finance**

Adults with disabilities revenue modified.

**HF3287-Davnie (DFL)****Commerce & Labor**

Debt management services regulated, and obsolete criminal provision repealed.

**HF3288-Brod (R)****Finance**

Le Sueur County; nursing facility payment rates increased to geographic group III median rate.

**HF3289-Juhnke (DFL)****Commerce & Labor**

Auctioneers exempted from certain requirements applicable to professional fundraisers.

**HF3290-Peterson, S. (DFL)****E-12 Education**

School readiness assessments and kindergarten transition strategies provided.

**HF3291-Kalin (DFL)****Taxes**

Sales tax exemption provided for cities, counties and townships.

**HF3292-Dittrich (DFL)  
E-12 Education**

School trust fund lands management provided, school trust fund land return improvements provided, Permanent School Fund Advisory Committee mission redefined and report provided.

**HF3293-Clark (DFL)****Environment & Natural Resources**

Pollution Control Agency required to analyze cumulative pollution effects in an area prior to issuing a permit.

**Thursday, Feb. 21****HF3294-Drazkowski (R)  
Public Safety & Civil Justice**

Identity theft crime expanded to include using another's identity to obtain employment, and penalty provided.

**HF3295-Solberg (DFL)  
Higher Education & Work Force  
Development Policy and Finance  
Division**

Conflict of interest rules clarified for local economic development authorities.

**HF3296-Johnson (DFL)  
Commerce & Labor**

Independent contractor status rule exception eliminated, and audit activities required.

**HF3297-Dettmer (R)  
Agriculture, Rural Economies &  
Veterans Affairs**

Brevet rank eligibility promotion provision changed.

**HF3298-Dettmer (R)  
Agriculture, Rural Economies &  
Veterans Affairs**

Persian Gulf War ribbon authorization repealed.

**HF3299-Gunther (R)  
Finance**

Entrepreneurial economic development initiatives implemented.

**HF3300-Eastlund (R)  
Health & Human Services**

Minnesota health care program outreach requirements for school districts eliminated.

**HF3301-Kalin (DFL)  
Finance**

Transportation construction project disclosure and proposal provision requirements changed, Technical Review Committee compensation required and design-build request provisions modified.

**HF3302-Atkins (DFL)  
Public Safety & Civil Justice**

Public meeting written material protection provided.

**HF3303-Otremba (DFL)  
Commerce & Labor**

Video lottery terminals established, duties and powers provided, revenue use provided, gambling taxes modified, and clarifying, conforming and technical changes made.

**HF3304-Mahoney (DFL)  
Finance**

University of Minnesota grant program established for innovative technology and economic development research.

**HF3305-Thao (DFL)  
Finance**

Trunk highway bridge signs required.

**HF3306-Tillberry (DFL)  
Commerce & Labor**

Minnesota Securities Act modified, regulations provided and technical changes made.

**HF3307-Hornstein (DFL)  
Environment & Natural Resources**

Telephone directory recipient removal allowed from distribution list.

**HF3308-Abeler (R)  
Health & Human Services**

Licensed professional clinical counselor provisions modified.

**HF3309-Pelowski (DFL)  
Governmental Operations, Reform,  
Technology & Elections**

Employee relations duty transfer to Department of Finance codified.

**HF3310-Nornes (R)  
Finance**

Fergus Falls; Luverne; nursing facility payment rates increased to geographic group III median rate.

**HF3311-Atkins (DFL)  
Governmental Operations, Reform,  
Technology & Elections**

Revocation of retirement annuity application in favor of disability benefit application authorized in certain instances.

**HF3312-Olin (DFL)  
Finance**

Drainage system repair fund modified to maximum amount allowed.

**HF3313-Erickson (R)  
Local Government &  
Metropolitan Affairs**

Public hearing interim use ordinances authorized.

**HF3314-Erickson (R)  
Finance**

Morrison County; Platte River Watershed dam funding provided.

**HF3315-Mahoney (DFL)  
Taxes**

Small business research and development credit allowed.

**HF3316-Mariani (DFL)  
E-12 Education**

Pre-kindergarten through grade 12 education provided for general education, education excellence, special programs, libraries, and self-sufficiency and lifelong learning.

**HF3317-Kranz (DFL)  
Public Safety & Civil Justice**

Predatory Offender Registration Law; machine gun and short-barreled shotgun possession included on list of crimes against a person for registration.

**HF3318-Kranz (DFL)  
Public Safety & Civil Justice**

Predatory Offender Registration Law; machine gun and short-barreled shotgun possession added to list of crimes against a person requiring registration.

**HF3319-Kranz (DFL)  
Public Safety & Civil Justice**

Firearm discharge reporting modified.

**HF3320-Nelson (DFL)  
Governmental Operations, Reform,  
Technology & Elections**

Teachers Retirement Fund Association; special direct state aid reference corrected.

**HF3321-Faust (DFL)  
Finance**

Independent School District No. 2580, East Central account transfer authorized.

**HF3322-Nelson (DFL)  
Local Government &  
Metropolitan Affairs**

Street improvement districts and fees established, street improvement plan adoption required and collection of fees authorized.

**HF3323-Hornstein (DFL)  
Local Government &  
Metropolitan Affairs**

Minneapolis Park and Recreation Board authorized to adopt standards for dedication of land to the public or a payment of a dedication fee on certain new commercial and industrial development.

**HF3324-Paymar (DFL)  
Public Safety & Civil Justice**

Pistol and semiautomatic military-style assault weapons provisions modified.

**HF3325-Tschumper (DFL)  
Health & Human Services**

Health care access fund purpose clarified, and transfers eliminated.

**HF3326-Eastlund (R)  
Environment & Natural Resources**

Rush Lake; experimental iron treatment required to reduce phosphorus levels.

**HF3327-Beard (R)  
Commerce & Labor**

Telephone company alternative regulation plan provisions modified.

**HF3328-Anzelc (DFL)  
Environment & Natural Resources**

Minnesota forests for the future program created.

**HF3329-Brynaert (DFL)  
E-12 Education**

Academic success state measures established.

**HF3330-Dill (DFL)  
Environment & Natural Resources**

Uncased firearms report required.

**HF3331-Simon (DFL)  
Public Safety & Civil Justice**

Retail property and retail establishment under theft definitions added, and new penalties created.

**HF3332-Dill (DFL)  
Commerce & Labor**

Credit card surcharges regulated.

**HF3333-Murphy, E. (DFL)  
Health & Human Services**

Cancer risk protection standards established, and rule modification required.

**HF3334-Magnus (R)  
Finance**

Local renewable energy initiative enacted to finance small-scale renewable energy projects, account established.

**HF3335-Solberg (DFL)  
Health & Human Services**

Health plan companies and hospitals contract disclosure required.

**HF3336-Drazkowski (R)  
Taxes**

Homesteads owned by persons age 65 years or older taxable market value increase prohibited.

**HF3337-Drazkowski (R)  
Environment & Natural Resources**

State park system additions proposal public hearing petitions authorized.

**HF3338-Drazkowski (R)  
Taxes**

Mortgages in disaster areas exempted from mortgage registry tax.

**HF3339-Loeffler (DFL)  
Finance**

Minneapolis nursing facilities payment rates increased to the geographic group III median rate.

**HF3340-Bigham (DFL)  
Public Safety & Civil Justice**

Theft criminal penalties modified.

**HF3341-Juhnke (DFL)  
Finance**

Litchfield and Willmar additional wastewater treatment loan funding provided.

**HF3342-Bigham (DFL)  
Public Safety & Civil Justice**

Predatory offenders registration address verification procedure clarified, registration procedure clarified relating to offenders from other states, database checks required for persons booked at jails and criminal penalties imposed.

**HF3343-Juhnke (DFL)  
Finance**

Wind energy conversion system aggregation program and account established.

**HF3344-Severson (R)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Veterans' state employment preference provisions modified.

**HF3345-Sertich (DFL)**  
**Finance**  
Minnesota Film and TV Board grant authorized through Explore Minnesota Tourism.

**HF3346-Davnie (DFL)**  
**Finance**  
Mortgage foreclosure assistance provided, and maximum amount of financial assistance increased.

**HF3347-Moe (DFL)**  
**E-12 Education**  
Adequate yearly progress designations appeals process clarified relating to education.

## LATE ACTION

### Transportation funding bill passes

Gov. Tim Pawlenty will be given the opportunity to keep his word and use his "taxpayer protection pen."

Awaiting action is a transportation finance bill that supporters say will address some necessary road, bridge and transit needs, but others disapprove because it is loaded with tax and fee increases.

Sponsored by Rep. Bernie Lieder (DFL-Crookston), HF2800 was passed 89-44 by the House Feb. 21. It was sent to the Senate for their consideration that night. Sen. Steve Murphy (DFL-Red Wing) is the Senate sponsor.

"This is a problem-solving compromise to benefit every person in the state," said Rep. Paul Marquart (DFL-Dilworth). He said this would help provide some property tax relief, and would create many new jobs.

An amendment offered by Rep. Paul Kohls (R-Victoria) that would have forced local

government units to lower property taxes for each dollar received because of this bill was rejected 98-34.

The \$6.7 billion funding proposal would, in part:

- raise the state's gas tax by 2 cents the day after enactment and another 3 cents on Oct. 1, 2008;
- create a \$25 tax credit for the two lowest tax brackets to help offset the increase;
- increase vehicle tab fees on newly registered vehicles and remove tab fee caps;
- authorize counties in the Twin Cities metropolitan area to impose a 0.25 percent metropolitan transportation sales tax without referendum and a \$20 excise tax on vehicles sold at retail. In the other 80 counties, a tax of up to 0.5 percent could be raised by voter referendum and only for a specific project; and
- authorize \$1.8 billion in trunk highway bonding for fiscal years 2009 to 2018, with \$1 billion of that in the first two years. A gas tax debt surcharge of up to 3.5 cents

would be established to repay the trunk highway bonds.

In each of the first two fiscal years, \$300 million in bonding would go toward the trunk highway bridge program and \$200 million to highways, Lieder said. He indicated this would allow the Department of Transportation, within the next two years, to begin repair or replacement of the 13 highway bridges on trunk highways considered fracture-critical.

An amendment successfully offered by Lieder, changed the bill so the metro area sales tax would be allocated just for transit purposes. It previously required at least 50 percent go to transit. No more than 1.25 percent of the total revenues can be used for bicycle and pedestrian programs.

A Republican plan, announced one day earlier, would have relied on borrowing and cuts to state agency and human services budgets. Pawlenty said he opposes any tax increases.

— M. COOK



## NOTES

### DeLaForest says this term is his last

Rep. Chris DeLaForest (R-Andover) announced that he will not run for re-election this year.

DeLaForest cited the difficulty of balancing his political, professional and family commitments as the primary reason for his decision.

"I'm just not in the same place I was six years ago," DeLaForest said in a press release. "Over time it became exceedingly difficult to meet my goals in these three areas. I realized it was time for a change."

DeLaForest said his future plans include spending time watching Little League baseball, attending swimming lessons and taking a family vacation to recharge his batteries and plot new goals.

"While I have very much enjoyed elective office, its is now time for me to return to private life and begin the next chapter in my journey," he said.

— B. HOGENSON

### Rep. Olson apologizes

In an emotional apology on the House floor Feb. 18, Rep. Mark Olson (R-Big Lake) implored his colleagues to forgive him for actions that he said brought "dishonor and disrepute" to the House.

"Madame speaker, members and staff: you are all aware of my personal failure in November of 2006," Olson began, referring to a highly publicized incident in which he was accused of pushing his wife to the ground. He was ultimately convicted of one count of misdemeanor domestic assault and acquitted of another.

Olson said he accepted "full responsibility" for his actions, and noted that "all the responsibilities placed upon me by the court have been fulfilled and completed."

"Will you forgive me for bringing dishonor and disrepute to you as my colleagues, and to this institution?" Olson asked.

Olson was suspended and then ultimately expelled from the House Republican caucus in the months following his arrest. His remarks were greeted with a brief round of applause from his colleagues in the House Chamber.

— N. BUSSE

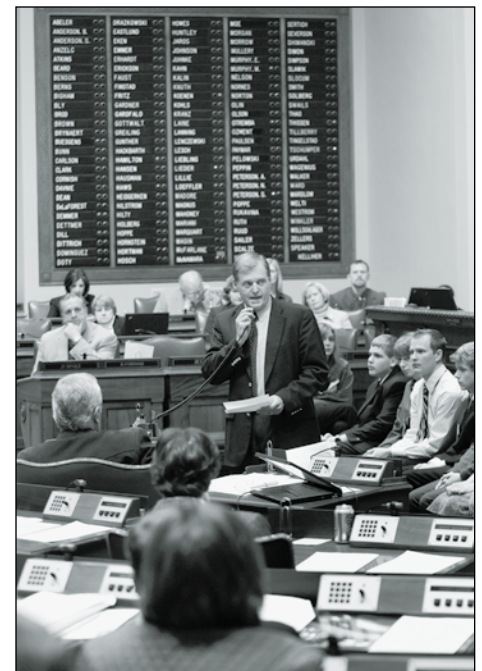


PHOTO BY TOM OLMSCHEID

**Rep. Mark Olson asks members of the House: "Will you forgive me for bringing dishonor and disrepute to you as my colleagues, and to this institution?" Olson was convicted last summer on a domestic assault charge.**



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

**SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER**

**MAJORITY LEADER: ANTHONY "TONY" SERTICH**

**MINORITY LEADER: MARTY SEIFERT**

## MINNESOTA INDEX

### State roads

Road miles in Minnesota .....	135,585
Percent of miles that are part of the state trunk highway system.....	9
Percent of state miles traveled on trunk highways.....	59
Percent of road miles that are state trunk highway system roads in the	
Twin Cities metropolitan area.....	1
Percent of state traffic that uses those roads.....	27
Millions of miles traveled per day on the state trunk highway system in 2006 .....	91.7
Millions of miles in 1998 .....	81.3
Percent increase .....	13
Heavy commercial traffic increase, as percent, between 1998 and 2006 in	
Greater Minnesota counties .....	22
Percent increase in the Twin Cities metropolitan area.....	16
Bridges and culverts on the state's trunk highway system .....	4,500
Percent of expressways and other principal roads in good condition in 2007,	
based on a road quality index used by the Department of Transportation.....	66
Percent in 2002 .....	72
Percents of non-principal roads in good condition in 2002, 2007 .....	65, 59
Adjusted for inflation, trunk highway funding in 1998, in billions.....	\$1.4
Inflation-adjusted funding in fiscal year 2003, in billions.....	\$1.8
Inflation-adjusted funding in fiscal year 2007, in billions.....	\$1.5
Trunk highway resources, as estimated percent, that came from motor vehicle	
and fuel taxes in 1998.....	66
Estimated percent in 2007 .....	50
Millions MnDOT estimates that the state should annually invest in fiscal years	
2012-2018 to meet ride quality and bridge condition performance targets.....	\$672
Millions more per year in preservation spending than is currently planned.....	\$350
Year the Legislature created the State Highway Commission to build roads and bridges...	1905
Year MnDOT was created and assumed the	
activities of the Departments of Aeronautics and Highways, plus transportation-related	
sections of the State Planning Agency and the Public Service Department.....	1976
Percent of MnDOT funds appropriated by the Legislature .....	81
Percent statutorily appropriated.....	19
Percent of department appropriations that is state aid to local governments for	
road and bridge projects and other activities.....	34
Year the first section of interstate was completed between	
Medford and Owatonna .....	1958
Miles of Interstate 35 from Duluth to Laredo, Texas .....	1,568
Millions of travelers, as estimate, that annually stop at state rest areas.....	20

— M. Cook

**Sources: Department of Transportation; "State Highways and Bridges," February 2008, Office of the Legislative Auditor.**

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

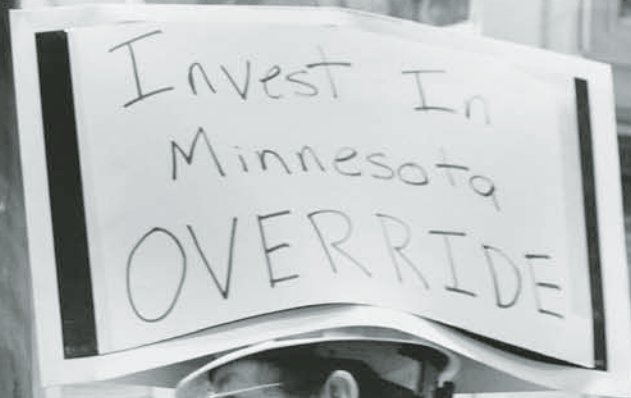
People who are deaf and hard of hearing may ask questions or leave messages by calling the Minnesota Relay service at 711 or 800-627-3529 (TTY).

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 3 • FEBRUARY 29, 2008



A GRIM FORECAST  
OVERRIDE GOES INTO OVERDRIVE  
POLITICAL FALLOUT  
HEALTH INSURANCE: ARE YOU COVERED?

HF3348 - HF3627





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Tom Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

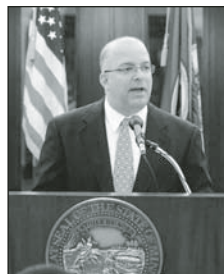
### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Budget • 5	Energy • 8	Insurance • 12
Business • 5	Environment • 8	Military • 12
Crime • 5	Game & Fish • 10	Safety • 13
Education • 6	Government • 11	Taxes • 13
Elections • 7	Health & Human Services • 11	Technology • 14
Employment • 8	Housing • 12	Transportation • 14

### BILL INTRODUCTIONS (HF3348-HF3627) • 17 - 22

### FEATURES

**FIRST READING:** Legislators prepare to tighten the belt • 3

**AT ISSUE:** Transportation plan becomes law • 15

**PEOPLE:** Political problems for six defectors • 16

**RESOURCES:** Roster of House members • 23

**MINNESOTA INDEX:** Are you covered? • 24

**On the cover:** With children from Pillsbury United Communities Waite House in South Minneapolis milling around in front of the House Chamber Feb. 25, Jim Brumfield, with Operating Engineers Local 49, sports his message over his hardhat to override Gov. Tim Pawlenty's veto of the transportation bill. It was a Waite House bus loaded with children that was on the Interstate 35W bridge when it collapsed Aug. 1, 2007.

—Photo by: Tom Olmscheid



# A grim forecast

Facing a \$935 million budget deficit, legislators prepare to tighten the belt

By Nick Busse

**"It could be worse" was about the best news that State Economist Tom Stinson had to offer Feb. 28 as he presented the Department of Finance's grim February Forecast, which predicts a \$935 million budget shortfall for the remainder of the 2008-09 biennium.**

Stinson and Finance Commissioner Tom Hanson explained that the figure, which represents a drop of \$530 million from the November Forecast projections, is being driven by widespread economic stagnation both in Minnesota and elsewhere.

"The story of this forecast continues to be the weakening U.S. economy," Hanson said.

Stinson noted that the revenue decline was particularly dramatic when compared with last year's end-of-session projections, which were \$1.27 billion higher. By far, the biggest driver has been a steep decline in corporate tax receipts, down 20.6 percent, or \$456 million.

The forecast also predicts a \$1.09 billion deficit for the 2010-11 biennium; however, adjusted for spending inflation, that figure is actually more than \$2.1 billion.

Despite the daunting numbers, Hanson called the situation "very concerning but still manageable."

## Different approaches emerge

How this situation is going to be managed may turn out to be the defining theme for the remainder of the legislative session. Gov. Tim Pawlenty said his office will release a modified budget proposal sometime next week that will recommend spending cuts to various state agencies. Above all, the governor rejected any proposals to increase taxes.

"Our goal is not to increase revenue. We're already spending too much," Pawlenty said.

House Speaker Margaret Anderson Kelliher (DFL-Mpls) pledged that legislators would close the budget gap "by the time we leave this session." She agreed with the governor that budget cuts will likely be a necessary part of the solution; however, she noted that any cuts should be made "with a scissors and not an axe."

Speaking at a press conference after the forecast's release, Kelliher and other DFL leaders emphasized job creation as one of their top priorities for the session, arguing it would provide long-term economic growth and help generate new revenues for the state.

The DFLers were less clear as to whether they would seek more immediate sources of revenue.

Asked whether they would consider pushing for any tax increases, Senate Assistant Majority Leader Tarryl Clark (DFL-St. Cloud) replied, "We don't answer hypotheticals."

Kelliher, meanwhile, said that House DFLers would indeed consider raising revenues by closing tax loopholes for foreign operating companies. Pawlenty indicated he would consider such a plan, but only if the new revenues were tied to some kind of tax relief in other sectors.

House Minority Leader Marty Seifert (R-Marshall) was less nuanced in his reaction to the forecast.

"No tax increases, period," Seifert said.

Seifert indicated that he and other House Republicans would press for spending reductions to state agencies, particularly in



PHOTO BY ANDREW VONBANK

Finance Commissioner Tom Hanson presents the February Forecast to media members and other interested parties Feb. 28.

First Reading continued on page 4

### First Reading continued from page 3

the area of health and human services. As an example, he said reducing Medical Assistance co-pays could save the state \$50 million to \$250 million, “depending on how aggressive” the cuts are.

He added that the kind of accounting shifts used to fix 2003’s \$4.5 billion deficit were unnecessary and not likely to be repeated.

### What to cut?

Echoing Seifert’s comments, Pawlenty said health and human services spending is “devouring” the state budget, and indicated that it would be a likely candidate for budget cuts. He added that he has already ordered a hiring freeze for all state agencies to help curb administrative spending. Although he largely dismissed the possibility of layoffs of state employees, he indicated that state agencies should be prepared to make sacrifices.

“When you take money out of the state’s budget, someone’s going to be impacted. You

can’t sugarcoat that,” he said.

DFLers may have different priorities.

Kelliher mentioned that the Legislature’s funding decisions may be affected by recent reports from the Office of the Legislative Auditor — a likely reference to, among other things, a recent report critical of the JOBZ economic development program.

The fate of the bonding bill is also in doubt. Pawlenty said he expects the Legislature to

abide by the long-standing rule that the total amount of the bonding bill can equal no more than 3 percent of General Fund revenues; however, he expressed some willingness to negotiate with DFLers like Sen. Keith Langseth (DFL-Glyndon), chairman of the Senate Capital Investment Committee, who argues that the amount should be defined by actual instead of estimated revenues. 🐼

### Revenues Down \$1.27 Billion From End-of-Session

\$ Millions	\$ Change Decrease	% Change Decrease
Individual Income	282	1.8
Sales Tax	322	3.4
Corp. Inc. Tax	456	20.6
All other	209	3.2
Total Change	1,270	3.8

Source: Minnesota Department of Finance

### MAPQUEST



PHOTO BY SARAH STACKE

After Rep. Tom Emmer misnamed some roads in southern Minnesota, Rep. Al Juhnke holds up a state map during the Feb. 25 discussion to override the governor’s veto of the transportation bill.

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 21-28. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and \*-the bill, version considered by the House, or the bill language signed by the governor.

## BUDGET

### Deficiency spending

A bill to address a quartet of budget deficiencies that, according to the administration and Department of Finance, needs immediate action, was passed by the House 112-17 on Feb. 28.

"This deficiency bill is for very small amounts of money that will solve those particular problems for very small organizations that have no other opportunity than the Legislature appropriating some money for them," said Rep. Loren Solberg (DFL-Grand Rapids), sponsor of HF3055.

The bill would appropriate \$175,000 from the General Fund for the administration of the Minnesota Sesquicentennial Commission.

"In the last legislative session they were given an appropriation, and there were some restrictions on that appropriation," Solberg said. "Some of it went to small grants for the programming throughout the state, and they were restricted on the amount of money they could use for their staff. At the present time, with that restriction put in place, they should really be laying off their staff in order to account for things like unemployment, vacation pay and the other things that go along with terminating somebody. This will bring them, for their staff only, through the celebration."

In another provision, Special Revenue funds totaling \$304,000 would be divided between the state's Board of Chiropractic Examiners (\$150,000), Board of Dentistry (\$100,000) and Board of Veterinary Medicine (\$54,000). All three have licensing-fee funded accounts within the fund.

The money is needed to reimburse the boards' costs incurred while conducting contested case hearings involving individuals.

"They do have the funds available at this present time, but they are not allowed to pay them out without us appropriating the money," Solberg said. The board may have to make up the funding at some point.

A companion bill, SF2766, sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action on the Senate floor.

— M. COOK

## BUSINESS

### Airline merger effects examined

The Twin Cities' status as a major hub for Northwest Airlines is not expected to change if the carrier merges with Delta Airlines.

That was the position of Metropolitan Airports Commission (MAC) Chairman Jack Lanners and MAC General Counsel Tom Anderson at a Feb. 25 meeting of the House Local Government and Metropolitan Affairs Committee.

"The talk of the day is of a potential merger. That's of great concern to all," Lanners said.

Lanners said the MAC has "arrows in the quiver" at its disposal for negotiations with Northwest Airlines, including state loans that must be repaid and lease agreements that ensure hub status.

Anderson said there would be a "significant penalty" for the merged airline if those agreements are not abided by in the future.

Lanners said that Minneapolis-St. Paul International Airport has many factors in its favor that leave it well-positioned to maintain hub status, including being well-run, and profitable, as well as the western-most hub for Northwest Airlines.

The outlook on Northwest Airlines' corporate headquarters remaining in Eagan after a merger is not so optimistic.

Rep. Mark Buesgens (R-Jordan) said it seems as though losing the corporate headquarters in a merger is a foregone conclusion, and the MAC is more concerned with making sure there is not a loss of hub status.

"It's also seemingly obvious, based on the media reports that we all see, that the headquarters is not looking like it would be here," Lanners said.

Citing state aid received by Northwest Airlines during its 2005 bankruptcy, Rep. Loren Solberg (DFL-Grand Rapids) took issue with the idea that there is a choice to be made by Northwest Airlines in keeping its headquarters in the Twin Cities or maintaining Minneapolis-St. Paul's hub status.

"When Northwest was in deep doo-doo and came to the state and MAC, it was with complete understanding that their headquarters would never be moved and, quite frankly, when they talk about headquarters and hub, and want us to choose (between) those two, that's not a choice," Solberg said. "Northwest wouldn't exist for Delta to have a merger if it wouldn't have been for the state stepping up to the plate."

— B. HOGENSON

## CRIME

### Local violation fines

Sponsored by Rep. Larry Hosch (DFL-St. Joseph), HF847 would permit a city or county to impose an administrative fine for certain traffic violations, such as driving over the speed limit by less than 10 mph or rolling through a stop sign. However, it failed to gain the approval of the House Public Safety and Civil Justice Committee Feb. 27.

Winona Police Chief Frank Pomeroy said that when his city began issuing the \$45 fine — which does not show up on a driver's record — instead of issuing tickets, there was a decrease in accidents.

But William Gillespie, executive director of the Minnesota Police & Peace Officers Association, said the bill is not about safety, but "revenue enhancement."

Gillespie said that when he served as a peace officer in Ramsey County, what the finances of a ticket were, or where the finances went, were irrelevant. "A traffic tag is a teaching tool, not a means to generate money for the state of Minnesota."

Rep. Tony Cornish (R-Good Thunder), who is also the Lake Crystal police chief, was even more direct. "You're changing the whole spectrum of law enforcement here today."

Cornish said that, in his many years as a police officer, he has never written a ticket for someone driving less than 10 mph over the speed limit, or for anyone rolling through a stop sign. He gave them a warning.

This is "a money grab," he said. "It's a burden on our citizens to make up for the city's shortfall."

Hosch argued that the bill was not a "money grab," and presented a report from the Office of the Legislative Auditor that indicated administrative fines did not provide a substantial form of income for cities and counties.

A companion bill, SF1008, sponsored by Sen. Michelle Fischbach (R-Paynesville), awaits action by the Senate Transportation Committee.

— C. GREEN

### Employee, student relationships

For many, it's one of those relationships that is taken for granted. Teacher and student. But times have changed.

Speaking before the House Public Safety and Civil Justice Committee Feb. 26, Rep. Joe Atkins (DFL-Inver Grove Heights) said that as it is inappropriate for a teacher or a coach to



have a sexual relationship with a student who is 17, it is inappropriate for a school employee to have a relationship with an 18-year-old.

HF2719, sponsored by Atkins, would prohibit sexual relations between school employees and students, including those 18- and 19-years-old. Approved by the committee, the bill is now headed to the House E-12 Education Committee. The Senate companion, SF3289, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action in the Senate Judiciary Committee.

Dakota County Attorney Jim Backstrom spoke of a recent case in Hastings where a high school coach began a relationship with a senior. The coach had been pursuing the young woman with hundreds of phone calls and text messages, before he began a sexual relationship with her.

The problem, Backstrom said, was that even though the young woman was still a high school student, she was 18. Legally there was nothing that could be done.

"This is unacceptable behavior in our society," Backstrom said. Minnesota law currently states that the legal age for consensual sex is 16, and because of this, he said legislation is needed so that younger people cannot be taken advantage of in high school settings.

Rep. Mary Liz Holberg (R-Lakeville) questioned the scope of the bill's language, which initially did not include any age limit for the student, and was not specific to the school setting. Amendments were added clarifying that a student must be under age 20, and the other person involved must be defined as a school employee or volunteer "in a position of authority."

— C. GREEN

## EDUCATION

### School measurements for alternatives

A bill that would allow up to 20 charter schools and alternative schools to waive the federal No Child Left Behind requirements for participation in a program to identify improvement measures for alternative schools received committee approval.

Rep. David Bly (DFL-Northfield), sponsor of HF2982, told the House E-12 Education Committee Feb. 21 that because of the mission of alternative schools, they will inherently score lower on standardized testing, making it hard to know if these schools need enhancement.

"We believe there are some schools that could use some improvement, but it's hard to know from the measures we have now," Bly said.

Terry Lydell, president of the Minnesota Association of Alternative Programs, said

they would like to see these schools evaluated on systemic improvement and organizational learning, but it's been difficult to find people in the Department of Education who speak in those terms.

Jamie Crannell, a chemistry teacher at Chaska High School, said children in the alternative school system have other problems that need to be addressed.

"It's not that the requirements aren't reasonable, it's that the kids have a lot of things to overcome, prior to getting there," he said.

"These kids don't want the bar to be lowered, they just want to be met where they are at," Rep. Lynn Wardlow (R-Eagan) said.

The committee sent the bill to the House Finance Committee with the recommendation that it be sent to the House K-12 Finance Division.

A companion bill, SF3029, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate Education Committee.

— T. HAMMELL

### Childhood screening cost concerns

Between 10 percent and 12 percent of kindergarteners aren't ready to start school because they have problems with language development, literacy and mathematical thinking, according to the Department of Education.

To help identify children who may need extra help to succeed in school, Minnesota school districts are required to screen children from 3- to 5-years-old for health and developmental problems. But the screenings can be costly — up to \$70 per student — and the state reimburses only up to \$40 per child. The differential is incurred by the district.

A bill sponsored by Rep. Erin Murphy (DFL-St. Paul) would close the gap, and require the state to reimburse the full amount to school districts. HF2920 was laid over Feb. 26 by the House Early Childhood Learning Finance Division for possible inclusion in its omnibus bill.

The companion, SF2669, awaits action in the Senate Finance Committee. Sen. Sandy Rummel (DFL-White Bear Lake) sponsors the bill.

The money to reimburse the districts would come from the General Fund, at an annual cost to the state between \$1.5 million and \$1.7 million.

Charlie Blesener, director of community education for the Elk River School District, said if the state doesn't reimburse the full amount, the burden falls on the school districts.

Even so, the screening helps the district and its students in the long run, Blesener said.

"It's a great way to find issues with kids early, so that we can do an intervention and

maybe close an achievement gap."

— C. BLANCHARD

### Measuring of school success

A bill that would add state academic growth-based measures to the Minnesota school report card received committee approval Feb. 26.

The House E-12 Education Committee sent HF3329 to the House Finance Committee with the recommendation that it be sent to the House K-12 Finance Division.

Rep. Kathy Brynaert (DFL-Mankato), the bill sponsor, said it is the work of the interim E-12 Education Work Group, which aimed to fully, fairly and accurately measure school improvement.

David Heistad, director of research, evaluation and assessment for Minneapolis Public Schools, said more than 300 state districts use some sort of academic growth-based model, which is complimentary to the federal No Child Left Behind program.

This provides a more dynamic way of looking at schools because some schools score high on academic growth standards, but do not score high on standardized tests or vice versa, he said.

Heistad said this would enable the Department of Education to find districts that are already making great progress and hold high-achieving students accountable for growth.

Rep. Sondra Erickson (R-Princeton), questioned the measurement system used, saying the methods were "deceptive."

"You gain some precision by more complex models, but you lose some communication power," Heistad said.

Christy Hovanetz Lassila, assistant commissioner of the department's Office of Accountability and Improvement, said the department is concerned about the lack of proficiency standards, as well as limited authority granted in parts of the bill. Other concerns included unfunded mandates and the striking of the "value-added" language put into statute in 2004.

A companion bill, SF2882, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate Education Committee.

— T. HAMMELL

### School trust fund land management

Sponsored by Rep. Denise Dittrich (DFL-Champlin), HF3292 would give the Department of Natural Resources commissioner authority to administer permanent school land funds.

Approved Feb. 21 by the House E-12 Education Committee, the bill awaits action by the House Finance Committee.

Now managed by the DNR, these lands were granted by the federal government at the time of statehood to be held in trust to benefit public schools.

"You should know that Minnesota is more like western states," Dittrich said, in that the state has not sold off this land.

A report from the legislative auditor's office found that the DNR sometimes emphasizes natural resource management over financial responsibility for these areas.

Dittrich said the DNR does a good job of conserving the land, but questioned whether having them fiscally manage these assets was too much of a dual purpose.

Bob Meier, assistant DNR commissioner, said health and safety is the top priority on these lands and the trust funds are a close second.

"We do have some concerns with (the bill), but we do agree with the overall concept," Meier said.

Membership of the Permanent School Fund Advisory Committee would also be expanded to include four additional legislative chairs, five people with specified areas of expertise and a non-voting permanent professional staff person. The committee advises the DNR on the management of permanent school fund land.

Marty Vadis, DNR director of lands and minerals, said the state has 2.5 million acres of surface and mineral rights and 1 million acres of severed mineral rights.

A companion bill, SF2811, sponsored by Sen. Ann Lynch (DFL-Rochester), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— T. HAMMELL

### Trust fund money distribution

The way money held by the state to benefit school districts is distributed could change under three bills heard in the House K-12 Finance Division Feb. 26 and 27.

According to the nonpartisan House Research Department, the Permanent School Trust Fund consists of the proceeds of all the lands granted at statehood by the federal government for the benefit of schools, proceeds from swamp lands granted to the state, and cash and investments credited to the fund.

The Department of Natural Resources manages about 2.5 million acres of school trust land. Proceeds from those activities, such as timber sales, minerals activities or lease revenue are added to the fund principal, which is invested by the State Board of Investment. As of June 30, 2007, the fund totaled \$714 million.

Sponsored by Rep. Denise Dittrich

(DFL-Champlin), HF2975 would eliminate subtraction of the fund endowment that is now offset against each district's general education aid on a per pupil basis. It would net an extra \$29 million for districts in Fiscal Year 2009.

A second bill she sponsors, HF2973, would allow a district to use this money for technology purposes beginning in Fiscal Year 2009.

Both were laid over Feb. 26 for possible inclusion in a possible division omnibus bill, as was HF3206, sponsored by Rep. Tom Rukavina (DFL-Virginia). His bill, laid over on Feb. 27, would establish an ongoing technology allowance of \$60 per pupil.

Rukavina said the bill starts off at \$60 per-pupil and required a formula based on property wealth in the districts.

Most of the money on these lands is generated from mineral and timber sales with a small amount generated by land sales, said Marty Vadis, director of the DNR lands and minerals division.

Rep. Marsha Swails (DFL-Woodbury) said the \$28 million generated by the lands seems conservative and questioned the lack of emphasis on renewable resources.

Companions to the Dittrich bills, SF2392 and SF2422, each sponsored by Sen. Chuck Wiger (DFL-North St. Paul), await action by the Senate Finance Committee. Rukavina's bill has no Senate companion.

— T. HAMMELL

### School district background checks

Two bills that came before the House E-12 Education Committee on Feb. 28 would require school districts to look more closely at past sexual misconduct of those who would work with children.

HF2782, sponsored by Rep. Karla Bigham (DFL-Cottage Grove) would require those who provide services for extracurricular activities, including coaching, to undergo a criminal background check.

Bigham said many school districts already do this, but this would make sure that "everybody is on a level playing field."

Rep. Steve Gottwalt (R-St. Cloud) said he would like to see this expanded to include anyone who would work with children.

A Senate companion, SF2369, sponsored by Sen. Ann Rest (DFL-New Hope) was referred to the Senate Judiciary Committee by the Senate Education Committee.

Minnesota already requires school districts to perform criminal history background checks on prospective teachers. HF2657, also sponsored by Bigham, would require school districts to use the Minnesota Board of Teaching Web site to check for past sexual

misconduct. The bill would also require the applicant to provide information on all current and previous disciplinary actions.

Companion bill, SF2597, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), was referred to the Senate Judiciary Committee.

Both House bills await action on the House floor.

— T. HAMMELL

## ELECTIONS

### Judicial selection changes proposed

A bill to reform the judicial selection process passed its first legislative hurdle.

The House Governmental Operations, Reform, Technology and Elections Committee approved HF3023 Feb. 26 and referred it to the House Public Safety and Civil Justice Committee.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park), the bill would amend the Minnesota Constitution to make the governor responsible for the initial appointment of judges, for a term that lasts until the end of the next general election year held more than three years after the appointment.

All sitting judges would be evaluated once during their term, and once near the end of their term by a performance evaluation commission that would rate the judge as "qualified" or "unqualified" for office. This provision is meant to assist voters in evaluating the performance of judges. After their initial term, a judge may be retained in office through a retention election, where voters would be asked if a judge should be retained, rather than choose between individual candidates.

"Judges, like any of us, need accountability," Simon said.

Simon used baseball to demonstrate how campaigning for judicial positions and collecting partisan endorsements places judicial candidates in a position of campaigning on judicial outcomes, harming the impartiality of their position.

"Judges are not catchers or pitchers or batters, judges are umpires," Simon said. "We would never think of putting in an umpire who said to Major League Baseball, 'Put me in the game and I'll make sure the Yankees win,' or 'Put me in the game and I'll make sure the Red Sox win.'"

Former House Speaker Phil Carruthers, now an assistant Ramsey County attorney, cautioned against reforming the judicial selection process.

"Changing the constitution should be the last resort, not the first resort. If we change the constitution without knowing exactly what we are doing, we will be stuck with the result for

the next 150 years,” Carruthers said.

A companion bill, SF2401, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— B. HOGENSON

## EMPLOYMENT

### Women into nontraditional careers

Funding is requested to help women maximize their earning potential.

Sponsored by Rep. Joe Mullery (DFL-Mpls), HF743 would appropriate an unspecified amount of money for “grants to nonprofit organizations for programs that encourage and assist women to enter nontraditional careers in the trades and manual and technical occupations.”

Mullery told the House Higher Education and Work Force Development Policy and Finance Division that \$500,000 would be a good amount. The bill, which has no Senate companion, was held over Feb. 27 by the division for possible inclusion in its omnibus bill.

“This was originally introduced about 10 years ago, and it has been funded in the past, although it hasn’t been funded in the past few years,” he said.

Statistics provided by the Office on the Economic Status of Women, a joint legislative advisory commission, show the number of women in nontraditional roles remains low, but projected vacancies continues to rise. For example, nearly 4,000 plumber, pipefitter and steamfitter openings are expected between 2004 and 2014, but according to 2000 census, women made up just 1.1 percent of workers in an area where the median hourly wage was \$29.53 in the last quarter of 2007.

“This is a workforce issue,” said Amy Brenengen, the office director. “The bill is not only important because it addresses opportunities for women, but also because there is a growing need in these areas.”

To receive a grant, an organization would need to be active in reaching out to girls and women concerning opportunities and training programs in the trades, science, math, technology and engineering areas. An organization would also be eligible if it offers assistance with training, child care or transportation issues, job placement assistance or job retention support.

“We have an awful lot of people that are on welfare-type programs or in low-occupation jobs that would greatly benefit from this,” Mullery said. He also referenced a woman who had been heavily into drugs and had her children taken away. “She got into a program like this, and she’s now back making probably

more than anybody in the room. ... There’s huge numbers of success stories like this.”

— M. COOK

## ENERGY

### New sustainable building guidelines

New sustainable buildings guidelines for major renovations of state buildings could be on the way, with a goal of exceeding the state energy code by 30 percent.

HF3401, sponsored by Rep. Bill Hilty (DFL-Finlayson), would direct the Administration and Commerce departments to develop guidelines that would apply to all major state-funded building renovations after Feb. 1, 2009. The House Energy Finance and Policy Division laid the bill over Feb. 27 for possible inclusion in its omnibus bill. A companion, SF2706, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Sustainable building design guidelines currently exist for new buildings that are constructed using state bond money; the bill would apply them to renovations involving more than 10,000 square feet of space as well.

In addition, the bill would direct the Commerce Department to develop “Sustainable Building 2030” energy-efficiency performance standards for commercial and industrial buildings. These standards would be developed in conjunction with the University of Minnesota’s Center for Sustainable Building Research, with the goal of reducing per-square-foot carbon emissions by:

- 60 percent by 2010;
- 70 percent by 2015;
- 80 percent by 2020; and
- 90 percent by 2025.

The standards would not be mandatory, and would emphasize cost-effective measures.

John Carmody, the center’s director, said that nearly half of the country’s energy use is associated with buildings. He said sustainable building initiatives are starting to move away from point-based rating systems like the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, and toward systems that focus instead on concrete reductions in greenhouse gas emissions.

Rep. Bud Nornes (R-Fergus Falls) expressed skepticism that energy-efficiency measures would reduce buildings’ operating costs, arguing that did not take into account the potential maintenance and repair costs of new, unproven energy-efficient technologies. Carmody admitted that cost-recovery estimates often did not take such potential costs into account.

— N. BUSSE

## ENVIRONMENT

### A bad grade for BWSR

For the second time in less than a year, the Minnesota Board of Water and Soil Resources received a failing grade from the legislative auditor — this time, for not living up to its financial management responsibilities.

An Office of the Legislative Auditor report determined that the board lacks “adequate internal controls over certain financial processes”; however, the report also states that BWSR generally complied with most finance-related laws.

The report, which was released in late-November, was discussed Feb. 26 by the House Watersheds, Wetlands and Buffers Subcommittee. No action was taken.

Among the key findings, the report states that the board:

- did not adequately administer its financial management duties;
- did not ensure that grantees met the legally mandated matching requirements;
- awarded grants to districts that did not provide comprehensive work plans;
- did not inspect wetland sites added to the wetland bank; and
- failed to prepare performance evaluation reports for contracted services.

“This is a pretty strong finding from us,” said Deputy Legislative Auditor Cecile Ferkul, who said that her office rarely deems an organization’s financial management to be inadequate.

The report comes on the heels of one released in January 2007 that criticized the board for exercising inadequate oversight of the state’s numerous local watershed management entities.

Executive Director John Jaschke said the board agreed with most of the findings and intends to do better in the future; however, he also emphasized that there was no misappropriation or misdirection of state funds.

“We need to do some things different and better,” Jaschke said. He mentioned more extensive documentation of financial transactions and building what he called “planned redundancy” into the board’s financial management as examples of possible improvements.

Subcommittee Chairman Rep. Rick Hansen (DFL-South St. Paul) said it was “very important” that BWSR correct the problems outlined in the report — especially since the Legislature is “looking at providing a significant amount of money” to the board in this year’s bonding bill.

— N. BUSSE



## Vehicle emissions standards

A hearing on rulemaking issues relating to adoption of California standards regulating low-emission vehicles quickly evolved into a heated debate on the merits of the bill and the effects of emissions standards on the state economy.

The House Governmental Operations, Reform, Technology and Elections Committee approved the bill on Feb. 27 and referred it to the House Commerce and Labor Committee.

Rep. Melissa Hortman (DFL-Brooklyn Park) sponsors HF863 that would require adoption of California standards regarding low-emission vehicles; and provide for updates, as necessary, to comply with the federal Clean Air Act.

Rep. Mark Olson (R-Big Lake), brandishing an actual hydrogen cell, was concerned that even California standards were not a lofty enough goal.

"We could exceed these standards far beyond," Olson said. "I've gone out and seen these guys working on this technology and seen motors run on 60 percent gas and 40 percent water."

Rep. Tom Emmer (R-Delano) questioned whether Hortman had thought about the effect the standards could have on the state economy, and the quality of life.

"Your goal is laudable and appropriate," Emmer said. "But getting there and who you are going to destroy along the way is the question I have."

Hortman responded by referencing the auto industry's citing of costs to consumers as a reason not to adopt previous government standards.

"When we first heard about seat belts, the auto industry let us know that we would not be able to afford to buy cars if they had seat belts in them, same thing on air bags," Hortman said.

Under the Clean Air Act, California is the only state that may adopt vehicle emission rules different from the federal rules. In 1977, Congress allowed other states to adopt the stricter California rules as well. At least 14 states have done so.

A companion bill, SF481, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Environment and Natural Resources Committee.

— B. HOGENSON

## Greenhouse gas emissions

Minnesota would implement a cap-and-trade system to reduce greenhouse gas emissions from electric power plants and other industries, if a bill sponsored by Rep. Kate Knuth (DFL-New Brighton) becomes law.

HF3195, also known as the Green Solutions Act, would implement a program whereby total emissions would be limited and major emitters could purchase and sell emissions allowances to one another. The House Environment and Natural Resources Committee heard testimony Feb. 26, but took no action.

Knuth said the goal is to build on last year's Next Generation Energy Act, which directs the state to reduce its total greenhouse gas emissions from 2005 levels — 15 percent by 2015, 30 percent by 2025 and 80 percent by 2050. The act also created the Minnesota Climate Change Advisory Group, which was charged with recommending a strategy to meet these goals. Knuth noted that although the group failed to settle on the details, it did favor a cap and trade program.

"The reality is, emissions are still going up, and they need to go down," Knuth said, adding that a cap and trade system would be a "powerful and simple way to get real reductions."

Supporters of the bill include J. Drake Hamilton, science policy director for Fresh Energy. She warned committee members they would see a "different Minnesota" if the impacts of climate change went unmitigated.

Bob Schulte, CEO of the Central Minnesota Municipal Power Agency, was among numerous representatives from power companies who testified in opposition. He said a federal- or regional-level approach would be more effective, and warned that any costs incurred by electric utilities in the state would ultimately be passed on to their customers.

Ed Garvey, director of the state's newly created Office of Energy Security, also testified against the bill, arguing that it would hamper the state's ability to negotiate with fellow signatories to last year's Midwestern Greenhouse Gas Reduction Accord. The accord lays out a framework for a regional approach to cap-and-trade.

A companion bill, SF2818, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

## Notice: pesticide spraying

The building blocks of pesticides are the same as with humans: a collision that some say is causing severe health complications in those living near farms and yards being sprayed with the chemicals.

Rep. Ken Tschumper (DFL-La Crescent) sponsors HF2459 that would change pesticide posting requirements to include notice of application 48 hours before and after spraying. At least 29 other states have pesticide "right to

know" legislation, he said.

The bill was approved Feb. 26 by the House Housing Policy and Finance and Public Health Finance Division, and it now goes to the House Finance Committee.

The bill would also require:

- the Department of Agriculture to develop and maintain public accessible electronic records of pesticide sprays 48 hours in advance of the initial application;
- marking with red flags around the perimeter of a property to be sprayed;
- raising the annual application fee for each pesticide registered from 0.4 to 0.5 percent of annual gross sales within the state;
- commercial, noncommercial and private applicators who apply pesticides to potato or hybrid poplar fields to file monthly records of pesticide applications; and
- the commissioner to assess penalty fees to applicators for failure to comply at \$25 for each of the first four times the applicator fails to submit a required record by the monthly deadline.

A \$1,000 penalty would also be assessed to those using the public information for data mining or other commercial purposes.

Tschumper said his bill is based on a pesticide regulation report released in March 2006 by the Office of the Legislative Auditor. The report said the department needed to improve its written communications with complainants, and should extend to comparably risky applications, the requirement for land managers to provide advance notice on pesticide applications toxic to bees.

Rep. Dan Severson (R-Sauk Rapids) said a penalty isn't going to stop a competitor from using the public data to expand their business at the cost of somebody else.

A companion bill, SF2994, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), awaits action by the Senate Agriculture and Veterans Committee.

— P. OSTBERG

## Making retailers recycle plastic bags

A bill would require grocers and other retailers who provide customers with plastic carryout bags to make in-store bag recycling available.

Rep. John Lesch (DFL-St. Paul) sponsors HF2746, which would also require plastic bag manufacturers to work with store operators to collect, transport and recycle the bags. It would further provide for financial penalties against retailers and manufacturers who violate the bill's provisions.

The informal House Solid Waste, Recycling and Resources Conservation Working Group held a hearing on the bill Feb. 22, but took no action. The bill has been referred to the

House Environment and Natural Resources Committee.

Under the bill's provisions, the words "please reuse or recycle at a participating store" would have to be printed on all plastic carryout bags, and recycling bins would have to be clearly marked and visible to the customers. The bill would apply to all retailers with stores larger than 5,000 square feet, or that are part of a chain of stores with five or more locations.

Lesch said the bill only makes sense as people are becoming more aware of recycling and waste issues. He noted that he keeps a drawer at home devoted to storing plastic bags, but that "there is no way I can reuse as many as I get from all the retail establishments I shop at."

Jamie Pfuhl, executive director of the Minnesota Grocers Association, said many retailers already offer plastic bag recycling programs. She cautioned legislators against "mandating what is already being done effectively" by private industry, and warned that there is a lack of support for the idea especially among rural retailers.

Defending the bill, Rep. Melissa Hortman (DFL-Brooklyn Park) said, "Voluntary programs are nice, but a little bit here and a little bit there is not a comprehensive solution."

A companion bill, SF2800, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

### Landfill cleanup bonds proposed

A bill sponsored by Rep. Julie Bunn (DFL-Lake Elmo) would use the state's remediation fund to finance up to \$25 million in bonds to pay for cleaning up closed landfill sites in four areas.

HF3232 is intended to help remediate contaminated landfill sites in Mille Lacs, Washington County, the Western Lake Superior Sanitary District and Albert Lea. The House Environment and Natural Resources Finance Division referred the bill without recommendation Feb. 28 to the House Finance Committee after several division members raised concern about the bill's proposed financing mechanism. The bill has no Senate companion.

One of the main purposes of the bill would be to fund remediation of the Washington County Landfill, which has been leeching perfluorochemicals (PFCs) into the east metro drinking water supply. For that purpose, \$15 million would be advocated — an amount equivalent to the governor's original recommendation for the project.

According to statute, the state's remediation fund was created to fund cleanup efforts for "hazardous substances, pollutants or

contaminants, agricultural chemicals, and petroleum, and for environmental response actions at qualified landfill facilities." It is funded primarily by a solid waste tax.

Rep. Denny McNamara (R-Hastings) was among the division members who expressed reservations about using the remediation fund to pay off the approximately \$1.8 million per year in debt service on the bonds, rather than just using general obligation bonding.

Bunn said she understood the concern, but also underscored the urgency of the issue, citing an expectation from the communities around the Washington County Landfill that remediation action would begin as soon as this summer.

"This is a very reasonable way to do it, because we have this dedicated revenue stream," she added.

Division Chairwoman Rep. Jean Wagenius (DFL-Mpls) agreed that action should be taken as soon as possible, but said legislators needed more information on how much funding was needed and what kind of mechanism should be used.

"I think everybody knows that we need to get the job done," Wagenius said.

— N. BUSSE

## GAME & FISH

### Tougher aquaculture restrictions

A bill sponsored by Rep. Bev Scalze (DFL-Little Canada) would help put a stop to a system that Scalze said uses public resources to subsidize an environmentally destructive aquaculture industry.

HF1188 would tighten restrictions on licenses for raising minnows and other aquatic farming activities in public waters. The House Game, Fish and Forestry Division took testimony on the bill Feb. 25 and laid it over for possible inclusion in an omnibus policy bill.

The bill contains several provisions designed to protect the state's water bodies, including:

- requiring anybody applying to the Department of Natural Resources for a new or renewal of a current aquatic farming license to submit a plan to restore the water body to its pre-farming ecological condition;
- prohibiting the DNR from issuing or renewing a license to raise minnows in waters subject to protective easements funded by federal waterfowl stamp proceeds;
- requiring fish farmers to obtain permission from all shoreline property owners before using the water body for aquaculture;
- requiring the department to encourage fish farming in man-made ponds; and
- requiring the department to make its aquaculture program self-sustaining by

proposing a more equitable fee system.

Scalze said that enforcing ecologically sound aquaculture practices only makes sense as the state has begun investing millions of new dollars to clean up surface waters via the Clean Water Legacy Act and other initiatives.

"We're spending a lot of money," Scalze said. "We want to eventually have clean wetlands and water bodies in the state."

Steve Puchtel, manager of McKenzie Fish Co. in Stacy, said that the bill's supporters are underestimating the value of minnow farming to the state. He noted that other users of public waters, like jet-skiers and hunters, don't need to get the level of permission required of aquatic farmers.

"I see this as singling out just one business and saying that we have to get permission to use the water," he said.

A companion bill, SF1517, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

### Bill to allow fishing with two lines

An almost perennially discussed proposal to allow fishermen to use two lines has resurfaced.

HF2610, sponsored by Rep. Al Juhnke (DFL-Willmar), would permit anglers to catch fish using two lines simultaneously. The House Game, Fish and Forestry Division laid the bill over Feb. 25 for possible inclusion in its omnibus policy bill. There is no Senate companion.

Juhnke said Minnesota is one of the few states that does not allow anglers to use multiple lines. He presented division members with a laundry list of potential benefits of the practice, including:

- increasing overall enjoyment of the sport;
- supporting tourism by making Minnesota more competitive with other states;
- allowing for more experimentation with different types of bait;
- encouraging the purchase of more fishing equipment; and
- creating the potential to generate new revenue with a possible fee for using a second line.

Ron Payer, fisheries section management chief for the Department of Natural Resources, joined Rep. Dean Simpson (R-Perham) in voicing concern that the bill could result in diminished fish populations; however, Juhnke dismissed that idea, noting that statutory limits on the amount of fish anglers can catch would not change, under the bill's provisions.

Payer said most people currently aren't taking their limit of fish, and that allowing

fishing with two lines would increase the likelihood of that happening.

"It's pretty clear, based on the places that do have two lines, that it would increase harvest," Payer said.

— N. BUSSE

## GOVERNMENT

### Molnau ousted

On a 44-22 party-line vote, the Minnesota Senate refused to confirm Carol Molnau as transportation commissioner Feb. 28.

For six years, Molnau has served as both the commissioner and lieutenant governor, but has come under fire since the Interstate 35W bridge collapse last August. A recent legislative auditor's report showed the Department of Transportation needs an infusion of money, but also showed that the quality of bridge and roads has improved a little in recent years.

Senate Republicans said the vote had nothing to do with her capabilities.

"Today it's about politics," said Sen. Claire Robling (R-Jordan). "They don't agree with her politics and they want her removed."

Added Sen. David Hann (R-Eden Prairie): "There may be a good reason to remove a commissioner, but I haven't heard one yet."

Sen. Steve Murphy (DFL-Red Wing), who chairs the Senate Transportation Committee, voiced criticism of Molnau telling committees that the department has enough money, when, in fact, it didn't. "We need to forge a new beginning for the Transportation Department."

Sen. Katie Sieben (DFL-Newport) said her no vote was based on accountability, citing the Wakota Bridge delays in the southeast Twin Cities metropolitan area, and the department's unwillingness to share information about the Hastings Bridge.

Others wanted to know about the timing of the vote to remove Molnau, who was confirmed

in her first term, and has been doing two jobs at the lesser salary of the two.

Senate Majority Leader Larry Pogemiller (DFL-Mpls) said this change could have been made last year, but there is now a longer performance record, the auditor's report was released and the state still has a crumbling transportation system. "The leadership in this position is not what it needs to be."

— M. COOK

## HEALTH & HUMAN SERVICES

### Athletic trainer provisions

On a tie vote, a bill that would make changes to athletic trainer provisions failed to gain House Licensing Subcommittee approval Feb. 25.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF2399 would replace terms such as "athlete" with "patient," and shorten the temporary registration period of a trainer from one year to six months.

Thissen said the bill won't change those treated under current provisions.

Cathy Brennan, vice president of the Minnesota Occupational Therapy Association, said the changes could be harmful for patients with certain illnesses and diseases because trainers are educated to treat athletes. The suggested language is too broad, she said.

Mike Doyle, president of the Minnesota Athletic Trainers Association, said the changes would clarify who athletic trainers are and who they treat. Additionally, they work side-by-side with other health care professionals when treating patients and athletes and are educated to do both. "This bill doesn't change what we can provide in services," he said.

Changing "athlete" to "patient" does open up the door for trainers to treat those other than athletes, said Rep. Julie Bunn (DFL-Lake Elmo).

A companion bill, SF2336, sponsored by

Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

### Child services consolidation

The House Mental Health Division tried to sort through statistics Feb. 22 related to the Department of Human Services proposed consolidation of the Brainerd and Willmar child service facilities.

Staff from the Child and Adolescent Behavioral Health Services Program at Brainerd said its facility is consistently at bed capacity with needy and severely mentally ill children. But department statistics show Brainerd's inpatient services steadily declining since 2004. Therefore, the department recommends consolidating services to save the state \$1.2 million annually.

Rep. John Ward (DFL-Brainerd) said he's asked the department to discuss the consolidation proposal but, "they didn't want to get together and dialogue."

In response, he sponsors HF2588 that would require the human services commissioner to have legislative approval to relocate any regional treatment center or state-operated nursing home or program. Current law prohibits the commissioner from closing a center, nursing home or programs at the facility without legislative approval. The division approved the bill and sent it to the House Health and Human Services Committee.

Staff from the Brainerd facility urged the department to rethink the decision, saying the consolidation would significantly impact the involvement of families in their children's treatment because of the long distance.

Wes Kooistra, the department's assistant commissioner for chemical and mental health services, said the Brainerd facility is set up to operate under receipts for their services. The facility has been losing money since 2006, and

## CAPACITY CROWD



STITCHED PHOTOILLUSTRATION BY ANDREW VONBANK

Discussion by the House Health and Human Services Policy Committee and the House Health Care and Human Services Finance Division about reforming the state's health care delivery system takes place Feb. 26 in a committee room filled to capacity.



by keeping it open the state is “covering, in many cases, empty beds,” he said.

Division Chairwoman Rep. Neva Walker (DFL-Mpls) asked if the department had considered other funding mechanisms to cover the facility’s services.

Kooistra said that’s an available option but the department has been seeing a reduction in demand.

A companion, SF2368, sponsored by Sen. Paul Koering (R-Ft. Ripley), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

## HOUSING

### Help to preserve home ownership

A bill that would increase the financial assistance cap for those participating in program assistance and counseling to prevent mortgage foreclosures was approved Feb. 27 by the House Housing Policy and Finance and Public Health Finance Division. It now goes to the House Finance Committee.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF3346 would help families and individuals in financial crisis by increasing money available in the Foreclosure Prevention Assistance Program. Currently the cap is set at \$5,500 per individual or family. The bill would raise that to “110 percent of the greater of state or applicable metropolitan statistical area median monthly owner cost of owner occupied housing ... multiplied by six.” The change would amount for a \$10,718 cap for Twin Cities metropolitan area homeowners and \$9,478 in Greater Minnesota.

Tonja Orr, Minnesota Housing Finance Agency assistant commissioner, said foreclosure prevention counselors have said that monthly mortgage payments multiplied by six frequently exceed the \$5,500 cap. Therefore, they’re not able to help people who may have had a temporary loss of income and can’t catch up from the crisis, she said.

The cap was last changed in 2001, and instead of coming back to the Legislature for another change, the adjusted standard would be built into the bill, she added. The only way loans are released is if the homeowner can solidly make payments after use of program funds.

Rep. Rob Eastlund (R-Isanti) said mortgage companies should help homeowners in crisis, and criteria for the department loan should also hinge on concessions made by lenders.

Orr said they do have counselors working throughout the state with lenders, but it’s often difficult to identify the main issuer and the person making the decision to renegotiate a loan.

A companion bill, SF3073, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Finance Committee.

— P. OSTBERG

## INSURANCE

### Good faith, bad faith – it’s back

Part of last year’s omnibus public safety finance bill dictated “good faith” practices for insurance companies. But the provision was stripped out when Gov. Tim Pawlenty threatened to veto the bill if the language remained.

This year, Rep. Joe Atkins (DFL-Inver Grove Heights) sponsors another “good faith” bill, HF3115. Approved by the House Commerce and Labor Committee Feb. 26, it’s headed for the House floor.

The original bill, HF1251, included “direct action,” which permits a plaintiff to name an insurance company as a defendant in a claim if certain conditions apply.

That clause is out of the new bill. But provisions would permit someone to sue their insurance company for not working in “good faith” if they can show the insurance company did not have a reasonable basis for denying a claim; and that the company knew it had no reasonable basis for denial, and acted with “reckless disregard” in denying benefits.

Atkins spoke of the Christensens, a family who lost their daughter in a car accident. They had insurance, but it was a matter of years before they would receive their claim. “This doesn’t happen a lot,” he said, “but Minnesota needs a law.”

As was the case the last time “good faith” was put forward, there was opposition.

Dale Thornsjo, co-chairman of the Minnesota Defense Lawyers Association’s Insurance Law Committee, said that although changes were made from last year, it still falls short. Thornsjo said the bill would punish carriers who try to handle cases appropriately, force an increase in premiums and create a new industry of attorneys seeking out these types of cases.

Representing the Minnesota Association of Farm Mutual Insurance Companies, Marcus Marsh said that although the association is specifically exempt from the bill, as it stands, the current language is not enough. “This would make every client a potential lawsuit,” he said.

A companion bill, SF2822, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Commerce and Consumer Protection Committee.

— C. GREEN

## MILITARY

### Listing those deceased in combat

The state keeps no comprehensive listing of those with Minnesota ties who have died in combat, but that would change through a bill sponsored by Rep. Karla Bigham (DFL-Cottage Grove).

While the Associated Press maintains an unofficial list of those killed in combat, HF3161 would require the Department of Veterans Affairs to compile and maintain a list.

There is an issue relating to data privacy, however, with compiling a list that would contain public information, but also information considered private — the person’s Minnesota hometown and names of immediate family members. Bigham said the list would be made available at the discretion of the commissioner for ceremonial and honorary purposes and would not be used to determine benefit eligibility.

Approved by the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 25, it awaits action on the House floor.

A companion bill, SF3051, sponsored by Sen. Jim Vickerman (DFL-Tracy), has been referred to the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

### Vietnam Veterans Day proposed

When Vietnam veterans returned home, many were met with jeers and spits from an American public growing increasingly unsupportive of the war.

In an effort to raise awareness to the “cost of freedom” and “welcome them home,” Rep. Larry Howes (R-Walker) sponsors HF2582 to designate March 29 in the state as Vietnam Veterans Day. Approved by the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 25, it awaits action in the House Governmental Operations, Reform, Technology and Elections Committee.

Howes said the withdrawal of American troops from Vietnam was completed on March 29, 1973. “This is one small thing we can do for the men and women who served in Vietnam,” he said.

Showing support for the bill in a previous committee were several Forest Lake High School social studies students, who have been studying the Vietnam War.

“I don’t think it’s too late to honor them with a day that can show that we really value what they did over there. This day will give them the value and respect that they didn’t get when they came home from the war,” said senior Soren Duggan.

While supportive of Vietnam veterans, John

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

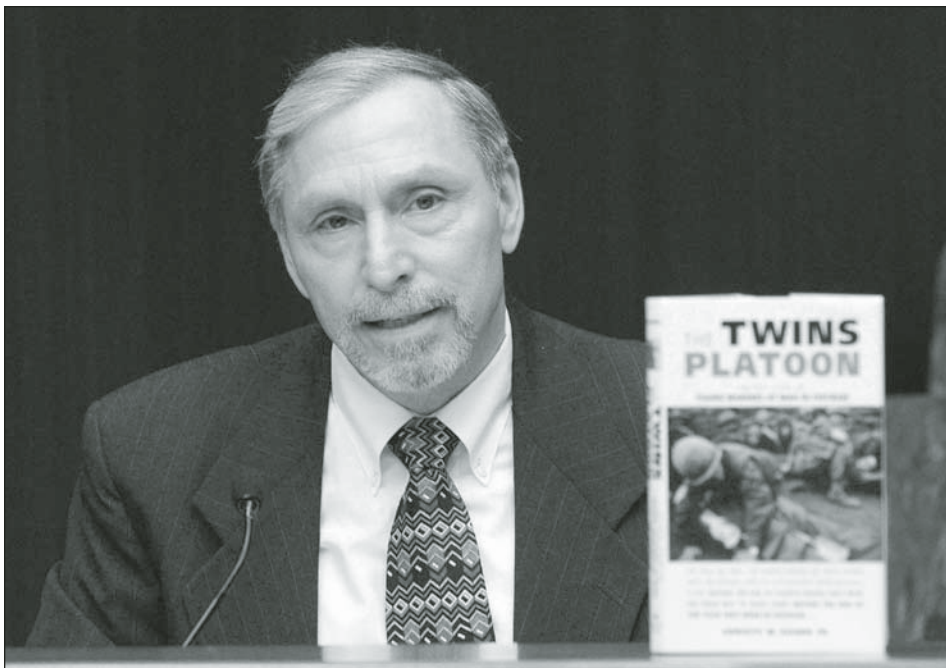


PHOTO BY ANDREW VONBANK

**Christy Sauro, author of "The Twins Platoon," testifies Feb. 15 before the House Veterans Affairs Division in support of a bill that would designate March 29 as Vietnam Veterans Day.**

Cox, a Korean War veteran, does not favor the proposal. "Are we going to let every era have their own Veterans Day? We do have a Veterans Day," he said.

A companion bill, SF2632, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action in the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

## SAFETY

### Bridge survivors' compensation

A plan to compensate survivors of the Interstate 35W bridge collapse passed the House as amended 120-10 on Feb. 28.

HF2553, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), would create a structure to provide compensation to survivors of catastrophes. The fund would only be invoked if the Legislature determines an event, such as the bridge collapse, fits the definition of a catastrophe.

Winkler said that the victims of the bridge collapse have been waiting since August for help, and it was time for the House to take action. There is no Senate companion.

"It will not be full compensation. It could never be," Winkler said. "But we have to make an effort."

In addition, the bill calls for the appointment of a "special master" to appropriate \$39.32 million to bridge collapse survivors. If the special master's offer is accepted, the claimant would waive the right to sue public

entities. The bill also includes a grant of \$680,000 to Pillsbury United Communities in Minneapolis, to allow Waite House in



PHOTO BY TOM OLMSCHEID

**Jennifer Holmes, left, who lost her husband Patrick, along with Ron Engebretson, who lost his wife Sherry when the Interstate 35W bridge collapsed in Minneapolis, on Aug. 1, watch as the House takes up a bill to help survivors of the tragedy.**

Minneapolis to provide comprehensive services to children on its school bus which was on the bridge at the time of collapse.

An amendment by Rep. Paul Kohls (R-Victoria) requires that the special master report to the Legislature by Jan. 15, 2009, 2010 and 2011 on appropriated expenditures from the fund. The report must list the amount of compensation paid to each survivor, as well as the administrative expenses incurred by the special master.

Under current Minnesota law, survivors are limited in the damages they can seek from the state by tort caps. If survivors sued the state, the most they could receive in compensation, as a group, is \$1 million. The most any individual could receive is \$300,000.

The Interstate 35W bridge over the Mississippi River collapsed on Aug. 1, 2007, killing 13 people and injuring 85 others.

— B. HOGENSON

## TAXES

### Clothing subject to sales tax

While Speedos may be taxing to some, the swimwear, along with other clothing sold in the state, is not subject to sales tax. That could change under a bill discussed in the House Taxes Committee proposing a sales tax on clothing.

HF2551, sponsored by Rep. Ron Erhardt (R-Edina), was laid over Feb. 26 for possible inclusion in an omnibus tax bill. A companion bill, SF2346, awaits action by the Senate Taxes Committee. Sen. Ann Rest (DFL-New Hope) is its sponsor.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), HF2163 would also expand the sales tax to clothing. However, the bill would also allow the state to tax tattoo and body piercing, along with some legal, repair, financial, funeral and salon services. Hortman's bill has been referred to the Taxes Committee. There is no Senate companion.

Paul Wilson, director of tax research at the Department of Revenue, told the committee that most states approach their sales tax in two different ways: taxing a broad array of goods and services with a lower sales tax rate, or taxing fewer items with a higher tax rate. Of 45 states with a sales tax, Minnesota ranks 30th in the scope of its sales tax base, he said. If the state were to start taxing clothing, it would rank 25<sup>th</sup>.

In 1987 and 1991, the state added services like pet boarding and grooming, dry cleaning, health club admission and lawn maintenance to the tax base. Even with the additions, the sales tax base is growing at a slower rate than the economy, Wilson said.

A clothing tax would bring in about \$400



— C. BLANCHARD

— C. GREEN

— M. COOK



# Transportation plan becomes law

House, Senate override Pawlenty veto for first time this biennium

By MIKE COOK

**M**innesotans will pay more at the pump, but ideally they will get more for their money.

The House and Senate overrode a gubernatorial veto of the nearly \$6.6 billion transportation law Feb. 25. Six House Republicans joined all DFLers to override the bill on a 91-41 vote. Ninety House votes were needed for an override. The Senate vote was 47-20.

"I am very grateful for the courageous vote," said House Speaker Margaret Anderson Kelliher (DFL-Mpls). "I think they took a vote that was not easy, that they felt a lot of pressure about."

The six Republicans that refused to side with the governor were Rep. Jim Abeler (R-Anoka), Rep. Ron Erhardt (R-Edina), Rep. Rod Hamilton (R-Mountain Lake), Rep. Bud Heidgerken (R-Freepport), Rep. Neil W. Peterson (R-Bloomington) and Rep. Kathy Tangelstad (R-Andover).

Rep. John Lesch (DFL-St. Paul) and Rep. Mary Ellen Otremba (DFL-Long Prairie) initially voted against the bill. Both supported the override.

This was the first override of one of Gov. Tim Pawlenty's 21 vetoes this biennium, and just the 14th of 448 vetoes to be overridden since 1939.

"The DFL-controlled legislature's override of this veto shows they're clearly out-of-touch with Minnesotans who are facing rising gas prices, heating costs and other expenses in tough economic times," Pawlenty said in a statement. "Raising taxes is always the DFL's go-to solution and that's bad for Minnesota's families and our economy."

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Steve Murphy (DFL-Red Wing), the law would, in part:

- raise the state's gas tax, for the first time since 1988, by 2 cents April 1, and another 3 cents on Oct. 1, 2008;
- create a \$25 tax credit for the lowest tax bracket to help offset the increase;
- authorize \$1.8 billion in trunk highway bonding for fiscal years 2009 to 2018, with \$1 billion of that in the first two years. A gas tax debt surcharge phased in up to 3.5 cents would be established to repay the trunk highway bonds;

- increase vehicle tab fees on newly registered vehicles and remove tab fee caps of \$189 on the first renewal and \$99 on the second renewal; and
- authorize counties in the Twin Cities metropolitan area to impose a 0.25 percent metropolitan transportation sales tax without referendum and a \$20 excise tax on vehicles sold at retail. In the other 80 counties a tax of up to 0.5 percent could be raised by voter referendum and only for a specific project. In the metropolitan area, all money would go toward transit.



PHOTO BY TOM OLMSCHIED

Rep. Bernie Lieder, *back center*, watches as the Feb. 25 vote to override Gov. Tim Pawlenty's veto of the transportation bill is posted on the vote register.

## Minnesota Veto Facts:

- A two-thirds vote of the members in the House and Senate is needed to override a veto.
- 97 percent of all vetoes have stood.
- The successful override of Gov. Tim Pawlenty's transportation veto was only the 14th time the Legislature has successfully overridden one of the 448 vetoes by Minnesota governors since 1939.
- The only two governors in the past 70 years to veto more bills than Pawlenty's 37 are Arne Carlson (54 from 1991-98) and Jesse Ventura (179 from 1998-2002).
- One-third of all attempts to override vetoes and 69 percent of all successful overrides took place during Ventura's term as governor.
- Six of Ventura's vetoes were overridden between February 2002 and May 2002.

— B. HOGENSON

Sources: Center for Study of Politics and Governance, University of Minnesota, Minnesota Legislative Reference Library

Pawlenty vetoed the bill three days earlier, citing, in part, the increase in taxes and tab fees. He said the gas tax increase is too large, and that the sales tax increase for the seven-county Twin Cities metropolitan area should first go before voters.

"It's a balanced bill. It provides for transit and highways. It provides the balance we need between rural and metro. It's also a stimulus for the economy. It'll put people back to work, and they can do it immediately," Lieder said. "The size of the bill is a reflection of the way we neglected to do our duty in the past. We've reached a point where it's just about impossible to plug the holes that the Department of Transportation and all of the transit organizations have. ... We can't let the infrastructure deteriorate anymore."

Lieder previously said that a person who drives 11,000 miles a year, at an average of 20 miles per gallon, would pay an extra \$42 per year for gas.

A number of Republicans said there was little, if any, compromise between the sides on the final product. Rep. Mark Buesgens

Transportation continued on page 16

(R-Jordan), who called the law “a compromise among thieves,” said it does not protect taxpayers.

“The bill is actually working off the draft that Rep. Erhardt wrote in 2005. Since then, it’s been compromised down \$2 billion, the indexing has been taken out of the gas tax, the amount of the gas tax has been lowered, the sales tax has been cut in half, the issue of bike money in the metro area sales tax has been reduced,” countered Rep. Melissa Hortman (DFL-Brooklyn Park). “This doesn’t take care of the whole problem, but it is a step forward.”

Other dissenters were concerned about the effect of the law on Minnesotans, when the state economic forecast, released three days later, shows a \$935 million biennial deficit. The deficit was projected to be \$373 million in November.

Supporters contend the bill is user-financed, meaning if you drive or own a vehicle you’ll pay. “Minnesotans are going to get good value out of this tax increase,” Kelliher said.

Other naysayers expressed concern that there will be no referendum on a potential metropolitan area tax increase. Rep. Kurt Zellers (R-Maple Grove) said Hennepin



PHOTO BY TOM OLMSCHIED

**Senate President James Metzen and House Speaker Margaret Anderson Kelliher congratulate each other after signing the overridden transportation bill into law. Second Assistant to the Secretary of the Senate Colleen Pacheco and Senate Majority Leader Larry Pogemiller witness the signing.**

County members who voted against a Twins ballpark bill two years ago because of no voter say in a sales tax increase need to be consistent.

“You’re either for it and consistent, or against it and have situational ethics.”

HF2800\*/SF2521/CH152

## Possible political problems for six Republicans who overrode veto already lost leadership positions

By Mike Cook

The six Republicans who voted to override the governor’s transportation bill veto have already experienced caucus ramifications, and, some say, may have committed political career suicide.

Rep. Jim Abeler (R-Anoka), Rep. Ron Erhardt (R-Edina), Rep. Rod Hamilton (R-Mountain Lake), Rep. Bud Heidgerken (R-Freeport), Rep. Neil W. Peterson (R-Bloomington) and Rep. Kathy Tingelstad (R-Andover) have all lost high-ranking committee or division positions.

“I have spoken with all six members and received their resignations from their lead positions on House committees and in the caucus,” House Republican Minority Leader Marty Seifert (R-Marshall) said in a statement one day after the Feb. 25 historic override vote. “I respectfully ask the House Democrats to respect our decision on this internal caucus matter.”

Before the vote, Hamilton submitted his resignation as lead Republican on the House Agriculture, Rural Economies and Veterans Affairs Committee. He said it’d be hard to potentially convince other party members to sustain a gubernatorial veto if one were to occur on an agriculture bill. Heidgerken said caucus members were told that Republican leads that voted to override would lose their committee or division leadership roles.

Others have suggested they will lose their seat in November.

“This isn’t my career,” Abeler said. “My career is in Anoka. My career is serving people as a chiropractor. My career is serving my family,” he said. “I tell my kids to do what’s right, whatever the cost. So the time comes when I have to do what I believe to be right, against some very good friends of mine, against the people who have supported me through five elections.”

Tingelstad said her vote will likely result in several challengers to her seat. She believes her vote was what the majority in her district wanted. “I voted with my conscience,” she said.

“Letting our roads continue to deteriorate is not fiscally responsible,” said Hamilton, who called the vote the second hardest decision he’s made as a legislator, other than the one he makes each week during session when he leaves his family and comes to St. Paul.

Heidgerken said it was his hardest vote in six years as a member. He believes two primary duties of legislators are to take care of our roads and our children. “This is something we’ve needed for 20 years,” he said. “I’m not a follower. Sometimes, you need to show leadership and do what you think is right.”

Refusing to guess at what could happen, Seifert

said the biggest problem facing the sextet could be the endorsing process. “I like all these people, and they’re my friends and so forth. I don’t think any of them expect my help when it comes to reelection. If you look at their margins, I think they are fully capable of getting elected, as they have been before, without my help.”

Less than an hour after the vote, Seifert said it’d be up to the caucus to determine if other position changes need to be made, such as with support staff. “I think everybody needs to simmer down before we charge ahead with these things. You don’t make decisions under duress.”

He doesn’t view that as a threat. “No more than putting a four-lane highway in someone’s district to get their vote is a bribe,” he said. Amended into the legislation by the House Ways and Means Committee, part of the law requires that funds allocated to a specific Transportation Department district be first expended to widen Highway 60 in Hamilton’s district.

“If it gets to the point where minority members of the House are stripped of services to serve their constituents, I will not stand for that,” said House Speaker Margaret Anderson Kelliher (DFL-Mpls). “I will assure you as constituents and as Minnesotans they do need services and they will get them.”

## Monday, Feb. 25

### **HF3348-Mullery (DFL)**

#### **Commerce & Labor**

Foreclosure Crisis Intervention Act; Landlord, tenant, mortgage provisions modified, predatory lending enforcement and default protections provided, data practices, remedies, forms and notices provided, changes made and report required.

### **HF3349-Rukavina (DFL)**

#### **Finance**

Surplus appropriation sunset provision removed.

### **HF3350-Dill (DFL)**

**Environment & Natural Resources**  
Artificial light shining restrictions modified.

### **HF3351-Tillberry (DFL)**

#### **Commerce & Labor**

Gambling penalties provided; licensing, regulatory and prize provisions modified; technical, clarifying and conforming changes made; and report required.

### **HF3352-Eastlund (R)**

#### **Finance**

Isanti County; Cambridge-Isanti Trail funding provided.

### **HF3353-Atkins (DFL)**

#### **Local Government & Metropolitan Affairs**

City annexation payments prohibited.

### **HF3354-Hansen (DFL)**

#### **Local Government & Metropolitan Affairs**

Annexation stay of action provided.

### **HF3355-Mahoney (DFL)**

#### **Finance**

St. Paul; community center, playing fields and playground funding provided for site bordered within Payne, Greenbreier, Maryland and Rose avenues and streets.

### **HF3356-Moe (DFL)**

#### **Commerce & Labor**

Explore Minnesota Tourism rental lodging study required, definitions created and report required.

### **HF3357-Marquart (DFL)**

#### **Local Government & Metropolitan Affairs**

Municipal boundary changes provided, and chief administrative law judge powers and duties imposed.

### **HF3358-Howes (R)**

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

Minnesota State Retirement System; Department of Natural Resources intermittent employment service credit purchase authorized.

### **HF3359-Howes (R)**

#### **Taxes**

School district referendum market value tax base altered, and seasonal recreational property taxation modified.

### **HF3360-Ozment (R)**

#### **Finance**

Department of Corrections claim settlement provided.

### **HF3361-Faust (DFL)**

#### **Agriculture, Rural Economies & Veterans Affairs**

Agricultural chemical provisions changed for corrective action cost payments.

### **HF3362-Juhnke (DFL)**

#### **Agriculture, Rural Economies & Veterans Affairs**

Pesticide and fertilizer regulating administrative actions authorized.

### **HF3363-Haws (DFL)**

#### **Finance**

Scholarship program provisions clarified, grant requirements and private institution provisions amended, technical changes made and data sharing provided.

### **HF3364-Moe (DFL)**

#### **Environment & Natural Resources**

Minnesota Public Facilities Authority wastewater infrastructure funding provided, government building debt guarantee provided and credit enhanced bond program provided.

### **HF3365-Atkins (DFL)**

#### **Commerce & Labor**

Professional firefighter arbitration procedures repealed concerning total package final offers.

### **HF3366-Eken (DFL)**

#### **Environment & Natural Resources**

Petrofund program modified.

### **HF3367-Pelowski (DFL)**

#### **Public Safety & Civil Justice**

Disputed data access specified, closed meetings recording required and attorney fees granted.

### **HF3368-Slocum (DFL)**

#### **Energy Finance & Policy Division**

Filing deadlines set for certain reports, customer payment arrangements regulated during cold weather periods, utility payment agreements regulated and service disconnections prohibited if certain medical conditions exist.

### **HF3369-Slawik (DFL)**

#### **Transportation Finance Division**

Limited driver's license authorized to obtain employment.

### **HF3370-Ruud (DFL)**

#### **Finance**

U.S. Highway 169 and Bren Road/Londonderry Road interchange design funding provided.

### **HF3371-Tingelstad (R)**

#### **Health & Human Services**

Birth record access allowed to adopted persons.

### **HF3372-Thissen (DFL)**

#### **Health & Human Services**

Uniform billing and electronic claim filing provisions changed.

### **HF3373-Mullery (DFL)**

#### **Public Safety & Civil Justice**

Consecutive sentencing allowed when an offender commits additional crimes between the time of commission and sentencing.

### **HF3374-Bunn (DFL)**

#### **Public Safety & Civil Justice**

Emergency responders exempted from permit requirement for emergency communication equipment.

### **HF3375-Nornes (R)**

#### **Finance**

Otter Tail County nursing facility payment rates increased to geographic group III median rate.

### **HF3376-Walker (DFL)**

#### **Health & Human Services**

Minnesota Family Investment Program work participation amended, child care assistance provisions changed and technical changes made.

### **HF3377-Walker (DFL)**

#### **Health & Human Services**

Children's mental health providers required to develop a plan for, and comply with, requirements on the use of restrictive procedures.

### **HF3378-Tillberry (DFL)**

#### **Commerce & Labor**

Gambling device definition clarified, and gambling devices or components for shipment to other jurisdiction provisions repealed.

### **HF3379-Hansen (DFL)**

#### **Environment & Natural Resources**

Tax-forfeited land bordering public water or wetlands conveyance authorized.

### **HF3380-Liebling (DFL)**

#### **Health & Human Services**

State health care county-based purchasing program requirements revised.

### **HF3381-Brynaert (DFL)**

#### **Finance**

Long-term homeless supportive services money appropriated.

### **HF3382-Lenczewski (DFL)**

#### **Taxes**

Abatement maximum limitation modified.

### **HF3383-Buesgens (R)**

#### **Finance**

U.S. Highway 169, Trunk Highway 282 and County Highway 9 intersection improvement funding provided.

### **HF3384-Mariani (DFL)**

#### **Finance**

State historic site preservation funding provided.

### **HF3385-Thissen (DFL)**

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

Minneapolis Firefighters Relief Association investment-related post-retirement adjustment modified, and additional cost-of-living unit provided upon achieving 110 percent funding.

### **HF3386-Marquart (DFL)**

#### **Taxes**

Property tax exemption eligibility clarification provided for public charity institutions.

### **HF3387-Marquart (DFL)**

#### **Finance**

Browns Valley flood hazard mitigation funding provided.

### **HF3388-Loeffler (DFL)**

#### **Health & Human Services**

Foster care benefits extended to age 21.

### **HF3389-Loeffler (DFL)**

#### **Health & Human Services**

Foster children medical assistance eligibility certified until age 21.



**HF3390-Loeffler (DFL)****Health & Human Services**

Public health access fund established, BMI monitoring program for children established, statewide health improvement program established and tobacco impact fees increased.

**HF3391-Huntley (DFL)****Health & Human Services**

State health care programs funding increased, provisions modified, fees increased, subsidies provided, Minnesota Health Insurance Exchange established, standard created, reports required and rulemaking authorized.

**HF3392-Juhnke (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Farm wineries allowed to sell product at farmer's markets, and cognac and brandies manufacture allowed.

**HF3393-Norton (DFL)****Finance**

Kindergarten milk full funding provided.

**HF3394-Hilstrom (DFL)****Public Safety & Civil Justice**

Mandatory minimum prison sentence required for vehicular homicide offenders.

**HF3395-Tillberry (DFL)****Taxes**

Light rail transit vehicle and repair part exemption modified and expanded to Northstar Corridor rail project, and Central and Northstar Corridor construction purchases exempted for materials and supplies.

**HF3396-Simon (DFL)****Public Safety & Civil Justice**

Hearing time requirements modified and clarified, pre-hearing discharge exception provided for commitment petitions involving mentally ill or sexually dangerous persons.

**HF3397-Atkins (DFL)****Commerce & Labor**

Gambling expenditure restriction changes made, bingo games and prizes modified, and clarifying and technical changes made.

**HF3398-Simon (DFL)****Taxes**

Hopkins; special law restriction eliminated on a tax increment financing district.

**HF3399-Brynaert (DFL)****Local Government & Metropolitan Affairs**

Mankato; sales and use tax extension authorized, revenue use modified and local tax imposition authorized.

**HF3400-Fritz (DFL)****Health & Human Services**

Long-term care rate adjustments provided, long-term care employee health insurance costs funding provided, MinnesotaCare employee eligibility modified, nursing facility rate rebasing methodology development and staffing report required.

**HF3401-Hilty (DFL)****Finance**

Energy usage performance standards provided for development and application.

**HF3402-Tschumper (DFL)****Local Government & Metropolitan Affairs**

Lanesboro; local sales tax imposition authorized.

**HF3403-Welti (DFL)****E-12 Education**

Assessment in grades 10 through 12 provided for an earth and space, life and physical sciences.

**HF3404-Westrom (R)****Governmental Operations, Reform, Technology & Elections**

Ethanol manufacturing designated as state industry.

**HF3405-Tillberry (DFL)****Finance**

Minnesota Learning Resource Center funding provided.

**HF3406-Mullery (DFL)****Public Safety & Civil Justice**

Consecutive sentences permitted for certain repeat offenders.

**HF3407-Mullery (DFL)****Public Safety & Civil Justice**

Arrest records for private employment prohibited, and immunity provided from negligent hiring as it relates to use of criminal records.

**HF3408-Mullery (DFL)****Public Safety & Civil Justice**

Gang and Drug Oversight Council annual legislative report due date changed.

**HF3409-Peterson, A. (DFL)****Finance**

Rural health care purchasing alliance funding provided.

**HF3410-Peterson, A. (DFL)****Health & Human Services**

Health care purchasing alliance stop-loss fund 2007 repealment re-enacted, existence and adjusting eligibility extended.

**HF3411-Atkins (DFL)****Commerce & Labor**

Petroleum product standards updated.

**HF3412-Loeffler (DFL)****Health & Human Services**

Federally qualified health centers provision changed.

**HF3413-Shimanski (R)****Finance**

Glencoe; roadway improvement funding provided.

**HF3414-Demmer (R)****Finance**

Stagecoach State Trail funding provided.

**HF3415-Pelowski (DFL)****Governmental Operations, Reform, Technology & Elections**

Teachers Retirement Association; phased retirement provided.

**HF3416-Liebling (DFL)****Finance**

Southeast Expressway from Rochester to St. Paul funding provided.

**HF3417-Tillberry (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Returning combat veteran reinstatement fee waiver provided.

**HF3418-Brown (DFL)****Finance**

Albert Lea; Shell Rock River Channel Redevelopment and Blazing Star Landing plan funding provided.

**HF3419-Ruud (DFL)****Health & Human Services**

Patient-delivered partner therapy permitted for the treatment of chlamydia or gonorrhea.

**HF3420-Hilstrom (DFL)****Local Government & Metropolitan Affairs**

Supplemental declarations of common interest communities registration revised for procedures and fees charged by county registrars.

**HF3421-Murphy, M. (DFL)****Governmental Operations, Reform, Technology & Elections**

Post-retirement provisions amended, and Minnesota post-retirement investment fund dissolution provided.

**HF3422-Liebling (DFL)****Taxes**

Pollution control machinery and equipment providing energy to health care facilities exemption provided.

**HF3423-Hilstrom (DFL)****Finance**

School district integration revenue increased and levy created for school districts with negative fund balances.

**HF3424-Rukavina (DFL)****Environment & Natural Resources**

St. Louis County; 30-year lease of tax-forfeited and school trust fund lands authorized.

**HF3425-Rukavina (DFL)****Finance**

General education funding provided, permanent school fund subtraction eliminated, education finance simplified.

**HF3426-Pelowski (DFL)****Commerce & Labor**

Consumer complaint resolution procedure for insurance claims established, and fees imposed.

**HF3427-Dettmer (R)****Agriculture, Rural Economies & Veterans Affairs**

Veteran loan program established, certain veterans added to program eligibility and unemployment compensation provision changed.

**HF3428-Gunther (R)****Public Safety & Civil Justice**

Tenant right to pay utility bills modified.

**HF3429-Hansen (DFL)****Environment & Natural Resources**

Administrative penalty orders provided, civil penalties provided, implementation plan required and rulemaking exemption provided.

**HF3430-Kalin (DFL)****Local Government & Metropolitan Affairs**

Fire service added to list of services for which local governments may collect unpaid charges from tax refunds.

**HF3431-Kahn (DFL)****Health & Human Services**

Human papillomavirus immunization information required.

**HF3432-Erickson (R)****Environment & Natural Resources**

Meetings between the Department of Natural Resources, the Ojibwe tribes, and the Great Lakes Indian Fish and Wildlife Commission required to be subject to open meeting law.

**HF3433-Dill (DFL)****Environment & Natural Resources**

Lake Vermillion State Park established.

**HF3434-Urdahl (R)****Finance**

Small community wastewater treatment program funding provided.

**HF3435-Hosch (DFL)****Health & Human Services**

Children's mental health, health care and miscellaneous provisions amended, and technical changes made.

**HF3436-Nelson (DFL)****Governmental Operations, Reform, Technology & Elections**

State employee post-retirement employment provisions modified.

**HF3437-Moe (DFL)****Environment & Natural Resources**

Star lake or river designation process provided, Star Lake Board created as nonprofit corporation, star lake or river signs allowed on highways.

**HF3438-Thissen (DFL)****Public Safety & Civil Justice**

Genetic handling information provisions changed.

**HF3439-McNamara (R)****Environment & Natural Resources**

State forest road alternative recording requirements modified.

**HF3440-Beard (R)****Transportation Finance Division**

Dan Patch commuter rail line prohibition repealed.

**HF3441-Bigham (DFL)****Public Safety & Civil Justice**

Civil immunity extended to municipalities that donate public safety equipment.

**HF3442-Kalin (DFL)****Governmental Operations, Reform, Technology & Elections**

Reimbursement provided by individuals who file frivolous complaints concerning costs of the Campaign Finance and Public Disclosure Board.

**HF3443-Slawik (DFL)****Finance**

Parent-child home program funding provided.

**HF3444-Bigham (DFL)****Environment & Natural Resources**

Fall turkey hunting season extended.

**HF3445-Mahoney (DFL)****Finance**

University of Minnesota; United Enterprise Laboratories funding provided.

**HF3446-Kahn (DFL)****Health & Human Services**

Meningococcal disease and human papillomavirus information required to be provided through schools.

**HF3447-Sailer (DFL)****Commerce & Labor**

Wireless service contract termination provided without penalty upon death of customer.

**HF3448-Tingelstad (R)****Public Safety & Civil Justice**

Gestational carrier arrangements regulated.

**HF3449-Tingelstad (R)****Public Safety & Civil Justice**

Assisted reproduction regulations modified.

**HF3450-Huntley (DFL)****Finance**

Rural hospital payment adjustment expanded to include additional diagnosis-related groups.

**HF3451-Huntley (DFL)****Finance**

Rural hospital payment adjustment expanded to include all diagnosis-related groups.

**HF3452-Walker (DFL)****Finance**

Senior nutrition; Human Services Department prohibited from diverting Title 3 funding away from senior nutrition programs.

**HF3453-Kahn (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Starbase program effectiveness study provisions modified.

**HF3454-Jaros (DFL)****Local Government & Metropolitan Affairs**

Duluth; Spirit Mountain Recreation Area Authority land boundaries corrected.

**HF3455-Hilty (DFL)****Governmental Operations, Reform, Technology & Elections**

Election provisions modified relating to military identification and transmission of electronic ballots.

**HF3456-Tschumper (DFL)****Local Government & Metropolitan Affairs**

Local government interstate assistance authorized for emergency services.

**HF3457-Simon (DFL)****Commerce & Labor**

Custodial trust account use of debit or credit cards authorized to withdraw funds.

**HF3458-Peterson, S. (DFL)****Transportation Finance Division**

Vehicle lighting display requirement expanded.

**HF3459-Greiling (DFL)****E-12 Education**

Full-time students defined as dependents for health plan coverage, and school district requirement to provide certain health care information repealed.

**HF3460-Eastlund (R)****E-12 Education**

School districts required to submit licensed employee salary settlement information to the Department of Education.

**HF3461-Norton (DFL)****Finance**

Nonpublic student transportation full funding provided.

**HF3462-Slawik (DFL)****E-12 Education**

School readiness programs modified.

**HF3463-Slawik (DFL)****E-12 Education**

At risk pre-kindergarten program established.

**HF3464-Slawik (DFL)****E-12 Education**

Universal preschool for 4-year-old students funding provided.

**HF3465-Swails (DFL)****E-12 Education**

Education assessment results reporting modified.

**HF3466-Tillberry (DFL)****E-12 Education**

Regional center for visual arts development pilot program established.

**HF3467-Norton (DFL)****E-12 Education**

Teacher leave request to teach at a charter school time period modified.

**HF3468-Swails (DFL)****E-12 Education**

Library media specialists required at every school.

**HF3469-Davnie (DFL)****E-12 Education**

Private student transportation services contracting procedures and standards established.

**HF3470-Winkler (DFL)****E-12 Education**

State and school district technology established.

**HF3471-Abeler (R)****E-12 Education**

School superintendent ongoing three-year contracts authorized.

**HF3472-Mariani (DFL)****E-12 Education**

Achievement gap; school district plan to reduce the achievement gap provided.

**HF3473-Mullery (DFL)****Taxes**

Mortgage tax forgiveness provided.

**HF3474-Hilstrom (DFL)****Public Safety & Civil Justice**

Foreclosure; notice of sale provided relating to before foreclosure sales.

**HF3475-Mullery (DFL)****Public Safety & Civil Justice**

Foreclosure provisions modified.

**HF3476-Kohls (R)****Public Safety & Civil Justice**

Foreclosure; tenant notice required relating to foreclosures.

**HF3477-Gardner (DFL)****Public Safety & Civil Justice**

Lending practices and default regulation provided relating to manufactured housing.

**HF3478-Peterson, N. (R)****Public Safety & Civil Justice**

Minnesota Human Rights Act civil and criminal penalties modified.

**HF3479-Clark (DFL)****Public Safety & Civil Justice**

District court fees modified.

**HF3480-Mullery (DFL)****Public Safety & Civil Justice**

Minnesota Human Rights Act claims provisions modified.

**HF3481-Atkins (DFL)****Commerce & Labor**

Payroll card accounts sunset repealed.

**HF3482-Brod (R)****Governmental Operations, Reform, Technology & Elections**

State expenditures searchable database required.

---

**Thursday, Feb. 28**
**HF3483-Mullery (DFL)****Public Safety & Civil Justice**

Police officers permitted attorney and union representation at disciplinary hearings.

**HF3484-Hornstein (DFL)****Finance**

Minneapolis; nursing facility rate increase funding provided.

**HF3485-Rukavina (DFL)****Finance**

Independent School District No. 706, Virginia fund transfer authorized.

**HF3486-Hornstein (DFL)****Finance**

International Fuel Tax Agreement fee proceeds since 2005 reallocated.

**HF3487-Tingelstad (R)****Finance**

Safety for human trafficking victims grant funding provided.

**HF3488-Garofalo (R)****Finance**

General Fund debt limit provided.

**HF3489-Liebling (DFL)****Health & Human Services**

Home care service provider regulation modified.

**HF3490-Bigham (DFL)****Finance**

Juvenile driver's license \$30 reinstatement fee imposed following revocation.

**HF3491-Morrow (DFL)****Finance**

American Red Cross license plate established.

**HF3492-Slocum (DFL)****Public Safety & Civil Justice**

Graffiti prohibited, and incarcerative and intermediate sanctions provided.

**HF3493-Solberg (DFL)****Finance**

Disaster relief funding provided and state reimbursement provided.

**HF3494-Pelowski (DFL)****Governmental Operations, Reform, Technology & Elections**

State employee blood donors provided with up to three hours of paid leave in any 12-month period, and employee leave provided by employers.

**HF3495-Kahn (DFL)****Commerce & Labor**

Alcohol drinking allowed for persons aged 18 to 20.

**HF3496-Moe (DFL)****Environment & Natural Resources**

Public water structures rule updates required.

**HF3497-Hilstrom (DFL)****Public Safety & Civil Justice**

E-charging service provided, fingerprints required and public task force member per diem extended.

**HF3498-Berns (R)****Public Safety & Civil Justice**

Firefighter Training and Education Board member compensation authorized.

**HF3499-Berns (R)****Environment & Natural Resources**

Wayzata; private sale of state land provided.

**HF3500-Lillie (DFL)****Commerce & Labor**

Business Corporations Act; Limited Liability Company Act; Uniform Limited Partnership Act of 2001; technical amendments proposed and nonprofit limited liability company formation authorized.

**HF3501-Thao (DFL)****Health & Human Services**

Chiropractic definition changed.

**HF3502-Dill (DFL)****Environment & Natural Resources**

St. Louis County; private sale of tax-forfeited land authorized.

**HF3503-Nelson (DFL)****Public Safety & Civil Justice**

Peace officer or firefighter disability provision modified.

**HF3504-Thao (DFL)****Health & Human Services**

Body art regulation system established for body art technicians and establishments and penalty fees adopted.

**HF3505-Bigham (DFL)****Public Safety & Civil Justice**

Predatory offenders required to register and prohibited from accessing and using social networking Web sites.

**HF3506-Howes (R)****Finance**

Leech Lake; Walleye stocking funding provided.

**HF3507-Otremba (DFL)****Agriculture, Rural Economies & Veterans Affairs**

Disaster area waiver of fees and expedited food handler plan review authorized, embargo and condemnation provisions changed, food sanitary and fee provisions changed, terms defined, and egg sales and handling regulated.

**HF3508-Hausman (DFL)****Governmental Operations, Reform, Technology & Elections**

St. Paul; city employees authorized to purchase service credit for a period of uncovered service.

**HF3509-Mariani (DFL)****Taxes**

Airport and school district land reattachment allowed for property tax purposes.

**HF3510-Peppin (R)****Taxes**

Small city definition changed for aid purposes.

**HF3511-Simon (DFL)****Commerce & Labor**

Consumer small loan lender charges regulated.

**HF3512-Lesch (DFL)****Public Safety & Civil Justice**

Federal law enforcement officers permitted same authority as Minnesota police officers to arrest and hold an individual in custody.

**HF3513-Rukavina (DFL)****Environment & Natural Resources**

Trap tending frequency provision modified.

**HF3514-Ruud (DFL)****Public Safety & Civil Justice**

Fiduciary obligation clarified for crimes against vulnerable adults.

**HF3515-Knuth (DFL)****Commerce & Labor**

Petroleum Tank Release Compensation Board cost adjustment publication provided.

**HF3516-Davnie (DFL)****Public Safety & Civil Justice**

Foreclosure data practices provided, and report required.

**HF3517-Davnie (DFL)****Public Safety & Civil Justice**

Expungement and withholding of rent provisions modified.

**HF3518-Sailer (DFL)****Transportation Finance Division**

Clearwater County Veterans Memorial Highway designated.

**HF3519-Kranz (DFL)****Finance**

Minnesota manufactured home relocation trust fund procedures clarified for collection and deposit.

**HF3520-Winkler (DFL)****Public Safety & Civil Justice**

False 911 emergency call crimes created and penalties provided.

**HF3521-Loeffler (DFL)****Public Safety & Civil Justice**

Independent living goals court findings required for children age 16 or older who are in an out-of-home placement.

**HF3522-Hilstrom (DFL)****Local Government & Metropolitan Affairs**

County summary budget data date requirement changed.

**HF3523-Drazkowski (R)****Rules & Legislative Administration**

Per diem payments limited for legislative members.

**HF3524-Liebling (DFL)****Health & Human Services**

State health care county-based purchasing requirements revised.

**HF3525-Magnus (R)****Finance**

Nonemergency medical transportation and disbursement dispatches by broker or coordinator prohibited.

**HF3526-Abeler (R)****Commerce & Labor**

Acupuncture services equal access required by group policies and subscriber contracts, claim determinations required by services to be made or reviewed by acupuncture practitioners, and referral and reimbursement rate reports required.

**HF3527-Mullery (DFL)****Public Safety & Civil Justice**

Supreme Court task force established to implement statewide standards for mental health courts.

**HF3528-Ward (DFL)****Environment & Natural Resources**

All-terrain vehicle definitions modified.

**HF3529-Hilty (DFL)****Energy Finance & Policy Division**

Cold weather protection provided for delivered fuel residential heating customers.

**HF3530-Poppe (DFL)****Taxes**

Austin; tax increment expenditures authorized.

**HF3531-Olin (DFL)****Public Safety & Civil Justice**

Predatory offender registration time period clarified to restart after conviction of a new crime.

**HF3532-Ward (DFL)****Environment & Natural Resources**

Nonresident senior citizens exempted from angling license requirement.

**HF3533-Davnie (DFL)****Commerce & Labor**

Consumer small loans regulated.

**HF3534-Knuth (DFL)****Commerce & Labor**

Viatical Settlements Model Act of the National Association of Insurance Commissions enacted and modified, viatical settlements regulated, and criminal penalties provided.

**HF3535-Faust (DFL)****Finance**

Kanabec and Pine counties nursing facility payment rates increased to geographic group III median rate.

**HF3536-Mullery (DFL)****Local Government & Metropolitan Affairs**

Minneapolis housing replacement district law modified.



**HF3537-Bly (DFL)****Finance**

Renewable energy project rate schedule established and report required.

**HF3538-Winkler (DFL)****Commerce & Labor**

Start-up and emerging Minnesota businesses investment credit provided.

**HF3539-Swails (DFL)****Health & Human Services**

Hospital construction moratorium exception provided.

**HF3540-Gardner (DFL)****Environment & Natural Resources**

Solid waste recovery and recycling standards provided, greenhouse gas offset project eligibility established, exemptions provided, studies and ordinances required, goals set, charges regulated, task force established.

**HF3541-Marquart (DFL)****Environment & Natural Resources**

Bridge and culvert construction and maintenance cost apportionment modified.

**HF3542-Juhnke (DFL)****Finance**

Veteran home funding provided, bonds issued and money appropriated.

**HF3543-Winkler (DFL)****Commerce & Labor**

Foreign cooperatives regulation provided, dissolution notification request removed, document return provided, foreign partnerships allowed to use alternative names, and name filing contests eliminated.

**HF3544-Heidgerken (R)****Environment & Natural Resources**

Swift County; Monson Lake State Park land addition provided.

**HF3545-Atkins (DFL)****Environment & Natural Resources**

Gas purchase and sale reporting required, air conditioner leakage rates in motor vehicles disclosure required, refrigerants required in mobile air conditioners, refrigerant sale prohibited, and report required.

**HF3546-Eken (DFL)****Environment & Natural Resources**

Fishing season extended for up to two weeks in certain waters.

**HF3547-Dill (DFL)****Environment & Natural Resources**

Game and fish fund report requirements modified, pheasant habitat improvement account disposition modified, wild turkey management account modified, hunting and fishing licensing and taking provisions modified, and rulemaking authorized.

**HF3548-Dill (DFL)****Environment & Natural Resources**

St. Louis County; private sale of tax-forfeited land bordering public waters authorized.

**HF3549-Dill (DFL)****Environment & Natural Resources**

Medical standards established for permitting off-highway vehicle use by disabled persons on public trails.

**HF3550-Hansen (DFL)****Environment & Natural Resources**

Viral hemorrhagic septicemia control provided, and rulemaking authorized.

**HF3551-Howes (R)****Transportation Finance Division**

Highway 371 direct access required for certain parcels of land.

**HF3552-Juhnke (DFL)****Agriculture, Rural Economies & Veterans Affairs**

NextGen Energy Board member added, sunset date removed, and appropriation modified.

**HF3553-Simon (DFL)****Public Safety & Civil Justice**

Data practices technical changes made.

**HF3554-Simon (DFL)****Public Safety & Civil Justice**

Driver's license numbers and application information regulated.

**HF3555-Simon (DFL)****Public Safety & Civil Justice**

Data classified as private when pertaining to an individual temporarily being held by a law enforcement agency.

**HF3556-Simon (DFL)****Public Safety & Civil Justice**

Departments held harmless for negligent dissemination of vehicle or driver data.

**HF3557-Koenen (DFL)****Finance**

Veterans paramedic apprenticeship program funding provided.

**HF3558-Madore (DFL)****Finance**

2008 U.S. Women's Open license plates issuance required.

**HF3559-Sailer (DFL)****Health & Human Services**

Day training and habilitation program license requirements modified.

**HF3560-Kalin (DFL)****Finance**

Commuter bus service funding provided for Interstate 35, and money appropriated.

**HF3561-Sailer (DFL)****Environment & Natural Resources**

Public water access site acquisition authority modified.

**HF3562-Mullery (DFL)****Public Safety & Civil Justice**

Marriage license five-day waiting requirement removed.

**HF3563-Mullery (DFL)****Public Safety & Civil Justice**

Marriage application Social Security number requirement removed.

**HF3564-Walker (DFL)****Health & Human Services**

Child welfare and child support provisions amended, new Interstate Compact for the Placement of Children adopted, old compact repealed, and child and adult adoptions regulated.

**HF3565-Bunn (DFL)****Finance**

Closed landfill cleanup funding provided, Pollution Control Agency directed to provide cleanup of certain closed landfill sites, revenue bonds authorized and money appropriated.

**HF3566-Nelson (DFL)****Commerce & Labor**

Workers' Compensation Advisory Council recommendations adopted.

**HF3567-Shimanski (R)****Governmental Operations, Reform, Technology & Elections**

Annuity repayment requirement waived for retirees of Independent School District No. 2859, Glencoe/Silver Lake.

**HF3568-Hackbarth (R)****Public Safety & Civil Justice**

Fireworks lawful explosives amount increase allowed.

**HF3569-Rukavina (DFL)****Finance**

University of Minnesota directed to study workers' health including lung health.

**HF3570-Murphy, E. (DFL)****Health & Human Services**

Personal liability prohibited for certain persons with mental illness.

**HF3571-Marquart (DFL)****Taxes**

Property tax petition information exchange required and sanctions imposed.

**HF3572-Smith (R)****Public Safety & Civil Justice**

Furniture Fire Safety Act repealed.

**HF3573-Otremba (DFL)****Health & Human Services**

State health care program county-based purchasing requirements revised, and mandated report required.

**HF3574-Juhnke (DFL)****Local Government and Metropolitan Affairs**

State Building Code application and enforcement regulated.

**HF3575-Bigham (DFL)****Transportation Finance Division**

School bus driver type III qualifications established, penalties provided, and rulemaking authorized.

**HF3576-Madore (DFL)****Health & Human Services**

Medical Review Subcommittee and ombudsman authorized to gather data about deceased clients.

**HF3577-Tschumper (DFL)****Local Government & Metropolitan Affairs**

Houston County; process provided to make certain county offices appointive.

**HF3578-Hilty (DFL)****Finance**

Propane purchase program terms clarified.

**HF3579-Norton (DFL)****Health & Human Services**

Continuing care provisions changes made, and local certification requirements amended.

**HF3580-Brown (DFL)****Energy Finance & Policy Division**

Eligible energy technologies definition clarified for purposes of the renewable energy standard

**HF3581-Peppin (R)****Governmental Operations, Reform, Technology & Elections**

Economic Status of Women duties repealed.

**HF3582-Tschumper (DFL)****Commerce & Labor**

Flood insurance coverage regulated, and disclosures of noncoverage required.

**HF3583-Johnson (DFL)****Public Safety & Civil Justice**

Juvenile adjudication history retention modified.

**HF3584-Koenen (DFL)****Agriculture, Rural Economies and Veterans Affairs**

Animal chiropractic care requirements established.

**HF3585-Koenen (DFL)**  
**Energy Finance & Policy Division**  
Community-based energy development project powers of qualification described.

**HF3586-Thissen (DFL)**  
**Taxes**  
Education tax credit equity and opportunity provided.

**HF3587-Solberg (DFL)**  
**Finance**  
Budget recommendations development specified, and state agencies required to provide information.

**HF3588-Magnus (R)**  
**Finance**  
Special transportation services medical assistance coverage rates increased.

**HF3589-Madore (DFL)**  
**Transportation Finance Division**  
Hazardous materials, school bus endorsement and commercial vehicle operation federal conformity provided.

**HF3590-Wagenius (DFL)**  
**Taxes**  
Ground water monitoring charge established.

**HF3591-Tingelstad (R)**  
**Health & Human Services**  
Infertility treatments health plan coverage required.

**HF3592-Thao (DFL)**  
**Health & Human Services**  
Health care interpreter services registry established.

**HF3593-Marquart (DFL)**  
**Finance**  
School district reciprocity agreements modified.

**HF3594-Norton (DFL)**  
**E-12 Education**  
Achievement and opportunity gap reduction pilot program grants provided.

**HF3595-Anzelc (DFL)**  
**E-12 Education**  
Licensed physicians and psychologists authorized to make diagnosis and determination of ADD and ADHD.

**HF3596-Faust (DFL)**  
**E-12 Education**  
Education commissioner prohibited from enforcing unadopted rules.

**HF3597-Mullery (DFL)**  
**Public Safety & Civil Justice**  
Sexual assault indictment limitations modified.

**HF3598-Mullery (DFL)**  
**Public Safety & Civil Justice**  
Sex offender minimum presumptive executed sentence imposed for repeat offenders.

**HF3599-Marquart (DFL)**  
**Higher Education & Work Force Development Policy & Finance Division**  
JOBZ program standard business subsidy agreement required.

**HF3600-Clark (DFL)**  
**Public Safety & Civil Justice**  
Mortgage foreclosure emergency declared, and postponement of foreclosure proceedings authorized.

**HF3601-Greiling (DFL)**  
**Taxes**  
General education, special education, and early education programs funding increased; individual income tax rates modified; revenues deposited in K-12 education account, and money appropriated.

**HF3602-Dill (DFL)**  
**Finance**  
Business subsidy provisions and terms modified.

**HF3603-Bunn (DFL)**  
**Housing Policy & Finance and Public Health Finance Division**  
Flashing installation standards established for new construction and remodeling, and State Building Code rules required.

**HF3604-Lesch (DFL)**  
**Finance**  
Budget shortfall fees enacted to raise revenue reduced or eliminated, criminal offense surcharge, DWI license reinstatement fee, various court fees, and public defender co-pay included.

**HF3605-Brod (R)**  
**Transportation Finance Division**  
Drivers' licenses and permits and Minnesota identification cards information regulated, citizenship determination status required for obtaining a license, and technical changes made.

**HF3606-Mullery (DFL)**  
**Public Safety & Civil Justice**  
Fifth degree criminal sexual conduct conviction enhancement provisions added.

**HF3607-Clark (DFL)**  
**Health & Human Services**  
Women, infants, and children coupon use provided for purchase of organic food.

**HF3608-Norton (DFL)**  
**Finance**  
Licensed nursing home bed surcharge special revenue fund created.

**HF3609-Emmer (R)**  
**Commerce & Labor**  
Minnesota Freedom to Buy and Sell Act enacted, employers and residents provided freedom to buy health coverage approved for sale in any state, and insurance companies provided freedom to sell health coverage permitted for sale in any state.

**HF3610-Loeffler (DFL)**  
**Health & Human Services**  
Medical debt information regulated.

**HF3611-Peterson, A. (DFL)**  
**Health & Human Services**  
Physician licensure standards based on reciprocity improved.

**HF3612-Davnie (DFL)**  
**Commerce & Labor**  
Minnesota Subprime Foreclosure Deferment Act of 2008 provisions provided.

**HF3613-Solberg (DFL)**  
**Health & Human Services**  
Residential hospice facilities qualified for group residential housing payments.

**HF3614-Moe (DFL)**  
**Health & Human Services**  
Board of Veterinary Medicine membership and authority modified.

**HF3615-Loeffler (DFL)**  
**Finance**  
County social services mandated report required.

**HF3616-Walker (DFL)**  
**Health & Human Services**  
Minnesota Family Investment Program unpaid work prohibited, Minnesota Family Investment Program provisions repealed for family cap and rental subsidy as unearned income.

**HF3617-Koenen (DFL)**  
**Health & Human Services**  
Wound prevention and care formula demonstration project established for state veteran homes and reports required.

**HF3618-Walker (DFL)**  
**Health & Human Services**  
Minnesota family investment program family cap repealed.

**HF3619-Walker (DFL)**  
**Finance**  
MFIP participant supported work and auto-related costs funding provided.

**HF3620-Walker (DFL)**  
**Health & Human Services**  
Violent patient behavior warning duty imposed and liability limited.

**HF3621-Hilstrom (DFL)**  
**E-12 Education**  
Special education task force extended to allow for completion of study of state special education rules.

**HF3622-Peterson, S. (DFL)**  
**Finance**  
School districts with low fund balances authorized to hold a referendum election at a time other than November.

**HF3623-Emmer (R)**  
**Finance**  
School district staff development revenue expenditures for CPR and automatic external defibrillator training authorized.

**HF3624-Mariani (DFL)**  
**E-12 Education**  
Public education mission expanded to include a framework to guide future education policy decisions.

**HF3625-Hansen (DFL)**  
**Finance**  
Natural resources administrative sites sales proceeds disposition provided.

**HF3626-Thissen (DFL)**  
**Health & Human Services**  
Child care facilities required to provide influenza information.

**HF3627-Dill (DFL)**  
**Finance**  
Vermilion Highlands Wildlife Management Area shooting sports facilities funding provided.

**Moving?**  
Please help save postage costs by keeping us informed of address changes. Call 651-296-2146 or 800-657-3550.

To find out who represents you at the Capitol . . .  
Call House Public Information Services at 651-296-2146 or 800-657-3550

# 2008 Minnesota House of Representatives

District	Member/Party	Room*	Phone 651-296-	District	Member/Party	Room*	Phone 651-296-
48B	Abeler, Jim (R)	203	1729	9A	Lanning, Morrie (R)	259	5515
19A	Anderson, Bruce (R)	201	5063	40B	Lenczewski, Ann (DFL)	509	4218
43A	Anderson, Sarah (R)	229	5511	66A	Lesch, John (DFL)	537	4224
3A	Anzelc, Tom (DFL)	417	4936	30A	Liebling, Tina (DFL)	393	0573
39B	Atkins, Joe (DFL)	503	4192	1B	Lieder, Bernard (DFL)	423	5091
35A	Beard, Michael (R)	207	8872	55A	Lillie, Leon (DFL)	353	1188
43B	Benson, John (DFL)	517	9934	59A	Loeffler, Diane (DFL)	349	4219
33B	Berns, John (R)	311	4315	37A	Madore, Shelley (DFL)	507	5506
57A	Bigham, Karla (DFL)	529	4342	22A	Magnus, Doug (R)	217	5505
25B	Bly, David (DFL)	557	7065	67A	Mahoney, Tim (DFL)	591	4277
25A	Brod, Laura (R)	321	4229	65B	Mariani, Carlos (DFL)	563	9714
27A	Brown, Robin (DFL)	337	8216	9B	Marquart, Paul (DFL)	597	6829
23B	Brynaert, Kathy (DFL)	421	3248	38A	Masin, Sandra (DFL)	527	3533
35B	Buesgens, Mark (R)	307	5185	53B	McFarlane, Carol (R)	223	5363
56A	Bunn, Julie (DFL)	521	4244	57B	McNamara, Denny (R)	271	3135
45B	Carlson, Lyndon (DFL)	479	4255	4A	Moe, Frank (DFL)	369	5516
61A	Clark, Karen (DFL)	471	0294	40A	Morgan, Will (DFL)	531	4212
24B	Cornish, Tony (R)	281	4240	23A	Morrow, Terry (DFL)	415	8634
62A	Davnie, Jim (DFL)	545	0173	58A	Mullery, Joe (DFL)	367	4262
52B	Dean, Matt (R)	327	3018	64A	Murphy, Erin (DFL)	413	8799
49A	DeLaForest, Chris (R)	323	4231	6B	Murphy, Mary (DFL)	343	2676
29A	Demmer, Randy (R)	225	9236	46A	Nelson, Michael V.(DFL)	569	3751
52A	Dettmer, Bob (R)	329	4124	10A	Nornes, Bud (R)	277	4946
6A	Dill, David (DFL)	571	2190	29B	Norton, Kim (DFL)	387	9249
47A	Dittrich, Denise (DFL)	371	5513	1A	Olin, Dave (DFL)	593	9635
58B	Dominguez, Augustine "Willie" (DFL)	539	8659	16B	Olson, Mark (IR)	301	4237
12B	Doty, Al (DFL)	433	4247	11B	Otremba, Mary Ellen (DFL)	445	3201
28B	Drazkowski, Steve (R)	247	2273	37B	Ozment, Dennis (R)	283	4306
17A	Eastlund, Rob (R)	243	5364	42B	Paulsen, Erik (R)	309	7449
2A	Eken, Kent (DFL)	575	9918	64B	Paymar, Michael (DFL)	543	4199
19B	Emmer, Tom (R)	261	4336	31A	Pelowski Jr., Gene (DFL)	491	8637
41A	Erhardt, Ron (R)	245	4363	32A	Peppin, Joyce (R)	331	7806
16A	Erickson, Sondra (R)	279	6746	20A	Peterson, Aaron (DFL)	451	4228
8B	Faust, Tim (DFL)	567	0518	41B	Peterson, Neil W. (R)	213	7803
21B	Finstad, Brad (R)	251	9303	45A	Peterson, Sandra (DFL)	345	4176
26B	Fritz, Patti (DFL)	551	8237	27B	Poppe, Jeanne (DFL)	487	4193
53A	Gardner, Paul (DFL)	581	2907	5A	Rukavina, Tom (DFL)	477	0170
36B	Garofalo, Pat (R)	221	1069	26A	Ruth, Connie (R)	291	5368
15A	Gottwalt, Steve (R)	231	6316	42A	Ruud, Maria (DFL)	515	3964
54A	Greiling, Mindy (DFL)	381	5387	2B	Sailer, Brita (DFL)	577	4265
24A	Gunther, Bob (R)	289	3240	54B	Scalze, Bev (DFL)	357	7153
48A	Hackbarth, Tom (R)	209	2439	21A	Seifert, Marty (R)	267	5374
22B	Hamilton, Rod (R)	215	5373	5B	Sertich, Anthony "Tony" (DFL)	459	0172
39A	Hansen, Rick (DFL)	401	6828	14A	Severson, Dan (R)	233	7808
66B	Hausman, Alice (DFL)	453	3824	18A	Shimanski, Ron (R)	227	1534
15B	Haws, Larry (DFL)	473	6612	44A	Simon, Steve (DFL)	375	9889
13A	Heidgerken, Bud (R)	237	4317	10B	Simpson, Dean (R)	295	4293
46B	Hilstrom, Debra (DFL)	379	3709	55B	Slawik, Nora (DFL)	403	7807
8A	Hilty, Bill (DFL)	559	4308	63B	Slocum, Linda (DFL)	523	7158
36A	Holberg, Mary Liz (R)	303	6926	33A	Smith, Steve (R)	253	9188
34B	Hoppe, Joe (R)	317	5066	3B	Solberg, Loren (DFL)	443	2365
60B	Hornstein, Frank (DFL)	437	9281	56B	Swails, Marsha (DFL)	409	1147
47B	Hortman, Melissa (DFL)	377	4280	65A	Thao, Cy (DFL)	359	5158
14B	Hosch, Larry (DFL)	565	4373	63A	Thissen, Paul (DFL)	351	5375
4B	Howes, Larry (R)	287	2451	51B	Tillberry, Tom (DFL)	501	5510
7A	Huntley, Thomas (DFL)	585	2228	49B	Tingelstad, Kathy (R)	255	5369
7B	Jaros, Mike (DFL)	583	4246	31B	Tschumper, Ken (DFL)	431	9278
67B	Johnson, Sheldon (DFL)	549	4201	18B	Urdahl, Dean (R)	239	4344
13B	Juhnke, Al (DFL)	485	6206	62B	Wagenius, Jean (DFL)	449	4200
59B	Kahn, Phyllis (DFL)	365	4257	61B	Walker, Neva (DFL)	553	7152
17B	Kalin, Jeremy (DFL)	579	5377	12A	Ward, John (DFL)	533	4333
60A	Kelliher, Margaret Anderson (DFL)	463	0171	38B	Wardlow, Lynn (R)	241	4128
50B	Knuth, Kate (DFL)	429	0141	30B	Welti, Andy (DFL)	389	4378
20B	Koenen, Lyle (DFL)	439	4346	11A	Westrom, Torrey (R)	273	4929
34A	Kohls, Paul (R)	313	4282	44B	Winkler, Ryan (DFL)	525	7026
51A	Kranz, Scott (DFL)	411	4226	28A	Wollschlager, Sandy (DFL)	335	8635
50A	Laine, Carolyn (DFL)	407	4331	32B	Zellers, Kurt (R)	315	5502

House Public Information Services • 175 State Office Building • St. Paul, MN 55155-1298 • 651-296-2146

Jan. 24, 2008

\*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155-1298



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

**SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER**

**MAJORITY LEADER: ANTHONY "TONY" SERTICH**

**MINORITY LEADER: MARTY SEIFERT**

## MINNESOTA INDEX

### Are you covered?

Percent of Minnesotans with health insurance in 2007 .....	92.8
Percent in 2004 .....	92.3
Percent in 2001 .....	93.9
Percent of Minnesotans in 2007 having group coverage or health insurance	
coverage through an employer .....	62.5
Percent with insurance through a public program .....	25.2
Percent that purchased coverage through the individual market.....	5.1
Minnesotans ages 18-24 without health insurance last year, as percent.....	19
Percent in 2004.....	19.8
Minnesotans ages 25-34 without health insurance last year, as percent.....	11.5
Percent in 2004.....	13.2
Percent of white Minnesotans uninsured in 2007, 2004 and 2001 .....	6.4, 6.2, 5
Percent of Asians .....	6.3, 10.1, 7.8
Percent of blacks.....	14.7, 14, 17
Percent of American Indians.....	16, 22, 18.7
Percent of Hispanic/Latinos.....	19.4, 31, 23.8
Minnesotans not born in the United States that didn't have health insurance in 2007 .....	11.4
In 2004 .....	18.3
Greater Minnesota residents without health insurance in 2007, as percent.....	7.9
Twin Cities metropolitan area residents, as percent.....	6.6
Percent of uninsured Minnesotans in 2007 ineligible for employer coverage or	
through a public program .....	32
Uninsured Minnesotans, as percent, that were employed in 2007 .....	71.3
Percent of uninsured Minnesotans last year that worked more than 40 hours per week.....	25
Percent in 2004.....	28.8
Administrative spending in 2006, as percent of total spending, by health plan	
companies doing business in Minnesota .....	8.2
In 2004 .....	8.6
In 2001 .....	10.6
Private health insurance premium growth per person in 2006, as percent .....	7.6
Percent in 2005.....	4.5
Growth, as percent, of health care plan spending per enrollee in 2006.....	8.9
Percent in 2005.....	7.2

**Sources: 2006 Minnesota Health Statistics Annual Summary, December 2007, Center for Health Statistics, Department of Health; Administrative Costs at Minnesota Health Plans in 2006, January 2008, Department of Health; Health Insurance Premiums and Cost Drivers in Minnesota, October 2007, Health Economics Program, Department of Health.**

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 25, NUMBER 4 • MARCH 7, 2008

A CAPITAL INVESTMENT

ROAD TRIP

CONFORMING TO THE FEDS

WHAT PRICE FOR CLEAN DRINKING WATER?

GOOD HEALTH — A PRIMARY CONCERN

HF3628 - HF3885



## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Tom Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Agriculture • 5  
Consumers • 5  
Crime • 5  
Education • 6  
Employment • 7  
Environment • 8

Family • 8  
Game & Fish • 9  
Health & Human Services • 10  
Housing • 11  
Humanities • 12

Local Government • 12  
Military • 12  
Safety • 13  
Taxes • 13  
Transportation • 14

### BILL INTRODUCTIONS (HF3628-HF3885) • 19-23

### FEATURES

**FIRST READING:** A bill about jobs and infrastructure • 3

**AT ISSUE:** Hopes are tax bill will bypass veto pen • 15

**AT ISSUE:** State forced to put a price on clean drinking water • 16

**AT ISSUE:** Primary Care: Your life depends on it • 17

**FEATURE:** Summer road trip was all about visiting projects • 18

**MINNESOTA INDEX:** State of employment • 24

On the cover: Rep. Steve Simon, left, and Rep. Lynn Wardlow sign a banner celebrating Minnesota's sesquicentennial. The banner, which has traveled across the state, is being signed by all legislators. Minnesota became a state on May 11, 1858. According to the Minnesota Sesquicentennial Commission, "the Sesquicentennial will be a yearlong, statewide commemoration and a catalyst, to learn from our past and connect all of us as Minnesotans in creating a thriving, innovative future." More information can be found at [www.mn150years.org](http://www.mn150years.org).

— Photo by: Sarah Stacke



# A bill about jobs and infrastructure

As economy softens, amount available for projects could decrease

By LEE ANN SCHUTZ

**W**ith dismal job numbers, a recession at the state's doorstep and a nearly \$1 billion deficit projected for the biennium, this year's House capital investment bill is all about maximizing jobs, federal dollars and other matches.

"We do think of this as a jobs bill to put people back to work," said Rep. Alice Hausman (DFL-St. Paul), sponsor of HF380, and chairwoman of the House Capital Investment Finance Division.

The \$1.06 billion bill, which includes \$960 million general obligation bonding, seeks improvements to zoos, planning for or building commuter rail lines, historic preservation, land acquisition for a new state park, and higher education preservation and construction.

"We're focusing on infrastructure and the jobs that come out of building that infrastructure. We believe that can have a transforming effect on the state," Hausman said.

Approved 99-34 by the House March 6, the

Senate later received the bill, with Sen. Keith Langseth (DFL-Glyndon) as the sponsor, and replaced its language for that of the House. The bill passed 57-9, and it was returned to the House where a conference committee was called to work out the differences.

The spending amount proposed in both the House and Senate measures is close to that in Gov. Tim Pawlenty's initial recommendation. But the project list varies between the three.

With more than \$4 billion in requests from local governments and state agencies, bringing the bill down below \$1 billion in

general obligation bonding hasn't been easy, and Hausman acknowledges more cuts may lay ahead.

Traditionally a bonding bill spends around 3 percent of the General Fund. Based on the February Forecast projecting a nearly \$1 billion deficit this biennium, the governor recommends lowering the bonding cap to \$825 million.

"This is a bill that has to get smaller rather than bigger. The dilemma is that everyone here is an advocate for their communities," Hausman said.

On the House floor, an amendment successfully offered by Rep. Bev Scalze (DFL-Little Canada) diffused concern that the House bill would come in at more than the 3 percent threshold. Passed 128-4, the amendment affirms the intent that the biennial General Fund appropriation for debt service not exceed 3 percent.

Republicans termed the bill one of "niceties, not necessities."

"In a time when Minnesotans are hurting financially, the bill is too big," said Rep. Paul Kohls (R-Victoria). "Ask the question; are the projects in the bill truly critical to regional or state importance?"

## Proposed projects

Last year the \$334 million capital investment bill, which Hausman sponsored, was vetoed by the governor.

While some projects in last year's vetoed bill are included, such as \$38 million for a Duluth arena, it took some "thinking outside the box" for others to make it onto the list. Hausman referred specifically to funding for new bioscience facilities at the University of Minnesota and housing initiatives through the Minnesota Housing Finance Agency. Both propose to use their own bonding authority to secure funding, while the state would cover the debt service payments.



PHOTO BY TOM OLMSCHEID

The Duluth Entertainment and Convention Center Authority (DECC) could receive \$38 million to replace the current Duluth arena. The building would provide a new home for UMD hockey programs, and could attract larger events to the city than is possible with the current facility.

First Reading continued on page 4

## Environment

Bonding proposals for environment and natural resources-related spending are a little more than \$200 million with the bulk of the money, \$135.8 million, targeted to the Department of Natural Resources. Some DNR bonding highlights include:

- \$28.2 million for various flood control efforts;
- \$18.5 million for state park rehabilitation, development and facility improvements;
- \$15.5 million for Lake Vermilion State Park acquisition and development;
- \$13.9 million for grants for regional and local parks;
- \$13.5 million for acquisition and development of state trails;
- \$8 million for wildlife area acquisition and improvement; and
- \$5.5 million for grants for regional and local trails.

The Pollution Control Agency would receive \$32.5 million, with \$25 million from the state's remediation fund slated for cleanup projects at closed landfill sites, including the Washington County Landfill. Another \$5 million in general obligation bonding is for a beneficial reuse of wastewater demonstration project and \$2.5 million for remediation systems at the Albert Lea Landfill.

The Board of Water and Soil Resources would receive \$39.3 million, with \$35 million going to the Reinvest in Minnesota Reserve program to purchase conservation easements. Another \$3 million is for wetland replacement and \$1.3 million for Clean Water Legacy programs.

Also included is \$21.2 million for capital improvements to metropolitan parks, the St. Paul Great River National Park, the Springbrook Nature Center and other projects.

## Health and human services

Bonding projects for health and human services would include:

- \$4 million for asset preservation, and safety and security of the Moose Lake Sex Offender Treatment Facility;
- \$4 million for campus redevelopment for Brainerd Regional Human Services Center; and
- \$3.5 million for Hennepin County Medical Center education training room and lab expansion.

The Minnesota Housing Finance Agency would receive \$2 million to address long-term homelessness needs by establishing a nonprofit housing bond account within a housing development fund. The agency could then

annually issue the bonds for up to 20 years to make loans and to finance construction and rehabilitation of permanent supportive housing. The monies are not included in the governor's recommendation.

## Heritage and culture

Several so-called quality-of-life projects submitted by the House Minnesota Heritage Finance Division include:

- \$21 million for upgrades to zoo facilities, including an expansion to the polar bear exhibit at the Lake Superior Zoo, repair and new infrastructure at the Como Park Zoo and asset preservation at the Minnesota Zoo;
- \$4 million to county and local jurisdictions as matching money for historic preservation grants;
- \$4 million for phase II construction of a National Volleyball Center in Rochester;
- \$3 million for a pre-design for Orchestra Hall and Peavey Plaza renovations in downtown Minneapolis;
- \$500,000 Historic Fort Snelling asset preservation; and
- \$300,000 for the Oliver H. Kelly Farm revitalization near Elk River.

## Higher education

Generally higher education gets the greatest share of a bonding bill, and this year, at \$417 million, it's no different.

Included in the House proposal is more than \$136 million for the University of Minnesota to cover the state's share of several projects, including:

- \$48.3 million for a new science teaching and student services building on the Minneapolis campus;
- \$40 million in asset preservation;
- \$24 million for a new Bell Museum of Natural History on the St. Paul campus;
- \$10 million for an addition to the Department of Civil Engineering building at the Duluth campus, and
- \$5 million to renovate a community services building on the Morris campus.

The Minnesota State Colleges and Universities system would receive more than \$281.4 million, including \$60 million in asset preservation. Other projects include:

- \$25.5 million for a Trafton Hall renovation at Minnesota State University, Mankato;
- \$14.9 million for a Brown Hall renovation at St. Cloud State University;
- \$13.3 million for a regional law enforcement training facility at Hennepin Technical College in Brooklyn Park;
- \$13.2 million in classroom additions at Inver Hills Community College; and

- \$13.1 million for the Lommen Hall renovation at Minnesota State-Moorhead.

## K-12 education

Of the \$34 million directed to the Department of Education, \$32 million would go to complete secondary school construction in Red Lake, and \$2 million would be for library accessibility and improvement grants.

Also included is \$2 million for pre-design for a new dormitory and asset preservation at the Minnesota state academies and \$355,000 in asset preservation at the Perpich Center for Arts Education.

## Public safety

Included in the areas of public safety are:

- \$16 million for expansion of the Faribault Correctional Facility;
- \$11 million for asset preservation;
- \$5 million for a public safety training center at Camp Ripley; and
- \$3.66 million for a Southeastern Minnesota regional public safety training center.

The bill also asks the commissioner of public safety to develop a long-term strategic plan to address maintenance and staffing of existing crime labs and for new regional and local crime labs.

## State facilities

The House State Government Finance Division recommended projects totaling \$99.12 million. Although the governor recommends \$18 million for preserving the exterior of the Department of Transportation headquarters in St. Paul, it is not included in the House recommendation.

After a substantial paring down, projects proposed include:

- \$13.4 million for State Capitol restoration; and
- \$500,000 for pre-design of a new state emergency operations center.

## Transit corridors

Funding in the bill looks toward creating a network of rail lines in the Twin Cities metropolitan area.

"Talking line-by-line is almost irrelevant," Hausman said. "We need to look at the whole area. This all has to do with a system that works together. Most other states and regions are ahead of us."

The largest chunk is \$70 million for the Central Corridor that is designed to link downtowns Minneapolis and St. Paul. It would also be the primary east-west line in the

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 28-March 6. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and \*-the bill, version considered by the House, or the bill language signed by the governor.

## AGRICULTURE

### Agronomic research funding request

Plenty of solid agricultural research takes place at the University of Minnesota. But Rep. Rick Hansen (DFL-South St. Paul) thinks more could be done.

He sponsors HF769, which would provide \$1 million to the university for basic agronomic research on native plants.

The bill was held over March 4 by the House Higher Education and Work Force Development Policy and Finance Division for possible omnibus bill inclusion. There is no Senate companion.

"There's a lot of research that's going on relating to maybe the wildlife impacts with native plants or what the carbon sequestration is or mixes, but not basic agronomic research like viability, yield, response to water, response to nutrients, pest management," Hansen said.

The bill aims to get data that landowners could use to get the best results or increase production, he said. "When you think of corn you know the number of seeds per plant population you want to have, you know the row width, you know the nutrients. Those are things that have been provided by university research that is out there in the field."

A technical advisory committee would work with the university and Department of Agriculture to help implement the program.

Rep. Tom Rukavina (DFL-Virginia), the division chairman, did not sound overly optimistic about the bill's future this year, saying there "probably isn't a lot of money to work with this session." He also said the agriculture school got additional base money last year.

— M. COOK

### Spraying the wrong yard

If pesticides are accidentally applied to the wrong site, currently there is little regulatory consequence.

That would change under HF2573,

sponsored by Rep. Rick Hansen (DFL-South St. Paul).

Hansen told the House Agriculture, Rural Economies and Veterans Affairs Committee March 5 that he knows of incidents where lawn chemical applicators have sprayed the wrong yard.

The bill would make it a violation to apply a pesticide to a site where an application has not been requested, ordered or contracted for by the property owner or manager of the site.

Approved by the committee, it now awaits action by the full House. The Senate companion, SF2449, sponsored by Sen. Katie Sieben (DFL-Newport), awaits action in the Senate Agriculture and Veterans Committee.

Trying to ease concerns of rural legislators, Hansen said, "I want to be clear that I am not referring to drift." He explained that drift is when the wind carries the chemical to another's property. In rural areas applicators have access to maps clearly showing fields where they are contracted to apply the chemicals.

Rep. Steve Drazkowski (R-Wabasha) said that in rural areas, misapplication generally comes from a communication breakdown.

Paul Liemandt, Department of Agriculture assistant director, said state law is specific about chemical application, but that Hansen's concerns are not fully addressed.

But Drazkowski questioned the department's role in enforcement: "Is it the role of the department to be looking at what is a contract between a business and an individual?" Additionally he wanted to know the penalty to the applicator.

Hansen said it could start with an advisory letter, but if a pattern of abuse is established, then a monetary, or even a criminal, penalty could be applied.

— L. SCHUTZ

## CONSUMERS

### Bills would limit payday lending

The House Labor and Consumer Protection Division approved two bills Feb. 29 that would more heavily regulate payday lending. They both await action in the House Commerce and Labor Committee.

Payday lenders provide short-term, high-interest loans for people, who repay the money out of their next paycheck.

Rep. Jim Davnie (DFL-Mpls) sponsors HF3533, which would require payday loan companies to operate under 1995 legislation

created for them instead of operating as industrial thrift and loan companies, as most do.

"This is a loophole that allows them to operate not under the intent of this Legislature," Davnie said.

The legislation would also:

- eliminate the lender's ability to charge finance fees and establish limits for charges;
- provide a 21-day cooling off period between loans;
- prohibit the threatening of criminal process to collect a loan;
- require the lender to offer the option of repayment if the loan is for \$75 or more; and
- give the borrower the right to sue for \$1,000 per violation of these laws, plus attorney's fees.

Brad Rixmann, president of Minnesota-based PayDay America, said if this legislation passes, his 11-site company would go out of business.

Rep. Steve Simon (DFL-St. Louis Park) sponsors HF3511, which would bring the state's payday lending statutes in line with those already federally mandated for military personnel. This would restrict the interest rate on these loans to an annual percentage rate of 36 percent, as well as a \$5 administrative fee.

"It seems that there is little logic in protecting our soldiers from payday loans, while allowing the same persons, when they become civilians to be gouged," said Erin Anderson, legislative director for Minnesota Association of Community Organizations for Reform Now.

The Senate companions, SF3197, sponsored by Sen. Sandy Pappas (DFL-St. Paul), and SF2838, sponsored by Sen. Linda Higgins (DFL-Mpls), await action by the Senate Commerce and Consumer Protection Committee.

— T. HAMMELL

## CRIME

### Attempted robbery

Monica McIntosh said it started out as a normal day. She was driving on Interstate 94 from Minneapolis to St. Paul when a man forced her car from the left side of the freeway to the right shoulder, pinning her in. He got out of his car, threatening her and throwing things. McIntosh said that if her doors had not been locked and her windows rolled up, she's



positive he would have done much worse.

When the case went to trial, the man was convicted of attempted robbery, and given a probationary sentence. Because of credit for time served, he was out the day the final sentence was announced.

This case and others like it serve as the foundation for HF3175, sponsored by Rep. John Benson (DFL-Minnetonka). Presented to the House Public Safety Finance Division March 5, it was laid over for possible inclusion in its omnibus bill.

The bill would increase the penalty for attempted robbery to match the penalty for robbery. It would provide that anyone who commits, or attempts, a robbery against someone inside a motor vehicle is guilty of a felony and subject to a penalty 50 percent longer than the maximum penalty for simple or aggravated robbery.

Assistant Hennepin County Attorney David Brown said that in such violent situations, what's important to remember is "the emotional harm that is done when the force is made."

Rep. Tina Liebling (DFL-Rochester) said the bill may be blurring the distinction between attempting a crime and committing one. "Some may believe that they should go ahead and complete the crime because it's going to be the same [penalty] anyway," Liebling said.

State Public Defender John Stuart said he is concerned about the bill's addition of an increase in a maximum sentence, urging that such decisions be made by the Sentencing Guidelines Commission.

A companion bill, SF2680, sponsored by Sen. Terri Bonoff (DFL-Minnetonka), awaits action by the Senate Judiciary Committee.

— C. GREEN

### Watching over corrections

The Office of Ombudsman for the Department of Corrections was established in 1972. It was an independent agency assigned to represent the interests of the public and investigate complaints within the department. When appropriate, it would make recommendations to correct the situation.

In 2003, the office was abolished. The interest in having an ombudsman was not.

During the 2007 session, a law established a working group to study how the state addresses complaints, assaults and deaths in the prisons and jails.

The report was presented to the House Public Safety Finance Division Feb. 28 by Rep. Neva Walker (DFL-Mpls) and Velma Korbel, commissioner of the Department of Human Rights.

Korbel said there are policies in place, but procedures, data collection and incident

reporting can vary among counties, depending upon available resources.

Information requested by advocacy organizations, such as race and disability data, is often not available from the Corrections Department, and rarely available from the county facilities, Korbel said.

The working group recommended that a uniform data collection process be established, that adequate funding be provided and that legislators have an orientation on department and county procedures and policies.

The group did not come to a consensus of whether an ombudsman office should be reestablished. "If you take out the DOC and the jails, you have a recommendation. But with them, you don't," Walker said.

John Poupart, department ombudsman from 1983-92, said that when the position was created, there was a lot of fear and violence in the prison system. The position helped reduce these incidents, and because the system has grown so much since, it's even more important to have the office.

Rep. Michael Paymar (DFL-St. Paul), chairman of the division, said he hopes the division could explore the idea of the DOC ombudsman being part of the Office of the Ombudsman for Mental Health and Developmental Disabilities. But hiring any new staff will depend on the economy next year, he said.

— C. GREEN

### Stopping shoplifting gangs

Shoplifting has become a multi-billion dollar a year industry.

HF3331, sponsored by Rep. Steve Simon (DFL-St. Louis Park), is an effort to combat these new "organized retail crime" gangs. Presented to the House Public Safety Finance Division March 5, the bill was laid over for possible inclusion in the division's omnibus bill.

The bill would make it a three-year felony for stealing retail property valued at more than \$200 with the intent to resell, putting a fake product code on an item forcing it to ring up at a lower price, or stealing property valued at \$50 or more and leaving through the emergency exit.

It would also be a crime for anyone facilitating these crimes, such as a fence for stolen property or those setting up the theft rings.

A second offense within three years would be a five-year felony. A third or subsequent offense within three years would be a 10-year felony.

According to Michael Ward, an attorney for the Target Corporation and a former federal prosecutor, these organized retail rings account for more than \$30 billion a year in lost merchandise. Ward said that while companies

such as Target are spending thousands of dollars every year to fight this trend, the gangs are still functioning.

Ward said, because of the availability and anonymity of the Internet, these theft rings can sell stolen merchandise to a global market with high return. Instead of getting 30 cents on the dollar, they can now get twice that, Ward said.

A companion bill, SF3074, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Judiciary Committee.

— C. GREEN

## EDUCATION

### Schools funding eligibility

A bill laid over March 4 by the House K-12 Finance Division would allow 230 school districts to increase levies without voter approval for health and safety projects.

Laid over for possible inclusion in the division's omnibus bill, HF2980, sponsored by Rep. John Benson (DFL-Minnetonka), would eliminate square footage requirements from the alternative facilities program, which now allows large school districts to undertake health and safety projects and deferred maintenance projects without first seeking voter approval.

Under current law, a district is eligible for the program if it has:

- at least 66 students per grade;
- either more than 1.85 million square feet of space and an average age of building space 15 years or older or at least 1.5 million square feet and an average building age of at least 35;
- insufficient revenue from other sources; and
- a 10-year facility plan approved by the education commissioner.

This bill offers school districts program revenue if the district's average building age exceeds 25 years. It also raises the maximum amount of deferred maintenance revenue from \$60 to \$100 per pupil unit beginning in fiscal year 2010, increases the maximum lease levy amount for school district facilities from \$100 to \$150 per pupil and raises the additional lease levy for school districts that are members of an intermediate school district from \$25 to \$50 per pupil.

Benson said repair and upkeep issues keep escalating with a state backlog now reaching \$4 billion. He said he is a supporter of local control for school districts, and noted the money does not come from the state.

A companion bill, SF2813, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Finance Committee.

— T. HAMMELL

### Task force about achievement gap

Headed to the floor is a bill that would establish a state task force to deal with disparities in the academic performance of student groups based on race, ethnicity and income.

Sponsored by Rep. Carlos Mariani (DFL-St. Paul), HF3472 would encourage school districts experiencing academic achievement differences to create a plan and budget to deal with the problem. The plan would be submitted to the education commissioner for review, and it would then be sent to an advisory task force on improving students' academic achievement. The findings would be reported to the Legislature.

The bill was approved March 4 by the House E-12 Education Committee.

Mariani said one of the early goals of federal No Child Left Behind legislation was to eliminate racial disparities.

"As members know, the devil is in the details of everything we do," he said.

Stan Mack, superintendent of Robbinsdale Area Schools, said that, in eight years, the district has changed to have 44 percent students of color and 1,800 English language learners.

"We are pleased that the state has a direction of focus on this issue, because in those same eight years the amount of federal funding has actually dropped," he said.

Rep. Sondra Erickson (R-Princeton) said the task force would create redundancy in the Department of Education.

"In the end, when we get to the aggregate in terms of outcomes, we continue to have a persistent, unacceptable difference in outcome," Mariani said.

A companion bill, SF3151, sponsored by Sen. Patricia Torres Ray (DFL-Mpls), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— T. HAMMELL

### American Indian education

The House E-12 Education Committee approved a bill that would require teaching candidates and teachers renewing their licenses to receive instruction in the contributions made by Minnesota American Indian tribes and communities.

HF3263, sponsored by Rep. Karen Clark (DFL-Mpls), was sent to the House Finance Committee March 4 with the suggestion that it move to the House K-12 Finance Division.

In addition to establishing representative American Indian advisory committees, the bill would appropriate \$120,000 to the Department of Education to establish an American Indian liaison position to work with American Indian students and communities.

Clark said the passage of standards involving Native American instruction was a "wonderful

### CAPITOL LIGHT

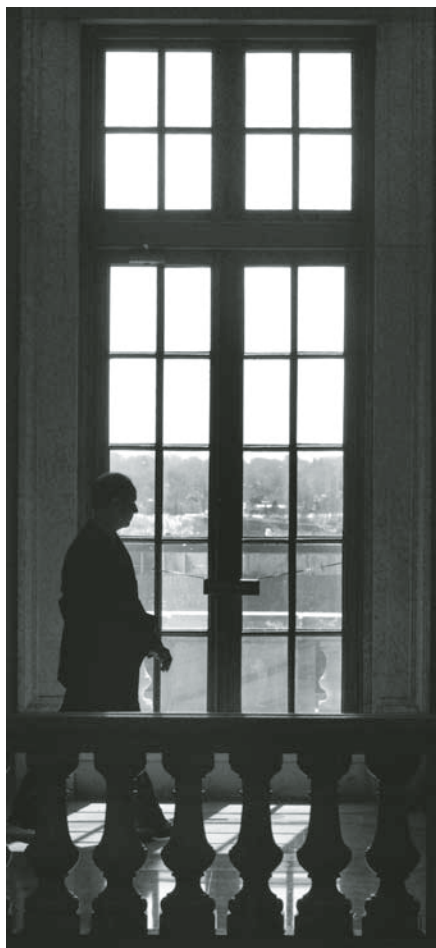


PHOTO BY ANDREW VONBANK

**A Capitol visitor is silhouetted against the French-style doors on a sunny afternoon March 3.**

accomplishment" for the Legislature, but said the provisions need to be strengthened.

Jackie Fraedrich, program director for student services at Robbinsdale Area Schools, said there was a position until last year, but there is currently "no American Indian voice at the education department."

Rep. Sandra Peterson (DFL-New Hope) said there are questions about the test teachers would have to take that were unanswered in the bill.

"I'm a little bit protective about teachers," she said, saying they've already got a lot of requirements thrown at them.

Assistant Education Commissioner Karen Klinzing said the only concern would be with the budget.

"We support a full-time position, but funding would have to accompany the position," she said.

A companion bill, SF3079, sponsored by Sen. Mary Olson (DFL-Bemidji), was referred to the Senate Education Committee.

— T. HAMMELL

### Labor Day school start could change

Classes in reading, writing and arithmetic could begin before Labor Day, in some years.

HF3262, sponsored by Rep. Kathy Brynaert (DFL-Mankato), would allow school districts more flexibility in years when Labor Day falls later in September, specifically 2009 and 2010. The bill was approved Feb. 29 by the House E-12 Education Committee and sent to the House Higher Education and Work Force Development Policy and Finance Division.

State statute prohibits pre-Labor Day starts unless a specified exemption exists. The bill would allow public schools to begin classes Aug. 31, 2009, and Aug. 30, 2010, because Labor Day is Sept. 7 and Sept. 6 respectively, the two latest dates it can fall on the calendar. It is Sept. 1 this year.

Brynaert said the proposal is a modest one, with the interests of the state's tourism industry taken into account. Resort owners have said the earlier school start-dates cut into their business.

"I'm not immune to the education issue," said Joel Carlson, a lobbyist for the Congress of Minnesota Resorts. He said there is no evidence that the later start date would negatively impact students.

"The general, essential issue is local control," Brynaert said.

Kirk Schneidawind, associate director of governmental relations for the Minnesota School Boards Association, said the organization views this as a compromise.

He said students are already participating in sports programs before the school year starts, and the legislation would not prevent districts from starting after Labor Day.

Rep. Carlos Mariani (DFL-St. Paul), the committee chairman, said he is concerned with the amount of time students have accessible to them, saying the school year schedule is tied to a society that no longer exists.

A companion bill, SF2835, sponsored by Sen. Ann Lynch (DFL-Rochester), awaits action by the Senate Education Committee.

— T. HAMMELL

## EMPLOYMENT

### Workforce training tax credits

Tax credits could be provided for employees looking to better their skills.

Rep. Erik Paulsen (R-Eden Prairie) sponsors HF2779 that would create a Lifelong Learning Account program within the Department of Labor and Industry.

The bill would provide a 50 percent refundable tax credit for individual and business contributions to accounts used for worker education and training expenses.

The maximum credit would be \$1,000 for individuals and \$500 for businesses.

Like 401(k) retirement accounts, employees would contribute to the account and employers would match their contributions on a dollar-for-dollar basis up to an annual cap.

Approved Feb. 28 by the House Higher Education and Work Force Development Policy and Finance Division, the bill awaits action by the House Finance Committee. It has no Senate companion.

"There are skill levels that are gained in initial education and training environments that are sometimes not enough to meet the needs and demands for advanced skills and opportunities," Paulsen said. "The Hudson Institute has reported that about 60 percent of future jobs will require training that only 20 percent of the present workforce actually possesses."

Similar programs have been successfully targeted toward low-income individuals.

Randall K. Johnson, state policy director for the Council of Adult and Experiential Learning, a national nonprofit organization, said a seven-year, multi-sector demonstration in Chicago, northeast Indiana and San Francisco showed the average monthly participation of participants was \$33.82, and combined with employer contributions totaled an average \$783.72 annually.

"We found that 70 percent of all participants across all sites used their account for goals related to their current job, to get a promotion with the same employer or related work with the same employer, or in the same industry," he said.

Valerie Pace, IBM manager of corporate citizenship, said the company has announced a matching learning-account program beginning in July for its employees based on this model.

"This is particularly important for adult learners who don't traditionally qualify under the rules of financial aid," she said. "As an employer and as a state, the opportunity to recruit and retain talent, and to continue developing skills of our workforce, is key for our long-term future success."

— M. Cook

### Increased paid parental leave

An employer giving an employee time off for a child's birth or adoption could receive state funds.

Sponsored by Rep. Joe Mullery (DFL-Mpls), HF2676 would offer reimbursement to employers providing qualified paid parental leave.

Current law requires employers to grant up to six weeks of unpaid leave for the birth or adoption of a child.

"It's a paid parenting leave to the extent that, in essence, the employer pays one-third, the

state pays one-third and the family, actually in essence, pays the other third to themselves," Mullery said. The bill would require the leave to be at least six consecutive weeks, and reimbursement would be capped at \$250 per week.

The bill was held over Feb. 28 by the House Higher Education and Work Force Development Policy and Finance Division for possible inclusion in its omnibus bill. It has no Senate companion.

Mullery said the bill is based on a policy used at ECM Publishing, owned by former Gov. Elmer Andersen.

"He was very concerned with the development of young children, and put forward a plan to his employees," said Jim Koppel, director of the Children's Defense Fund Minnesota. "He basically pays 40 percent of the average salary over the last three years you worked at the company. You have to be there a minimum of two or three years before you're eligible."

Koppel said a goal is to make a situation whereby parents who want to stay home for up to 26 weeks with a new child would be able to do so without sacrificing too much in lost salary. "There's really no financial way that many parents can now take that time off and be at home," he said.

No fiscal note was provided, but Mullery said one has been requested.

Amy Brenengen, director of the Office on the Economic Status of Women, said this would create retention and loyalty to businesses.

"This is voluntary; it shares the cost among three different entities," she said. "It's good for families, it's good for women and it's good for men."

— M. Cook

## ENVIRONMENT

### Round two for cap-and-trade

A less aggressive version of a bill that would lay the groundwork for implementing a cap-and-trade system for greenhouse gas emissions in Minnesota was approved March 4 by a House committee.

HF3195, sponsored by Rep. Kate Knuth (DFL-New Brighton), is also known as the Green Solutions Act of 2008. Its goal is to help reduce the state's contribution to global climate change by establishing a system in which total greenhouse gas emissions are capped and major emitters could purchase and sell emission allowances to one another.

The House Environment and Natural Resources Committee took testimony on a previous version of the bill Feb. 26. That

version drew heavy criticism both from power companies — who said a statewide cap-and-trade system would put Minnesota at a competitive disadvantage — as well as Commerce Department officials, who claimed it would hamper negotiations for a regional system.

The latest version of the bill, as amended by Knuth, focuses on Minnesota's role in the Midwestern Greenhouse Gas Reduction Accord, an agreement signed last year by Gov. Tim Pawlenty that seeks to establish a regional cap-and-trade system in conjunction with several other states and one Canadian province. In addition to pushing the state to participate in the proposed regional system — an approach favored by the power companies — the bill provides for a pair of studies to help figure out how best to implement a cap-and-trade program.

The bill also seeks to stake out a role for the Legislature in regional system negotiations by appointing a six-member, bipartisan team of legislators to advise the governor's stakeholder group and participate as observers in the negotiations.

Knuth said the bill represented a "very significant compromise," and noted that a particularly controversial requirement for power companies to buy their emission allowances by way of an auction has been changed to read, "to the extent economically feasible."

The bill now goes to the House Commerce and Labor Committee. A companion bill, SF2818, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

## FAMILY

### Child care assistance

Putting a child in day care for the first years of his or her life can cost just as much, if not more, than college.

Most Twin Cities metropolitan area day cares charge around \$160 per week, according to the St. Paul-based Resources for Child Caring. While many parents balk at the price of college tuition, day care costs can add up to more than \$30,000 in just four years.

Minnesota's Child Care Assistance Program helps low-income families afford child care by helping parents with part of the cost. But in recent years, child care rates have escalated as funding has been cut. Even with low reimbursement rates and strict eligibility criteria, the program currently has a waiting list of more than 4,000 families.



Rep. Nora Slawik (DFL-Maplewood), chairwoman of the House Early Childhood Learning Finance Division, sponsors three bills to inject funds into the program in hopes of shortening waiting lists and increasing reimbursement to providers. HF2637, HF2689 and HF2555 were laid over for possible inclusion in the division's omnibus bill.

Slawik told the division March 4 that the budget deficit diminishes the likelihood that the bills will be funded, but said it's important to keep the issue in mind.

Wendy Weber, a Maplewood parent of a 2- and 8-year-old said she's on the waiting list for day care assistance. Childcare costs for her 2-year-old eat up nearly 38 percent of the family's income, she said. That puts the family in a difficult situation, but without child care, she wouldn't be able to work at all.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsors a trio of companion bills. SF2850 awaits action in the Senate Health, Housing and Family Security Committee. SF2849 and SF2851 await action in the Senate Finance Committee.

— C. BLANCHARD

### Presume joint physical custody

When couples divorce, Minnesota law presumes joint legal custody. It does not, however, presume joint physical custody.

HF1262, sponsored by Rep. Tim Mahoney (DFL-St. Paul) and approved Feb. 28 by the House Public Safety and Civil Justice Committee, could change that.

The bill, awaiting action by the House Public Safety Finance Division, would change the presumption of physical custody to joint, but does not specify the amount of time each parent has to spend with the children.

Mahoney, who has been involved with similar bills for at least six years, stressed that "a parent should be able to share their values with their children, be it religion or their morals."

Molly Olson, executive director of the Center for Parental Responsibility, said the bill would help "remove obstacles from keeping both parents in the lives of the children."

According to Olson, because of current law, mothers receive sole custody 85 percent to 90 percent of the time, while many fathers are stripped of their responsibilities. Joint physical custody, Olson said, can help reduce conflict and domestic abuse. "If you're concerned about domestic abuse, stopping a father from seeing their child is the worst form of abuse."

Liz Richards, legal program coordinator for the Minnesota Coalition for Battered Women, said that granting joint physical custody is not always in the best interest of the children, nor does it decrease conflict. "This is not about

access to the kids. This should be about what is truly best for the children."

Rep. Michael Paymar (DFL-St. Paul) successfully offered an amendment proposing the Supreme Court convene a study group to evaluate the family court processes and procedures, and report to the Legislature by Jan. 15, 2009. Any changes to statute would happen after the Legislature reviews the report.

A companion bill, SF1606, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate Judiciary Committee.

— C. GREEN

## GAME & FISH

### Omnibus bill clears first hurdle

The 2008 omnibus game and fish bill cleared its first hurdle March 3 when the House Game, Fish and Forestry Division approved it and referred it to the House Environment and Natural Resources Committee.

The bill, HF3547, sponsored by Rep. David Dill (DFL-Crane Lake), comprises a package of numerous proposed policy changes relating to hunting and fishing laws.

Some highlights of this year's bill include:

- increasing the cock pheasant bag limit to three per day after the 16th day of the pheasant season (this measure was included in last year's game and fish bill but was removed in a conference committee);
- allowing crossbow hunting of bear and turkey during their respective regular firearm seasons;
- allowing anglers to use two lines simultaneously;
- creating a "conservation angling license" that would cost two-thirds the price of a regular license, allow license-holders to take up to one-half of the normal fish possession limits, and be valid for 14 consecutive days;
- requiring the Department of Natural Resources to submit a report to the Legislature by Jan. 1, 2009, evaluating the effectiveness and necessity of the state's uncased firearms laws;
- allowing youths who will turn 12 during the calendar year to obtain a license to hunt big game;
- forbidding hunters from taking deer by archery while in possession of a firearm;
- permitting the use of scopes on muzzle-loading rifles to hunt deer;
- creating a \$52 all-firearm season deer hunting license allowing hunters to take two deer, only one of which may be a buck; and

- changing "one-over" walleye and northern pike limits from daily taking limits to possession limits.

There is no Senate companion.

— N. BUSSE

### VHS protection measures proposed

A House division approved a package of measures designed to prevent the deadly viral hemorrhagic septicemia fish virus from spreading into Minnesota waters.

HF3550, sponsored by Rep. Rick Hansen (DFL-South St. Paul), represents the Department of Natural Resources' recommendations for curbing the spread of VHS — a fatal and highly contagious pathogen that causes internal hemorrhaging in fish. The House Game, Fish and Forestry Division approved the bill March 5.

Roy Johannes, a fisheries program consultant for the DNR, said the bill's provisions would restrict the movement of potentially contaminated fish and fishing equipment, and allow the department to track the movement of fish that are potential carriers of the virus.

Some of the new restrictions would include:

- new certification and licensing requirements for those who import, stock or farm fish susceptible to VHS;
- a ban on fishing equipment used in VHS-infected waters from being used in non-infected waters;
- a requirement that minnow farmers have their minnows tested for diseases;
- a ban on using bait from VHS-infected waters; and
- a repeal of a law allowing persons age 16 or younger to transport fish home for use in an aquarium.

Division Chairman Rep. David Dill (DFL-Crane Lake) asked Johannes whether it is necessary to bar children from taking wild fish home for their aquariums, remarking, "I hate to see the kids get caught on this hook."

Johannes replied that fish taken for aquariums undergo stress that makes them more susceptible to disease, and added that many of those fish end up getting thrown back into public waters when they outgrow the aquariums.

Rep. Dean Simpson (R-Perham) and Rep. Tom Hackbarth (R-Cedar) expressed concern that the requirement for minnow farmers to have their stocks tested for diseases could place an undue financial burden on the state's aquaculture industry.

"Are we trying to control a possible problem, or are we trying to price somebody out of business?" Simpson asked.

The bill now goes to the House Environment and Natural Resources Committee. It has no Senate companion.

— N. BUSSE

## HEALTH & HUMAN SERVICES

### Studying Iron Range miners health

A rare, fatal form of cancer, mesothelioma comes primarily from asbestos fiber, which is naturally occurring in some Iron Range areas. In analyzing data, the Department of Health found that 58 Iron Range miners have died from mesothelioma, a disease that can take decades to develop following exposure. Those that died are among 72,000 people that worked in the state's iron mining industry between the 1930s and 1982.

Rep. Tom Rukavina (DFL-Virginia) sponsors HF3569 that would make a onetime \$4.9 million appropriation from the workers compensation special fund for the university to lead an evidence-based, industry-specific study of workers' health, including lung health.

"We want to get to the bottom of this once and for all," he said.

Approved March 5 by the House Higher Education and Work Force Policy and Finance Division, the bill was sent to the House Housing Policy and Finance and Public Health Finance Division.

A companion bill, SF3300, sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Health, Housing and Family Security Committee.

"I'm asking your help not for me ... but for the new miners who are just starting," said Charlie Olson, a third-generation steelworker, who worked in mines for 38 years. "If this is a hazard to them, hopefully we can found out why and repair it."

The university will work on the study with the Health Department, Natural Resources Research Institute at the university's Duluth campus and other private and public organizations and affected groups. Work must be completed by 2013.

Jeff Mandel, an associate professor in the school's Division of Environmental Health Sciences, said the study would include comparing the effects of different exposure levels, and a comparison of current and former miners on their health status versus how long they were employed in the mines.

Other family members may also be tested because of concern over potential harmful effects for others exposed to dust from taconite operations.

— M. COOK

### Striving for healthier youth

A bill approved March 4 by the House E-12 Education Committee takes direct aim at childhood obesity.

Rep. Diane Loeffler (DFL-Mpls), who sponsors HF3390, said prevention is the easiest and most cost-effective way to lower health care costs over time.

The bill would add nutrition education to the list of subject areas required by schools; require the education and health commissioners to establish and implement a Body Mass Index monitoring system in schools; and establish a task force which would set statewide curriculum in this area.

Charlie Kyte, executive director of the Minnesota Association of School Administrators, said he could not tell from the bill if it would mandate BMI checks.

"What's happening, it's leaving our schools and our teachers again as a prime target for parents who don't think we should be doing that stuff," he said.

Karen Klinzing, assistant commissioner of the Department of Education, raised concerns about adding an additional subject area and sharing the information between departments.

"We have not really solved those problems just with reading and math and I can't imagine, trying to examine the scope, trying to deal with other agencies and other jurisdictions," she said.

The bill was sent to the House Finance Committee with the recommendation that it be referred to the House K-12 Finance Division. There is no Senate companion.

— T. HAMMELL

### Meeting food shelf needs

Of the 28 bills Rep. John Benson (DFL-Minnetonka) sponsors, he said HF1233 is the most important because it has "the most essential need."

The bill would appropriate \$1.15 million for food shelf programs above the base appropriation for the current biennium. It would become part of the base for the Fiscal Year 2010-11 biennium.

"We are dealing here with basic human rights, the right to nutrition," he told the House Housing Policy and Finance and Public Health Finance Division March 5.

The bill was laid over for possible inclusion in a division omnibus bill. A Senate companion, SF1331, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action in the Senate Finance Committee.

Colleen Moriarty, executive director for Hunger Solutions Minnesota, said food shelves have seen a 60 percent increase in visits since 2000. The state's 300 food shelves

had 1.9 million visits last year and distributed 47 million pounds of food.

While demand is up, there hasn't been an increase in state funding since the program was established in 1995. While many communities step forward to help, they can't keep up with the demand, Moriarty said.

Clearly the economic times are having an effect on the usage, said Rep. Rob Eastlund (R-Isanti). He asked whether food shelves have looked at recovering foods from places such as grocery stores and bread companies.

Moriarty said they work with several groups for food recovery and are constantly looking for more. Although, there is less because companies have gotten better at producing foods and dollar stores now purchase items businesses used to donate to food shelves, she said.

Eastlund suggested the Legislature provide incentives to retailers to donate more to food shelves.

— P. OSTBERG

### Loan forgiveness for dentists

The House Health and Human Services Committee approved a bill March 4 that would expand a loan forgiveness program for dental hygienists and registered dental assistants.

HF3254, sponsored by Rep. Loren Solberg (DFL-Grand Rapids), would instruct the Department of Health to develop a loan forgiveness or scholarship program for dental hygienists and registered dental assistants that agree "to provide dental hygiene services in an underserved or designated rural area in Minnesota."

The program would award up to three scholarships a year to internationally trained dental students who enroll in the Program for Advance Standing Students at the University of Minnesota Dental School and current dental school students. Upon graduation, the students would have to provide dental services through a nonprofit organization, community clinic or federally qualified community health center for three years. Scholarships awarded under the program would be at least \$30,000 each year that the graduates provide care.

Solberg said it would be a cost-effective way of keeping dental professionals in rural areas.

Todd Tsuchiya, testifying for the Minnesota Dental Association, said the scholarship program "can target dental services to patients who are most in need." Educational costs for dental students are very high and the program could help recruit students, he said.

A feasibility study would be required on the creation and use of community dental health coordinators to provide dental care access and education to specific populations in need of dental care under state programs.

A dental advisory committee would be developed to plan the implementation of statewide dental administration. The committee would include providers, representatives from private dental practices, community clinics, public health and the human services commissioner.

The bill now goes to the House Finance Committee.

A companion bill, SF3122, sponsored by Sen. John Doll (DFL-Burnsville), awaits action by the Senate Finance Committee.

— P. OSTBERG

### Long-term homeless money

A bill that would appropriate \$1 million in an effort to end long-term homelessness for individuals and families was laid over March 5 for possible inclusion in the House Housing Policy and Finance and Public Health Finance Division omnibus bill.

HF3381, sponsored by Rep. Kathy Brynaert (DFL-Mankato), would appropriate the funds to the Department of Human Services for distribution to organizations and others involved in efforts to end long-term homelessness.

Brynaert said the intent is to fund Hearth Connection, a pilot program established in Ramsey and Blue Earth counties in 2000 to provide supportive housing and other resources to those facing homelessness.

Jennifer Ho, executive director of Hearth Connection, said the program has served 720 participants, including 152 families, 348 children and 137 single adults. Families in the program are directed to medical care, mental health care and permanent housing.

“Ninety percent of current participants are in their own home today. When given real options people do not choose to be homeless,” she said.

Continued funding for the program was part of last year’s health and human services funding bill vetoed by Gov. Tim Pawlenty. Eventually \$2 million was negotiated at the end of session for the program, but it was still \$1 million short, Ho said.

“Unless we get \$1 million restored, 60 families and 90 single adults will lose the support that’s made it possible for them to break the cycle of homelessness,” she said.

The committee has some difficult decisions to make with a large budget deficit looming, said Rep. Scott Kranz (DFL-Blaine). He asked about the cost of not being able to implement the \$1 million.

Many places in the state system bare those costs such as school systems, jails and hospitals making it hard to quantify, said Ho.

A companion bill, SF3287, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action by the Senate Finance Committee.

— P. OSTBERG

### New mental health facility proposed

The House Mental Health Division approved a bill Feb. 29 that would provide an exception to the hospital construction moratorium, allowing a 144-bed specialty psychiatric hospital to be built in Woodbury. The bill now goes to the House Health and Human Services Committee. There is no Senate companion.

Health care plans continually expand and provide high-margin services, but neglect those

that bring in fewer dollars like mental health, said Rep. Marsha Swails (DFL-Woodbury), the sponsor of HF3539. She said more beds are needed in the Twin Cities metropolitan area.

Clayton, who withheld his last name during committee testimony, said he spent 11 hours recently in a Fairview-affiliated emergency room with his wife, only to return home after she didn’t receive needed care for a psychiatric episode. He said it took nearly all day for her to be admitted to the correct unit, and then there were insufficient numbers of staff to attend to patients, including his wife. They left when he realized they weren’t going to get care.

“I know this is not right. People should be able to get help when they need it,” he said.

Although his story is similar to what many legislators have been hearing from constituents, adding beds doesn’t solve the problem, said Rep. Kathy Brynaert (DFL-Mankato).

Sara Criger, CEO of St. Joseph’s Hospital in St. Paul, said what’s needed is services like community housing, residential treatment areas, and crisis and support services that sustain those released from the mental facilities.

Julie Sonier, Department of Health director of the health economics program testified that the new facility would not be in the public’s best interest, and that it might not translate into better access or services.

Rep. Morrie Lanning (R-Moorhead) said the providers are overly concerned, and the new facility can peacefully coexist in the current system.

— P. OSTBERG

## HOUSING

### Group home concentration

The House Housing Policy and Finance and Public Health Finance Division tabled a bill March 4 that would have given counties the authority on whether to contract with housing services based on best practices regarding geographical locations of group homes.

Rep. Ryan Winkler (DFL-Golden Valley), sponsor of HF2324, said the concern came from counties where a concentration of group housing, consisting of several homes on a block or in a cul-de-sac, has the potential to change the character of a residential neighborhood. County attorneys have told municipalities that denying a contract to an already approved housing service because of too many group homes in one location could result in a lawsuit.

Rep. Rob Eastlund (R-Isanti) questioned the meaning of best practices and geographic location, which are not defined in the bill.

Saying changes should be made in by the



PHOTO BY TOM OLMSCHEID

LaDonna Lampkin, right, wipes a tear as Aaron King, center, tells about his homelessness during a hearing of the House Housing Policy and Finance and Public Health Finance Division March 5. Both are participants in the New Foundations program, and are joined at the table by the program’s executive director, Mary Hartman.



division before moving forward, Rep. Carol McFarlane (R-White Bear Lake) successfully moved to table the bill.

Admitting “the bill language may need to be further defined,” Winkler vowed to work with the concerned parties.

A companion bill, SF2125, sponsored by Sen. Ron Latz (DFL-St. Louis Park) awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

## HUMANITIES

### Humming a Minnesota melody

Rodgers and Hammerstein’s “Oklahoma!” is the state song of Oklahoma and John Denver’s “Rocky Mountain High” is Colorado’s state song.

So when Rep. Dean Urdahl (R-Grove City), recommended March 3 to the House Minnesota Heritage Finance Division designating “Hail! Minnesota” as the state anthem and searching for a new official state song, Rep. Phyllis Kahn (DFL-Mpls) asked, “Could we get some quality?”

HF2961, sponsored by Urdahl, would establish a nine-member commission to recommend an official state song to the Legislature. The bill was approved and referred to the House Finance Committee.

Secretary of State Mark Ritchie said a state song commission would give the public a chance to be more involved in the state’s sesquicentennial.

The committee adopted an amendment to allow the commission to accept submissions from anyone in the country. That would allow songs by Minnesota natives like Bob Dylan to be considered. However, Ritchie said the search would encourage all Minnesotans to offer suggestions or write new material.

Before going ahead with “Hail! Minnesota,” Kahn offered an amendment to change the line, “Thy sons are strong and true.” According to the amended bill, the song could only be adopted as the state anthem if it had gender-neutral language.

If the line is changed, it won’t be the first time the song was adapted to suit its audience. According to legislative archives, the song was written in 1904 for a University of Minnesota play. To adapt the piece for the state song in 1945, the line “Hail to thee our college dear!” was replaced with “Hail to thee our state so dear!”

The companion bill, SF3457, is sponsored by Sen. Gen Olson (R-Minnetrista) and awaits action by the Senate State and Local Government Operations and Oversight Committee.

— C. BLANCHARD

### Bringing Hollywood to Minnesota

The Minnesota Film and TV Board hopes to lure Oscar-winning directors the Coen brothers back to their home state to film a movie this year.

The board’s executive director, Lucinda Winter, said “A Serious Man” takes place in the Twin Cities metropolitan area. However, Wisconsin offers more competitive production incentives, and the board needs a boost to make sure the state’s neighbors to the east don’t get to host the movie.

If the bill is passed, “there’s no question about it, they’re here,” Winter said.

HF3345, sponsored by House Majority Leader Tony Sertich (DFL-Chisholm), would allow the board to reimburse up to 20 percent of the movie’s production costs in excess of \$5 million. It was approved by the House Minnesota Heritage Finance Division on March 3, and referred to the House Finance Committee. It has no Senate companion.

In 2006, the board did not use all of a one-time \$1.7 million state grant and the money went back to the Explore Minnesota Tourism program. The bill would allow Explore Minnesota Tourism to appropriate the money back to the board. There would be no impact on the state budget.

The movie is an original screenplay by St. Louis Park natives Joel and Ethan Coen, and the duo will also direct and produce the film. If filming occurs in the state, Winter said the movie would create about 100 jobs for Minnesotans. The production office would open in June, with filming scheduled to start in late-August or early-September.

— C. BLANCHARD

## LOCAL GOVERNMENT

### Commission membership increase

A bill to increase the membership of the Nashwauk Public Utilities Commission was passed 130-0 by the House March 3.

Under HF2788, sponsored by Rep. Tom Anzels (DFL-Balsam Township), the city’s public utilities commission would increase its membership from three to five, with the members serving three-year staggered terms. No more than one member of the city council would be able to serve on the commission.

Public utility commissions are responsible for the management of publicly owned water and electric utilities.

Under state law, a city’s public utilities commission has three members that are appointed by the city council.

With Nashwauk being the home to a new steel mill, Anzels said city officials seek the change to be competitive in providing utilities

and services. They believe that increasing the commission membership will bring more expertise to the commission, in addition to being more democratic.

Grand Rapids was given similar authority in 1999, and Delano and Shakopee were given the same in 2002.

The change would be effective upon local approval.

The bill now goes to the Senate, where Sen. Tom Saxhaug (DFL-Grand Rapids) is the sponsor.

— B. HOGENSEN

### Meeting on caucus night

Signed  
by  
the  
governor

A new law, signed by Gov. Tim Pawlenty on Feb. 29, allowed local governments to hold evening meetings on March 4, 2008.

The timing of the precinct caucuses became an issue this year as the DFL and Republican caucuses were moved to Feb. 5 in order for Minnesota to be one of the states involved in the “Super Tuesday” primaries. This posed a problem for local governments that would not have been able to meet on March 4 without this law.

State statutes do not allow local government meetings and events to be held after 6 p.m. on the night of a major political party’s precinct caucuses. State law also specifies that precinct caucuses are to be held on the first Tuesday in March, which, this year, was March 4.

Rep. Ken Tschumper (DFL-La Crescent) and Sen. Ann Rest (DFL-New Hope) sponsor the law, which is effective March 1, 2008.

HF2795/SF2428\*/CH153

— B. HOGENSEN

## MILITARY

### Inclusive memorials

The question isn’t who deserves recognition on the Veterans Court of Honor, but how much room there is for plaques on the low granite memorial located on the Capitol grounds.

Rep. A. Willie Dominguez (DFL-Mpls) sponsors HF3240, which would authorize placement of a plaque that began as a way to memorialize Minnesota Mexican-American veterans who have served in the United States Armed Forces.

Michael Medina, adjutant general of Mexican American Veterans Post 5 in St. Paul, told the House Agriculture, Rural Economies and Veterans Affairs Committee March 5 that the organization came to Dominguez with the idea, and is willing to pay the bronze plaque’s \$5,000 cost. He said the idea has expanded, and is now “a way to honor veterans of all

nationalities and ethnic groups who have served in the military.”

Rep. Al Juhnke (DFL-Willmar) is concerned that, with language specific to Mexican-Americans on the plaque, it could open the door for requests from other groups. “I worry about the folks who will want to say ‘Honduran-Americans’ or ‘Guatemalan-Americans.’ ... We are setting a precedent right now for future plaques out there, so we need to be careful.”

Rep. Rod Hamilton (R-Mountain Lake) asked whether the wall could be built larger to accommodate requests, if more came forward.

Paul Mandell, principal planner for the Capitol Area Architectural and Planning Board, said there is room for 13 plaques and nine spots are filled. “It could be expanded; the possibilities are there. The question is where would it stop?” He said that when the idea of the Court of Honor was conceived it was to avoid requests for memorialization from different groups.

The bill was approved and now awaits action by the House.

A companion bill, SF3006, sponsored by Sen. Patricia Torres Ray (DFL-Mpls), awaits action by the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

## SAFETY

### Reducing the risk of SIDS

The chances that a child will die of Sudden Infant Death Syndrome is dramatically reduced by placing the child on its back to sleep and by removing items like soft pillows, stuffed animals and bulky quilts from the crib, said Kathleen Fernback, director of Minnesota Sudden Infant Death Center.

A bill, sponsored by Rep. Patti Fritz (DFL-Faribault), HF3197, would require all licensed child care providers to place babies to sleep on their backs, unless a note from a doctor requires the child to sleep on their stomach for a medical reason.

The bill was laid over at the Feb. 28 meeting of the House Early Childhood Learning Finance Division for possible inclusion in the division’s omnibus bill.

Educating the public about proper sleeping positions has nearly cut the number of SIDS cases in half, Fernback said.

Current law requires all licensed daycare centers to place babies on their backs, but a note from the parent allows the daycare to change that practice.

Colleen Lindstrom tearfully recalled how her 3 ½ month-old daughter died at a daycare



PHOTO BY TOM OLMSCHIED

**Kathleen Fernback, left, director of the Minnesota Sudden Infant Death Center for Children’s Hospitals and Clinics of Minnesota, reaches out to comfort Colleen Lindstrom, Feb. 28 as she wipes a tear while telling the House Early Childhood Learning Finance Division about the day she arrived at the child care provider to find that her baby daughter had died.**

center. When she chose the daycare center for her daughter, Lindstrom said the employees were adamant about their policy to place children on their backs, but still included a question about it on a form that she filled out.

“We couldn’t imagine that these days anyone puts their child to sleep on their stomach,” Lindstrom said.

However, a daycare employee put her daughter to sleep on her stomach, and the child likely died of SIDS or suffocation, Lindstrom said.

The mood of the meeting turned lighter when Rep. Lynn Wardlow (R-Eagan) asked what was safe to put in the crib with his grandchildren.

“At what age can they have toys in there? ‘Cuz I got a 2-year-old, and there’s no room for him in the crib,” he said.

Fernback said toys and pillows are fine with a child that age.

A companion bill, SF2848, sponsored by Sen. Patricia Torres Ray (DFL-Mpls), awaits action by the Senate Health, Housing and Family Security Committee.

— C. BLANCHARD

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

## TAXES

### Keeping seniors in their homes

Rising property taxes can, for some senior citizens on a fixed income, make it too expensive to stay in their homes.

So said freshman Rep. Steve Drazkowski (R-Wabasha), who sponsors HF3336. The bill would freeze the estimated value of a home once the owner turns 65 years old, essentially locking their property tax at the same rate until the house is sold.

The House Property Tax Relief and Local Sales Tax Division laid over the bill Feb. 29 for possible inclusion in its omnibus bill. There is no Senate companion.

The estimated cost to the state would be \$730,000 in Fiscal Year 2011, according to the Department of Revenue. Drazkowski said the program could possibly save the state money on social services, by keeping senior citizens in their homes and out of assisted care facilities.

Rep. Kurt Zellers (R-Maple Grove) sponsors a similar bill, HF957, which would also freeze property taxes for homeowners over the age of 65, but only for those who have lived in the house for at least 25 years.

The bill would set an annual income limit of \$60,000, and add value to the property assessment for improvements to the home. The program would have to be approved first by the affected county.

The bill was also laid over for possible inclusion in the omnibus bill.

Sen. Julianne Ortman (R-Chanhassen) sponsors the companion bill, SF681, which awaits action in the Senate Taxes Committee.

— C. BLANCHARD

### Cashing in on the cabin

Minnesota is the Land of 10,000 Lakes and more than 100,000 cabins.

Not all of the cabins are on a lakeshore, but there are about 115,200 “seasonal recreational” properties in the state, according to the Department of Revenue. Whether it’s a cabin, summer home or hunting shack, the owner is not eligible for a property tax refund from the state. That would change with HF2348, sponsored by Rep. Ron Erhardt (R-Edina).

The bill was laid over Feb. 29 by the House Property Tax Relief and Local Sales Tax Division for possible inclusion in its omnibus bill. There is no Senate companion.

To be eligible for a refund, the owner’s annual income couldn’t exceed \$96,300. The maximum refund would be about \$1,800, at an annual cost of about \$9 million to the state.

About 25 percent of homeowners claim a refund on their property taxes, and if given

the option, about 20 percent of cabin owners would claim a refund, according to the department.

“A house is a house,” said Jeff Forester, executive director of the Minnesota Seasonal Recreational Property Owners Coalition, who added that most cabin owners are not rich, and oftentimes split expenses among a large extended family.

According to the group, the average annual income for a cabin owner is under \$60,000, and most have owned their cabin for more than 25 years. He said increasing land values are making it too expensive for people to hold onto their cabins. Oftentimes, owners are pressured into selling to developers who split parcels, resulting in cleared woodlands and crowded lakeshores, Forester said.

— C. BLANCHARD

TRANSPORTATION

Additional driver’s training

The 16-year-old granddaughter of Dick Zahn was killed in a traffic incident nearly five years ago near Ely.

While Zahn, who had been a driving instructor for five years, will never know exactly why the crash happened, he supports a bill that would reduce the chances of teenage driver error being a factor in future tragedies.

“What do we place on the value of training for our kids?” he asked the House Transportation and Transit Policy Subcommittee March 5.

Sponsored by Rep. David Dill (DFL-Crane

Lake), HF2460 would require at least 40 hours of classroom instruction and 10 hours behind the wheel before a teen could get their provisional license. Current law requires 30 hours and six hours, respectively, which is the same as more than 30 other states.

The bill would also increase the number of hours of prior driving time required from 30 to 50, with a logging of those hours required; make falsifying the log a misdemeanor; and would require that a provisional license holder convicted of certain DWI and moving violations not be issued a regular driver’s license until at least age 18. Current law says the person cannot be issued a license until 12 consecutive months have expired since the conviction date or age 18, whichever comes first.

Approved by the subcommittee, the bill next goes to the House Transportation Finance Division, with the recommendation it go the House Public Safety and Civil Justice Committee.

Jim Thienes, president of the Minnesota Driving School Association, supports measures to increase teen driver safety, but is concerned about the added costs.

“The cost of a teen driver’s education in the metro area is now between \$329 and \$425. With this increase in classroom and behind-the-wheel training, we’re going to be looking at approximately \$700-\$800 driver’s ed for teens.”

Thienes said 30 hours is a good amount of time for classroom instruction, but additional time behind the wheel would be beneficial. “This

learning is real world, real time and 100 percent applicable to the task they will be doing.”

A companion bill, SF2282, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Transportation Committee.

— M. COOK

License reinstatement fee uniformity

A monetary break for juvenile drivers could be no more.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove), HF3490 would impose a \$30 reinstatement fee for juveniles whose driver’s license was revoked for a moving violation in conjunction with the use of a controlled substance.

“We do this for all other reinstatement purposes for any licensure for driving motor vehicles,” she said.

It was approved March 4 by the House Transportation Finance Division and sent to the House Finance Committee.

“In 2006, we received 1,709 convictions and we were not able to collect a reinstatement fee for those convictions,” said Pat McCormack, director of the Driver and Vehicle Services Division of the Department of Public Safety. “We’re just trying to ensure that we’re administering the revocation law and reinstatement fee consistently across all driver violations.”

A companion bill, SF3189, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the Senate Finance Committee.

— M. COOK

First Reading continued from page 4

metropolitan area, which would ultimately link together many rail lines. This money would be enough to leverage federal funds for the project, although some additional state money would be needed in next year’s bonding bill. The governor and Senate have proposed the same amount.

The bill also includes \$500,000 for things like preliminary engineering, environmental studies or park-and-ride lot construction for the following transitways: Bottineau Corridor, interstates 94 and 494, Red Rock, Robert Street Corridor, Rush Line and Southwest Corridor.

The same amount is allocated for work on the Cedar Avenue Bus Rapid Transit Corridor.

The bill also includes \$4.5 million to help turn the Union Depot in St. Paul into a multi-modal transit center.

Veterans and military

Of greatest priority to the House Agriculture, Rural Economies and Veterans Affairs Finance Division are the state’s veterans homes. The bill includes \$2.8 million to address health and safety issues at the five homes administered through the Department of Veterans Affairs.

Also included is:

- \$7.9 million for construction of a 90-bed veterans home in Kandiyohi County;
- \$6 million for asset preservation at various National Guard armories in the state, and to bring some armories into compliance with the Americans with Disabilities Act;
- \$300,000 combined for veterans memorials in Virginia, Eden Prairie and Richfield; and
- \$227,000 for an addition and renovation of the Silver Bay Veterans Home.

Contributing to this article: Courtney Blanchard, Nick Busse, Mike Cook, Craig Green, Tom Hammell, Brian Hogenson and Patty Ostberg.



Frequently called numbers		
Area code (651)		
<b>House Public Information Services</b>	<b>House Index</b>	Voice mail/order bills.....296-2343
175 State Office Building .....296-2146	211 Capitol .....296-6646	<b>Senate Index</b>
<b>Committee Schedule Hotline</b>	<b>Senate Information</b>	110 Capitol .....296-2887
175 State Office Building .....296-9283	231 Capitol .....296-0504	Committee Hotline, Senate .....296-8088
<b>Chief Clerk of the House</b>	<b>Secretary of the Senate</b>	
211 Capitol .....296-2314	231 Capitol .....296-2344	





PHOTO BY TOM OLMSCHIED, PHOTO ILLUSTRATION BY PAUL BATTAGLIA

# Federal conformity and tax increases

Parties differ on future of tax bill approved by the House

By COURTNEY BLANCHARD

**T**wo days after the House debated the omnibus tax bill late into the night, lawmakers took less than 30 minutes to pass a scaled-down and mollified bill from the Senate.

"This is truly a compromise bill," said Rep. Chris DeLaForest (R-Andover). "We can all find something we don't like."

The Senate and House passed HF3201\*/SF2935 on March 6.

Rep. Ann Lenczewski (DFL-Bloomington), chairwoman of the House Taxes Committee, requested a motion to concur with the Senate version. After several protests from members whose proposals didn't make the final cut or who wanted more cuts, the bill passed 132-1. It only needs the governor's signature to become law.

Sponsored by Lenczewski and Sen. Tom Bakk (DFL-Cook), the bill incorporates tax breaks passed by Congress into Minnesota law and includes familiar provisions from last year's vetoed tax bill. But the version passed by the House on March 3 included several disputed issues which may resurface in another tax bill this session.

That night, lawmakers debated for about six hours on what was called a time-sensitive bill. The final version includes federal conformity laws that apply for the current tax season. Legislators feared they wouldn't get it passed in time.

But federal conformity laws were packed among myriad other provisions from last

year. After the governor vetoed two tax bills last session, Lenczewski said the best way to fast-track this bill was to grab the parts from last year's bills that made it to the governor's desk without much protest.

"These bills are not new ideas," Lenczewski said. "They all had full hearings with full public testimony and made it through either the House or Senate or both."

Yet, Republicans offered more than two dozen amendments to the bill.

"There definitely are controversial issues. One of the issues that's in there is listed in the governor's veto from last year," said Rep. Dean Simpson (R-Perham), lead Republican on the tax committee.

One of the most contested provisions, sponsored by Rep. Sandy Wollschlager (DFL-Cannon Falls), would have increased property taxes on public utilities.

Last year, the Department of Revenue concluded that the value of power companies was lower than previously determined. The change will lower property taxes collected by surrounding local governments.

To offset the lost revenue, local governments

would have been permitted to collect more property taxes from power companies, even though they are valued less than before.

Revenue Commissioner Ward Einess said at the Feb. 20 meeting of the tax committee that neither his department nor the governor supports it. He speculated that it could jeopardize the bill's enactment. Republicans echoed the sentiment during floor debate.

Lenczewski said the utility provision in this year's omnibus bill is not the same one that landed on the governor's desk last year, and she thinks the governor will sign the bill.

"What's in the bill is in the middle, it's a middle-ground. It's already giving up a lot of what Rep. Wollschlager and the host communities of these utilities wanted, and it's not what the governor wanted either. And that's kind of the nature of compromise," she said.

The provision was stripped from the Senate version that was approved by the House.

A disappointed Wollschlager told the House, "We'll try again."

Republicans also targeted other sections in the bill, most of which would have allowed local governments to raise taxes. Members proposed amendments to wipe out a deed tax extension for Hennepin and Ramsey counties and new deed taxes for Anoka and Dakota counties.

House Minority Leader Marty Seifert (R-Marshall) said the bill contained too many tax increases.

"Here we go into veto city," he said. "I can tell you with all due confidence, it's going to get vetoed and the veto's going to get sustained."

The deed taxes and most of the local option sales taxes were removed in the Senate.

All but one Republican-sponsored amendment failed at the debate on March 3.

The House adopted an amendment proposed by Rep. Torrey Westrom (R-Elbow Lake), which would lessen the property taxes paid on small resorts. Another amendment nearly passed. Seifert proposed to strip local governments of their state aid if the city had a sanctuary ordinance.

According to the amendment, such an ordinance prohibits "public safety officials from undertaking any law enforcement action for the purpose of detecting the presence of undocumented persons, or to verify immigration status."

Proposed twice, the amendment failed by one vote in a nearly hour-long afternoon debate and by two votes during the evening.



# A costly cleanup

State forced into putting a price on clean drinking water

By Nick Busse

If you were to take a map and draw a line starting from the center of the Washington County Landfill and running east, the first thing you'd run into would be Jim Blackford's house. These days, it's not such a great location.

"My wife and I had a great place to raise kids," Blackford said. "But we didn't know we were drinking tainted water."

Blackford is one of thousands of Lake Elmo residents and surrounding communities whose drinking water has been contaminated with perfluorochemicals (PFCs), a family of industrial compounds manufactured by the 3M Corporation. The chemicals were produced at a 3M facility in Cottage Grove, and the production waste was dumped more than 30 years ago — legally — in the landfill near Blackford's home. From there, PFCs leached into an underground aquifer that supplied Blackford's private well — and neither he nor anyone else knew about it for decades.

It's a story familiar to many east metro residents. In fact, since the Pollution Control Agency developed a method to test for PFCs in 2004, the chemicals have been detected not only in private wells like Blackford's, but municipal wells that supply the entire area. And although the potential health effects of PFCs remain a matter of scientific uncertainty, one thing is certain: those who have been impacted are demanding swift action to remove the chemicals.

"They want to be able to turn on the spigot in their house and have water they can drink ... and not worry that it's not healthy for them, their children, their pets," said Rep. Denny McNamara (R-Hastings), whose constituents are among the many whose water is contaminated.

Unfortunately for lawmakers, in the case of the Washington County Landfill, the solution has been almost as controversial as the problem. The three other sites chiefly responsible for the east metro contamination — in Cottage Grove, Oakdale and Woodbury — are being cleaned up under an agreement between 3M and the PCA. The Washington County Landfill is different: the state owns the site, which means it has no legal recourse to

make 3M pay for the remediation. And while the company has pledged an \$8 million "gift" to help clean it up, the taxpayers will have to foot the rest of the bill.

Just how much they'll have to pay isn't quite clear.

## Few options, limited funding

The PCA investigated six different options for remediation at the Washington County Landfill, ranging from construction of a plasma torch facility to incinerate the waste



PHOTO BY ANDREW VONBANK

**Lake Elmo Mayor Dean Johnston testifies before the House Environment and Natural Resources Finance Division Feb. 28 in support of a bill that provides funding for cleanup of a Washington County Landfill.**

to filtering the groundwater on site to literally digging up the whole landfill and moving it, truckload-by-truckload, to another location.

The option that the PCA eventually chooses will likely depend on what happens to HF3232, sponsored by Rep. Julie Bunn (DFL-Lake Elmo). The bill would authorize \$25 million in revenue bonds for the PCA to clean up the Washington County Landfill and three other high-priority, non-PFC contaminated sites. The measure has been included in the House and Senate omnibus capital investment bills. Gov. Tim Pawlenty is recommending \$15 million for the Washington County Landfill only.


The language of Bunn's proposal leaves it to the PCA to determine how best to clean up the landfill, and asks the commissioner to report back the Legislature early next year on whether more money is needed; however, according to PCA Closed Landfill Program Manager Jeff Lewis, the amount of money provided — and the pressure on the PCA to move as quickly as possible — would likely lead the PCA to opt for a "dig and line" method.

This method, which would involve excavating the waste and placing an impermeable liner underneath it to stop the chemicals from leeching out, is preferred by the PCA for its feasibility and cost-effectiveness; however, opponents worry that the liner won't last long enough to be worth the money. The plan is expected to cost the state at least \$15 million.

"If I understand finance correctly, by the time the bonds are paid off, we will be in a position to address this problem all over again," said Lake Elmo Mayor Dean Johnston.

Johnston said the Legislature should provide funding for a more permanent solution; however, at a time when the state is already scrounging for extra cash, the more permanent options may not be feasible. An independent consulting firm placed the plasma torch option at more than \$192 million, and the "dig and truck" removal option at nearly \$67 million.

At a Feb. 19 meeting of the House Drinking Water Source Protection Subcommittee, Bunn stressed the importance of acting fast, whatever the solution.

"From the citizen's perspective, what's most important is that we move this along," she said. 



# Primary Care: Your life depends on it

A system overhaul is needed, working on a solution

By PATTY OSTBERG

**S**tudies in the United States show that a 20 percent increase in the number of primary care doctors results in a 5 percent decrease in mortality and overall health care costs. Juxtapose the steadily declining number of medical students choosing primary care over specialty practices and physicians across the state are saying we have a crisis on our hands.

Frank Cerra, senior vice president for health sciences at the University of Minnesota, told the House Health Care and Human Services Finance Division Feb. 27 the current medical student population can't produce enough primary care doctors to solve the access issue. To solve the crisis, the state needs to invest nearly \$1 billion over the next decade.

State legislators and officials aren't oblivious to these statistics, and agree that Minnesota's health care system needs an overhaul.

Rep. Thomas Huntley (DFL-Duluth) said part of the solution is allowing nurse practitioners, registered nurses and those with medical licenses perform all duties that they are trained to do. The current system doesn't allow them to use their full skill set, he said.

## Greater access, cost control

Huntley sponsors HF3391 that would make efforts toward cost control and creating greater access to health care.

"The timelines in this are extremely aggressive, there's no doubt about that, but Minnesota can't wait any longer. If we want to progress as a state, we need to get our health care costs under control, and we need to do it quickly," he told the House Health and Human Services Committee Feb. 28.

The bill would cover 96 percent of Minnesotans by 2011; set an affordability standard for how much a person would pay for health insurance in proportion to their income; reform payment structures; and promote cost-effective, high-quality care with pay-for-performance standards. It would also

allow doctors and nurses to practice the way they want to practice, Huntley said.

Studies show that, over time, patients are happier and healthier when they are in a health care home model — a patient-centered care approach. The bill would establish health care homes, which emphasize primary care and encourage collaboration between providers and patients. The health commissioner would begin certifying providers as health care homes by July 1, 2009.

"The focus of a medical home is to manage people that have chronic diseases that aren't too bad yet and keep them from getting worse," Huntley said.

The bill would also create the Minnesota Health Insurance Exchange to provide "individuals with greater access, choice, portability, and affordability of health insurance products." The exchange would create an Internet-based system to rank individual health market plans and small employer health benefit plans. Among items the rankings would consider are premiums, deductibles, co-payment and co-insurance requirements, and out-of-pocket maximum payments.

The affordability standard for MinnesotaCare would increase to 6 percent for individuals and families at or below 300 percent of the federal poverty guideline (\$31,200/individual), and 8 percent for individuals and families at or below 400 percent of the federal poverty guideline (\$41,600/individual).

As part of insurance reform, also established

in the bill, the Health Care Transformation Commission would be required to create a set of measures to rate health care providers for use in establishing statewide health improvement goals and pay-for-performance systems.

The bill awaits action in the House Commerce and Labor Committee. A companion bill, SF3099, sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action in the Senate Commerce and Consumer Protection Committee.

## Complementary plan


Sponsored by Rep. Diane Loeffler (DFL-Mpls), HF3390 would implement public health initiatives to complement the overall health care changes and savings.

It focuses on prevention of childhood diabetes and would develop a public health improvement program "to reduce the percent of Minnesotans who are obese or overweight to less than half by the year 2020." It would also focus on the reduction of tobacco use by 2 percent annually, starting in 2011.

The bill would make nutrition a required academic standard. "We have a growing number of young people being diagnosed with adult onset diabetes," and that means they will have decades of serious health challenges and can be more easily dealt with by prevention, said Loeffler. The potential savings in health care through prevention are the goals, she said.

The bill, which has no Senate companion, awaits action by the House E-12 Education Committee.

While many members of the House Health and Human Services Committee commended the bills, some expressed concern on rushing the changes and the costs associated.

"We need to take time to question some of the details," said Rep. Steve Gottwalt (R-St. Cloud). While focusing more on primary care and less on specialties makes sense, more time is needed "to make certain that we are first doing no harm," he said. 



# Road Trip

**O**ver the summer, members of the House Capital Investment Finance Division toured the state visiting projects proposed for inclusion in this year's capital investment bill. More than \$4 billion in requests were submitted. The bill, passed by the House 99-34 March 6, included funding for projects totaling a little more than \$1 billion.

**Photos by  
Tom Olmscheid**



The City of Minneapolis is requesting \$3 million for renovation design of the 35-year-old Orchestra Hall and Peavey Plaza in downtown Minneapolis. The funds would pay for improvements that could include an expanded lobby, refurbishing of the auditorium and a new choir loft.



The House bill would allocate \$300,000 to revitalize the visitor center at the Oliver H. Kelley Farm Historic Site near Elk River.



A popular North Shore tourist stop, Split Rock Lighthouse, could see improvement from a portion of an \$8 million request from the Department of Natural Resources. The Department of Transportation plans to construct a Highway 61 underpass in 2010, allowing for construction of a new full-service campground.



Through the House bill, Silver Bay Veterans Home would receive \$227,000 for renovation of existing space and an addition to the nursing care facility. Constructed as an elementary school in 1953, renovations would allow for more clinical and administration space.

## Monday, March 3

### **HF3628-Eastlund (R)** **Higher Education & Work Force Development Policy & Finance Division**

Minnesota State Colleges and Universities common course numbering system required.

### **HF3629-Slocum (DFL)** **E-12 Education**

GRAD test; temporary three-year appeals process established for high school seniors who do not receive a passing score, and evaluation and recommendations made by education commissioner.

### **HF3630-DeLaForest (R)** **Public Safety & Civil Justice**

Commuter rail contracts may not include tort immunity for a Class I railroad.

### **HF3631-DeLaForest (R)** **Commerce & Labor**

Motor vehicle Sunday sale statutory prohibition removed.

### **HF3632-DeLaForest (R)** **Taxes**

Ad valorem tax imposition prohibited, and constitutional amendments proposed.

### **HF3633-Swails (DFL)** **E-12 Education**

Course preparation and continuing education requirements established for school administrators and teachers working with gifted and talented students.

### **HF3634-Gunther (R)** **Finance**

Adolescent Treatment Center-Winnepago funding provided.

### **HF3635-Hosch (DFL)** **Finance**

Nursing facility and community-based long-term care provider rate adjustments provided.

### **HF3636-Hosch (DFL)** **Finance**

Nursing facility operating cost payment rate rebase phase-in modified.

### **HF3637-Madore (DFL)** **Health & Human Services**

Medicare special needs plans modified.

### **HF3638-Madore (DFL)** **Health & Human Services**

Medicare special needs plans modified.

### **HF3639-Madore (DFL)** **Health & Human Services**

Medicare special needs plans modified and mandated report required.

### **HF3640-Madore (DFL)** **Health & Human Services**

Board of Medical Practice membership removal criteria changed.

### **HF3641-Howes (R)** **Environment & Natural Resources**

Mississippi Headwaters State Forest classification mandated to prohibit use of off-highway vehicles.

### **HF3642-Madore (DFL)** **Health & Human Services**

Medicare special needs plans modified.

### **HF3643-Poppe (DFL)** **Environment & Natural Resources**

Individual sewage treatment system professional licensing requirements modified.

### **HF3644-Hornstein (DFL)** **Local Government & Metropolitan Affairs**

Guaranteed energy savings contract terms extended and changed under the uniform municipal contracting law.

### **HF3645-Marquart (DFL)** **Taxes**

Proposed levy certification modified for purposes of truth in taxation.

### **HF3646-Marquart (DFL)** **Local Government & Metropolitan Affairs**

Uniform Municipal Contracting Law; contract threshold subjective amount requirements changed.

### **HF3647-McNamara (R)** **Finance**

Independent School District No. 200, Hastings school bus leasing expenses funding provided.

### **HF3648-Hosch (DFL)** **Health & Human Services**

Nursing home moratorium provisions changed.

### **HF3649-Hosch (DFL)** **Health & Human Services**

Health plan company complaint filing requirement changed.

### **HF3650-Zellers (R)** **Commerce & Labor**

Retail sale of toys that have been recalled for safety reasons prohibited.

### **HF3651-Fritz (DFL)** **Health & Human Services**

Nursing home license revocation or suspension allowed by commissioner.

### **HF3652-Fritz (DFL)** **Health & Human Services**

Nursing facility case mix classification provisions changed.

### **HF3653-Winkler (DFL)** **Health & Human Services**

Public pool, spa and swimming pool operation governing provisions changed.

### **HF3654-Winkler (DFL)** **Health & Human Services**

Minnesota Responds Medical Reserve Corps created.

### **HF3655-Liebling (DFL)** **Health & Human Services**

Universal prescription drug program and prescription drug bulk purchasing program establishment required by human services commissioner, dedicated fund established and mandated reports required.

### **HF3656-Tschumper (DFL)** **Taxes**

Fountain; wastewater treatment facility sales tax exemption provided for materials, supplies and equipment.

### **HF3657-Hoppe (R)** **Local Government & Metropolitan Affairs**

Carver County Board granted authority over library system with exceptions.

### **HF3658-Slawik (DFL)** **Health & Human Services**

MinnesotaCare enrollment requirements changed.

### **HF3659-Benson (DFL)** **Finance**

Charter school sponsor fee assessment modified.

### **HF3660-Dettmer (R)** **Agriculture, Rural Economies & Veterans Affairs**

Immediate family member employment discrimination prohibited, civil actions permitted and penalties provided.

### **HF3661-Hilty (DFL)** **Finance**

Greenhouse gas emission reduction coordinated process created.

### **HF3662-Hilty (DFL)** **Local Government & Metropolitan Affairs**

Public hearing and testimony provided before making an appointment to fill county board or city council vacancy.

### **HF3663-Hilty (DFL)** **Governmental Operations, Reform, Technology & Elections**

Captioning required for deaf and hard-of-hearing viewers on certain campaign communications.

### **HF3664-Erickson (R)** **Environment & Natural Resources**

Fish houses, dark houses and other shelters provision dates and times modified regarding how long they may be left on the ice.

### **HF3665-Sailer (DFL)** **Governmental Operations, Reform, Technology & Elections**

Local public pension plan employees and officers required to report unlawful actions.

### **HF3666-Dean (R)** **Transportation Finance Division**

Stillwater Lift Bridge weight limits restricted.

### **HF3667-Mullery (DFL)** **Public Safety & Civil Justice**

Department of Education and Minnesota Office of Higher Education data sharing permitted.

### **HF3668-Severson (R)** **Taxes**

Military retirement benefit subtraction allowed.

### **HF3669-Kalin (DFL)** **Finance**

Government energy conservation investment program created.

### **HF3670-Mullery (DFL)** **Public Safety & Civil Justice**

Posttraumatic stress disorder criminal case defendant screening required, mitigated dispositions authorized for offenders who receive treatment, legislative report and collection of summary data required and information pamphlet required.

### **HF3671-Norton (DFL)** **Finance**

Primary care physician reimbursements increased, primary care physician need determined for areas of the state and money appropriated for primary care education initiatives.

### **HF3672-Severson (R)** **Agriculture, Rural Economies & Veterans Affairs**

Korean War Veterans Day designated for July 27.

### **HF3673-Murphy, M. (DFL)** **Governmental Operations, Reform, Technology & Elections**

Duluth Teachers Retirement Fund Association; Rule of 90 benefit tier extended to post-1989 hires.

### **HF3674-Otremba (DFL)** **Finance**

Staples; highway overpass funding provided.

### **HF3675-Erickson (R)** **Environment & Natural Resources**

Fish house licensing requirements modified.

### **HF3676-Heidgerken (R)** **Environment & Natural Resources**

Northern pike possession and daily limits provided, spearing of northern pike authorized statewide and rule-making required.

### **HF3677-Hortman (DFL)** **Environment & Natural Resources**

Fluorescent or high-intensity discharge lamp manufacturers required to organize collection and recycling programs for household generators and civil penalties provided.

**HF3678-Juhnke (DFL)**  
**Environment & Natural Resources**  
Dark house fish spearing allowed for nonresidents.

**HF3679-Magnus (R)**  
**Taxes**  
Motor fuel and sales tax exemptions provided for special transportation service providers.

**HF3680-Westrom (R)**  
**Transportation Finance Division**  
Mini truck registration and operation regulated.

**HF3681-Kahn (DFL)**  
**Commerce & Labor**  
Sunday off-sale intoxicating liquor sales authorized, and Sunday motor vehicle sales statutory prohibition removed.

**HF3682-Kahn (DFL)**  
**Commerce & Labor**  
Off-sale intoxicating liquor sales authorized on Sunday.

**HF3683-Hilstrom (DFL)**  
**Public Safety & Civil Justice**  
E-charging service provided and fingerprinting required.

**HF3684-Slocum (DFL)**  
**Finance**  
Hennepin-Carver Workforce Investment Board funding provided.

**HF3685-Moe (DFL)**  
**Environment & Natural Resources**  
Toxic chemical release reporting requirements modified.

**HF3686-Tingelstad (R)**  
**Agriculture, Rural Economies & Veterans Affairs**  
National Guard and reservist businesses provided a stay of proceedings for members who have been mobilized into active military service.

**HF3687-Simon (DFL)**  
**Environment & Natural Resources**  
Cass County; private sale of certain surplus state land bordering public water required.

**HF3688-Dominguez (DFL)**  
**Commerce & Labor**  
Minneapolis; on-sale intoxicating liquor license authorized.

**HF3689-Pelowski (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Health Care Peer Review Committee reestablished relating to quality of care and treatment of offenders, and Minnesota Breeders Fund advisory committees reestablished.

**HF3690-Kalin (DFL)**  
**Public Safety & Civil Justice**  
Youth correction, county jail, adult offender supervision and fingerprinting technical corrections and amendments made, and Advisory Council on Interstate Adult Offender Supervision annual report date changed.

**HF3691-Anzelc (DFL)**  
**Environment & Natural Resources**  
Rainy/Lake of the Woods Watershed task force established and management plan required.

**HF3692-Loeffler (DFL)**  
**Local Government & Metropolitan Affairs**  
Minneapolis; nonprofit riverfront revitalization corporation authorized and report required.

**HF3693-Masin (DFL)**  
**Finance**  
Motorcycle veteran contribution plate issuance authorized.

**HF3694-Hilstrom (DFL)**  
**Taxes**  
Low-income housing property classification repealed.

**HF3695-Sailer (DFL)**  
**Environment & Natural Resources**  
Clearwater County tax-forfeited land public sale authorized.

**HF3696-Kahn (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Hennepin County; Public Employees Retirement Association general employee retirement plan service credit purchase permitted.

**HF3697-Tschumper (DFL)**  
**Taxes**  
Fountain; wastewater treatment facility sales tax exemption provided for materials, supplies and equipment.

**HF3698-Cornish (R)**  
**Finance**  
Debt service equalization program equalizing factors and threshold rates increased, school district ability to improve school buildings and facilities improved and property taxes reduced.

**HF3699-Hilty (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Discretionary partial recounts provided, and recount and post-election review procedures specified.

**HF3700-Hilty (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Districting principles established for legislative and congressional plans, appointment of a commission provided to recommend the boundaries of legislative and congressional districts, and redistricting limited to once per decade.

**HF3701-Simon (DFL)**  
**Public Safety & Civil Justice**  
Background check data on individuals classified as private.

**HF3702-Kalin (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Election assessment and payment of costs provided.

**HF3703-Madore (DFL)**  
**Health & Human Services**  
Non-emergency medical transportation dispatching prohibited by brokers and coordinators.

**HF3704-Bunn (DFL)**  
**Taxes**  
Research activity credit increase modified.

**HF3705-Madore (DFL)**  
**Health & Human Services**  
Medicare special needs plans modified.

**HF3706-Severson (R)**  
**Finance**  
Special license plate surcharge repealed.

**HF3707-Hortman (DFL)**  
**Finance**  
Industry sector training initiatives funding provided.

**HF3708-Murphy, E. (DFL)**  
**Health & Human Services**  
Health profession licensing requirements changed.

**HF3709-Koenen (DFL)**  
**Environment & Natural Resources**  
Chippewa County; conveyance authorized for surplus state land bordering public water.

**HF3710-Huntley (DFL)**  
**Health & Human Services**  
Hospital records transfer to electronic image authorized.

**HF3711-Lesch (DFL)**  
**Public Safety & Civil Justice**  
Human services background checks disqualification standard of evidence defined as clear and convincing evidence.

**HF3712-Walker (DFL)**  
**Health & Human Services**  
Minnesota Family Investment Program consolidated fund eligibility clarified.

**HF3713-Nelson (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Duty disability pension amount provided for injured police officers and firefighters, and employers required to make reasonable efforts to provide less hazardous duty for injured employees.

**HF3714-Abeler (R)**  
**Health & Human Services**  
Prescription substitution for immunosuppressant drugs prohibited.

**HF3715-Nelson (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Volunteer firefighter relief associations' maximum service pension amounts increase authorized.

**HF3716-Ozment (R)**  
**Governmental Operations, Reform, Technology & Elections**  
Firefighter Standards and Training board duties added, rulemaking authorized and licensing standards established.

**HF3717-Kalin (DFL)**  
**Energy Finance & Policy Division**  
Large energy facility certificate of need filing advance notice required to local units of government.

**HF3718-Hornstein (DFL)**  
**Local Government & Metropolitan Affairs**  
Business Energy Accountability Act of 2008 adopted providing for a voluntary inventory of business energy use.

**HF3719-Huntley (DFL)**  
**Health & Human Services**  
Human services county-based purchasing plans requirements modified, premium tax and provider surcharge exemptions removed, and county-based purchasing and taxpayer risk study required.

**HF3720-Wollschlager (DFL)**  
**Finance**  
Goodhue County nursing facilities designated as metro for purposes of reimbursement rates.

**HF3721-Dittrich (DFL)**  
**Health & Human Services**  
Health insurers required to offer small employers the option to purchase flexible benefit plans.

**HF3722-Rukavina (DFL)**  
**Finance**  
Extended unemployment benefits provided under certain circumstances.

**HF3723-Kahn (DFL)**  
**Finance**  
Minneapolis Park and Recreation Board authorized to retain proceeds from condemnation of park lands necessary for reconstruction and expansion of marked Interstate 35W at the Mississippi River.

**HF3724-Zellers (R)**  
**Public Safety & Civil Justice**  
Driver's license revocation and suspension grounds modified to exclude certain misdemeanor traffic offenses.

**HF3725-Hornstein (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Urban partnership agreements authorized to provide user fees for high-occupancy vehicle lanes and dynamic shoulder lanes, rulemaking exemptions provided and penalties imposed.

**HF3726-Hornstein (DFL)**  
**Transportation Finance Division**  
Wireless communication devices limited while operating motor vehicles.

**HF3727-Madore (DFL)**  
**Local Government & Metropolitan Affairs**  
Long-term disability parking city permit program minimum requirements established.

**HF3728-Paulsen (R)**  
**E-12 Education**  
World languages programs and aid provided to school districts.



**HF3729-Hilty (DFL)**  
**Energy Finance & Policy Division**  
Legislative Energy Commission established, and Legislative Electric Energy Task Force abolished.

**HF3730-Kalin (DFL)**  
**E-12 Education**  
Electronic library for Minnesota databases access to local libraries provided.

**HF3731-Walker (DFL)**  
**E-12 Education**  
Responsible family life and sexuality education programs established.

**HF3732-Slawik (DFL)**  
**E-12 Education**  
Office of Early Learning established, school readiness assessments created and basic sliding fee waiting list reduced.

**HF3733-Peterson, S. (DFL)**  
**E-12 Education**  
Alternative teacher professional pay system clarified and oversight established.

**HF3734-Drazkowski (R)**  
**E-12 Education**  
Public school system study required.

**HF3735-Kalin (DFL)**  
**Health & Human Services**  
Commission of Deaf, Deaf-Blind, and Hard-of-Hearing renamed, and provisions modified.

**HF3736-Masin (DFL)**  
**Health & Human Services**  
Deceased persons bodies transportation provisions modified to allow the use of funeral conveyance requested by the decedent.

**HF3737-Solberg (DFL)**  
**Finance**  
State agency budget access provided to members of the Legislature, forecast of General Fund cash flow required, budget modifying deadline provided, deficiency requests deadline imposed and obsolete requirements eliminated.

**HF3738-Slawik (DFL)**  
**E-12 Education**  
Pre-kindergarten through grade three program grants provided.

**HF3739-Rukavina (DFL)**  
**Commerce & Labor**  
Accessible electronic information service for blind and disabled persons sunset repealed.

**HF3740-Swails (DFL)**  
**Health & Human Services**  
Physical therapist licensure examination requirement exemption provided.

**HF3741-Dettmer (R)**  
**Public Safety & Civil Justice**  
Power of attorney requirements and statutory short form modified.

**HF3742-Poppe (DFL)**  
**Environment & Natural Resources**  
Subsurface sewage treatment system training programs offered by private sponsors accreditation required.

**HF3743-Nelson (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
School district payroll deduction tax-sheltered annuity vendors collective bargaining required.

## Tuesday, March 4

**HF3744-Thissen (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Local police and firefighters relief association amortization provisions amended and state aid allocated.

**HF3745-Mariani (DFL)**  
**E-12 Education**  
Student life plans required and involuntary career tracking prohibition repealed.

**HF3746-Scalze (DFL)**  
**Local Government & Metropolitan Affairs**  
City transportation utility fee imposition authorized.

**HF3747-Heidgerken (R)**  
**Finance**  
Melrose; regional adult and wellness center funding provided.

**HF3748-Fritz (DFL)**  
**Health & Human Services**  
Counties allowed to contract with hospitals to provide chemical use assessments.

**HF3749-Juhnke (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
State veterans cemeteries authorized and regulated.

**HF3750-Morrow (DFL)**  
**Transportation Finance Division**  
Driver hours of service provision modified.

**HF3751-Zellers (R)**  
**Taxes**  
Tobacco tax rates decreased, maximum cigar tax established and tax adjustments provided.

**HF3752-Hortman (DFL)**  
**Finance**  
Blind student instructional material equal access; civil remedies provided.

**HF3753-Eastlund (R)**  
**Commerce & Labor**  
Subcontractors' right to payment protection enhanced for work performed on real property owned by the general contractor, and developer and general contractor trust account and lot-specific accounting required to protect subcontractors.

**HF3754-Hamilton (R)**  
**Finance**  
Jackson County nursing facility payment rates increased.

**HF3755-Gardner (DFL)**  
**Commerce & Labor**  
Plastic sales that do not meet specifications prohibited; penalties provided.

**HF3756-Marquart (DFL)**  
**Taxes**  
Local government aid distribution modified, appropriation limit increased and study provided.

**HF3757-Lesch (DFL)**  
**Commerce & Labor**  
Customer liability limited for unauthorized use of lost or stolen cellular phones.

**HF3758-Bigham (DFL)**  
**Transportation Finance Division**  
Cottage Grove; Trunk Highway 61 roundabout sign placement allowed.

**HF3759-Gunther (R)**  
**Finance**  
Faribault County nursing facility payment rate increased.

**HF3760-Gunther (R)**  
**Finance**  
Martin County nursing facility payment rates increased.

**HF3761-Bigham (DFL)**  
**Public Safety & Civil Justice**  
Repeat sex offender sentences modified.

**HF3762-Murphy, E. (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Veterans Health Care Advisory Council created.

**HF3763-Juhnke (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Veterans Homes Board of Directors functions transferred to commissioner of veterans affairs.

**HF3764-Thissen (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Minneapolis firefighters relief association; investment-related postretirement adjustment modified and cost-of-living unit provided to members upon achieving 110 percent funding.

**HF3765-Moe (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Dakota and Ojibwe language immersion program task force established for language preservation.

**HF3766-Tillberry (DFL)**  
**Commerce & Labor**  
Horse racing; medication regulations modified.

**HF3767-Olin (DFL)**  
**Public Safety & Civil Justice**  
Predatory offender written verification permitted for residence in another state.

**HF3768-Laine (DFL)**  
**Health & Human Services**  
Patient's Bill of Rights amended to include continuous doula support and information about evidence-based non-pharmacological pain relief.

**HF3769-Mariani (DFL)**  
**E-12 Education**  
Compulsory attendance age increased from 16 to 18.

**HF3770-Winkler (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Office of Enterprise Technology legislative report required regarding its approval process for state agency technology requests and assistance provided to state agencies in developing agency information system plans.

**HF3771-Berns (R)**  
**Governmental Operations, Reform, Technology & Elections**  
Ice hockey designated as the official sport of Minnesota.

**HF3772-Bunn (DFL)**  
**Finance**  
Fiscal note request status disclosure required, fiscal note conclusions appeal provided and revenue estimates appeal provided.

**HF3773-Dominguez (DFL)**  
**Public Safety & Civil Justice**  
Gang-related crime penalties increased.

**HF3774-Dominguez (DFL)**  
**Commerce & Labor**  
Minnesota Residential Mortgage Originator and Servicer Licensing Act application clarified and insurer investment authority clarified.

**HF3775-Olin (DFL)**  
**Public Safety & Civil Justice**  
Sexual assault victim protection law modified.

**HF3776-Hornstein (DFL)**  
**Finance**  
Metropolitan area transit and para-transit capital expenditure additional financing provided, obligation issuance authorized and additional amount maximum authorization limited after July 1, 2007, and after each July 1 thereafter.

**HF3777-Lieder (DFL)**  
**Finance**  
Red Lake County nursing facility payment rate increased.

**HF3778-Doty (DFL)**  
**Finance**  
Nursing facility payment rates increased to offset property tax payments.

**HF3779-Thissen (DFL)**  
**Health & Human Services**  
Youth violence prevention task force established.

**HF3780-Hornstein (DFL)  
E-12 Education**

Comprehensive, scientifically based reading instruction definition clarified, pre-kindergarten through grade 6 teacher requirements made and money appropriated.

**HF3781-Jaros (DFL)  
Finance**

Unrefunded gasoline taxes ensured to remain in highway user tax distribution fund to be used for highway purposes and dedicated fund requirement removed.

**HF3782-Mahoney (DFL)  
Finance**

Office of Science and Technology established in Department of Employment and Economic Development and small business assistance and development provided.

**HF3783-Atkins (DFL)  
Commerce & Labor**

Insurance fees, coverages, contracts, filings and forms regulated; financial planners, real estate appraisers, domestic mutual insurance companies and collection agencies regulated; and technical and clarifying changes made.

**HF3784-Madore (DFL)  
Health & Human Services**

Nurse Licensure Compact provided and appointments provided.

**HF3785-Doty (DFL)  
Finance**

Morrison County nursing facility payment rates increased.

**HF3786-Olin (DFL)  
Environment & Natural Resources**

Wetland Conservation Act exemption reinstated for approved development.

**HF3787-Simon (DFL)  
Public Safety & Civil Justice**

Civil investigative and licensing data governing provisions modified.

**HF3788-Fritz (DFL)  
Environment & Natural Resources**

Rice County surplus state land conveyance authorized.

**HF3789-Gardner (DFL)  
Agriculture, Rural Economies & Veterans Affairs**

Phosphorous content lawn fertilizer wholesaler retail signage required.

**HF3790-Lesch (DFL)  
Commerce & Labor**

Property filing and conveyance electronic recording provided.

**HF3791-Thissen (DFL)  
Commerce & Labor**

Alcohol use by employees on-site testing authorized.

**HF3792-Hortman (DFL)  
Finance**

Commuter rail; transportation commissioner's authority clarified relating to commuter rail, and operation and maintenance of commuter rail lines located in the metropolitan area provided.

**HF3793-Davnie (DFL)  
E-12 Education**

Student cooperation with educators policy clarified.

**HF3794-Carlson (DFL)  
Finance**

Power of you program established and report required.

**HF3795-Hosch (DFL)  
Taxes**

Property tax class 2 classification modified.

**HF3796-Hosch (DFL)  
Rules & Legislative Administration**

Council established to prescribe legislator and constitutional officer salaries, compensation council abolished and constitutional amendment proposed.

**HF3797-Seifert (R)  
Local Government & Metropolitan Affairs**

Unfunded mandates prohibited.

**HF3798-Murphy, M. (DFL)  
Governmental Operations, Reform, Technology & Elections**

Minnesota State Retirement System; Public Employees Retirement Association; Teachers Retirement Association; program restrictions provided, annuitant provisions modified, procedures revised and disability provisions modified.

**HF3799-Murphy, M. (DFL)  
Governmental Operations, Reform, Technology & Elections**

Public pension fund voluntary deductions authorized for persons entitled to receive an annuity.

**HF3800-Hornstein (DFL)  
Finance**

Impounded vehicle and contents sale permitted after title transfer; notices provided, right to receive contents without charge established, deficiency claim limited and oversize and overweight tow truck permit provided.

**HF3801-Murphy, E. (DFL)  
Finance**

Child support enforcement appropriation increased and child support incentive annual appropriation required.

**HF3802-Ruud (DFL)  
Health & Human Services**

Complementary and alternative health care client bill of rights exception added for in-patient hospital setting and hospice care.

**HF3803-Tschumper (DFL)  
Health & Human Services**

Assisted living administrator license required.

**HF3804-Walker (DFL)  
Housing Policy & Finance & Public Health Finance Division**

Homeless Management Information System data required.

**HF3805-Morrow (DFL)  
Transportation Finance Division**

Farm vehicles on highways provisions modified, and size, weight and load restrictions on highways provided.

**HF3806-Solberg (DFL)  
Ways & Means**

Projected inflation in forecasting state expenditures adjustments required.

**HF3807-Hortman (DFL)  
Governmental Operations, Reform, Technology & Elections**

Whistleblower additional protection provided to state executive branch employees.

**HF3808-Benson (DFL)  
Finance**

Department of Education funding provided for a grant to Minnesota Historical Society to provide professional development for teachers.

**HF3809-Huntley (DFL)  
Health & Human Services**

State health care program management improved, managed care contracting modified, managed care administrative expenses limited, county-based purchasing modified and mandated reports required.

**HF3810-Gardner (DFL)  
Finance**

Minnesota Care self-directed health care pilot option created.

**HF3811-Laine (DFL)  
Health & Human Services**

Nonprofit health plan company maximum financial reserves specified.

**HF3812-Thissen (DFL)  
Health & Human Services**

Public pool and spa anti-entrapment devices or systems required.

**HF3813-Eastlund (R)  
E-12 Education**

Pre-kindergarten exploratory project eligibility modified.

**HF3814-Greiling (DFL)  
E-12 Education**

Science teachers allowed to obtain a science endorsement licensure by examination by repealing a Board of Teaching rule.

**HF3815-Mariani (DFL)  
Public Safety & Civil Justice**

Educational data sharing permitted.

**HF3816-Mariani (DFL)  
Public Safety & Civil Justice**

Education agencies allowed to share educational data in order to improve school instruction.

**HF3817-Peterson, S. (DFL)  
Health & Human Services**

Health insurers required to honor the patient's assignment of benefits.

## Wednesday, March 5

**HF3818-Howes (R)  
Health & Human Services**

Smoking ban definitions and exceptions added and posted signs required.

**HF3819-Fritz (DFL)  
Health & Human Services**

Long-term care workers insurance coverage studied and mandated report required.

**HF3820-Walker (DFL)  
Health & Human Services**

Individual and family medical assistance asset limits increased.

**HF3821-Clark (DFL)  
Taxes**

Minneapolis; tax increment financing district duration extended, increment distribution provided and neighborhood revitalization program governance structure changes limited.

**HF3822-Dominguez (DFL)  
Commerce & Labor**

Motor vehicle insurance adjustments regulated.

**HF3823-Lillie (DFL)  
Commerce & Labor**

Automobile insurers prohibited from owning repair facilities.

**HF3824-Solberg (DFL)  
Commerce & Labor**

Continuing education required hours reduced.

**HF3825-Atkins (DFL)  
Commerce & Labor**

Injured employee civil remedy permitted if an employer violated safety laws.

**HF3826-Davnie (DFL)  
Commerce & Labor**

Board of Thermal System Insulation created, rules required and penalties imposed.

**HF3827-Morrow (DFL)  
Transportation Finance Division**

Pupil transportation safety information and questions required in driver's manual and examination.

**HF3828-Hosch (DFL)  
Commerce & Labor**

Board of Residential Construction created and rulemaking authorized.

**HF3829-Atkins (DFL)  
Commerce & Labor**

State fair liquor license technical changes made.

**HF3830-Laine (DFL)  
Housing Policy & Finance & Public Health Finance Division**

State agency providers allowed to impose requirements on clients, and program guideline consistency required.

**HF3831-Magnus (R)**  
**Local Government & Metropolitan Affairs**  
Rock County; appointive office process provided.

**HF3832-Peppin (R)**  
**Taxes**  
Disability accommodation credit provided for vehicle purchase or modification, home modification or improvement and for family caregivers.

**HF3833-Erhardt (R)**  
**Finance**  
Household good motor carrier requirements amended, system of permits changed to registration, obsolete permit governing language removed and clarifying and conforming changes made.

**HF3834-Murphy, E. (DFL)**  
**Health & Human Services**  
Pharmacy practice provisions modified.

**HF3835-Tschumper (DFL)**  
**Transportation Finance Division**  
Medium-speed electric vehicles defined, medium-speed electric vehicles required to be registered and titled, and roads identified on which medium-speed electric vehicles may be operated.

**HF3836-Rukavina (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
State employee vacation donation program modified.

**HF3837-Buesgens (R)**  
**E-12 Education**  
Continuing contract teachers required to make an election under their collective bargaining agreement.

**HF3838-Berns (R)**  
**Environment & Natural Resources**  
Invasive species provisions modified and civil penalties provided.

**HF3839-Lillie (DFL)**  
**Commerce & Labor**  
Residential mortgage originators and services regulated and borrower's ability to pay verified.

**HF3840-Gunther (R)**  
**Governmental Operations, Reform, Technology & Elections**  
Supplemental retirement plan limitations amended.

**HF3841-Hosch (DFL)**  
**Environment & Natural Resources**  
Fishing contest permit requirements modified.

**HF3842-Peppin (R)**  
**Commerce & Labor**  
Gasoline sales below cost regulated.

**HF3843-Brynaert (DFL)**  
**Energy Finance & Policy Division**  
Renewable energy standard required certain amount of solar-produced energy.

**HF3844-Scalze (DFL)**  
**Health & Human Services**  
Prescription drug bulk purchasing program established, and legislation and implementation drafts required.

**HF3845-Bly (DFL)**  
**Finance**  
Contract alternative schools funding extended.

**HF3846-Ward (DFL)**  
**Taxes**  
Taxable market value increase prohibited for homesteads owned by certain persons age 65 years or older.

**HF3847-Murphy, E. (DFL)**  
**Finance**  
Sexual violence prevention demonstration grants funding provided.

**HF3848-Bunn (DFL)**  
**Commerce & Labor**  
Homeowner warranty claim repose statute adjusted.

**HF3849-Simon (DFL)**  
**Commerce & Labor**  
Commercial multi-passenger bicycle passengers permitted to consume alcohol.

**HF3850-Paymar (DFL)**  
**Public Safety & Civil Justice**  
Domestic abuse advocate testimony limited without consent of victims.

**HF3851-Zellers (R)**  
**Commerce & Labor**  
Unlawful and deceptive trade practices, consumer fraud and false statements in advertising regulated, private remedies modified and application and construction provided.

**HF3852-DeLaForest (R)**  
**Public Safety & Civil Justice**  
Interlocutory appeal provided on the question of class certification.

**HF3853-Cornish (R)**  
**Commerce & Labor**  
Bar bingo winner postings required.

**HF3854-Nornes (R)**  
**Commerce & Labor**  
Racetracks allowed outside the seven-county metro area; racetracks allowed to operate card clubs.

**HF3855-Lanning (R)**  
**Taxes**  
Regional emerging investment fund credit and a seed capital investment credit allowed and commissioner duties imposed.

**HF3856-Knuth (DFL)**  
**Taxes**  
New Brighton tax increment financing authorized.

**HF3857-Sailer (DFL)**  
**Energy Finance & Policy Division**  
Solar energy project conservation improvement expenditures allowed by utilities.

**HF3858-Knuth (DFL)**  
**E-12 Education**  
Outdoor education provided as an elective standard.

**HF3859-Thao (DFL)**  
**Public Safety & Civil Justice**  
Criminal record expungement law modified.

**HF3860-Thao (DFL)**  
**Public Safety & Civil Justice**  
Business screening services regulated and civil penalties and remedies provided.

**HF3861-Hansen (DFL)**  
**Finance**  
Metropolitan area sewer inflow and infiltration funding provided.

**HF3862-Paymar (DFL)**  
**Public Safety & Civil Justice**  
Prisoners facing civil commitment allowed to elect to remain confined in state correctional facilities beyond their scheduled release date.

**HF3863-Thissen (DFL)**  
**Public Safety & Civil Justice**  
Official traffic-control device automatic enforcement authorized.

**HF3864-Atkins (DFL)**  
**Commerce & Labor**  
Collision repair shop licensing standards established.

## Thursday, March 6

**HF3865-Murphy, E. (DFL)**  
**Health & Human Services**  
Academic standards modified to include nutrition and health, nutrition and physical education advisory council created.

**HF3866-Hilty (DFL)**  
**Transportation Finance Division**  
Cumulative suspensions of drivers' licenses halted.

**HF3867-Moe (DFL)**  
**Finance**  
Minnesota State Colleges and Universities reduced tuition funding provided.

**HF3868-Lieder (DFL)**  
**Finance**  
Compressed natural gas excise tax transitional rate corrected.

**HF3869-Eken (DFL)**  
**Finance**  
Long-term care provider rate adjustments provided and individual income tax rates modified.

**HF3870-Fritz (DFL)**  
**Health & Human Services**  
Safe patient handling clinical plan required.

**HF3871-Hosch (DFL)**  
**E-12 Education**  
Social and emotional learning standards grant program created for school districts and money appropriated.

**HF3872-Thissen (DFL)**  
**Health & Human Services**  
Health care reform computer-based model authorized to assess proposal impact and state budgeting approaches study required.

**HF3873-Rukavina (DFL)**  
**Health & Human Services**  
Potential enrollee name release prohibited to health plans for marketing purposes.

**HF3874-Anzelc (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Governmental employers allowed to offer alternative deferred compensation plans and plan contribution increases.

**HF3875-Swails (DFL)**  
**E-12 Education**  
Gifted and talented student services clarified.

**HF3876-Atkins (DFL)**  
**Finance**  
Public defender law school loan repayment program authorized.

**HF3877-Haws (DFL)**  
**Finance**  
Minnesota GI Bill per semester and annual grant amount increased for veterans.

**HF3878-Lillie (DFL)**  
**Commerce & Labor**  
Life insurance settlements regulated, enforcement provided and criminal and civil penalties prescribed.

**HF3879-Hilty (DFL)**  
**Energy Finance & Policy Division**  
Property rights related to wind energy regulated.

**HF3880-Beard (R)**  
**Energy Finance & Policy Division**  
Utilities; natural gas used as fuel for generating electricity use and cost recovery limited.

**HF3881-Emmer (R)**  
**Health & Human Services**  
Home disability modification expenses allowed for home and community-based waiver programs.

**HF3882-Simpson (R)**  
**Taxes**  
Lodging definition modified and standardized for lodging tax purposes.

**HF3883-Hackbarth (R)**  
**Taxes**  
Electric generation facility property tax exemption provided.

**HF3884-Paulsen (R)**  
**Health & Human Services**  
Mandated health proposal evaluation process changed and report required.

**HF3885-Norton (DFL)**  
**Finance**  
Teachers of color pilot financial aid program established.



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

SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER

MAJORITY LEADER: ANTHONY "TONY" SERTICH

MINORITY LEADER: MARTY SEIFERT

## MINNESOTA INDEX

### State of employment

Number of jobs gained in the state between Jan. 31, 2007, and Jan. 31, 2008 .....	15,300
Growth rate, as percent .....	0.6
National growth rate, as percent .....	0.7
Minnesota unemployment rate in January, as percent .....	4.5
Percent below the national rate .....	0.4
Jobs added in the state in January 2008 .....	8,500
Estimated number of jobs added in professional and business services .....	4,000
Estimated number of jobs added in trade, transportation and utilities .....	2,100
Estimated number of construction jobs added .....	2,100
Total jobs lost in the state construction industry in 2007 .....	5,900
Of every four residential construction jobs, number lost in the past two years .....	1
State job growth, as percent, since the official end of the last recession in	
November 2001 .....	4.1
National percentage rate .....	5.5
States with lower unemployment rates in July 2007 than Minnesota .....	24
States with a lower rate in July 2000 .....	4
Between July 2006 and July 2007, states with larger increases in their	
unemployment rate than Minnesota's 0.8 percent gain .....	1
Percent of Minnesota's working-age population employed in 2006 .....	70.6
State rank .....	1
Percent working in 1998 .....	73.3
Percent decrease in job vacancies during the second quarter of 2007	
compared to one year prior .....	6.3
Job vacancies in the second quarter of 2007 .....	60,170
Estimated number of unemployed workers, as percent, in second quarter 2007,	
for each job vacancy statewide .....	2.2
One year prior .....	1.7
Initial unemployment insurance claims in state during January 2008 .....	30,608
Claims in January 2007 .....	35,337
Claims in January 2006 .....	32,526
Estimated employment growth in state, as percent, between 2004 and 2014 .....	12.8
Percent increase in computer and mathematical occupations .....	30.8
Percent of state manufacturers with 250 employees or less, that responded to a	
survey, that had positions unfilled due to lack of qualified applicants, and	
indicated a moderate or serious worker shortage overall .....	52

— M. Cook

Sources: Minnesota Job Vacancy Survey; The 2007 Minnesota Skills Gap Survey; and Trends, December 2007 edition, all from the Department of Employment and Economic Development; other department fact sheets; Workers' Compensation State Rankings, 2007 Edition, Actuarial and Technical Solutions, Inc.

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to: House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 5 • MARCH 14, 2008

FALLING SHORT ON DOLLARS

EMERGENCY CENTERS — PREPARING FOR THE WORST

GOING FISHING? TWO LINES A POSSIBILITY

SCREENING NEWBORNS

HF3886 - HF4060



## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Tom Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Agriculture • 5  
Crime • 5  
Education • 5  
Elections • 8  
Energy • 8  
Environment • 9

Health & Human Services • 9  
Higher Education • 12  
Housing • 12  
Local Government • 12  
Military • 13

Safety • 14  
Taxes • 14  
Technology • 15  
Transportation • 15  
Notes • 22

### BILL INTRODUCTIONS (HF3886-HF4060) • 19 - 22

### FEATURES

**FIRST READING:** Governor's budget reduction plan gets lukewarm reception • 3

**AT ISSUE:** Emergency responders push for new training centers • 17

**AT ISSUE:** Omnibus game and fish bill full of policy changes • 18

**MINNESOTA INDEX:** On guard • 24

**On the cover:** Senate Assistant Majority Leader Tarryl Clark, *left*, and House Majority Leader Tony Sertich face the media outside the governor's office minutes after Gov. Tim Pawlenty outlined his budget-balancing plan, March 7. Spending cuts, using surplus balance funds, tapping into state budget reserves and lowering the state sales tax are part of the governor's plan to reduce a \$938 million biennial deficit.

— Photo by: Tom Olmscheid





PHOTO BY TOM OLMSCHIED

During a March 7 news conference, Gov. Tim Pawlenty holds up a sheet showing the percentage of cuts that each state agency should expect as part of his deficit-reduction plan. Finance Commissioner Tom Hanson, right, was also on hand to answer questions.

By MIKE COOK

**S**pending cuts, using surplus balance funds, tapping into state budget reserves and lowering the state sales tax are the cornerstones of Gov. Tim Pawlenty's \$938 million deficit-reduction plan.

But the proposal isn't going over well with everyone.

"This plan balances our budget without adding to the burden facing Minnesotans," Pawlenty said at a March 7 news conference. "We'll tackle this deficit by holding government accountable, tightening our belts and using available resources, not by raising taxes."

His plan includes reducing state spending by \$341 million, using \$250 million of the state's \$653 million budget reserve and taking \$250 million from the surplus in the Health Care Access Fund.

Pawlenty said the reductions would decrease the biennial budget increase from 10.6 percent to 9.2 percent, still more than double the rate of inflation.

The plan includes funding for a few new initiatives, such as \$12 million for Strategic

Entrepreneurial Economic Development, which is designed to help stimulate the economy in rural Minnesota; \$6 million for military and veteran's packages; and \$5 million in K-12 reforms, including summer academies for teachers, particularly for math and science, and online curricula access to better incorporate technology into the education system.

Highlights of the governor's plan to curb the shortfall include: no reduction in K-12 education or local government aid; a 4 percent reduction for most state agencies; and a 1/8th percent sales tax decrease.

State Budget Director Jim Schowalter noted that about 40 percent of the state budget is directed to K-12, and 9 percent is in local

aids and credits. "That means that either you're going to take much more significant reductions in other areas or take some other kind of action, such as onetime reserves."

Since the governor's release, the plan has been met with resistance and skepticism from many DFLers.

"My concern is how much of this solution is sound bites and how much is substance," Rep. Gene Pelowski Jr. (DFL-Winona) said during the House Finance Committee's March 10 gathering. "It appears we're getting a great deal of sound bite and the substance we're going to put off into the next biennium."

The plan reduces the projected 2010-11 biennial deficit from almost \$1.09 billion to \$693 million, which Pawlenty said can be covered by unused reserves and rainy-day funds. When the state had a \$4.5 billion deficit in 2003, the original out-year deficit was \$1.7 billion.

Finance Commissioner Tom Hanson noted that it is a constitutional requirement to solve the current biennial deficit. To fix the projected 2010-11 deficit, he said taxes would have to be raised or spending would need to be significantly reduced. "Either solution you pick at this point

**First Reading continued on page 4**

might very well hurt the (economic) recovery that we want over the next year.”

Hanson said a series of bills would be drafted to address the deficit. Fiscal targets are expected to be given to House finance divisions early next week.

## **Agriculture**

Although the governor proposes a comparatively small cut (\$102,000) to the Agriculture Department, the chairman of the House Agriculture, Rural Economies and Veterans Affairs Finance Division cautioned department staff not to get too comfortable.

The proposed biennial cut would reduce the department’s funding for administrative services and information technology.

With a budget of \$24 million from the General Fund and more than \$31 million in other funds, Rep. Al Juhnke (DFL-Willmar), chairman of the division, questioned why the proposed cut is far less than the 3 percent to 4 percent being advocated for agencies by House and Senate leadership.

“What you see is what the governor chose to go forward with,” Quinn Cheney, the department’s director of policy development, told the division March 11.

Juhnke countered that, once each division has its budget targets, more cuts could be proposed for the department.

## **Environment**

The largest proposed reductions in the area of environment and natural resources spending could fall on the Department of Natural Resources, which has been asked to reduce its current biennial funding by 4 percent, or \$2.94 million.

The reductions are spread over a wide range of DNR programs, with the Fish and Wildlife, Ecological Services and Parks and Recreation divisions taking the biggest hits. Some of the impacts on individual services and programs include:

- smaller-than-expected funding increases for aquatic invasive species control and enforcement;
- reduced biological monitoring to support total maximum daily load Clean Water Legacy programs;
- reduced supply and expense budgets for state parks;
- reduced maintenance and restoration of state trails; and
- elimination of grants for the “Let’s Go Fishing” program for senior citizens.

Meanwhile, the Pollution Control Agency faces a more modest reduction of \$473,000

per fiscal year of General Fund spending. PCA Operational Support Division Director Myrna Halbach said the reductions could be achieved through largely administrative measures, such as modifying replacement schedules for computer equipment and cutting publications costs by using more Web-based publishing.

## **State agencies**

The plan calls for a 4 percent reduction for most state agencies.

Pawlenty does not believe the cuts will result in layoffs, in part because of the large number of people eligible to retire in the near future, so attrition may make up the shortfall. “Leaving those positions unfilled, or in some cases migrating the services to technology is going to be a big part of that,” Pawlenty said. “Moving to e-government will allow us to shrink state government. That’s what we’re planning to do anyhow.”

Included in the governor’s recommendations are cuts of \$6.86 million for the Legislature, \$1.78 million for constitutional offices and \$1.17 million for the Department of Administration.

State Auditor Rebecca Otto told members of the State Government Finance Division March 12 that cuts to her office could result in a loss of five staff positions, and could significantly hamper the ability of the office to conduct investigations.

## **Health and human services**

Taking \$250 million from the Health Care Access Fund, which Pawlenty says has a “substantial surplus,” still leaves a balance for the current and next biennium.

Even with the money removed, there is enough to maintain eligibility and nobody will have their benefits reduced, Pawlenty said. “Those are very expensive programs, and their costs are rising dramatically, but rather than cut those programs now — it may come to that point in the future if the economy continues to deteriorate — we think it’s important to maintain those programs.”

Savings are also generated by canceling planned expansions to MinnesotaCare to single people without children and by slowing the growth of provider payments by making certain rate reductions.

“Health plan programs had about a 17 percent biennial growth,” Hanson said. “Now it’s down to about 15 percent.”

Nonetheless, Rep. Nora Slawik (DFL-Maplewood) took direct aim at the governor’s plan.

“You are taking 54 percent of the cuts of the deficit just through HHS cuts and transfers,” she said. “That’s just outrageous that you are

again going to balance it on the backs of those who can least afford it.”

Health and human services is nearly 30 percent of the state budget, so any reduction is going to be big, especially with K-12 education off the table, Schowalter said. “In talking about proportionality, if everything was reduced 4 percent this would be less than that 4 percent.”

Slawik, who chairs the House Early Childhood Learning Finance Division, said the governor’s recommendation to refinance TANF funds (Temporary Assistance for Needy Families) threatens the state’s Child Care Assistance Program.

“I hope people understand what this does. It is money that could be helping needy families and kids with child care and it’s displacing it, in essence,” she said.

## **Higher education**

A \$27.2 million reduction to the University of Minnesota and \$26 million to the Minnesota State Colleges and Universities system is proposed. The amounts are about 0.9 percent of the university’s \$3 billion operating budget, and 1.3 percent of the MnSCU all-funds operating budget.

The university received a nearly 17 percent funding increase last year; MnSCU nearly 13 percent.

The governor’s plan does include \$2.1 million for the university to study the high incidence of mesothelioma among Iron Range taconite workers.

“Raising tuition will be the last place we will look for a solution to solve whatever comes our way,” University President Robert Bruininks told the House Higher Education and Work Force Development Policy and Finance Division March 12. “I can tell you, quite honestly, if the cut’s this deep, I frankly think it would be a dereliction of responsibility on my part if tuition wasn’t a part of the solution.”

Others, including MnSCU officials and university student leaders, said the cut would go against some of the positives made the last several years.

“There’s no way for us to remove this much money from the budget without a serious impact on students, on faculty and on our strategic initiatives, that include providing the educated workforce that Minnesota needs,” said Laura King, MnSCU vice-chancellor for finance.

## **K-12 education**

Rep. Mindy Greiling (DFL-Roseville) criticized the governor’s plan, in part, because



**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held March 6-13. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and \*-the bill, version considered by the House, or the bill language signed by the governor.

## AGRICULTURE

### Animal treatment referrals

The issue of whether an animal should need a referral from a veterinarian to receive chiropractic care was characterized in a committee hearing as two groups muscling each other, trying to get a piece of the business.

The debate surfaced in the House Agriculture, Rural Economies and Veterans Affairs Committee March 10 during discussion of HF3584, sponsored Rep. Lyle Koenen (DFL-Clara City), which would give definition to the practice of animal chiropractic and its licensing requirements.

This is the first of several bills expected to come from recommendations by the animal husbandry working group convened by the 2007 Legislature to work through issues over who can perform certain animal care.

The Minnesota Veterinary Medical Association objects to Koenen's bill because it would allow those licensed in animal chiropractic care to perform manipulations without first having a referral from a veterinarian.

"I feel that it is extremely important that with my four years of veterinary school ... that I can make a diagnosis and refer them to the appropriate part," said Kate An Hunter, a veterinarian at the Carver Lake Veterinary Center.

However, Rep. Al Juhnke (DFL-Willmar) questioned why animals need a referral when humans seeking chiropractic care don't. "It doesn't seem right that for an animal it is different."

Rep. Steve Drazkowski (R-Wabasha) questioned if the consumer is served by having to pay for a referral. "Obviously what we have here is two groups putting their elbows out and saying I want to get in on this."

The bill was amended to require that a chiropractor, after dispensing treatment, contact the animal's veterinarian. Following committee approval, the bill awaits action by the House.

Sponsored by Sen. Gary Kubly (DFL-

Granite Falls), the companion, SF3165, awaits action by the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

## CRIME

### No hogging concert tickets online

When tickets went on sale last year for the Miley Cyrus/Hannah Montana "Best of Both Worlds" tour, parents who went online to get tickets shortly after the on-sale began found that the concerts were already sold out.

Tickets were subsequently resold on various Web sites for as much as 10 times the original price. This was all thanks to software that allows brokers to cut in front of everyone else in line and buy up seats.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), HF2911 goes after the software and anyone using it. Approved by the House Public Safety and Civil Justice Committee March 11, it now goes to the House floor.

The bill would make it a gross misdemeanor to sell, distribute or use software to get around security and move to the front of an Internet ticket buyer line.

The bill does not affect last year's law that repealed Minnesota ticket scalping statutes.

"It's no different then if there are people camped out waiting for tickets and some big bully went by and elbowed everyone out of line, and bought up all the tickets," Atkins said.

Rep. Chris DeLaForest (R-Andover), sponsor of last year's ticket reselling legislation, asked Atkins if the bill would put additional responsibilities on law enforcement, already inundated with cybercrimes like identity theft. Atkins said that it was his understanding that this is still a rare occurrence and should not come up often.

A companion bill, SF3139, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the Senate Judiciary Committee.

— C. GREEN

### To have a jury trial or not

Minnesota law allows a defendant in a criminal case to decide whether he or she will have a jury trial. With only 23 words, HF1218, would change that.

Sponsored by Rep. John Lesch (DFL-St. Paul), the bill was approved by the House Public Safety and Civil Justice Committee March 7, and sent to the House Public Safety Finance Division.

The bill would allow a defendant to waive a

jury trial "with the approval of the court and the consent of the prosecutor."

Lesch, a St. Paul prosecutor, said that while some may argue the criminal court system exists to protect the rights of criminal defendants, that's not the case. "The criminal court system exists to ensure that fairness and truth comes out in disputes when someone is accused," he said. "This bill aims to insure that there is fairness in the courtroom."

Calling fairness "a two-way street," Dakota County Attorney Jim Backstrom said the bill is not an attack on the judiciary, but is about assuring public confidence in our criminal justice system. "Bottom line, we want to make sure that due process and fairness apply to both [parties]."

Paul Young, assistant Anoka County attorney, said that if a defendant now decides that there will be no jury trial, it's over. The prosecution should have an opportunity to be heard on the decision, he said.

John Stuart, state public defender, said that the constitution stresses rights for the individual, not for the government. Stuart also said that while other states allow for this provision, Minnesota has its own set of priorities and an excellent set of judges leading its judiciary.

A companion bill, SF3521, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Judiciary Committee.

— C. GREEN

## EDUCATION

### Recommendations on hold

Gov. Tim Pawlenty recommends cutting the appropriation to the Department of Education by 4 percent, just as he is recommending for other government agencies.

The House K-12 Finance Division March 12 held over HF3951, a bill on the governor's recommendations to the Department of Education.

Sponsored by Rep. Mindy Greiling (DFL-Roseville), the bill would establish a new review process for teachers; establish a virtual education program; and establish an alternative to post-secondary licensure. The bill would also direct the commissioner of education to establish a reciprocity agreement with adjoining states.

Mark Klein, a member of the board of directors for the Minnesota High-Tech Association and former Microsoft employee, said careers, today, rarely progress in a linear way with wage-earners, on average, doing 14



different jobs by the time they are middle-aged. He said the virtual education program would provide an alternate way into the teaching profession, especially for people from technology-based industries.

Rep. Tom Anzelc (DFL-Balsam Township) criticized ties to corporations in these programs. “The priorities are misguided here and I hope we give this all some very serious thought, this is sending us in the wrong direction.”

Rep. Pat Garofalo (R-Farmington), a network engineer, said the shortage of engineers is stifling the economy. Private sector companies would pay to put their equipment in schools and give people high-paying jobs out of high school.

The companion bill, SF3631, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), awaits action by the Senate Education Committee.

— T. HAMMELL

### Background check flexibility

A bill sponsored by Rep. Steve Simon (DFL-St. Louis Park) would allow a school to contract with a third party to conduct criminal background checks, which are required by statute.

HF2955 was approved March 11 by the House E-12 Education Committee and referred to the House Public Safety and Civil Justice Committee.

Annie Doughty, executive director of human resource services for Wayzata Public Schools, said the district must now use the Bureau of Criminal Apprehension for background checks, though it does do an additional check through a third-party vendor. The district does between 500 and 600 background checks a year for new substitutes, new employees and coaches.

“Our main objective is to keep kids safe,” she said.

Doughty said the BCA does a check based on name and birth date, while the private vendor they use also performs checks based on addresses generated by the person’s Social Security number. They then go to those counties to get information. She said the BCA has made it clear that it does not have the resources to do this type of investigation.

A school hiring authority wanting to perform a more in-depth check would need to receive permission from a state compact officer; provide the officer with the contract; and ask the officer if the contractor has any security violations. The contract must specify the reasons why the background check information may be made available. The subject of a criminal history background check by a third-party contractor would have the right to obtain a copy of the background check.

A companion bill, SF2754, sponsored by Sen. Don Betzold (DFL-Fridley) awaits action by the Senate Judiciary Committee.

— T. HAMMELL

### E-12 omnibus bill sent to floor

The House E-12 Education Committee approved its omnibus bill March 13, and sent it to the House floor.

HF3316, sponsored by Rep. Carlos Mariani (DFL-St. Paul), would:

- add state academic growth-based measures to the Minnesota school report card;
- require school administrators to give a Tennessee warning, a warning that states the purpose and intended use for data, only when that information may lead to a student’s expulsion;
- require criminal background checks for all school employees, including coaches and those directing extracurricular activities;
- require the school district, when it conducts a Bureau of Criminal Apprehension background check on a teacher or prospective teacher, to also check with the Board of Teaching to see if that person has been disciplined for sexual conduct issues;
- ensure that people enrolled in a teacher preparation program receive instruction in historical and cultural competencies related to American Indians;
- allow a school to appeal its adequate yearly progress or status determination in writing to the education commissioner within 30 days of a decision. The special advisory committee must submit a written deci-

sion to grant or deny the appeal within 30 days;

- require schools to place scores they receive on standardized tests on transcripts;
- increase from \$20 to \$40, the amount that the commissioner may charge individuals to take the GED test; and
- close a loophole that allows parents of children declared truant to avoid an investigation from Child Infant Protective Services by withdrawing their child from school.

A companion bill, SF3001, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Education Committee.

— T. HAMMELL

### Changing the revenue formula

The House K-12 Finance Division laid over for possible inclusion in its omnibus bill a plan to change the formula for integration revenue for certain Minnesota school districts.

HF3423, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), would create a new class for integration revenue.

According to statute, “the revenue must be used to create or enhance learning opportunities which are designed to provide opportunities for students to have increased interracial contacts through classroom experiences, staff initiatives, and other educationally related programs.”

Under current law, school districts with over 15 percent of students of color receive the lesser of the cost of plan implementation minus aid received or \$129 times the adjusted pupil units for the school year. This bill

### YOUNG DADS



PHOTO BY TOM OLMSCHIED

Lee Cody Wilson, left, holds his 6-year-old son, Jontae, while participating in a “Young Dads Program” March 10 in the Capitol Rotunda.

would allow districts with more than 50 percent students of color to receive the lesser of implementation costs or \$445 times the adjusted pupil count.

The bill would also allow school districts with a negative unreserved general fund balance greater than 2.5 percent as of June 20, 2007, to levy under the section to eliminate a deficit. This levy can only be used for cash flow requirements and cannot be used to supplement district revenue or income.

Brooklyn Center Schools Superintendent Keith Lester said the district's levy authority is one of the lowest in the metro and there is a renewal due in 2011. With declining revenue and increased inflation, the district is living off grants. "I'm not sure you can ever get out (of operating debt)," he said.

Bryan Bass, principal of Brooklyn Center High School, said the district works to try to provide a rigorous curriculum for the student population.

"We are surviving with hope and with a very committed staff on soft money," he said.

Rep. Tim Faust (DFL-Mora) said it seems totally unfair that Brooklyn Center has a similar number of students of color, but Minneapolis gets three to four times the money.

Rep. Pat Garofalo (R-Farmington) said part of the reason is that there are three districts, including Minneapolis, that statutorily receive money. The others are Duluth and St. Paul.

A companion bill, SF3204, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Finance Committee.

— T. HAMMELL

### Dept. of Education rule enforcement

A bill that would fundamentally change the way the Department of Education interacts with school districts received committee approval.

HF3596, sponsored by Rep. Tim Faust (DFL-Mora), would prohibit the education commissioner from enforcing unadopted rules.

Approved March 6 by the House E-12 Education Committee, the bill goes to the House Governmental Operations, Reform, Technology and Elections Committee.

Under this bill, department pronouncements would be treated as rules, and would be unenforceable. The commissioner would need to notify districts when issuing these pronouncements that they are not enforceable.

Faust said the bill would deal with rules that add confusion and cost, especially in the special education arena.

Daryl Miller, president of Minnesota Administrators for Special Education, said in the Robbinsdale Area School District, a parent

filed a complaint on behalf of a child who was going to be attending a transitional program for students ages 18-21.

"We did not understand how we could be out of compliance, because our program was modeled after some of the exemplary programs in the state," he said. After that, the district had two requests for due process hearings which led to between \$50,000 and \$60,000 in additional costs.

Elisabeth Lodge Rogers, director of student services for the St. Cloud Area School District, said the district was served with a complaint regarding extracurricular activity paraprofessional support. A child's mother stated if the student had a paraprofessional during the school day, they should have one during an extracurricular activity.

She said if the district were required to do this, it would amount to \$580,000 additional every year.

"I do feel like it's a machine gun trying to kill a mouse," said Education Commissioner Alice Seagren. She has had some concerns because of special education requirements that are set on the federal level.

"We need to have, I think, some kind of agreement as to how we're going to move forward with this," she said.

A companion bill, SF3317, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate Education Committee.

— T. HAMMELL

### Getting ready for kindergarten

Fewer than half of incoming kindergarteners in the state are fully prepared for school, Todd Otis, president of Ready 4 K told the House Early Childhood Learning Finance Division March 6.

HF3290, sponsored by Rep. Sandra Peterson (DFL-New Hope) would establish grants for school districts to assess and close the achievement gap of children who are not ready for kindergarten. The bill was laid over for possible inclusion in the division's omnibus bill.

Currently school districts screen incoming kindergarteners for health, academic and social skills. The grants would help school districts administer research-based assessments and coordinate with community and school-based early childhood programs. Participating school districts would be required to submit an annual report on the assessment process and results.

"These investments go a long way between providing a vital link between the early childhood and the K-12 years," Peterson said. "When we know more about how our children are doing, we can do more to help our children do better."

Karen Effrem, a board member for the group EdWatch, which opposes kindergarten screening, said the best way for children to close achievement gap is to grow up in an "intact family with religious affiliation."

She said the percentage of children who are truly unprepared for kindergarten is much lower than the popular conception, and that the school-run assessments are subjective.

"It is very hard to accurately assess a child, especially a young child, because they do grow and change so rapidly," she said.

Rep. Ryan Winkler (DFL-Golden Valley), said he and his wife met recently with their 4-year-old son's preschool teacher, who gave them a page and a half of information based on observations of their son.

"It was a whole bunch of subjective things, but it was extremely valuable for us as parents just to see the difference between how he behaved and interacted at school, versus how he behaved and interacted with us at home," he said.

Sen. Terri Bonoff (DFL-Minnetonka) sponsors the companion bill, SF3044, which awaits action by the Senate Education Committee.

— C. BLANCHARD

### Special education study extension

The House E-12 Education Committee sent a bill to the floor that would allow completion of a study on state special education.

HF3621, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), would permit the Special Education Task Force to complete its work by extending its term to Feb. 15, 2009.

The task force was created during the 2007 legislative session to recommend to the Legislature how Minnesota's special education provisions, that exceed minimum federal requirements, might be amended to conform to federal requirements or made more effective.

Sen. LeRoy Stumpf (DFL-Plummer) said the task force held seven full-day meetings, instead of the planned four, reviewing approximately 119 separate statutes.

The task force has so far reviewed 73 rules, partly because of time constraints, and partly because the Department of Education was reviewing the rules at that time, Stumpf said.

Rep. Marsha Swails (DFL-Woodbury) said she was struck by a comparison to Wisconsin, which has 26 statutes. "If Wisconsin can do it, certainly Minnesota can do it," she said.

John Guffman, a parent serving on the task force, disagrees that the state system is overregulated. "I would oppose holding ourselves out like Wisconsin, which has seven times more litigation than Minnesota," he said.

A companion bill, SF3465, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Education Committee.

— T. HAMMELL

## ELECTIONS

### Election changes proposed

A bill incorporating several elections provisions was approved by the House Governmental Operations, Reform, Technology and Elections Committee on March 11 and sent to the House floor.

Provisions from various elections bills were inserted into HF3172, sponsored by Rep. Gene Pelowski Jr. (DFL-Winona). The strategy of bundling elections bills was implemented with hopes that a bundle has a better chance of being signed into law by the governor than the omnibus bills that have failed in the past.

Incorporated from the original text of Pelowski's bill are provisions that would:

- require the governor to call for a special election within five days after a legislative vacancy occurs, with a special election to be held no more than 35 days thereafter;
- provide that a candidate must file no later than 14 days before a special primary; and
- provide that standard recount laws will apply to a special primary or election.

Provisions from HF965/SF753\*, sponsored by Rep. Carol McFarlane (R-White Bear Lake) and Sen. Sandy Rummel (DFL-White Bear Lake), would:

- change election judge requirements to require that at least two election judges in each precinct must be affiliated with different major political parties, and allowing that other individuals not affiliated with a major political party can be appointed as judges at any time; and
- exempt townships from party balance requirements in elections that are not held along with a statewide election due to township elections being nonpartisan. Also included is a similar exemption for school district elections.

Integrated from HF768, sponsored by Rep. Jeremy Kalin (DFL-North Branch), are provisions that would:

- permit county auditors to deliver absentee ballots to designated agents;
- permit voters to designate agents if they would have difficulty getting to the polls because of health reasons, disability or residence at an assisted living facility; and
- change from four to seven the number of days preceding an election when an agent can be designated.

Provisions from HF646/SF380,\* sponsored by Rep. Denise Dittrich (DFL-Champlin) and Sen. Chuck Wiger (DFL-Maplewood), include:

- permit counties, municipalities or school districts to conduct special elections via mail;
- permit school boards to decide whether to hold a primary election;
- modify the deadline for candidates to file for school board elections; and
- permit school district elections to be conducted via an approved electronic voting system.

A provision from HF2866, sponsored by Rep. Steve Simon (DFL-St. Louis Park), would permit existing "old" voter registration applications to be used, without alteration, until they are gone.

A companion bill SF2574, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the full Senate.

— B. HOGENSON

### Easier voting from overseas

A bill that would modify certain procedures and requirements for absentee voting by military and other overseas voters was approved by the House Governmental Operations, Reform, Technology and Elections Committee March 12 and sent to the House floor.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Sharon Erickson Ropes (DFL-Winona), HF1259/SF1218\* would permit the transmission of absentee ballots electronically, in certain circumstances, and would permit the secretary of state to adopt rules to facilitate absentee voting in emergency situations.

The bill is designed to rectify the problem of Minnesota military members and other overseas voters not always having their ballots counted.

"This bill removes significant barriers of bureaucracy and red tape from American citizens overseas being able to exercise their democratic rights," Kalin said.

In addition to military members, electronic transmission of absentee ballots would be available for civilians who are living outside the country, but are authorized by federal law to vote. Others who have never resided in the United States would be eligible, if they have parents who maintain residence in Minnesota for at least 20 days before their departure from the United States.

"The commander-in-chief has asked our service members to serve as defenders of democracy overseas, and our citizens overseas, in whatever capacity they work or live overseas, are ambassadors of democracy,"

Kalin said. "And the core foundation of democracy is the right to vote."

An amendment, unsuccessfully proposed by Rep. Laura Brod (R-New Prague), would have modified the bill to deal specifically with military voting. She said the governor would not sign the bill in its current form because provisions in the bill were mentioned in the governor's veto message of a similar bill last year.

"We can't blame anybody but ourselves if we don't get the military portions done," Brod said.

The bill was passed 63-1 by the Senate on April 23, 2007.

— B. HOGENSON

### Keeping voter information current

A bill intended to keep the voter registration rolls updated and allow more efficient elections was passed by the House 115-16 March 10.

HF1546, sponsored by Rep. Steve Simon (DFL-St. Louis Park), would modify procedures for processing voter registration notices that are returned as undeliverable due to a lack of valid address. Simon said this has become problematic, leading to the same voter being registered at more than one location.

In order to avoid that pitfall, the bill establishes a procedure for the secretary of state to collect information from the U.S. Postal Service and electronically distribute it to county auditors in order to update the statewide voter registration system and avoid voters being registered at multiple locations.

"This will speed up the process on Election Day," Simon said.

The bill awaits action by the Senate, where it is sponsored by Sen. Dan Larson (DFL-Bloomington).

— B. HOGENSON

## ENERGY

### Reconnecting heat service

Utility customers who enter into a payment agreement with their heating utility company after having their service disconnected could get their heat turned back on faster, under a bill passed 132-0 by the House March 10.

HF3368, sponsored by Rep. Linda Slocum (DFL-Richfield), would require utility companies to make "reasonable efforts" to restore heat service within 24 hours of an agreement during the state's cold weather rule period (Oct. 15 to April 15). The bill now goes to the Senate, where Sen. John Doll (DFL-Burnsville) is the sponsor.

Calling heating service a "basic right" for Minnesotans, Slocum noted that the Public



Utilities Commission and representatives from utility companies have agreed to the bill's language.

The bill would also provide that:

- a utility customer has a right to a payment agreement that takes into account the financial circumstances of their household, even if it exceeds 50 percent of the state's median income;
- utilities may not charge additional service deposits for customers who are "reasonably on time" in fulfilling their accepted payment agreements; and
- utilities must submit their monthly reports on disconnections, past due accounts and other customer data to the PUC within 45 days after the last day of the month to which the data refers.

Rep. Tom Emmer (R-Delano) tried unsuccessfully to amend the bill by making the rule apply only to those utility customers who do not have outstanding warrants or civil judgments to resolve. Slocum said Emmer's amendment would have slowed the bill's progress.

— N. BUSSE

## ENVIRONMENT

### Environmental Justice Act proposed

According to Rep. Joe Mullery (DFL-Mpls), minority communities are disproportionately affected by industrial pollution and other environmental health risks. A bill he sponsors is intended to help put an end to it.

HF205, also known as the Environmental Justice Act, would help ensure that people of all races, cultures and incomes are treated fairly in the development and implementation of environmental laws and policies in Minnesota. The House Environment and Natural Resources Committee approved the bill March 11.

The bill would establish a multi-agency Environmental Justice Task Force to make recommendations to state agencies on environmental justice issues. Local governments would be able to petition the task force to develop action plans to remediate environment-related health concerns in their communities.

Additionally, the bill would direct the Environmental Quality Board to create a 15-member Environmental Justice Advisory Council to advise the board on similar issues.

Cecilia Martinez, a leadership fellow with the Center for Energy and Environmental Policy at the University of Delaware, praised the bill and cited research showing that pollution tends to affect "those who have

low incomes and those who do not have the capacity to participate in the public policy process."

Rep. Frank Moe (DFL-Bemidji) said he supports the concept of environmental justice, adding that a federal Superfund site in his district has been neglected for years in large part because most of the residents are minorities; however, Moe said he is dubious as to whether the bill would really solve the problem.

"I hate to be cynical, but how is another commission, how is another group going to help us?" Moe said.

Martinez replied that it was a "legitimate question," and added that Mullery's bill is only a first step toward environmental justice.

The bill now goes to the House Governmental Operations, Reform, Technology and Elections Committee. It has no Senate companion.

— N. BUSSE

### Lake Vermilion park hits a snag

A bill sponsored by Rep. David Dill (DFL-Crane Lake) would establish the Lake Vermilion State Park — but with some strings attached.

Gov. Tim Pawlenty has been a vocal proponent of the plan to establish a new state park on a 3,000-acre block of undeveloped land on Lake Vermilion in northeastern Minnesota. Dill said he supports the plan too, but with one caveat: if St. Louis County is going to sell the land for the park to the state, Dill wants the state to give some of its land to the county too.

His bill, HF3433, would authorize the Department of Natural Resources to acquire the land for the park — but only if the state then ceded an equal amount of school trust land to the county. The Lake Vermilion State Park would then be designated as a school trust land, with park revenue going toward the state's school trust fund.

"We need to have an offset, so that as this land is taken off the tax rolls, and becomes public for a state park, that we have other lands that are owned by the state that will then be put on the tax rolls," Dill said.

Assistant Commissioner Bob Meier said the department had "drastic concerns" about the plan, noting that the DNR just finished exchanging all of the school trust lands out of the park system.

Other opponents included Judy Erickson, government relations director of the Parks & Trails Council of Minnesota, who said it would set a bad precedent for the state to pay for a new state park and then have the parks revenues go somewhere else.

Members of the House Environment and Natural Resources Committee didn't like

the plan either. A motion to approve the bill March 11 and send it to the House Finance Committee failed on a division vote of 6-6.

A companion bill, SF3076, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Finance Committee.

— N. BUSSE

### Getting tough on toxic chemicals

In December 2006, the U.S. Environmental Protection Agency changed the rules that require companies to publicly disclose information on toxic chemical emissions from their facilities, essentially easing the requirements so that fewer companies had to report the data. Rep. Frank Moe (DFL-Bemidji) sponsors a bill that would put Minnesota back on the old rules.

HF3685 would roll back the federal rule change, which allows polluters who work with 10 times the amount of toxic substances previously allowed to emit toxins into the environment without having to disclose the amounts they emit or where the emissions go. The bill is headed for the House floor, after being approved March 11 by the House Environment and Natural Resources Committee.

"This is an example of a bill that was brought to me by the Pollution Control Agency because they're trying to do the right thing," Moe said, adding that the EPA's ruling essentially made it easier for companies to pollute.

Before December 2006, companies that managed quantities of chemicals listed on the EPA's Toxic Release Inventory were required to report details on any toxic emissions if they managed more than 500 pounds of toxic chemicals. Since the rule change was implemented, only companies managing more than 5,000 pounds of the chemicals are required to report those details.

The previous reporting requirements had been in place since 1990. Minnesota has joined 11 other states in filing a lawsuit against the EPA to restore the previous requirements.

If enacted, the bill would be retroactive from Jan. 1, 2007, to ensure that no data gaps exist from previous TRI reporting.

A companion, SF3580, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

## HEALTH & HUMAN SERVICES

### 911 mental health line

It's an echo the House Mental Health Division has been hearing repeatedly from mental health advocates: Minnesota needs

improvements in services to those with mental illness.

Rep. Patti Fritz (DFL-Faribault) sponsors HF3147 that would instruct the human services commissioner to convene a working group to determine the feasibility of creating a statewide toll-free telephone number for mental health crisis calls. The working group would consist of members from crisis providers, the Minnesota Ambulance Association, law enforcement, 911 call centers, consumers, families and mental health advocates.

Fritz said some counties have mental health crisis numbers, but many times the only option is to call the police or for an ambulance. She said neither can always handle the mental health episode with the most appropriate services.

The bill was approved March 7 and now goes to the House Health and Human Services Committee. A companion bill, SF3030, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Health, Housing and Family Security Committee.

Dan Parnell, whose 19-year-old son was diagnosed with mental illness four years ago, told the division about a recent episode in which he knew calling the police would agitate his son even more. He had no crisis service to call that could deal with the situation most effectively, he said.

Grand Rapids has a crisis call system that has resulted in a decrease of hospitalizations of those experiencing mental episodes, as well as ambulance transports of patients to mental health facilities, said Sue Abderholden, executive director for the National Alliance on Mental Illness of Minnesota. A crisis line could direct callers to a mental health service that could deal with a crisis most effectively, she said.

— P. OSTBERG

### Calculating cancer risks

The cancer risk to human from carcinogens in the air, water or soil would be assessed under a bill approved by the House Health and Human Services Committee March 10.

Sponsored by Rep. Erin Murphy (DFL-St. Paul), HF3333 would require the health commissioner to identify the risk of known and probable carcinogens. This would be established by a formula whereby no more than one person in one million people exposed to a substance or chemical over a lifetime would be estimated to develop cancer from exposure.

Substances categorized as known and probable carcinogens would be defined by at least one of the following agencies: U.S. Environmental Protection Agency, Department of Health and Human Services National Toxicology Program or the World



PHOTO BY ANDREW VONBANK

**Cancer survivor Susan Nordbye testifies before the House Health and Human Services Committee March 10 in support of a bill that would establish a standard of protection for the risk of cancer and require modification of rules.**

Health Organization International Agency for Research and Cancer.

The bill now goes to the House Environment and Natural Resources Committee. A Senate companion, SF2944, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate Finance Committee.

Samuel Yamin, a public health scientist with the Minnesota Center for Environmental Advocacy, said seven states apply “the more protective end of the United States Environmental Protection Agency range.” There are hundreds of substances listed as carcinogens that have been studied and are known to cause cancer, he said.

Rep. Steve Gottwalt (R-St. Cloud) said he respects the effort, but the bill would cause sweeping changes that could be costly to state businesses. The “cost impact is untold” and would be an important factor in whether businesses choose Minnesota as their home, he said.

Yamin said people should consider the health costs, averaging about \$20,000 annually, to community and hospitals when a person is diagnosed with cancer. When ranked with other states, Minnesota has higher rates of breast and prostate cancer, he said.

— P. OSTBERG

### Auto purchase and repair grants

The House Housing Policy and Finance and Public Health Finance Division heard a proposal March 10 that would give community action agencies money to help individuals with auto repairs and purchases. It was laid over for possible inclusion in a division omnibus bill.

Sponsored by Rep. Morrie Lanning (R-Moorhead), HF3208 would appropriate \$3 million for the current biennium to a fund that the human services commissioner would distribute to agencies. Each agency would provide a 10 percent match using either nonstate funds or in-kind services. Loans and grants could be given to families and individuals whose income makes them eligible for benefits under the Minnesota Family Investment Program.

The bill is “to help families who are on welfare be able to work their way off welfare and be able to retain employment,” said Lanning. A similar proposal was in last year’s health and human services bill, but the funding process was questioned by the department, and therefore vetoed by the governor, he said.

“Community action agencies are the masters of match funding,” said Joe Pederson, executive director for Lakes & Prairies Community Action Partnership. “We know how to make the best use of the dollar.”

Over the past six years we’ve made loans and grants to more than 70 families, and most are single moms, said Steve Nagle, executive director for West Central Minnesota Communities Actions Inc. In rural Minnesota “there’s virtually no public transportation that will work for people” to get to needed places such as daycare, he said.

There was no opposition to the bill.

A Senate companion, SF3113, sponsored by Sen. Julie Rosen (R-Fairmont), awaits action in the Senate Finance Committee.

— P. OSTBERG

### Standards for surrogate mothers

Because of medical advances over the last few decades, families can use surrogate mothers to help with the birth of a child.

HF3448, sponsored by Rep. Kathy Tingelstad (R-Andover), would provide the requirements for a “gestational carrier agreement” — an agreement between the surrogate mother and the intended mother and father.

Approved by the House Public Safety and Civil Justice Committee March 12, it now goes to the House floor. A companion, SF2965, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Judiciary Committee.

Tingelstad said that while surrogate

arrangements have been happening in Minnesota for some time, the bill would provide standards and safeguards.

The bill proposes that any agreement include specifics about compensation, reimbursement for medical and legal services, and that the woman carrying the baby abstain from certain activities, including smoking, drinking and using nonprescription drugs. It also defines the parent-child relationship, and requires that any compensation be placed in an escrow account.

Tom Pritchard, president of the Minnesota Family Council, said the bill would unwisely break new ground, opening the way for “designer babies.”

Curtis Herbert, a private attorney, said that the issue is whether the state wants to “commoditize” baby making. “I give you the money, you give me the baby.” Herbert also said that although other states and countries may permit such agreements, none of them embrace compensation.

Taking exception to Herbert’s analogy, Rep. Debra Hilstrom (DFL-Brooklyn Center) said that because the arrangements are happening, and will continue to happen, the Legislature has to decide “whether it will set up standards, or we can have none.”

— C. GREEN

### **Children’s mental health services**

A bill that would lay out guidelines to mental health providers on restraint procedures on children in day treatment facilities was approved by the House Mental Health Division March 7.

Sponsored by Rep. Neva Walker (DFL-Mpls), HF3377 would require each agency to have a plan for when restrictive procedures and seclusion might be used on children, and under what conditions procedures would be used, including the use of mechanical restraints.

The bill also specifies the need for oversight by a treatment center mental health professional when restraining measures are used. Parental consent would be requested at the time of program enrollment for the use of restrictive measures, and immediate notification of a parent would be required if a procedure is used.

Unlike day treatment programs that are not covered by certain rules, the use of restraint in both inpatient hospital programs and residential treatment facilities is strictly regulated, said Glenace Edwall, director of the Department of Human Services’ Children’s Mental Health Division.

Rep. Larry Hosch (DFL-St. Joseph) asked whether the changes would apply to school systems. Schools are governed by special

education rules, and their standards are much lower, said Sue Abderholden, executive director for the National Alliance on Mental Illness of Minnesota.

A consistent community-wide standard would be the goal, she said. It would be especially important for children that, in the course of a day, could switch from a school’s treatment program to a community day treatment program where use of restrictive procedures can vary widely.

“You can actually learn other techniques to deal with these behaviors that work very, very effectively and we don’t have to resort to them if we get the right training,” Abderholden said.

The bill now goes to the House Finance Committee.

A companion bill, SF3049, sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the full Senate.

— P. OSTBERG

### **Parents’ newborn screening rights**

When a child is born in Minnesota, they are screened for 53 rare and serious medical conditions. This process, however, conflicts with state law governing genetic information collection.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF3438 would rectify that. It was approved by the House Public Safety and Civil Justice Committee March 7, and awaits action by the House Health and Human Services Committee.

Thissen said the day after the birth of his third child, his family was told about an unknown health condition. “Had we not found out, he would have gotten very sick. Because of the screening, we caught it and he’s doing great.”

Under current statute, written consent must be given for genetic material collection, and this would include all newborn screenings. One can ‘opt-in’ to the program only with written consent. Under the bill, newborn screening would be done unless the procedure was declined, meaning the parents could ‘opt-out.’

This distinction is problematic, said Twila Brase, president of the Citizens’ Council on Health Care.

Brase said that parents should not only be given an opportunity to ‘opt-in,’ but that they should be told the samples taken are not for newborn tests, but genetic testing. According to Brase, there are now more than 1.4 million profiles of newborns in a state database, with more than 700,000 genetic samples on file. These samples are now considered government property, and were taken without the parents’ knowledge or consent, she said.

Joanne Bartkus, director of the Public Health Laboratory Division at the Department

of Health, said 73,000 children are annually screened for medical conditions, and that it’s important to continue the program. The bill would help strengthen how information is given to parents.

The bill would also allow parents to decline to have test results used for research, and would require the department to present a report to the Legislature on the newborn screening process.

A companion bill, SF3138, sponsored by Sen. Ann Lynch (DFL-Rochester), awaits action by the Senate Judiciary Committee.

— C. GREEN

### **Ombudsman for mental health**

The state’s Office of the Ombudsman for Mental Health and Developmental Disabilities would be permitted to retain paper copies of records, under a bill approved March 12 by the House Health and Human Services Committee.

HF3576, sponsored by Rep. Shelley Madore (DFL-Apple Valley), would allow the office’s information gathering to include paper, as well as electronic forms. Also under the bill, clients would further be defined as “a now deceased person who had been served by an agency, facility, or program.”

The bill now goes to the House floor.

For 20 years, the office has monitored state government health systems and investigated complaints by the public, said Roberta Opheim, state ombudsman for mental health and mental retardation. Concerns were recently raised by the Human Services Department that office staff could possibly lose private patient’s records when driving to and from various locations across the state. Opheim said when reviewing and investigating complaints, many times health records are not available in electronic format and paper copies are needed.

The department would like the office to have files sent electronically from locations, so information isn’t moving from facilities into an individual’s car, Anne Barry, chief compliance officer with the department, said in a previous committee. “We know that if there are going to be breaches of information it’s generally because somebody made a copy.”

Opheim said the office has never had an incident of losing or misplacing personal files and needs the copies to examine details in files. Both offices have been working together to come up with an electronic solution, but have yet to reach consensus, she said.

A companion bill, SF3225, sponsored by Sen. Don Betzold (DFL-Fridley), awaits action by the Senate Judiciary Committee.

— P. OSTBERG



### Small-employer health insurance

A bill approved by the House Health and Human Services Committee March 10 would require the state's health insurers to provide flexible benefit plans to businesses with no more than 50 employees.

Sponsored by Rep. Denise Dittich (DFL-Champlin), HF3721 would require health carriers to provide information to small-employers on the availability of various plans that the 2005 Legislature passed.

The 2005 health care reform packages were designed to give small businesses product flexibility and cost reductions, Dittich said. The problem is insurance companies are not offering or marketing those plans.

Information on the plans would be displayed with other product information on the health carrier's public Web site and delivered to each employer currently insured by the carrier at the time of the employer's renewal.

Her original proposal would have mandated the state's top three insurance companies offer the plans, but an amendment successfully offered by Rep. Paul Thissen (DFL-Mpls) removed references to specific health carriers. The bill would now apply to "each health

carrier in the small employer market."

Dannette Coleman, Medica vice president of public policy and government relations, said other low-cost products are already mandated; therefore, the legislation wouldn't provide any added health benefits.

Rep. Steve Gottwalt (R-St. Cloud) said the bill attempts to regulate the health care market with the potential of small employers not even purchasing the plans. It would also add costs to health carriers because each health benefit plan offered to consumers is required to be approved by the commerce commissioner, he said.

The bill now goes to the House Commerce and Labor Committee.

A Senate companion, SF3446, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate Commerce and Consumer Protection Committee.

— P. OSTBERG

## HIGHER EDUCATION

### Securing a tuition price for students

Planning for college costs can mean lots of uncertainty for students and their parents.

Rep. Mark Buesgens (R-Jordan) sponsors HF43, which would guarantee up to four years of stable tuition at any school in the Minnesota State Colleges and Universities system or the University of Minnesota.

"This is probably the second biggest investment Americans make, yet all we can do is give them a variable rate mortgage on their education," he said. "This is an attempt to put in another option when it comes to financing a college education."

Heard March 10 by the House Higher Education and Work Force Development Policy and Finance Division, it was laid over for possible inclusion in the division's omnibus bill.

A companion bill, SF232, sponsored by Sen. Chris Gerlach (R-Apple Valley), awaits action by the Senate Higher Education Committee.

"Right now we give broad latitude to both the MnSCU system and the University of Minnesota to set its tuition rates. This bill does not change that one iota," Buesgens said. "This just adds a second component."

The bill would require that, beginning this fall, tuition charged to an undergraduate enrolled in a baccalaureate degree program at a state college or university for each semester during a four-year period could not exceed the tuition that the student was charged during the first semester of enrollment. For students seeking a two-year associate's degree the limit would be two years.

A student who continues to be enrolled after

the specified period would see their tuition increase to the rate paid by new enrollees at the school.

Rep. Tom Rukavina (DFL-Virginia), the division chairman, commended Buesgens for the idea, but expressed concern that somebody would have to make up the difference of potential lost revenue.

"Is it the following freshman class or is it the students themselves, because the tuition gets jacked up in recognition? This is a capitalistic commodity."

— M. COOK

## HOUSING

### Keeping the heat on

A bill that would make it easier for tenants to take over utility payments from their landlords was approved by the House Local Government and Metropolitan Affairs Committee March 10 and sent to the House floor.

Sponsored by Rep. Bob Gunther (R-Fairmont) and Sen. Rick Olseen (DFL-Harris), HF3428/SF2909\* would allow a tenant to restore utility service by paying outstanding utility charges that would otherwise be the responsibility of the landlord.

Gunther said the problem of landlords leaving their tenants freezing and in the dark has been predominantly limited to the Twin Cities metropolitan area. After hearing stories about it from Rep. Joe Mullery (DFL-Mpls), action was taken to draft the bill.

"What this bill does is simply allow the tenant to call the landlord and tell him they're taking over so they can have power and heat; then call the utilities and say, 'We will pay the heat from now on, please turn it back on,'" Gunther said. "They will then take the amount that they pay off their rent."

If a residential building has less than five units, the bill allows tenants to become the customer of record and the responsible bill payer for the utility account. If the residential building is single metered, other tenants in the building may contribute payments to the utility company or municipality on the landlord's account or the account of a tenant who is the customer of record.

The bill was passed 63-0 by the Senate March 6.

— B. HOGENSON

## LOCAL GOVERNMENT

### County appointive positions

Two bills allowing certain offices in Nicollet and Yellow Medicine counties to be appointive were passed by the House on March 10.

Sponsored by Rep. Terry Morrow (DFL-St.



PHOTO BY TOM OLMSCHIED

**Mike Haas, a member of IBEW Local Union 110 in St. Paul, listens March 11 as union leaders discuss concerns about the number of unemployed electricians and the additional electricians being trained by the Minnesota State Colleges and Universities during a joint hearing of the House Higher Education and Work Force Development Policy and Finance Division and the Senate Higher Education Budget and Policy Division.**

Peter), HF2816 would allow Nicollet County to make the office of auditor-treasurer appointive, if approved by a voter referendum. It passed 90-42.

HF2907, sponsored by Rep. Aaron Peterson (DFL-Appleton), would allow Yellow Medicine County to make the offices of recorder, auditor and treasurer appointive, subject to an 80 percent vote of the county board. The bill provides for a reverse referendum. It passed 89-43.

Rep. Torrey Westrom (R-Elbow Lake) said that the House, by voting to make local offices appointive, was taking away the local ability of voters to make changes when they see fit.

"Don't vote to strip away local voters' right to decide," Westrom said.

Both now await action on the Senate floor. Sen. Kathy Sheran (DFL-Mankato) and Sen. Gary Kubly (DFL-Granite Falls) are the respective sponsors.

— B. HOGENSON

### Going after delinquent taxes

A bill giving the Big Stone County Board additional options for collecting delinquent taxes was passed 132-0 by the House March 6.

Sponsored by Rep. Aaron Peterson (DFL-Appleton), HF3157 would allow the county board, by resolution, to assign to the county treasurer all duties that relate to delinquent real property taxes, including forfeiture of real property for nonpayment of taxes. Concurrence of the county treasurer and auditor is also required.

"In 2006, the state auditor granted this Big Stone County request for a waiver," Peterson said. "The recommendation is to make that permanent and allow tax-forfeited properties to return to the county tax base in a timelier manner. It was found the same county staff person performs these duties, but is supervised by two different county officials."

Received March 10 by the Senate, the bill awaits action by the Senate State and Local Government Operations and Oversight Committee where Sen. Gary Kubly (DFL-Granite Falls) is the sponsor.

— B. HOGENSON

### Funding a holiday observance

A bill that would increase the amount of money counties are authorized to spend for Memorial Day observances was passed 131-0 by the House March 6.

Sponsored by Rep. Laura Brod (R-New Prague), HF2599 would increase the amount a county board is authorized to spend on the observance to \$3,500. The new amount would be effective July 1, 2008, and mark the first increase since the amount was increased from

## DEFICIT-REDUCTION CONCERNS



PHOTO BY TOM OLMSCHIED

**Students listened as University of Minnesota President Robert Bruininks tells the House Higher Education and Work Force Development Policy and Finance Division March 12 that raising tuition would be a last resort to deal with the \$27.2 million budget cut to the university that Gov. Tim Pawlenty has recommended in his deficit-reduction plan.**

\$1,500 to \$2,000 in 1984.

Prior to the statutes being passed in 1911 and 1921, counties were not authorized to appropriate any money for Memorial Day exercises.

In addition, the bill would increase from \$100 to \$300 the amount a county board may appropriate to each post of a recognized military service persons' organization or society to help pay for Memorial Day exercises. This amount was last increased in 1979.

Received March 10 by the Senate, the bill awaits action by the Senate State and Local Government Operations and Oversight Committee. Sen. Jim Vickerman (DFL-Tracy) is the Senate sponsor.

— B. HOGENSON

### Money for parks, recognitions

A bill allowing towns to spend money for recognition of volunteers, service efforts, retiring town officers, or to host or support a community celebration was passed 132-0 by the House March 6.

Sponsored by Rep. Tom Anzelc (DFL-Balsam Township), HF2636 clarifies a provision relating to parks and authorizes expenditures for the purpose of recognizing volunteers, service efforts, retiring officials and hosting community celebrations.

It also strikes a provision that would require a separate election for a ballot question to direct the town board to raise funds for parks. By allowing the electors to authorize the town board to spend money for the purpose of

recognitions and community celebrations, towns would have the same authority already granted to cities under Minnesota statutes.

The bill awaits action by the full Senate. Sen. Tom Saxhaug (DFL-Grand Rapids) is the Senate sponsor.

— B. HOGENSON

## MILITARY

### Helping employers of those deployed

When military reservists or National Guard members are deployed, it's not only an adjustment for their families, but also the businesses where they work.

Two bills approved by the House Veterans Affairs Division March 7 would help ease the situation.

Rep. Bob Dettmer (R-Forest Lake) sponsors HF3427, which would create a revolving loan fund for qualifying businesses to receive a onetime \$20,000 loan, if they have suffered economic losses because of an essential employee being deployed, even if that employee is the sole proprietor.

The bill would also expand the displaced workers program to include veterans who are honorably discharged and are earning less than they should be paid, based on their qualifications and skills they developed while serving in the military. The bill now awaits action in the House Finance Committee.

"When we look at returning veterans we really need to look at three areas: the veteran,



their family and their employer. These initiatives are designed to reduce barriers for the returning veterans and help them be successful and the employers," said Col. Eric Ahlness, Minnesota National Guard director of government relations.

Rep. Kathy Tangelstad (R-Andover) sponsors HF3686 that would give a reservist-owned business some measure of protection from civil court proceedings for a minimum of 60 days, while the person is deployed.

Donald Kerr, principal planner for the Department of Military Affairs, said previous legislation protects rights of individual deployed soldiers and their families from civil action, "however we failed to protect wholly-owned businesses of those services members." He cited an example of a person who had to back out of some contracts because of being deployed to Iraq, and found his business was not protected.

The bill was referred to the House Public Safety and Civil Justice Committee.

Sen. Amy Koch (R-Buffalo) sponsors SF3055, the Senate companion to Dettmer's bill, which awaits action by the Senate State and Local Government Operations and Oversight Committee. The Senate companion to Tangelstad's bill is SF3743, sponsored by Sen. Leo Foley (R-New Ulm). It awaits action by the Senate Judiciary Committee

— L. SCHUTZ

## SAFETY

### The return of 'photo cop'

Cameras taking photos of motorists going through red lights in Minneapolis may be turned back on.

HF3863, sponsored by Rep. Paul Thissen (DFL-Mpls), would authorize local units of government to operate traffic light cameras. Drivers caught would be mailed a ticket, but the ticket could not serve as grounds for a license suspension, and would not appear on the driver's record.

Approved by the House Public Safety and Civil Justice Committee March 7, the bill's next stop is the House Local Government and Metropolitan Affairs Committee. The Senate companion, SF3656, is sponsored by Sen. Linda Higgins (DFL-Mpls). It awaits action in the Senate Transportation Committee.

The bill would provide that half of the fine proceeds be used for law enforcement, with a portion targeted for emergency medical services recruitment efforts.

Thissen said that when the cameras were previously operating in the summer of 2005 there was at least a 30 percent drop in crashes at intersections with the cameras, leading to saved lives and reduced insurance rates. They were turned off after a March 2006 court

case challenging the constitutionality of the devices.

John Cummings, founder of Minnesotans for Safe Driving, spoke of two incidents where drivers were killed when other motorists didn't stop for a red light. "People should have the ability to protect themselves, and this is one of the things that will do it. This changes behavior."

William Gillespie, executive director of the Minnesota Police & Peace Officers Association, said that the bill would usurp authority from local peace officers.

Rep. Tony Cornish (R-Good Thunder) said the bill takes away from community policing and does not guarantee increased safety.

A similar bill, HF1058, also sponsored by Thissen, failed to get committee approval last year.

— C. GREEN

### Quit texting, focus on driving

There are many distractions behind the wheel, but Rep. Frank Hornstein (DFL-Mpls) calls text messaging the most extreme.

He is sponsoring HF3726, which would ban the practice while driving.

It would prohibit a driver from "using a wireless communications device to compose, read, or send, an electronic message, when the vehicle is in motion or a part of traffic."

By definition, a wireless communications device includes a cell phone or portable electronic device capable of receiving and transmitting data, such as text messages and e-mails.

"According to one media report, 25 percent of teens are engaged at one time or another in text messaging while driving," Hornstein said. "I think it's very clear why this would be a hazard. One would have to take their eyes off the road, at least temporarily."

Approved March 6 by the House Transportation Finance Division, the bill now heads to the House Public Safety and Civil Justice Committee. A companion bill, SF3562, sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action by the Senate Transportation Committee.

"We're a strong supporter of this," said Jeff Nachbar, public policy director for the Brain Injury Association of Minnesota.

The bill provides exceptions for using a wireless communications device, including: if it is in a voice-activated or other hands-free mode; for obtaining emergency assistance; if the person believes life or safety is in immediate danger; and in an authorized emergency vehicle while performing official duties.

If enacted, Minnesota would become the third state to ratify such a law, following Washington and New Jersey. "I always like it

when Minnesota is the first to do something, but I think it'd be great if we were at least in the first three in the country," said Hornstein, who laughed while admitting to the division that he doesn't know how to text.

— M. COOK

## TAXES

### Conforming bill becomes law

Signed  
by  
the  
governor

The third time's a charm for an omnibus tax bill.

On March 7, Gov. Tim Pawlenty signed it into law — the third omnibus tax bill presented to the governor this biennium. He vetoed the first two bills presented in 2007.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Tom Bakk (DFL-Cook), the new law will affect primarily tax preparers and Minnesotans who qualify for new updates to the state tax code. The law conforms to most of the changes Congress made over the year, including several new benefits for members of the military and civil servants.

The new law:

- allows members of the military to put nontaxable combat pay toward IRA contributions;
- allows a direct transfer of money from IRAs to charities;
- limits some charitable contributions, like used household items and clothes, and requires appraisals for items valued more than \$500;
- permanently increases contribution limits to several retirement plans;
- allows public safety retirees to exclude \$3,000 from government pensions to pay for qualified health insurance premiums;
- creates an itemized deduction for mortgage insurance premiums;
- allows a one-time rollover to health savings accounts;
- excludes from gross income the indebtedness on a house; and
- excludes up to \$360 of income paid to volunteer firefighters and emergency medical technicians.

Most provisions in the new law took effect March 8.

Because many of the changes apply to the current tax season, Minnesotans who have already filed must send an amended tax return in order to receive any new deductions that may apply. To amend a 2007 return, filers can use the M1X form, available with instructions on the Department of Revenue Web site ([www.taxes.state.mn.us](http://www.taxes.state.mn.us)).

HF3201\*/SF2935/CH154

— C. BLANCHARD



## Tax relief after a tornado

When a 2006 tornado wiped out several homes in her area, Rep. Laura Brod (R-New Prague) said the last thing homeowners needed after the rebuilding process was a property tax hike.

But when a home built in the 1910s is completely destroyed by a natural disaster, the market value of a new home can dramatically increase, even if it's the same size as the old one.

"What we're trying to do is not to have those homeowners feel the shock of those increased taxes right away," Brod said.

Brod proposed HF2412 to the House Property Tax Relief and Local Sales Tax Division March 7. The bill would allow homeowners to pay taxes on the value of their old home, with the tax increase on the new home phased-in over a three-year period.

Limiting a home's market value can be frustrating for assessors, Brod said, but she'd be willing to work on the bill.

The bill was laid over for possible inclusion in the division's omnibus bill.

"I really like this bill," said Division Chairman Rep. Paul Marquart (DFL-Dilworth), who added he is normally opposed to limited-market value.

"I do think that you're at least keeping this person from getting a double-whammy," he said. "They've suffered the damage of their home and now they fix it up and it's really not necessarily an improvement, it's just a newer home ... and now they're going to get hit with higher property taxes after this disaster."

Currently homeowners in disaster areas declared by the president are subject to some protections, but homeowners hit by local disasters, like tornadoes or floods, are not eligible for any property tax relief. The bill would apply to homes where a local emergency has been declared.

To be eligible, homes would have to sustain more than \$5,000 in damage and have an increased market value after reconstruction.

There is no Senate companion.

— C. BLANCHARD

## TECHNOLOGY

### Bill would boost nanotech

A House committee approved a bill that would help lay the financial groundwork for a joint public-private nanotechnology venture in Minnesota.

HF3911, sponsored by Rep. Mike Beard (R-Shakopee), would appropriate \$250,000 to the Department of Employment and Economic Development for a project that seeks to boost the state's nanotechnology

sector and make it an economic catalyst for related industries. The House Biosciences and Emerging Technology Committee approved the bill March 11 and referred it to the House Finance Committee.

The money would go toward finishing the design work for a Minnesota Center for Nanotechnology — a proposed nonprofit corporation that would coordinate nanotech initiatives around the state, with the goal of promoting industrial and academic research and stimulating economic growth.

Darrel Gubrud, president of MNNano, which is spearheading the effort, said that Beard's bill is part of a larger, long-term program that would involve up to \$10 million per year in state funding for a variety of nanotechnology research and development initiatives.

Beard called nanotechnology "the next big thing," and said that while the economic benefits of investing in such technologies would not be immediately tangible, the long-term impact of creating new high-tech jobs would be significant.

"We're looking at things that are down the road that are going to play out very handsomely for our kids and grandkids," he said.

Rep. Paul Thissen (DFL-Mpls) asked Beard why the state should choose to invest its limited resources in nanotechnology over other high-tech fields like genomics. Beard said that nanotechnology "deals with a host of disciplines" and would help spawn commercially viable technologies in other sectors like bioscience and medicine.

A companion bill, SF3632, sponsored by Sen. Julie Rosen (R-Fairmont), awaits action by the Senate Business, Industry and Jobs Committee.

— N. BUSSE

## TRANSPORTATION

### Seeking OK to study a line

Since 2002, it has been illegal for three government entities to consider a specific commuter rail line.

Sponsored by Rep. David Bly (DFL-Northfield), HF3003 would allow the Metropolitan Council, Department of Transportation and county regional rail authorities to study or plan for a potential Dan Patch Line from downtown Minneapolis to Northfield.

The bill was held over March 11 by the House Transportation Finance Division for possible inclusion in its omnibus bill.

A companion bill, SF2990, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate Transportation Committee.

"There has been great conversation about trying to renew talk about the Dan Patch Line. People didn't know there was a law that prohibited the conversation," Bly said.

The Metropolitan Council is in the process of looking at its transportation policy plan, a 30-year document designed to help decide where transit and transitway investments should take place in the Twin Cities metropolitan area.

"We are studying 29 corridors throughout the region. We're not suggesting we should move forward and fund all of these. We're just trying to see which ones basically have the muster in order to be viewed as a viable transitway," said Judd Schetnan, the council's government affairs director. "I don't know if the Dan Patch Line would pass that test, but we think we should at least have the opportunity to look at it as a possible transitway."

An amendment successfully offered by Rep. Mary Liz Holberg (R-Lakeville) ensures that no money can be used for preliminary engineering, final design or construction of the line, which was previously identified as a potential corridor that would have stops in downtown Minneapolis, St. Louis Park, Edina, Bloomington, Savage, Burnsville, Lakeville and Northfield. The council could later return to the Legislature for funding.

A study in the late-90s showed this line would be "extremely expensive," Holberg said. "I'm certain the result will be the same or similar in that it's just so expensive."

— M. COOK

### Milk transportation weight

A bill to permanently exempt milk haulers from certain truck weight restrictions, limits and prohibitions received House approval.

Passed 132-0 March 6, it would remove a July 1, 2007, sunset in current law. It now awaits action by the full Senate.

Federal law requires dairy haulers to completely empty a milk tank on a farm before they can remove the hose to the truck, said Rep. Al Juhnke (DFL-Willmar), who sponsors HF1219 with Sen. Betsy Wergin (R-Princeton).

"Because of federal food law, we are seeing larger and larger bulk tanks out there, and larger and larger herds, and consequently under spring road restrictions, because of the way they have to do this, they are overweight," Juhnke said. "They have two options at this point: ignore federal food laws, unhook and go out with the right weight and risk losing their federal license or, more likely, what they're doing today or would do if we didn't do this bill, would be to run illegally."

"Not being able to unhook means you either blow that day's profit or put it on the truck,"

## AND COUNTING ...



PHOTO BY SARAH STACKE

**Members meet for the 89th day of session on March 11. Legislative days are limited to 120, and May 19 is the last day the House can meet in regular session in 2008.**

said Rep. Al Doty (DFL-Royalton).

Juhnke sponsored a bill a few years ago that allowed milk haulers to fill up at the point of production, and if they were overweight, they would be required to take the most direct route to a 10-ton route.

The bill does not permit a vehicle to exceed a weight restriction of 5 tons per axle by more than 2 tons per axle.

"This is not an overweight bill, it's about spring road restrictions, and when they lower the weight for a few weeks," said Bruce Kleven, representing the Minnesota Association of Cooperatives. "The rest of the year, there's no issue and the guys are running legally." He said North Dakota and Wisconsin haulers can run heavier truck weights all year.

— M. Cook

### Leave 'em room

Terry Schmitt has worked for 27 years as a Department of Transportation maintenance person in Goodhue County.

In that time, he has seen a number of near misses between motorists and a stopped maintenance vehicle; and a couple of hits, including one that severely injured two coworkers.

He spoke to the House Transportation Finance Division March 7 in support of a bill that would require motorists to move to the far left of a roadway when approaching road maintenance or construction vehicles if it is safe to change lanes. The bill would also include the Freeway Incident Response Safety Team vehicles in the Twin Cities metropolitan area, formerly known as Highway Helpers.

Sponsored by Rep. Steve Drazkowski (R-Wabasha), HF2970 was approved by the division and referred to the House Public Safety and Civil Justice Committee.

"We find ourselves in a position of being the first ones on the scene that a state patrol officer would find themselves in. It could be a stranded motorist or somebody that has a flat tire. We have cases when we're plowing snow where we've come across accidents or other stranded motorists that might be partially on a road or around a curve or

in some other position that could endanger them. We'll stop with our lights flashing, call the state patrol, and wait until they get there," Schmitt said. "We're trying to protect our own workers. ... We'd like a little more bite to get the traffic to move over and give us a little more room to work."

Joe Huneke, a transportation maintenance worker for 19 years, thinks the law passed for the state patrol is a great idea. "I just thought it was missing in one aspect of having maintenance workers also."

A ticket can be issued if an officer has probable cause to believe the driver has violated the law. The citation can be issued within four hours if the incident.

A companion bill, SF2810, sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action by the Senate Transportation Committee.

— M. Cook

### Moving a registrar office

In most cases, a bank moving to a new location four blocks away would not be a big deal.

But it could be problematic in New Prague.

"The State Bank of New Prague has been providing the deputy registrar services for our area for many, many years. They have decided to build a new building not far away, but it happens to be across the county line," said Rep. Laura Brod (R-New Prague). "State law does not allow a deputy registrar office to move across county line without a revision."

Brod sponsors HF3128, which would provide a variance from the Public Safety Department that would allow the bank to move its deputy registrar office from Scott County to Le Sueur County. The office move must take place by the end of the year.

Approved March 6 by the House Transportation Finance Division, the bill awaits action on the House floor.

"It is not a license bureau itself, so we want to make sure that we are only changing the law for the purposes that are provided in that building," Brod said.

A companion bill, SF2755, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate Transportation Committee.

— M. Cook

### Ensuring safe trailers

The safety of trailers and commercial vehicles is the focus of a bill aimed at protecting other motorists.

Rep. Melissa Hortman (DFL-Brooklyn Park) sponsors HF2967, which would modify brake requirements on trailers and semi-trailers; reduce the minimum gross vehicle weight of vehicles that may have to stop for vehicle weighing; and toughen penalties for duplicating, altering or forging a commercial vehicle inspection decal.

Approved March 6 by the House Transportation Finance Division, the bill was sent to the House Public Safety and Civil Justice Committee.

The bill would require a trailer or semi-trailer weighing more than 3,000 pounds to have a braking capability, if it becomes detached from the towing vehicle. Current law is more than 6,000 pounds.

"In recent years we've seen a number of trailers come uncoupled from power units, and without breakaway braking they've gone down the highway and then subsequently impacted other vehicles and have been involved in fatal crashes," said Capt. Ken Urquhart, commander of the state patrol's commercial vehicle section.

The weight change would also make the state consistent with federal safety regulations.

The decal provision comes from an incident last June where authorities found that a

**Highlights continued on page 22**

# Preparing for the worst

Emergency responders push for new training centers

By CRAIG GREEN

**D**isasters happen. There are fires, floods, tornadoes. Trucks can overturn and burst into flames in the middle of rush hour.

When the Interstate 35W bridge went down last August, Minnesota public safety officers were put to the test. They had to respond quickly and efficiently. They had to communicate effectively, transport 121 victims from the site to medical facilities, and move large chunks of the bridge that had fallen.

“Without proper training, prior planning, multi-jurisdictional and multi-disciplinary response, we would not have been successful,” said Tim Leslie, assistant commissioner of the Department of Public Safety.

Leslie spoke before the House Public Safety Finance Division Feb. 14 in support of funding construction of an emergency and training center at Camp Ripley, where emergency services officials could meet and train. Funding for the center is included in the House capital investment finance bill, passed by the House March 6.

## Plans for the future

In 1998, there were at least eight bills introduced seeking funding for public safety training facilities. That same year, the Legislature instructed the commissioner of public safety to provide a statewide master plan for fire and law enforcement training facilities in Minnesota.

The 1999 report, and a 2000 supplemental report, provided several recommendations on location, design, operations, funding and capacity. They stressed the use of existing facilities, the use of technology for realistic training, identifying regional funding resources, and the need for cooperation between federal, state and local governments.

Based on these reports, two sites rose to the top of numerous requests this year: Camp

Ripley and a southeastern Minnesota public safety training facility near Rochester.

This session, 16 bills have been introduced for funding various state and regional public safety facilities.

“Why are there so many proposals this year? Because there is a need,” said Olmsted County Sheriff Steven Borchardt.

## State emergency training site

Camp Ripley is a 53,000-acre, state-owned military training site about 100 miles north of the Twin Cities, between Brainerd and Little Falls. It has two runways, a control tower, an administrative and operations building, helicopter pads, an aircraft hanger, and two crash fire rescue bays.

The House capital investment finance bill would provide \$4 million for construction of a new homeland security and emergency management training and exercise center at Camp Ripley. This phase would include construction of an auditorium, a simulated emergency operations center, collapsed structures and a fire hydrant system for a simulated city.

An additional phase would include construction of a dormitory, cafeteria, a burn tower and emergency vehicle driving course, at an estimated cost of \$10.91 million.

Funding for this project will be requested during the 2010 session.

Rocco Forte, director of emergency preparedness for Minneapolis, said that the emergency services would not have been as successful as they were following the bridge collapse without the training they had received at a facility in Virginia. In the future, it would be even better if there was a Minnesota facility like Camp Ripley where other officials could receive training, he said.

“An emergency is the wrong time to exchange business cards,” Leslie said, quoting his boss. Camp Ripley would provide a location for state emergency professionals to meet and train together, he said.

## New regional training site

The proposal for southeastern Minnesota calls for a regional training facility, smaller in scope than Camp Ripley. The 40-acre facility would include a burn tower, driving range and weapons training facility. Included in the capital investment bill is \$3.65 million, with matching funds coming from Olmsted County and the City of Rochester.

Speaking before the House Capital Investment Finance Division, Borchardt stressed that the site is important because there is nothing like it nearby. Accessibility, he said, is a key for the many volunteer public safety officers who need training.


Borchardt said that it's important for public safety officers to have opportunities to train regularly, especially when working with

complicated equipment.

But this is hard to do when there are no local training facilities. “We’re asking people to be near perfect with physical responses during the most harrowing times

in their lives,” Borchardt said. “And it takes accessibility; that’s the only way it’s going to work.”

Each facility is also included in Gov. Tim Pawlenty’s bonding recommendations.

The Senate capital investment bill, SF3295, sponsored by Sen. Keith Langseth (DFL-Glyndon), includes requested funding for both projects, as well. 

---

***“An emergency is the wrong time to exchange business cards.”***

— Tim Leslie  
Assistant Commissioner of the  
Department of Public Safety

---



## Hunting and fishing galore

Omnibus game and fish bill is chock full of policy changes

By Nick Busse

**H**unters, anglers and Department of Natural Resources employees take note: the 2008 omnibus game and fish bill has arrived.

HF3547, sponsored by Rep. David Dill (DFL-Crane Lake), represents the work of the House Game, Fish and Forestry Division, which Dill chairs. The bill is loaded with dozens of proposed changes to the state's hunting and fishing laws, most of which were adopted from smaller policy bills heard by the division. It has no Senate companion.

During a March 6 meeting of the House Environment and Natural Resources Committee, Dill wasted no words in summarizing the bill.

"There's a lot of provisions in there," he said.

One of the more controversial measures would allow residents as young as 10 years old to hunt big game without a firearms safety certificate if accompanied by a parent or guardian who remains within arm's reach. Rep. Jean Wagenius (DFL-Mpls) said she is uncomfortable with the idea of not requiring children that young to complete some kind of firearms safety training before they go hunting.

Dill responded that the idea is to help reinvigorate the state's dwindling numbers of hunting participants by getting more young people out in the deer stand.

Rep. Denny McNamara (R-Hastings) agreed, arguing that competency with firearms wasn't the point.

"It's a very good experience and it'll introduce youngsters to the big game experience. And they may not even actually pull the trigger. I don't think that's the important thing," McNamara said.

What follows is a selected summary of the bill's provisions, broken down by category. The bill now awaits action by the House Governmental Operations, Reform, Technology and Elections Committee.



PHOTO ILLUSTRATION BY ANDREW VONBANK

**Several provisions in this year's omnibus game and fish bill are designed to encourage more hunting by young people.**

### Fishing

- creating a "conservation angling license" that would cost two-thirds the price of a regular license, allow license-holders to take up to one-half of the normal fish possession limits, and be valid for 14 consecutive days;
- allowing anglers to fish with two lines simultaneously;
- expanding the open season for spear fishing through the ice by leaving open the season's opening date; and
- numerous provisions clarifying that statutes applying to ice houses also apply to various kinds of portable shelters used for ice fishing.

### Hunting

- provisions eliminating the minimum age requirements for hunting moose, elk and prairie chicken;
- requiring residents under age 16 to obtain a license to hunt big or small game, but waving the fee;
- allowing residents ages 10 and 11 to hunt big game provided that they are within immediate reach of a parent or guardian;
- loosening firearm safety requirements for residents under age 16;

- creating a \$52 all-firearm season deer hunting license allowing hunters to take two deer, only one of which may be a buck;
- establishing a \$165 master bear hunting outfitter license that allows one person under the license to serve as the outfitter and another to guide and bait bear;
- allowing youth who will turn 12 years old within the calendar year to obtain a license to hunt big game;
- allowing the use of crossbows to hunt bear and turkey during their respective firearms seasons;
- allowing bow hunters to possess a firearm while hunting big game other than deer;
- allowing bear hunting permit applicants to apply for more than one permit area at a time by ranking their choices;
- limiting the time period in which raccoons may be hunted to between one half-hour after sunset to one half-hour before sunrise;
- requiring the DNR to submit a report to the Legislature by Jan. 1, 2009, evaluating the effectiveness and necessity of the state's uncased firearms laws; and
- increasing the cock pheasant bag limit to three per day after the 16th day of the pheasant season (a similar measure was included in last year's game and fish bill but was removed in a conference committee).

### Aquaculture and miscellaneous

- requiring the DNR to file biannual reports to the Legislature on proposed fee changes that would make the department's aquaculture licensing program self-sustaining;
- asking the DNR to encourage fish farming in man-made ponds rather than natural public waters;
- prohibiting the DNR from issuing or renewing a license to raise minnows in waters subject to protective easements funded by state or federal waterfowl stamp proceeds;
- allowing those authorized to sell various DNR-issued licenses to charge a fee of up to \$3.50 for electronic licensing transactions; and
- removing a requirement for those riding horses on horse trails to visibly display their trail passes.



## Monday, March 10

### **HF3886-Paymar (DFL)** **Public Safety & Civil Justice**

Pre-confinement data access on inmates granted to the Department of Corrections.

### **HF3887-Heidgerken (R)** **Finance**

Teacher training and experience revenue reinstated.

### **HF3888-Atkins (DFL)** **Commerce & Labor**

Real estate transactions regulated, terms defined and closing agents regulated.

### **HF3889-Holberg (R)** **Local Government & Metropolitan Affairs**

Subdivision development contracts regulated.

**HF3890-Finstad (R)**  
**Environment & Natural Resources**  
Watonswan County Soil and Water Conservation District Board procedures provided for filling vacant supervisor positions.

**HF3891-Loeffler (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Minnesota Milestones goals and indicators in budget preparation incorporated, Legislative Commission on Planning and Fiscal Policy and a working group established and Sesquicentennial Commission additional duties provided.

**HF3892-Brown (DFL)**  
**Taxes**  
Nonprofit outdoor recreation organization property tax exemption provided.

**HF3893-Nelson (DFL)**  
**Commerce & Labor**  
Employment provisions modified, Fair Labor Standards Act provisions added and penalties provided.

**HF3894-Bigham (DFL)**  
**Public Safety & Civil Justice**  
Fire sprinkler stringent local regulation allowed and clarifying changes made.

**HF3895-Murphy, M. (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Statewide lump-sum voluntary retirement plan established for volunteer firefighters, conforming changes made to existing volunteer firefighter laws.

**HF3896-Hornstein (DFL)**  
**Transportation Finance Division**  
Walkways required by certain railroad tracks.

**HF3897-Dill (DFL)**  
**Environment & Natural Resources**  
St. Louis County; conveyance and compensation required for Crane Lake public access land.

**HF3898-Dill (DFL)**  
**Environment & Natural Resources**  
Timber sales provisions modified and refund provided.

**HF3899-Atkins (DFL)**  
**Commerce & Labor**  
Life insurance individual contracts regulated on a variable basis and annuity fee disclosure required.

**HF3900-Mullery (DFL)**  
**Public Safety & Civil Justice**  
Misdemeanor penalty increase provided.

**HF3901-Fritz (DFL)**  
**Health & Human Services**  
Steele County; nursing home bed moratorium exception provided.

**HF3902-Juhnke (DFL)**  
**Finance**  
Agriculture appropriation changed.

**HF3903-Brynaert (DFL)**  
**Finance**  
Extended employment services funding provided and money appropriated.

**HF3904-Tillberry (DFL)**  
**Local Government & Metropolitan Affairs**  
Charter commission discharge provided, compensation provided, amendments authorized by ordinance and water and sewer charges provided.

**HF3905-Bly (DFL)**  
**E-12 Education**  
School board decision appeal allowed by potential school site.

**HF3906-Bly (DFL)**  
**Public Safety & Civil Justice**  
Public service corporation exemptions repealed.

**HF3907-Lillie (DFL)**  
**Commerce & Labor**  
Franchise agreements regulated between outdoor sport equipment dealers, manufacturers and distributors.

**HF3908-Haws (DFL)**  
**E-12 Education**  
School board requirements clarified regarding the hiring and dismissal of teachers.

**HF3909-Beard (R)**  
**Transportation Finance Division**  
Drivers' license ineligibility provided by dishonored check payment for vehicle taxes and fees.

**HF3910-Morrow (DFL)**  
**Finance**  
Office of Pupil Transportation Safety created, staffing and duties prescribed, report required and money appropriated.

**HF3911-Beard (R)**  
**Biosciences & Emerging Technology**  
Enabling design project funding provided and money appropriated.

**HF3912-Koenen (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Commemorative medallion distribution required recognizing service in the United States armed forces during World War II.

**HF3913-Gunther (R)**  
**Commerce & Labor**  
Minnesota Boxing Commission name changed, penalties provided, jurisdiction extended and rulemaking authorized.

**HF3914-Erhardt (R)**  
**Transportation Finance Division**  
Motor vehicles required one license plate.

**HF3915-Murphy, M. (DFL)**  
**Local Government & Metropolitan Affairs**  
St. Louis County civil service pilot project provided.

**HF3916-Dominguez (DFL)**  
**Public Safety & Civil Justice**  
Utility company employee assault penalties increased.

**HF3917-Ozment (R)**  
**Environment & Natural Resources**  
Campfire provisions modified.

**HF3918-Olin (DFL)**  
**Finance**  
Vehicle permit authorized for gross vehicle weight up to 105,000 pounds, permit fee allocation prescribed and money appropriated.

**HF3919-Paulsen (R)**  
**Taxes**  
Corporate franchise tax rate reduced, research credit increased and credit transfer allowed among unitary group, apportioning method modified, and capital equipment sales tax exemption allowed at time of purchase.

**HF3920-Sailer (DFL)**  
**Public Safety & Civil Justice**  
State auditor report data protection provided.

**HF3921-Olson (IR)**  
**Environment & Natural Resources**  
Turkey license landowner and tenant separate selection eligibility modified.

**HF3922-Olson (IR)**  
**Higher Education & Work Force Development Policy & Finance Division**  
Free Speech for Faculty and Students Bill of Rights enacted.

**HF3923-Olson (IR)**  
**Finance**  
Big Lake ice arena funding provided.

**HF3924-Thao (DFL)**  
**Commerce & Labor**  
Optometrists allowed to dispense legend drugs at retail under certain conditions.

**HF3925-Thissen (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
St. Paul Teachers Retirement Fund Association Rule of 90 benefit tier extended to post-1989 hires.

**HF3926-Thissen (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Teachers Retirement Association Rule of 90 benefit tier extended to post-1989 hires.

**HF3927-Thissen (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Duluth Teachers Retirement Fund Association Rule of 90 benefit tier extended to post-1989 hires.

**HF3928-Olin (DFL)**  
**Public Safety & Civil Justice**  
Revisor's bill correcting erroneous, ambiguous and omitted text and obsolete references; eliminating redundant, conflicting and superseded provisions; and making miscellaneous corrections.

**HF3929-Hilty (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Limited towns exempted from voting system requirement in certain situations.

**HF3930-Hornstein (DFL)**  
**Environment & Natural Resources**  
Pollution Control Agency notification required on status of underground tanks.

**HF3931-Kalin (DFL)**  
**Public Safety & Civil Justice**  
Mortgage redemption sales moved to end of current redemption period and mortgagee redemption rights eliminated.

**HF3932-Atkins (DFL)**  
**Commerce & Labor**  
Reinstatement right and other provisions modified relating to mortgage foreclosure.

**HF3933-Loeffler (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Executive branch employee duties and rights specified.

**HF3934-Kalin (DFL)**  
**Public Safety & Civil Justice**  
Uniform Disclaimer of Property Interests Act adopted.

**HF3935-Moe (DFL)**  
**Environment & Natural Resources**  
Outdoor heritage fund and Lessard Heritage Enhancement Council established.

**HF3936-Holberg (R)**  
**Commerce & Labor**  
Bomb squad employee disability payments provided.

**HF3937-Ruud (DFL)**  
**Health & Human Services**  
Lasers, intense pulsed light devices and radio frequency devices use regulated relating to medical treatment.

**HF3938-Murphy, M. (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
Volunteer firefighter relief associations misconduct reporting required by public accountants, holding of relief assets authorized, investment limitations clarified and definitions and benefits clarified.

**HF3939-Kalin (DFL)**  
**Taxes**  
Special research and development corporate tax credit authorized.

**HF3940-Shimanski (R)**  
**Health & Human Services**  
Finger imaging system established to identify applicants for and recipients of public assistance programs; penalties imposed.

**HF3941-Shimanski (R)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Somatic cell count limit increased for goat milk.

**HF3942-Lesch (DFL)**  
**Public Safety & Civil Justice**  
Family law terminology, procedures and requirements modified.

**HF3943-Koenen (DFL)**  
**Taxes**  
Green acres property tax program requirements modified.

**HF3944-Clark (DFL)**  
**Health & Human Services**  
Fragrance-free schools education campaign established.

**HF3945-Drazkowski (R)**  
**Public Safety & Civil Justice**  
Illegal immigration; attorney general directed to prepare a report on illegal immigration costs to the state and federal government, and monitor and record federal authorities' responses to state law enforcement officer inquiries.

**HF3946-Otremba (DFL)**  
**Health & Human Services**  
Abortion; saline amniocentesis prohibited and civil and criminal penalties provided.

**HF3947-Otremba (DFL)**  
**Health & Human Services**  
Abortion; saline amniocentesis prohibited and civil and criminal penalties provided.

**HF3948-Bunn (DFL)**  
**Health & Human Services**  
Physical activity costs allowed to be covered under home and community-based waivers.

**HF3949-Thissen (DFL)**  
**Finance**  
Shelter needy individuals support provided.

**HF3950-Clark (DFL)**  
**E-12 Education**  
American Indian Youth summer programming funding provided.

**HF3951-Greiling (DFL)**  
**Finance**  
Pre-kindergarten through grade 12 education funding provided including general education, education excellence and state agencies.

**HF3952-Olson (IR)**  
**Transportation Finance Division**  
Defensive driving instruction and technique required for classroom training and included in the driver's manual.

**HF3953-Kalin (DFL)**  
**Finance**  
Veteran-to-veteran statewide peer counseling pilot program established.

**HF3954-Hosch (DFL)**  
**Health & Human Services**  
Health care cooperative arrangement procedures established.

## Tuesday, March 11

**HF3955-Thissen (DFL)**  
**Health & Human Services**  
Community-based care promoted for older adults through the establishment of a community consortium demonstration project, account established in the General Fund to distribute pooled resources and project evaluation required.

**HF3956-Moe (DFL)**  
**Finance**  
American Indian education liaison position established within Department of Education.

**HF3957-Welti (DFL)**  
**E-12 Education**  
School districts required to make data available to the public.

**HF3958-Swails (DFL)**  
**E-12 Education**  
Teacher licensure via portfolio established.

**HF3959-Ward (DFL)**  
**Governmental Operations, Reform, Technology & Elections**  
October designated as domestic violence awareness month in Minnesota.

**HF3960-Morrow (DFL)**  
**Transportation Finance Division**  
Driver education instruction relating to interaction with commercial motor vehicles required and modification of driver's manual required.

**HF3961-Atkins (DFL)**  
**Transportation Finance Division**  
Consultation required regarding new design for drivers' license for persons under 21 years of age.

**HF3962-Morrow (DFL)**  
**Transportation Finance Division**  
Spotter trucks regulated.

**HF3963-Morrow (DFL)**  
**Transportation Finance Division**  
Anhydrous ammonia driver hours of service provision modified.

**HF3964-Magnus (R)**  
**Finance**  
Transportation appropriations reduced, surcharge deleted and technical change made relating to driver examination requirements.

**HF3965-Slocum (DFL)**  
**Finance**  
Unused veterans' license plate disposal authorized.

**HF3966-Sailer (DFL)**  
**Finance**  
Upper Red Lake business loan repayment provision modified.

**HF3967-Simpson (R)**  
**Taxes**  
Various tax provisions modified; tax refund, withholding and subtraction changes made; tax system and association created; adjustments provided, federal conforming changes made and money appropriated.

**HF3968-Sailer (DFL)**  
**Taxes**  
Additional county program aid provided to meet the cost of out-of-home placement programs.

**HF3969-Kahn (DFL)**  
**Finance**  
Help America Vote Act funds transfer authorized.

**HF3970-Hornstein (DFL)**  
**Local Government & Metropolitan Affairs**  
Carbon emission planning required in local comprehensive plans.

**HF3971-Simon (DFL)**  
**Public Safety & Civil Justice**  
Hennepin County; electronic exchange of medical data authorized.

**HF3972-Gunther (R)**  
**Finance**  
Jobs, economic development and housing funding provided, programs established and modified, activities and practices regulated, accounts, assessments and fees provided, code and licensing provisions changed, and money appropriated.

**HF3973-Dill (DFL)**  
**Taxes**  
St. Louis County; levy imposed within territory for the providing support of first responder services.

**HF3974-Dominguez (DFL)**  
**Public Safety & Civil Justice**  
Domestic fatality review team continuation authorized.

**HF3975-Smith (R)**  
**Commerce & Labor**  
Attorney fees and recovery of damages provided for breach of an insurance policy.

**HF3976-Huntley (DFL)**  
**Finance**  
Health care program provisions changed and funding provided.

**HF3977-Brynaert (DFL)**  
**Energy Finance & Policy Division**  
Power transmission lines, renewable energy obligations, and related activities and costs provisions modified.

**HF3978-Hornstein (DFL)**  
**Environment & Natural Resources**  
Greenhouse gas reduction planning provided, working group established, appointments provided and report required.

**HF3979-Thao (DFL)**  
**Public Safety & Civil Justice**  
Criminal history data access governing provisions modified.

**HF3980-Buesgens (R)**  
**Commerce & Labor**  
State lottery gaming machines established and contracts authorized for the management and placement of machines and power and duties provided for gaming revenue.

**HF3981-Juhnke (DFL)**  
**Finance**  
Veterans affairs, military affairs and the Board of Animal Health funding provided, agriculture appropriations reduced, veteran contribution plate authorized for motorcycles, grant limit and sunset date removed and money appropriated.



**HF3982-Thao (DFL)****Public Safety & Civil Justice**

Racial profiling policy adoption required, data analysis required, information provided to motorists involved in traffic stops, racial profiling elimination training required, reports and improvement plans required and money appropriated.

**HF3983-Hilstrom (DFL)****Public Safety & Civil Justice**

Metropolitan airport customer parking space data classified.

**HF3984-Moe (DFL)****Commerce & Labor**

Credit scoring regulated in cases of death of a spouse or divorce.

**HF3985-Zellers (R)****Governmental Operations, Reform, Technology & Elections**

Social Security number use prohibited on the face of certain mailings.

**HF3986-Zellers (R)****Commerce & Labor**

2008 Republican National Convention; temporary later closing time allowed for on-sale liquor establishments.

**HF3987-DeLaForest (R)****Finance**

Republican National Convention; budget reserve escrow account established and money appropriated.

**HF3988-Benson (DFL)****Finance**

Foodshelf programs funding provided.

**HF3989-Eastlund (R)****Public Safety & Civil Justice**

Marriage dissolution grounds modified, and prevention notice and waiting period required.

**HF3990-Winkler (DFL)****E-12 Education**

Online learning charter schools authorized to conduct board meetings by telephone or other electronic means.

**HF3991-Olin (DFL)****Environment & Natural Resources**

Lake of the Woods Water Sustainability Foundation water quality referral to the International Joint Commission requested by resolution.

**HF3992-Ozment (R)****Finance**

Environment and natural resources funding, fish disease control and administrative sites sales proceeds disposition provided; assessment requirements modified; and money appropriated.

**HF3993-Haws (DFL)****Higher Education & Work Force Development Policy & Finance Division**

Minnesota State Colleges and Universities Board of Trustees modified to include bonding for colleges.

**HF3994-Urdahl (R)****Taxes**

Lake improvement association sales tax exemption provided.

**HF3995-Mullery (DFL)****Public Safety & Civil Justice**

Assaulting a utility employee or contractor gross misdemeanor established.

**HF3996-Eken (DFL)****Environment & Natural Resources**

Native prairie restorations definitions modified.

**HF3997-Bunn (DFL)****Environment & Natural Resources**

Land disposal facilities siting prohibited in certain areas.

**HF3998-Davnie (DFL)****Governmental Operations, Reform, Technology & Elections**

Green Economy Transformation Task Force established to advance the environmental and energy policies of the state, and money appropriated.

**HF3999-Davnie (DFL)****Finance**

Green economy priority established, economic development policies conformity with environmental policy provided, and report required.

**HF4000-Madore (DFL)****Health & Human Services**

Medicare special needs plans modified.

**HF4001-Norton (DFL)****Health & Human Services**

State-funded reinsurance for small employer health coverage provided.

**HF4002-Thissen (DFL)****Health & Human Services**

HIV transmission awareness and education program established.

**HF4003-Hornstein (DFL)****Commerce & Labor**

Real estate appraisal influencing prohibited and criminal penalty imposed.

**HF4004-Carlson (DFL)****Local Government & Metropolitan Affairs**

Crystal housing development account authorized.

**HF4005-Bly (DFL)****Energy Finance & Policy Division**

School boards authorized to form business entities solely for wind energy projects, and exemption from production tax provided.

**HF4006-Olin (DFL)****Local Government & Metropolitan Affairs**

Joint powers act entities subjected to open meeting law.

**HF4007-Atkins (DFL)****Commerce & Labor**

Beer kegs purchase and receipt by scrap metal dealers regulated.

**HF4008-Morrow (DFL)****Transportation Finance Division**

Commercial driver's license holders alcohol and drug testing results notification required.

**HF4009-Peterson, A. (DFL)****Environment & Natural Resources**

Walleye fishing stamp established for the purpose of increased walleye stocking.

---

**Thursday, March 13**

---

**HF4010-Kahn (DFL)****Environment & Natural Resources**

Urban riverfront model ordinance required.

**HF4011-Smith (R)****Public Safety & Civil Justice**

Employers hiring illegal immigrants penalties provided, documents included in aggravated forgery added, aggravated forgery penalty increased and sex trafficking established as separate crime from promotion of prostitution.

**HF4012-Mullery (DFL)****Commerce & Labor**

Minnesota Subprime Foreclosure Extension Act provided.

**HF4013-Hornstein (DFL)****Commerce & Labor**

Confidential employee definition changed.

**HF4014-Fritz (DFL)****Finance**

Steele County; nursing home and assisted living facility and related asset transfer authorized to non-profit corporations and acquisition of membership interest in nonprofit corporations.

**HF4015-Hornstein (DFL)****Local Government & Metropolitan Affairs**

Metropolitan Airports Commission directed to enforce certain covenants.

**HF4016-Hornstein (DFL)****Local Government & Metropolitan Affairs**

Metropolitan Airport Commission environmental planning and report required.

**HF4017-Lieder (DFL)****Taxes**

Northwest Minnesota Multicounty Housing and Redevelopment Authority allowed to levy certain taxes.

**HF4018-Greiling (DFL)****Finance**

School debt provisions modified.

**HF4019-Greiling (DFL)****Ways & Means**

Referendum ballot language modified in cases of renewal of referendum authority.

**HF4020-Marquart (DFL)****Taxes**

Property assessor rotation of duties required and truth in taxation statement provided.

**HF4021-Wagenius (DFL)****Finance**

Pollution Control Agency temporarily prohibited from establishing or holding stakeholder groups or meetings.

**HF4022-Atkins (DFL)****Taxes**

Aggregate resource preservation property tax provided and criminal penalty provision changed.

**HF4023-Solberg (DFL)****Finance**

Health, human services and education forecast adjustments made.

**HF4024-Lenczewski (DFL)****Environment & Natural Resources**

Temporary drawdown of public waters provided.

**HF4025-Drazkowski (R)****Governmental Operations, Reform, Technology and Elections**

Cost-savings initiative suggestion program established for state employees, cost savings used to fund road improvements and transportation endowment fund created.

**HF4026-Cornish (R)****Environment & Natural Resources**

Outdoor heritage fund created, receipt disposition provided, and Sportsman's Stakeholders Council created.

**HF4027-Sailer (DFL)****Finance**

Waste pesticide collection program modified.

**HF4028-Howes (R)****Environment & Natural Resources**

Off-highway vehicle restrictions and damage account modified, seizure and forfeiture provided, violations added to violator record, penalties, account receipts and disposition modified, plates required and registration revocation provided.

**HF4029-Howes (R)****Commerce & Labor**

Construction subcontractor prompt payment required.

**HF4030-Ruth (R)****Environment & Natural Resources**

Carbon monoxide detectors required in fish houses and dark houses.

**HF4031-Norton (DFL)****Health & Human Services**

Health policy claim practices regulated.

**HF4032-Howes (R)**  
**Health & Human Services**  
Smoking ban changes made by adding definitions and an exception and requiring posted signs.

**HF4033-Erickson (R)**  
**Transportation Finance Division**  
Curt Eastlund Memorial Bridge designated.

**HF4034-Hausman (DFL)**  
**Finance**  
Living-at-home/block nurse program base funding provided and community service grant program funds transferred.

**HF4035-Emmer (R)**  
**Commerce & Labor**  
No-fault auto insurance reformed, injured persons prohibited from collecting non-economic damages in certain circumstances, arbitration procedures modified, health care provider balance billing prohibited and civil liability clarified.

**HF4036-Demmer (R)**  
**Finance**  
K-12 education state grants authorized to leverage quality improvements and money appropriated.

**HF4037-Hamilton (R)**  
**Local Government & Metropolitan Affairs**  
Jackson County auditor-treasurer office made appointive.

**HF4038-Olin (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Bovine tuberculosis control provided.

**HF4039-Slawik (DFL)**  
**Governmental Operations, Reform, Technology and Elections**  
Elections; deceptive name use prohibited for candidates, political committees and political funds.

**HF4040-Madore (DFL)**  
**Commerce & Labor**  
Residential real estate sale disclosure requirement supplemental prohibitions clarified.

**HF4041-Madore (DFL)**  
**Health & Human Services**  
Medicare special needs plans modified.

**HF4042-Madore (DFL)**  
**Health & Human Services**  
Managed care ombudsman provision modified and Medicare special needs plans modified.

**HF4043-Emmer (R)**  
**Health & Human Services**  
Health care freedom of choice provided and constitutional amendment proposed.

**HF4044-Peterson, S. (DFL)**  
**E-12 Education**  
Regional pupil transportation centers authorized.

**HF4045-Olin (DFL)**  
**Local Government & Metropolitan Affairs**  
Uniform Municipal Contracting Law contracting procedure threshold amounts modified.

**HF4046-Hortman (DFL)**  
**Environment & Natural Resources**  
Beverage container recycling required by manufacturers and penalties provided.

**HF4047-Hortman (DFL)**  
**Environment & Natural Resources**  
Beverage container deposit and labeling required, container deposit refund return provided and unclaimed deposit payment required.

**HF4048-Hortman (DFL)**  
**Environment & Natural Resources**  
Beverage containers prohibited from placement in solid waste.

**HF4049-Laine (DFL)**  
**Health & Human Services**  
Health care availability and affordability guaranteed for every Minnesotan, Minnesota Health Plan, Board, Fund, Office of Health Quality and Planning, ombudsman for patient advocacy and inspector general established.

**HF4050-Laine (DFL)**  
**Health & Human Services**  
County-based purchaser pilot program created to cover the uninsured.

**HF4051-Sailer (DFL)**  
**Environment & Natural Resources**  
Used paint collection and process pilot program established.

**HF4052-Smith (R)**  
**Finance**  
Natural disaster assistance payment funding provided to match FEMA money, court, public defender, public safety, corrections, human rights and other criminal justice agencies appropriations reduced.

**HF4053-Wardlow (R)**  
**E-12 Education**  
Children under 7 year old enrolled in public school first grade compelled to remain enrolled.

**HF4054-Dettmer (R)**  
**Health & Human Services**  
Board of Medical Practice prohibited from bringing a disciplinary action against a physician for prescribing, administering or dispensing long-term antibiotic therapy for Lyme disease.

**HF4055-Madore (DFL)**  
**Finance**  
Transportation construction project mitigating effects on small businesses report required.

**HF4056-Kahn (DFL)**  
**Health & Human Services**  
Synthetic turf use limited on certain athletic fields, health study required on impacts of crumb rubber use and reports required.

**HF4057-Kahn (DFL)**  
**Environment & Natural Resources**  
Fishing seasons and limits modified.

**HF4058-Heidgerken (R)**  
**Finance**  
School districts' extended time revenue calculation modified.

**HF4059-Erhardt (R)**  
**Health & Human Services**  
Reproductive privacy right established.

**HF4060-Knuth (DFL)**  
**Energy Finance & Policy Division**  
Regional Greenhouse Gas Emission Reduction Cap and Trade Accord; memorializing the governor to incorporate greenhouse gas emission reduction principles.

## Highlights continued from page 16

Winsted man was able to convince his local newspaper to reproduce the patrol's commercial vehicle safety sticker decals.

"He was passing himself off as an agent of the state patrol and was conducting business as if he was inspecting these vehicles, yet he was not, and he was placing decals on vehicles all over the state," he said. "Subsequently two of these vehicles turned up in fatal crashes. Once we conducted our investigation we discovered these decals were on hundreds of vehicles all over Minnesota."

The offender, who was charging \$50-\$150 per inspection, has been prosecuted for fraud and several other misdemeanors.

A companion bill, SF3542, sponsored by Sen. Michael Jungbauer (R-East Bethel),

awaits action by the Senate Transportation Committee.

— M. COOK



## New chaplain named

The Rev. Richard Buller was elected by the House March 10 as its chaplain.

Rep. Sandra Peterson (DFL-New Hope) brought forward the only nomination for the position. As mandated by the constitution, lawmakers voted individually by voicing their approval or disapproval.

Buller is a graduate of Mountain Lake High School, Augsburg College and Princeton Theological Seminary. He's currently the pastor

of Valley Community Presbyterian Church in Golden Valley and a board member of the Greater Minneapolis Council of Churches.

"As we know, all good things come from Mountain Lake," said Rep. Rod Hamilton (R-Mountain Lake), seconding the nomination.

Early in the session, the Rev. Paul Rodgers stepped down from the position after one year of service.

— C. BLANCHARD

## Easter schedule

There are no House committee meetings or floor sessions planned for March 20-24. No House committee meetings are planned the morning of March 25, but session is scheduled for noon that day. House offices will be closed March 21.

## First Reading continued from page 5

\$105 million of the \$185 million cut to address the 2003 deficit has yet to be restored.

"I have always thought that education of our students is one of the most critical things that's called for in our constitution," said Greiling, chairwoman of the House K-12 Finance Division. "This year we have a 1 percent increase for schools when inflation is 3 percent. ... This is letting cuts remain and there will be a lot more cuts made at the local level with a 1 percent increase."

House Minority Leader Marty Seifert (R-Marshall) reminded Greiling that she sponsored last year's omnibus K-12 education law. She countered that the bill needed 90 House votes for a potential veto override, so it was the governor's bill.

"The governor has more money for K-12 in here," Seifert said. "If you don't like how it's spent, put it to something else."

## Public safety

Proposed cuts for public safety agencies have some officials worried that they may be asked to stretch too far.

The governor has proposed \$16.52 million in reductions, including a \$3.1 million cut at the Department of Corrections, \$2.78 million from the Public Defense Board, \$1.39 million at the Department of Public Safety, and \$9.1 million from the Judicial Branch.

Jeff Shorba, deputy state court administrator, told the House Public Safety Finance Division March 12 that because of current budget restraints, 207 court staff positions have been abolished or left vacant. With additional cuts, another 222 positions could be lost which will lead to a further reduction in services the court provides.

Edward Lynch, First District assistant chief judge, said his district has done everything it can to cut costs, but there are "no more rabbits in the hat." The court system is about real people with real problems, Lynch said. "It is no longer a question of the quality of service we can provide; it is a question of whether we can meet our constitutional duty to provide meaningful access to justice for the people of our state."

Rep. Steve Smith (R-Mound) said this "should be the last area" to look for cuts because a primary government role is to provide public safety.

## Taxes

In addition to providing modest economic growth, Pawlenty said the sales tax reduction would offset the tax increases — transportation, and the arts and outdoors constitutional amendment — approved so far



PHOTO BY TOM OLMSCHIED

**Finance Commissioner Tom Hanson, left, and State Budget Director Jim Schowalter confer as a member of the House Finance Committee makes a comment during the March 10 presentation of the governor's budget-balancing proposal.**

this session by the DFL-controlled Legislature. The reduction would save an estimated 2 cents on a \$20 purchase. The decrease is expected to provide \$77 million in tax relief this biennium and \$178 million in 2010-11.

"I think it's strategically important to lower tax burdens in Minnesota, and we want to begin that process in this budget," Pawlenty said.

House Majority Leader Tony Sertich (DFL-Chisholm) indicated the idea could be much like many others from the state's top official.

"A lot of his proposals don't make it past the press release, and he doesn't invest a lot of capital in making that happen," he said. "I'm open to looking at the entire budget and see what impact it has."

Sertich did commend the governor for his plan to close corporate tax loopholes.

"This is the same language that was in the vetoed bill last year that essentially adopts the IRS definition for what a foreign operating corporation is, which, in short, is, you have to be foreign and you actually have to have some operations in order to qualify for this 85 percent exemption from taxation," Pawlenty said.

The plan also shifts a June sales tax payment for some business; repeals a mutual fund cap; and the state has a new ability to match bank records for people who are tax delinquent or have compliance issues. Pawlenty said that better collections should provide an additional \$10 million.

## Veterans

The governor's plan proposes increases for two departments with programs that have a direct effect on the military and veterans.

The Department of Military Affairs would see a \$1 million increase, and a lifting of

the current spending cap so that all funds generated by the Support Our Troops license plates can be spent on veterans programs.

Michael Pugliese, Department of Veterans Affairs deputy commissioner, advocated to the House Agriculture, Rural Economies and Veterans Affairs Finance Division March 12 for the more than \$6 million increase proposed by the governor. He said "new needs are surfacing" as more veterans return from overseas deployments. The governor's plan includes \$2 million for the State Soldiers Assistance Program, which allocates emergency financial assistance to veterans, dependents and survivors; and \$1.5 million to expand County Veterans Service Office and the Higher Education Veteran Assistance Offices programs. 🇺🇸

— Session Weekly's Courtney Blanchard, Nick Busse, Craig Green, Tom Hammell, Brian Hogen-son, Patty Ostberg and Lee Ann Schutz contributed to this story.

## Frequently called numbers

Area code 651)

House Public Information Services	
175 State Office Building .....	296-2146
Chief Clerk of the House	
211 Capitol .....	296-2314
House Index	
211 Capitol .....	296-6646
Toll free .....	800-657-3550
Senate Information	
231 Capitol .....	296-0504
TTY, Senate .....	296-0250
Toll free .....	888-234-1112
Secretary of the Senate	
231 Capitol .....	296-2344
Voice mail/order bills .....	296-2343
Senate Index	
110 Capitol .....	296-5560



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

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

## MINNESOTA INDEX

### On guard

Number of Minnesota National Guard soldiers and air personnel either mobilized or returned from deployment in 2007 .....	4,700
Number of Guard personnel killed while on duty in 2007 .....	3
As a percent, Minnesota National Guard members enrolled in some education program in 2007 .....	79
Millions of dollars paid out in 2007 for state tuition reimbursement payments to state Guard members.....	8
In 2007, Minnesota soldiers taking advantage of on-site registration for free deer hunting permits .....	500
Year the Territorial Militia, the precursor to the Minnesota National Guard, was formed .....	1850
Number of National Guard units in the state .....	62
Number of assigned Guard personnel that call St. Paul home.....	1,270
As percent, veterans making up the state's population in 2007 .....	8
Number of veterans living in Minnesota in 2007, as estimate .....	402,000
As percent, those who were male .....	94
As percent, those ages 45-64.....	43
As percent, those ages 65-84.....	34
Number of women veterans living in Minnesota in October 2007 .....	23,393
As percent, statewide, veterans receiving federal disability compensation or pension benefits in 2005.....	12
Median annual benefit.....	\$10,280
As percent, statewide, veterans receiving medical benefits in 2005 .....	22
Approximate billions of dollars in federal benefits awarded to Minnesota veterans in 2006.....	1.2
Among homeless men in Minnesota in 2006, percentage who were veterans .....	24
Annual median income of state veterans in 2005.....	\$33,973
Rate of poverty of among state veterans, as percent.....	5.8

— L. SCHUTZ

Sources: "County Veterans Service Offices, Office of Legislative Auditor, January 2008"; United States Department of Veterans Affairs; Minnesota National Guard.

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 6 • MARCH 21, 2008

WASTEWATER WOES

A FINAL SALUTE

OIL PROBLEMS PEAKING

PERILS OF POVERTY

HF4061 - HF4112





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Tom Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



# CONTENTS

## HIGHLIGHTS

Agriculture • 5

Budget • 6

Crime • 6

Education • 7

Elections • 8

Energy • 8

Environment • 9

Game & Fish • 9

Government • 9

Health & Human Services • 10

Higher Education • 11

Housing • 11

Humanities • 12

Military • 13

Taxes • 13

Technology • 14

Transportation • 15

## BILL INTRODUCTIONS (HF4061-HF4112) • 22-21

## FEATURES

**FIRST READING:** Small communities struggle for solution to wastewater woes • 3

**AT ISSUE:** Veterans cemeteries provide for a burial close to home • 16

**AT ISSUE:** Health care proposal lays out an aggressive timeline • 17-18

**AT ISSUE:** Peak oil: Legislators look to prepare state for the consequences • 19

**RESOURCES:** Roster of the Minnesota House of Representatives • 23

**MINNESOTA INDEX:** Perils of poverty • 24

On the cover: Winter holds its grip another day with an accumulation of heavy wet snow March 18.

— Photo by: Andrew VonBank





## A stinky situation

Cost concerns for small communities with wastewater treatment system needs

PHOTO BY ANDREW VONBANK

The St. Croix Valley Wastewater Treatment Plant in Oak Park Heights, above, serves as a good example of a community seeking to improve its wastewater infrastructure. It was named the best “medium advanced facility” in the Great Lakes region by the U.S. Environmental Protection Agency in 2001, according to the Metropolitan Council.

BY BRIAN HOGENSON

**T**he last thing someone wants to encounter while paddling around one of Minnesota’s lakes or rivers is something they flushed out of their homes days earlier. But that’s the reality in far too many Minnesota communities in need of new wastewater treatment infrastructure.

According to the Pollution Control Agency, wastewater is the used water from homes, farms and business in communities. It contains materials that are harmful to ground and surface waters including metals, organic pollutants, sediment, bacteria and viruses. These harmful materials can cause serious environmental contamination and threaten human health.

Because of outdated wastewater infrastructure, or no wastewater infrastructure at all, many communities are pumping sewage into ground and surface waters. And fixing the equipment or expanding capacity is proving to be a budget-buster for small communities that lack resources to fund needed improvements on their own.

### After the outhouse

Before running water was available, outhouses were common throughout the

state. When indoor plumbing became the norm, the need to treat water contaminated with human waste became a primary concern for communities. The earliest method was to discharge wastewater into cesspools that had outlet pipes, or straight pipes, leading to ditches and streams. The Works Progress Administration built some simple systems for wastewater collection and treatment in the 1930s, but most rural Minnesotans continued to discharge untreated wastewater into the state’s ground and surface waters.

Many communities that have wastewater treatment facilities in place as well as individual residences with septic systems have outdated infrastructure that was not designed to last this long.

Rep. Jeremy Kalin (DFL-North Branch), who sponsors three bills addressing community wastewater treatment issues, said many wells that were installed in rural areas in the 1960s

and 1970s had an expected lifespan of only 25 years.

Wastewater treatment plants face the same problem as roads, according to Kalin. “There is a lot of expansion and growth but little maintenance on existing structures.”

When these wastewater systems fail, sewage seeps into Minnesota’s aquifers and streams, where it becomes a public health issue, running the risk of contaminating ground and drinking water.

“Nothing is worse for public health than human sewage,” Kalin said.

### Upgrading the system

Legislators are making moves to rectify wastewater problems around the state.

Currently, 43 bills relating to wastewater infrastructure improvements and sewer system upgrades have been introduced in the House, with the vast majority designed to help small communities.

“It’s a good investment in our water and in our future,” said Rep. Bud Heidgerken (R-Freeport), the sponsor of two wastewater bills. “We need to help these towns build their infrastructure.”

**First Reading continued on page 4**

## Wastewater challenges

According to "Small Community Wastewater Needs in Minnesota," a PCA report released in February, small communities face special challenges in finding solutions to their wastewater problems.

Many are not connected to a modern wastewater treatment facility. The report identified 48 communities with known or suspected community surface discharges through the use of community straight pipes, as well as an estimated 55 communities with some possible individual straight pipes.

Some barriers for small community wastewater improvements include:

- the low income of community residents combined with the high costs for conventional wastewater collection and treatment creates a situation with insufficient funding available at the local level;
- small communities lack a process for working through the issues that arise in managing a wastewater system;
- lack of technical support by engineers;
- misunderstandings caused by a lack of coordination between multiple organizations and groups;
- regulatory and capacity impediments; and
- residents who have never had to pay for wastewater treatment and disposal object to paying for the service.

## A perfect storm

Wastewater issues can create a perfect storm that continues to burden a small community even after the necessary improvements are made. Harris, nestled in north-central Chisago County, is a perfect example.

"That is one of the more severe cases, just because of the size of the community and the cost of fixing it," Rep. Rob Eastlund (R-Isanti) said.

Harris is comprised of about 450 homes, but only 126 are connected to the city wastewater system. The rest of the homes are in outlying areas and use individual septic systems.

In order for Harris to attract business and grow like neighboring communities have in the last decade, a significant upgrade and expansion of the wastewater system was needed, but before that could be accomplished the existing system needed repair.

"Everything around us has been growing, but we haven't been able to grow," Harris

Mayor Rick Smisson said. "Our sewer system is leaking 25 percent into the groundwater per day, so we can't grow with new hookups until we deal with it."

Facilitated by a loan from the Department of Employment and Economic Development, a new system is going online in Harris that includes new wastewater treatment and water treatment plants.

Now that the improvements have been made to the system, the new problem is paying for it.

If Harris does not experience some very significant growth in the coming years and is forced to take the cost of the loan and spread it out across the people on the system, Smisson said sewer and water bills would go to over \$780 per month per household.

That would be considered an impossible utilities burden for most communities, but it would be an even bigger pain for the residents of Harris.

"Seventy percent of the core of the community is below the poverty line," Smisson said. "Thirty percent is considered very poor."

Small communities

represented by Heidgerken face a similar set of unfortunate circumstances.

Because their current system cannot support growth, Heidgerken said St. Martin is requesting funding for wastewater infrastructure in order to attract new businesses. However, without the funding from businesses or the state, they cannot afford to make the needed upgrades without residents paying \$150 - \$200 per month just for their sewer bill.

"I represent a district with 26 little towns and no regional centers," Heidgerken said. "There are many retired people on fixed incomes who sold their farms long ago to retire and now do not have as much money as they thought they would have due to inflation."

## Ideas for the future

Smisson said there are steps that can be taken to ease the burden on small communities in search of help for their wastewater systems.

Calling the current system "incredibly inefficient," Smisson said he would like to see groups composed of four or five communities work together to share one system and have joint sewage commissions.

"We shouldn't have to be duplicating these expensive systems for every community," Smisson said.

Smisson said another important move by the Legislature would be to make equipment

## Some communities seeking state help in funding wastewater infrastructure


Big Lake Area Sanitary District  
Moose Lake  
Upper Sioux Community  
Willmar  
Iron Junction  
Gilbert  
Faribault  
Ellendale  
Medford  
Blooming Prairie  
Grand Rapids  
Mora  
Quamba  
Nashwauk  
Effie  
Shafer  
Rush City  
Litchfield  
Almelund (Amador Township)  
Cass Lake  
Peterson  
Red Wing  
Middle River  
Fountain  
La Crescent  
Deer River  
Brownsville  
Sandstone  
Pine City  
Lansing Township  
Nicolville  
Austin  
Racine  
New Munich  
St. Martin  
Bovey  
St. Louis

purchases for wastewater infrastructure exempt from sales taxes.

Heidgerken said that a simple change in legislative priorities could work wonders in helping small communities solve their wastewater challenges.

"It ought to be 50 percent of the bonding bill going to the seven-county metro area, 25 percent to regional centers and the rest to Greater Minnesota," Heidgerken said. "Not \$15 million out of a billion-dollar bonding bill."

In the bonding bill passed by the House, \$15.3 million was allocated for the Wastewater Infrastructure Funding Program, \$5 million more than in the Senate bill. A conference committee is expected to work out differences between the bills.

"What's more important, hockey arenas or small towns in my district pumping raw sewage into our streams?" Heidgerken said. "Where are the priorities? Wastewater should be number one." 

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held March 13-20. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and \*-the bill, version considered by the House, or the bill language signed by the governor.

## AGRICULTURE

### Infected cattle buyout

Cattle ranchers in northwestern Minnesota continue their struggle to keep herds from falling victim to bovine tuberculosis, a disease that after a 30-year absence reappeared in the state in 2005.

With four infected herds having been detected since fall, the state is moving quickly with measures to help contain the disease. HF4075, introduced this week, is being fast-tracked, and would place new requirements on ranchers in the infected area and appropriate money for the buyout of herds, if necessary.

Rep. Dave Olin (DFL-Thief River Falls), sponsor of the bill, represents the infected area and the ranchers who are struggling to keep their herds healthy and not fall victim to the disease that is carried by deer. He told the House Agriculture, Rural Economies and Veterans Affairs Finance Division March 19 the measure would provide for a voluntary buyout of the cattle by the Board of Animal Health. The fiscal impact is expected to be available next week when the division decides whether this should be included in its omnibus bill.

Bill Hartmann, executive director, Minnesota Board of Animal Health, said when new cases were found last fall, containment measures were implemented with the Department of Natural Resources fencing off suspect areas.

The state has now seen a downgrade in its TB status, which will curtail the interstate movement of cattle. It will take at least four years for the state to regain the highest status level — TB-free, Hartmann said.

Under Olin's bill, cattle ranchers with herds in the bovine tuberculosis management zone must comply with new restrictions, which could include fencing or euthanizing the herd. If that is necessary, the ranchers could have their herd bought out by the state.

The companion, SF3728, is sponsored by Sen. Rod Skoe (DFL-Clearbrook) and it awaits action by the Senate Finance Committee.

— L. SCHUTZ

## IRAQ MEMORIAL



PHOTO BY TOM OLMSCHIED

Amy L. Barankovich pauses in front of the boots, cross and flag of Marine Pfc. Moises Langhorst of Moose Lake, who was killed in Iraq on April 7, 2004. Fifty-nine pairs of boots, one pair for each Minnesota military person killed in Iraq, were placed in the Capitol Rotunda March 19 as part of "Eyes Wide Open," recognizing the fifth anniversary of the beginning of the Iraq war.



## BUDGET

### Resolving deficiency spending

**Signed  
by  
the  
governor**

A quartet of budget deficiencies will be remedied.

A new law signed March 14 by Gov. Tim Pawlenty, allocates \$479,000 to solve particular problems that a commission and some boards have no other way of resolving.

The Minnesota Sesquicentennial Commission is given \$175,000 for administration costs. Last year's appropriation limited the amount of money that could be used for staff purposes. This will allow the staff to remain through this year's celebration.

Special revenue funds will go to the state's Board of Chiropractic Examiners (\$150,000), Board of Dentistry (\$100,000) and Board of Veterinary Medicine (\$54,000). All three have licensing-fee funded accounts within the fund. The additional money is needed to reimburse the boards' costs incurred while conducting contested case hearings involving individuals.

The law, sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Richard Cohen (DFL-St. Paul), is effective March 15, 2008.

HF3055\*/SF2766/CH155

— M. Cook

## CRIME

### Emily's Law

Emily Johnson, a 2-year-old from Fergus Falls, was killed by a young man who was less than two weeks away from turning 14 years old.

Emily's parents, Lynn and Travis, spoke before the House Public Safety and Civil Justice Committee March 13 in support of HF699, which would lower the age a juvenile could be charged as an adult for a violent offense from 14 to 13.

Sponsored by Rep. Bud Nornes (R-Fergus Falls), the bill was approved and awaits action by the House Public Safety Finance Division. The companion bill, SF718, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate Judiciary Committee.

The bill would also eliminate a court's ability to expunge a juvenile's criminal record if he or she is convicted of a violent offense.

Lynn Johnson said current state laws regarding juvenile violent crimes are outdated, and that other states have already established stricter laws for these younger offenders. "Do you really think a 13-year-old doesn't know the difference between right and wrong?"

Washington County Attorney Doug Johnson said if juveniles are sent to adult prison, under current law, in this specific situation, they would receive less time than if they were sent to a juvenile facility where they could receive treatment. "You send a 13-year-old to prison; you get nothing but a future criminal."

"I think the line is getting blurred between

juvenile and adult and it's time that we fixed that," said Rep. Tony Cornish (R-Good Thunder). "The world is changing. People are committing crimes at a much younger age and need to be held responsible."

Rep. Debra Hilstrom (DFL-Brooklyn Center) said that although she believes juveniles should be held accountable for their actions, she has concerns that the lack of available treatment in

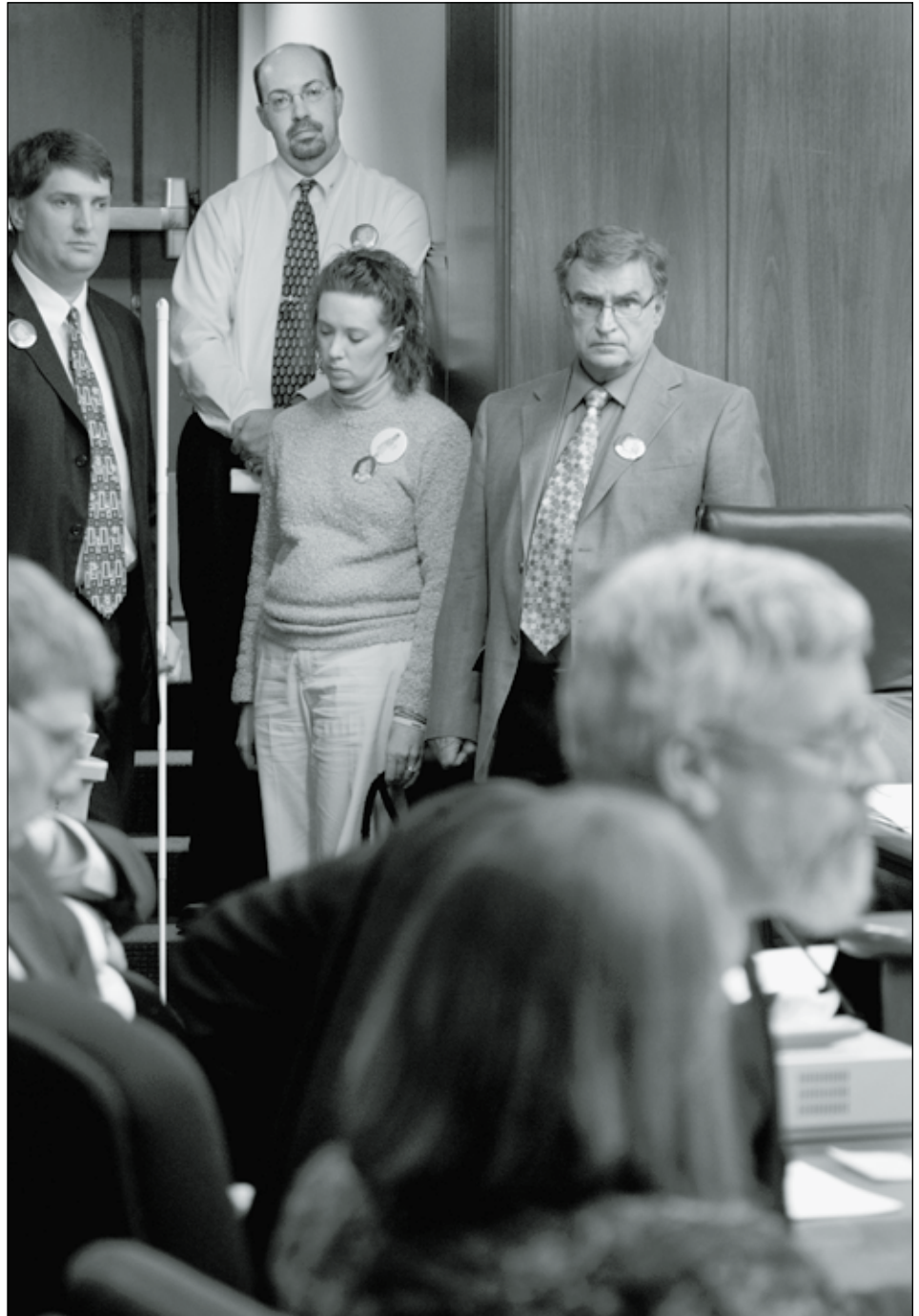


PHOTO BY TOM OLMSCHEID

State Public Defender John Stuart, front right, is among those testifying against "Emily's Law" during the March 13 hearing of the House Public Safety and Civil Justice Committee. Watching are Travis and Lynn Johnson, center, along with Rep. Torrey Westrom, left, and Rep. Bud Nornes, right, the sponsor of HF699, which would change the age of adult certification for juvenile violence from 14 to 13. The Johnson's 2-year-old daughter, Emily Lynn, died of a severe head injury one day after an assault by a 13-year-old boy at her Fergus Falls day care.

adult prisons may lead to these young offenders hurting someone else.

How do we make sure, Hilstrom asked, "that there is not one more victim?"

— C. GREEN

### **'Castle Doctrine' proposal stalls**

"This actually will save lives."

This is how Rep. Tony Cornish (R-Good Thunder) began his presentation on HF498, known as the "Castle Doctrine."

Countering the opposition, Cornish said, "This is not a bloodshed bill." Nonetheless, the bill failed to get the approval of the House Public Safety and Civil Justice Committee March 13, on a 9-9 vote.

Current law permits the taking of another's life when someone believes that his or her life is in danger of great bodily harm or death, or they are preventing someone from committing a serious crime in his or her home.

HF498 would allow use of deadly force if someone believes there is an "imminent threat" of substantial or great bodily harm or death to themselves or someone else. This would also apply when someone is on their porch, deck or in their car.

The bill would remove Minnesota common law requiring retreat from attack. Anyone would have the right to stand their ground, and so long as their objective is defensive, they could use deadly force "until the assailant is no longer an imminent threat."

David Gross, an attorney and former prosecutor, said this bill is not about taking life.

"There is no reasonable person in the state of Minnesota who wants blood on their hands," he said. "But what every reasonable person in the state of Minnesota wants less is their blood on someone else's hands."

Opposition was heard from the Minnesota Police & Peace Officers Association, the League of Women's Voters and the Minnesota County Attorneys Association.

"This bill says that in Minnesota, property is more important than life," said Washington County Attorney Doug Johnson. He said that not only would it make it extremely difficult to prove some cases beyond a reasonable doubt, it would inevitably be used as a defense for gang members.

A companion bill, SF446, sponsored by Sen. Pat Pariseau (R-Farmington), awaits action by the Senate Judiciary Committee.

— C. GREEN

### **Moving?**

Please help save postage costs by keeping us informed of address changes. Call 651-296-2146 or 800-657-3550.

## **EDUCATION**

### **Belt-tightening ahead?**

Proposed cuts from the governor could lead to some serious belt-tightening by state agencies.

On March 17, several state agency representatives gave the House Education Finance and Economic Competitiveness Finance Division their thoughts about Gov. Tim Pawlenty's proposed budget reductions. No action was taken.

Education Commissioner Alice Seagren said the 4 percent proposed reduction would amount to an \$892,000 per year cut for the department. The governor also proposes to reverse statutory operating debt by shifting payments to school districts. The department typically holds back 10 percent of a school district's money until final pupil counts are in so districts aren't overpaid.

School districts in statutory operating debt have been allowed 97 percent of the money up front, but the proposal would bring them back to a straight 90/10 split. Seagren said this will create a 6.1 percent savings to the state, though these districts will have to borrow money to make up the difference

"You are one of the very few areas that has a little bit of an increase, even though it's not much," Rep. Nora Slawik (DFL-Maplewood) said, and asked what would happen if the department's budget was cut.

Among items that would be cut include support for teachers and the principals' institute, Seagren said.

Richard Pfitzenreuter, chief financial officer for the University of Minnesota, said the university is concerned with the level of its proposed cuts.

"We simply feel that \$27 million is too deep and too much in this biennium," he said, adding that the university would have to make cuts somewhere, and would only increase tuition as a last resort.

Dan McElroy, commissioner of the Department of Employment and Economic Development, said the governor's recommendation includes reductions and transfers. The largest is an \$8 million transfer from the Workforce Development Fund, which is used to support displaced workers, as well as another \$2 million from the Minnesota Minerals 21<sup>st</sup> Century Fund.

— T. HAMMELL

### **More money for school districts**

A duo of onetime provisions could help keep school districts financially afloat, if the House K-12 Finance Division's omnibus bill becomes law.

The division reviewed HF2475, sponsored by Chairwoman Rep. Mindy Greiling (DFL-Roseville), March 19. The bill includes an additional onetime \$51 per student allocation, with the money coming from unused funds in the Quality Compensation for Teachers program, commonly known as Q Comp, as well as the state's General Fund.

The division is expected to begin debating the bill March 25.

Another onetime proposal would allow school districts to transfer \$51 per pupil unit from their capital budgets to their undesignated general fund balance.

Rep. Bud Heidgerken (R-Freeport) originally suggested this as an amendment to an individual school funding bill by Rep. Tim Faust (DFL-Mora). "He suggested that this year, because it's a very hard year for schools," Greiling said.

The bill also dictates that the governor's suggested 4 percent cut from the Department of Education not be spread to the Board of Teaching and the Board of School Administrators.

A companion bill SF2149, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), awaits action by the Senate Finance Committee.

— T. HAMMELL

### **Teacher reading standards bill fails**

A bill calling for more reading instruction assessment has pitted a concerned group of parents against the Board of Teaching, and was controversial for the House E-12 Education Committee.

HF3780, sponsored by Rep. Frank Hornstein (DFL-Mpls) would direct the education commissioner to adopt a reading instruction compliance test for pre-kindergarten and elementary school teachers. A motion to send the bill to the House Finance Committee failed 12-6 on March 14.

Parent Bette Erickson testified that one of her daughters was not able to read by third grade, and even with an elementary education degree, she did not know how to help. Her child is now in college, but others with the problem do not always fare so well.

### **Consider a donation**

As a loyal reader of Session Weekly, please consider giving a voluntary donation of \$20 to help defray the publication and mailing costs of bringing you this award-winning news magazine. You can be assured that your donation will go directly to support the magazine.

Mail your check, made payable to Minnesota House of Representatives, to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

"The outlook for children who are not reading proficiently by third grade is dismal," she said. In fourth grade, only 40 percent of students in Minnesota read proficiently.

Mary Kirchhof, literacy coordinator for Edina Public Schools, said the board and the Department of Education are in the final stage of developing new standards.

"What is not in the bill is the research that we do have on what does improve reading instruction practice and student achievement," said Deborah Dillon, professor of literacy education at the University of Minnesota.

Rep. Sondra Erickson (R-Princeton) praised an amendment that would not require current teachers to take the test, but questioned why this issue had to be solved in statute.

Rep. John Benson (DFL-Minnetonka) said he is generally not for mandates, but this problem has been going on for 20 or 30 years. "Each year this goes by we have another group of children who've lost their opportunity."

In the end, the deciding issue was whether teachers needed another test.

Rep. Andy Welti (DFL-Plainview) said when he was in college he had to take a test before he entered the education program and two more when he graduated. "Now you're going to potentially pile on a third test?"

A companion bill, SF3156, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— T. HAMMELL

### Bill would change school funding

School districts could lose their levy authority in favor of a new funding mechanism.

Sponsored by Rep. Frank Moe (DFL-Bemidji), HF3107 would eliminate referendum revenue authority for fiscal year 2010 and later, and require the governor's next budget to include recommendations for a different source of school funding to go into effect at that point. It has no Senate companion.

The bill was laid over March 18 by the House K-12 Finance Division for possible inclusion in its omnibus bill.

State law caps the amount of money a district can raise through local property taxes, and school boards are prohibited from raising taxes without explicit statutory authority. However, a district can exceed its levy limit via a successful election for additional operating revenue through the referendum revenue program.

According to the nonpartisan House Research Department, the average amount of referendum revenue is \$760 per pupil unit; \$977 in the Twin Cities metropolitan area and \$538 in Greater Minnesota. Nearly three-dozen districts have no referendum authority.

An amendment to the bill would allow school boards, after a public meeting, to increase district revenue by an amount not to exceed their state revenue allowance limits.

Rep. Paul Marquart (DFL-Dilworth) supports the bill, but doesn't like the amendment. "I don't like it going back on the property taxpayers."

Moe said the Minnesota Constitution requires the Legislature to establish a general and uniform system of public schools and make provisions that will "secure a thorough and efficient system of public schools throughout the state."

"We are out of compliance with the state constitution," Moe said.

— T. HAMMELL

### Family life and sex ed programs

Schools could be permitted to provide responsible family life and sexuality education for middle and high school students.

HF615, sponsored by Rep. Neva Walker (DFL-Mpls), would allow school districts to provide an age-appropriate and medically accurate program for students. The bill would require school districts to consult with parents and guardians of enrolled students when establishing policies, procedures, curriculum and services.

The bill was approved March 18 by the House K-12 Finance Division. It now awaits action by the House Education Finance and Economic Competitiveness Finance Division. Walker said the bill was taken out of the 2007 omnibus bill at the last minute.

She emphasized that the bill is not strictly about sex education, but also includes issues about healthy relationships and physical violence between partners.

Walker said the education is relevant because increasing numbers of young people are involved in sex and physical violence.

"We believe that this mandate is exactly the wrong message," said Tom Prichard, president of the Minnesota Family Council. He said sex education was the reason behind a recent news report of high numbers of sexually transmitted diseases in young people.

Walker said abstinence would be preferred, but too many young people are not receiving the information provided in sex education.

"There has to be a way to standardize this information," Walker said.

"We don't have any control over what teachers teach in the classroom," said Rep. Sondra Erickson (R-Princeton). She unsuccessfully tried to table the bill.

A companion bill, SF588, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Finance Committee.

— T. HAMMELL

### Expenditure limit modification

Campaign committees for candidates not seeking re-election may be exempted from the current \$50 annual limit on charitable contributions.

HF75/SF248\*, sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Don Betzold (DFL-Fridley), was approved by the House Governmental Operations, Reform, Technology and Elections Committee on March 18 and sent to the House floor. It was approved 56-3 by the Senate on April 13, 2007.

The bill would allow principal campaign committees that dissolve within one year of the date of the contribution to a charity to be exempted from the annual limit. This would allow campaign committees of candidates not seeking reelection to donate a larger amount of unused funds to charities and other community groups.

When former Rep. and Sen. Wes Skoglund (DFL-Mpls) chose not to run for reelection, his volunteer committee wanted to give unused campaign money to the local community, but was told it would be a crime to do that.

"Specifically they wanted to give my campaign money to South High School, Roosevelt High School, and the Minneapolis libraries in the district," Skoglund said.

Skoglund said his committee felt that it was "about time we gave something back to the community," and that this bill would simply allow them to do that.

— B. HOGENSON

## ENERGY

### Cap-and-trade resolution approved

A House division approved a resolution designed to give legislators a voice in regional talks to develop a cap-and-trade system for reducing greenhouse gas emissions.

HF4060, sponsored by Rep. Kate Knuth (DFL-New Brighton), would ask Gov. Tim Pawlenty to take certain principles into account when developing a cap-and-trade program with other signatories to the Midwestern Regional Greenhouse Gas Reduction Accord, including that such a program should:

- include as many emitting industries as possible;
- leave open the possibility of distributing emission allowances through auctions;
- obtain the reductions through the capped sectors themselves rather than those outside the cap; and
- not issue allowances that would exceed the cap.



Under a cap-and-trade system, a strict limit would be placed on the overall amount of greenhouse gas emissions that could be produced in the state. Emitters could then buy and sell emission allowances to one another.

The Pawlenty administration is currently negotiating with other Midwestern governors to develop a model cap-and-trade program that could be implemented on a region-wide basis. Department of Commerce officials have asked lawmakers not to pass any cap-and-trade legislation that could potentially impact the negotiations.

Rep. Doug Magnus (R-Slayton) worries that Knuth's resolution would do just that.

"I think it's fine we make a statement of support, but I hate to do something here that hinders the negotiations," Magnus said.

Knuth said her resolution would merely lay out some "very broad principles," adding, "This is not saying the governor has to negotiate this."

Rep. Kathy Brynaert (DFL-Mankato) praised the resolution as a way of "giving a voice to a legislative presence in the negotiations."

The House Energy Finance and Policy Division approved the bill March 14 and sent it to the House floor. A companion, SF3742, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Business, Industry and Jobs Committee.

— N. BUSSE

## ENVIRONMENT

### No landfills near groundwater

Rep. Julie Bunn (DFL-Lake Elmo) lives in a community that has been fighting hard to clean up a landfill that has been leeching industrial chemicals into its drinking water supply; if she has her way, other communities won't have to struggle with the same problem in the future.

Bunn sponsors HF3997, which would require future landfills to be sited in locations where they are least likely to contaminate groundwater supplies. Under its provisions, anyone applying for a new landfill permit would be required to have the proposed site tested first to see whether contaminants could potentially infiltrate underground aquifers.

The House Environment and Natural Resources Finance Division held an informational hearing on the bill March 18, but took no action. A companion, SF3703, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate Environment and Natural Resources Committee.

"This bill raises the question of whether future landfills in our state should be allowed

to be sited on areas that are known to be geologically highly sensitive to groundwater contamination," Bunn said. "It's about drinking water, and future drinking water supplies in our state."

While siting landfills in geologically safe locations might sound like a no-brainer, opponents say the bill contains hidden costs. For example, Xcel Energy has plans to site a new landfill in Bunn's district to dispose of fly ash from its coal power plant in Oak Park Heights. Xcel officials say that because of the unique nature of the waste, it has to be transported and dumped no further than 10 miles from the plant or it becomes difficult to manage.

Roger Clark, manager of environmental services with Xcel, said Bunn's bill would add millions of dollars of costs to the company's customers "with no appreciable environmental benefit." He said the company plans to use a special liner at the proposed landfill facility that would prevent any groundwater contamination.

Bunn countered that such liners have not been proven to be effective, and do not provide long-term solutions.

— N. BUSSE

## GAME & FISH

### Simpler rules for deer hunters

Deer hunters might find their pastime easier to enjoy, if a proposal to simplify the state's deer hunting rules and regulations becomes law.

"Over time, our regulations have really changed and gotten pretty complex with licenses and zones and what people can and can't do," said Lou Cornicelli, big game program coordinator for the Department of Natural Resources.

Last year, the DNR convened a group of hunters to evaluate the state's deer hunting laws and propose changes that would make the system easier to understand. According to Cornicelli, the group came up with four main recommendations:

- consolidate the number and types of deer hunting licenses available to purchase;
- consolidate the number of deer hunting zones in the state from six to two;
- simplify the process for tagging deer; and
- simplify the rules on what calibers of ammunition can be used to hunt deer.

During a March 18 meeting of the House Environment and Natural Resources Finance Division, legislation reflecting those proposed changes was discussed as a possible amendment to HF3547, the omnibus game and fish bill, sponsored by Rep. David Dill (DFL-Crane Lake).

Dill said he supports the effort to simplify the rules, but also expressed concern about the associated cost. Under the current proposal, Dill said the department would lose approximately \$2 million in revenue to the state's game and fish fund.

Ed Boggess, DNR deputy director of fish and wildlife, confirmed that restructuring the license fee system would result in the loss of revenue, and said it was a difficult choice for the department.

"We don't like to lose revenue that people are voluntarily contributing, but we think a simpler system that allows people to buy what they want and not buy what they don't want makes some sense," he said.

Dill offered and then withdrew the amendment containing the simplification provisions. He said that Sen. Satveer Chaudhary (DFL-Fridley) is expected to sponsor the measure in the Senate, and that he would negotiate with Chaudhary when the game and fish bill goes to conference committee later in the session. The bill currently has no Senate companion.

— N. BUSSE

## GOVERNMENT

### Overseeing combative sports

The Minnesota Boxing Commission is on the verge of receiving a makeover.

HF3913, sponsored by Rep. Bob Gunther (R-Fairmont), would change the name of the commission to the Minnesota Combative Sports Commission in order to better represent its scope, which would be expanded to include jurisdiction over mixed martial arts competitions, in addition to boxing.

The bill was approved March 19 by the House Governmental Operations, Reform, Technology and Elections Committee and sent to the House floor.

Gunther said that the state has a moral obligation to make sure that fights are fair, safe and that the combatants are healthy.

Gunther and Rep. Phyllis Kahn (DFL-Mpls) competed in a verbal sparring match when Kahn asked why General Fund resources should be used for a commission to regulate a sport where the primary purpose of the combatants is to injure the brain of another person.

Noting the importance of the commission in "protecting David from Goliath" by ensuring that fights are fair, Gunther said he did not know if injuring the brain of another person was the primary principle of boxing, but said it was an effect of the sport.

"Isn't that what a knockout is?" Kahn responded.

The commission was created in the 2006 to protect the health and safety of professional boxers, and to ensure the fairness of boxing events. It is a re-creation of the old Boxing Board, which had its funding discontinued in 2001.

The commission received a onetime \$50,000 appropriation for Fiscal Year 2007, with the intention that the commission be self-supporting by appropriating all license fees and event revenues to the commission.

Rep. Laura Brod (R-New Prague) said the bill discriminates against ultimate fighting competitions.

"The majority of the people we've been before think ultimate fighting is a brutal sport and they would just as well not have it in Minnesota," Gunther said. "However, if they can fulfill all the requirements in the bill, they can have a fighting venue."

A companion bill, SF3685, sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Finance Committee.

— B. HOGENSON

### Contractual authorization

State labor agreements and compensation plans are one step closer to ratification after receiving House approval.

The bill "ratifies the labor contracts and compensation plans for employees in the executive branch," said Rep. Karla Bigham (DFL-Cottage Grove), the sponsor of HF3138.

Approved 128-1 March 19, the bill now awaits Senate approval. Senate President James Metzen (DFL-South St. Paul) is the Senate sponsor.

The contracts covered by the bill were given interim approval by the joint legislative Subcommittee on Employee Relations.

The bill ratifies labor agreements between the state and the following exclusive representatives of state employees: AFSCME Council 5, Minnesota Association of Professional Employees, State Residential School Education Association, Minnesota Government Engineers Council, Middle Management Association, Minnesota Law Enforcement Association and the Inter Faculty Organization.

In addition, the bill ratifies compensation plans for unrepresented and managerial state employees; the Minnesota State Board of Investment; employees and administrators in the Minnesota State Colleges and Universities system, and Office of Higher Education employees.

Rep. Tom Emmer (R-Delano) expressed his concern with state employees receiving raises in excess of 3 percent, while private sector employees are likely to see no raises this year.

Rep. Morrie Lanning (R-Moorhead), a subcommittee member, urged House members to pass the bill, but said that the raises included in the contracts could lead to a deeper round of budget cuts than what the state currently faces.

Another member of the subcommittee, Rep. Chris DeLaForest (R-Andover), supported the bill, but added that "the compensation system is broken and long overdue for reform."

— B. HOGENSON

### Whistleblower protection extension

Whistleblower protection would be extended to executive branch employees, under provisions of a bill sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park).

Hortman said the bill would make executive agency staff, whom she believes are the real experts on the issues, aware that they are not part of the political games and disputes and should be able to provide information, facts and recommendations based on their expertise.

HF3807 was approved March 19 by the House Governmental Operations, Reform, Technology and Elections Committee and is headed for the House floor.

The bill, designed to prevent political decisions from inhibiting the free flow of accurate information, prohibits employers from disciplining, threatening, or otherwise discriminating against or penalizing an employee as a result of the employee:

- reporting violations of federal or state laws;
- participating in an investigation or hearing;

- refusing to participate in actions that violate the law;
- reporting the true findings of a scientific or technical study; or
- communicating to legislators or elected officials information that the employee believes would relate to improving services provided by the executive branch.

"Political filters get in the way of good ideas coming forward," Hortman said.

Paul Larson, deputy commissioner with the Department of Employee Relations, said he agrees that state employees who want to speak to members of the Legislature should not have fear of retribution. However, he is concerned that not allowing executive agencies to have protocols on how information is released and by whom, could lead to chaos in the workplace.

A companion bill, SF3494, sponsored by Sen. John Doll (DFL-Burnsville), awaits action by the Senate Judiciary Committee.

— B. HOGENSON

## HEALTH & HUMAN SERVICES

### Lower blood donation age

**Signed  
by  
the  
governor**

Starting July 1 of this year, 16 year olds will be able to donate blood with written permission from their parent or guardian. Gov. Tim Pawlenty signed the new law March 18.

Sponsored by Rep. Patti Fritz (DFL-Faribault) and Sen. Kathy Sheran (DFL-Mankato), the change was the idea of high



PHOTO BY ANDREW VONBANK

Gov. Tim Pawlenty presents the pen he used to sign into law a bill lowering the age for which a person can donate blood to Joe Gibson, the Blooming Prairie teenager who inspired the legislation. Also at the March 18 bill signing are the bill's sponsors, Rep. Patti Fritz, left, and Sen. Kathy Sheran, center right.

school student Joe Gibson, who came up with the proposal after seeing his grandfather's energy increase after blood transfusions during cancer treatments. Gibson said he attempted to give blood at his local high school blood drive soon after, but was turned away because the current age requirement is 17.

Several other states already allow 16 year olds to donate including: California, Georgia, Illinois, Iowa, Kansas, Maine, Maryland, Missouri, Nebraska, New York, Oregon, Washington and Puerto Rico.

HF1066/SF2471\*/CH157

— P. OSTBERG

### Interpreter registry

Health care services interpreters could voluntarily join a state roster, under a bill approved March 19 by the House Housing Policy and Finance and Public Health Finance Division.

HF3592, sponsored by Rep. Cy Thao (DFL-St. Paul), would appropriate \$25,000 to the health commissioner to establish the roster and develop a registry. Interpreters could be charged \$50 to be included on the roster.

Thao said the state currently doesn't know how many interpreters are working in hospitals, but spends \$15 million annually to help patients communicate with their doctors. Having hard numbers could help in determining the need and establish guidelines, he said.

By Jan. 1, 2009, the commissioner would need to do the following:

- establish a roster of all available interpreters to address access concerns, particularly in rural areas;
- develop a plan for a registry of spoken language health care interpreters; and
- develop standards for registration with education and training requirements, demonstration of language proficiency and interpreting skills, agreement to abide by a code of ethics and a criminal background check.

The bill now goes to the House Finance Committee. A companion bill, SF3423, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action in the Senate State and Local Government Operations and Oversight Committee.

— P. OSTBERG

### Emergency board terms

**Signed  
by  
the  
governor**

Emergency Medical Services Regulatory Board members will be able to serve unlimited terms, under a new law signed March 14 by Gov. Tim Pawlenty.

Members are currently only allowed to serve a single four-year term.

Sponsored by Rep. John Ward (DFL-

Brainerd) and Sen. Paul Koering (R-Fort Ripley), the law is effective Aug. 1, 2008.

Supporters said the extension will allow members to carry over their experience.

O.J. Doyle, legislative consultant for the Minnesota Ambulance Association, said the complexity of the emergency medical system takes four years to fully understand. Just when board members begin to comprehend the system, they are prohibited from serving another term. It's also difficult to find qualified candidates, and change would allow those already committed to continue in their service, he said.

The new law also extends by one year, to July 1, 2010, the time period for hospitals to have set up of a statewide trauma system. An extension is needed because system implementation is taking longer than planned, Ward said.

HF2590\*/SF2418/CH156

— P. OSTBERG

### Community health center funding

A community health center that services nine counties in south-central Minnesota would receive \$350,000, under a bill laid over March 18 for possible inclusion in the House Health Care and Human Services Finance Division omnibus bill.

HF2937, sponsored by Rep. Kathy Brynaert (DFL-Mankato), would allow the human services commissioner to transfer funds to the Open Door Health Center in Mankato to "act as bridge funding to meet the demand for health care services in medically underserved areas."

Brynaert said the clinic works to fill community health care gaps where state services can't meet needs. According to the Minnesota Association of Community Health Care Centers, of the 3,000 patients the clinic serves, about 80 percent are uninsured.

The center's Web site says it offers dental and medical services, such as physical examinations, immunizations, pediatric services and check ups. It serves the counties of: Blue Earth, Brown, Faribault, Le Sueur, Martin, Nicollet, Sibley, Waseca and Watonwan.

A companion bill, SF2631, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action by the Senate Finance Committee.

— P. OSTBERG

## HIGHER EDUCATION

### Accessible materials for all

Jeff Thompson, past president of the Minnesota Association of Blind Students, would like the same access to collegiate materials as all other students, but that isn't always the case.

"If it's available to others, it should be

available to us as well," he said.

Rep. Melissa Hortman (DFL-Brooklyn Park) sponsors HF3752, which would require publishers and all Minnesota higher education institutions to provide blind and other eligible students with accessible education materials when it does so for other students. Within 10 days of a request, publishers would be required to provide the school or student with the material in a preferred format.

It would also require the Office of Higher Education to adopt guidelines for suspending publishers failing to comply, provide a complaint registration process and develop a list of third party transcribers.

The bill was held over March 13 by the House Higher Education and Work Force Development Policy and Finance Division for possible inclusion in its omnibus bill.

"Currently, institutions and services, such as our communications center at Minnesota State Services for the Blind, as well as institutions of higher education, are bearing the burden of making instructional materials accessible, often at considerable taxpayer expense," said Jennifer Dunnam, president of the National Federation of the Blind of Minnesota. She said existing law requires accessibility, but does not specify how it must be done.

Some publishers already do this because of laws in other states; however, the industry has concerns about the bill, including that they may not have the right to distribute versions of their publications in more than one format, such as audio rights to their books.

Elizabeth Delfs, vice-president and senior counsel for Pearson Education, said her company already distributes about 10,000 such files every year across the country. "There are more than 10 states now that do have laws on the books. However, Minnesota's law would be the most extreme, as it is proposed here."

A companion bill, SF3514, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action by the Senate Higher Education Committee.

— M. COOK

## HOUSING

### Cleaning up after the housing crash

Some boarded-up windows on Minneapolis's north side could be pried loose.

On some blocks in the neighborhood, abandoned homes outnumber those with life inside, said Rep. Joe Mullery (DFL-Mpls), who presented HF3536 to the House Taxes Committee on March 18. The bill would expand Minneapolis's authority to spend tax increments from housing replacement districts on vacant sites outside of the districts, if approved locally.



"We desperately need to find ways to finance the city's efforts to redevelop these areas," he said. "We are really having extreme, serious problems up there."

Sherrie Pugh Sullivan, executive director of the Northside Residents Redevelopment Council, said her organization has provided mortgage foreclosure counseling for decades. In the 1960s, homeownership in the area was at less than 25 percent. The number rose to 60 percent in the early 2000s, she said.

"That has all been eroded since 2005. We have seen the foreclosures double in numbers," she said. "We've lost good homeowners. We've lost good people in our community."

The bill was laid over for possible inclusion in the committee's omnibus bill. Sen. D. Scott Dibble (DFL-Mpls) sponsors the companion, SF3534, which awaits action by the Senate Taxes Committee.

"I think this is a good idea, I've not heard a lot of objection to it," said Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington). "Certainly you need a lot more tools than this to solve the problem."

— C. BLANCHARD

### Home modifications for disabled

The remodeling of a bathroom to accommodate wheelchair access that adds square footage to a home would be eligible for a waiver, under a bill approved by the House Health and Human Services Committee March 13.

Sponsored by Rep. Tom Emmer (R-Delano), HF3881 would allow the costs to qualify for home and community-based waiver services for people with disabilities. Under current law, if a modification results in added square footage, it doesn't qualify for waiver money.

Steve Lohse, a Wright County resident, said he wanted to add a wheelchair-accessible bathroom to his family's modest split-level home for his son. Five years ago he slipped and fell resulting in him being wheelchair-bound and mentally disabled.

Lohse said the cost to house his son in state foster care would run more than \$125,000 annually. A onetime construction expenditure of \$80,000 to \$100,000 for a modified bathroom would keep his son at home.

Rep. Tina Liebling (DFL-Rochester) said a modification could add to the value of the home, and asked whether the state would be able to recapture the costs.

A wheelchair-accessible bathroom would not increase the value of a home, because the majority of the homebuyers don't need one, Lohse said.

"Oftentimes it does diminish the number of people who are willing to purchase those



PHOTO BY ANDREW VONBANK

**Steve and Beth Lohse testify with their son, Kyle, before the House Health and Human Services Committee March 13 in support of a bill that would allow certain home modification expenses be eligible for home and community-based waiver programs.**

homes," said Rep. Laura Brod (R-New Prague).

The bill now goes to the House Finance Committee. A companion bill, SF3524, sponsored by Sen. Amy Koch (R-Buffalo), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

## HUMANITIES

### Seska ... Sess ... Sesquicentennial!

Even our state lawmakers have trouble pronouncing "sesquicentennial."

"I'm just wondering, did you have to be able to say seska... sess... in order to be on the committee?" Rep. Shelley Madore (DFL-Apple Valley) asked Jane Leonard, the executive director of the Minnesota Sesquicentennial Commission.

But the issue isn't whether people can pronounce the word, but if the commission has the money to throw the state a rockin' 150th birthday party.

Rep. Diane Loeffler (DFL-Mpls), who serves on the commission, asked the House Minnesota Heritage Finance Division March 17 to approve her bill, HF2895, to dedicate a onetime appropriation of about \$825,000 for the statewide party. The bill was laid over for possible inclusion in the division's omnibus bill.

"Like many entities at this time, in a recession and economic challenges, fundraising is challenging," Loeffler said. "We haven't been able to be as successful as we've hoped."

Last year, the Legislature appropriated \$750,000. Leonard said the money has been doled out to communities around the state and many cities and businesses have matched

the commission's grants, but the commission would like to reach further, she said.

The activities range from an oxcart trek on the historic Pembina Trail to shining the spotlight on "Honorary Capitals for a Day," which include Bemidji, Thief River Falls, Detroit Lakes, New Ulm and Winona.

The state fair is scheduled to host some of the biggest events, with a Minnesota musical tribute show, a big-top tent highlighting the state's achievements and a commemorative tile mosaic mural. The commission has even created a sesquicentennial flag and postage stamp, and hopes to roll out a license plate, Leonard said.

A companion bill, SF2512, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

— C. BLANCHARD

### Preserving the past for the future

When he was 8 years old, Rep. Al Doty (DFL-Royalton) read letters that his great-grandfather sent home from the Civil War.

"They were wonderful stories about escorting Gen. Sherman, about his wound, about taking the troops out to forage and everything about what the war was really like ... about what happened to deserters in his camp," he told the House Minnesota Heritage Finance Division March 17.

Doty said he was lucky to have the stories about his family's past and felt compelled to sponsor HF2706, which would appropriate a onetime grant of \$184,500 for the military museum at Camp Ripley to preserve those kinds of stories for Minnesota's future generations. The bill was laid over for possible inclusion in the division's omnibus bill.

Jack Johnson, who serves on the board of directors for the Military Historical Society of

## HEALTHY PRODUCTS



PHOTO BY TOM OLMSCHIED

**Lindsay Dahl, a project coordinator with Health Legacy, holds two baby bottles, the one in her left hand containing bisphenol-A, as she testifies March 19 before the House Housing Policy and Finance and Public Health Finance Division about a proposal to prohibit replacement chemicals in children's products.**

Minnesota, said the museum has no full-time staff and operates on a small budget.

The museum documents the experiences of all Minnesotans who serve in the military and conducts interviews with the men and women who return from combat. Johnson said the museum's workload is growing.

"In the past 10 years, nearly every member of the Minnesota National Guard has been federalized at least once," he said. "The history of these deployments, and of Minnesotans serving in the active forces, needs to be systematically documented."

Sen. Paul Koering (R-Fort Ripley) sponsors a companion bill, SF2525. It awaits action by the Senate Finance Committee.

— C. BLANCHARD

**If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.**

## MILITARY

### New oversight for veterans homes

Responding to 2005 reports citing problems at the Minneapolis Veterans Home, Gov. Tim Pawlenty called for a commission to examine the best approach for management and administration of the state's five veterans homes.

Primary among the recommendations from the Veterans Long-Term Care Advisory Commission was to transfer administration of the facilities from the Minnesota Veterans Homes Board to the Department of Veterans Affairs. Pawlenty, by executive order, abolished the board in November. Two bills held over March 18 for possible inclusion in the House Agriculture, Rural Economics and Veterans Affairs Finance Division omnibus bill, would provide the framework for transfer of responsibilities.

Sponsored by Rep. Al Juhnke (DFL-Willmar), HF3763 calls for the transfer, and HF3762, sponsored by Rep. Erin Murphy (DFL-St. Paul), sets out the criteria for a new Veterans Health Care Advisory Council that would advise the department on issues regarding the homes, including long-term health needs of veterans.

The nine board members appointed by the governor would include seven members with expertise in health care delivery, long-term care and veterans services; one licensed clinician; and one at-large member.

Juhnke said it is important that lawmakers are represented, even if only as ex-officio members.

Christine Kiel, legislative liaison for the department, said the \$2 million allocated this biennium for operation of the former veterans homes board is on reserve for the new council's use. She said that the new structure may not need a budget that large.

Sen. Sharon Erickson Ropes (DFL-Winona) sponsors the companion bills, SF3282 and SF3281. Both await action by the full Senate.

— L. SCHUTZ

## TAXES

### Moratorium on the Rainbow ruling

A recent court ruling has put some nonprofits in jeopardy of losing their tax exempt status, said Marcia Avner, public policy director for the Minnesota Council of Nonprofits.

The Minnesota Supreme Court ruled last year that Under the Rainbow Child Care Center Inc. should lose its property tax exempt status because the center charged full-price for all its services. The court said the center should offer free or reduced rates in order to qualify as a nonprofit.

Avner told the House Property Tax Relief and Local Sales Tax Division March 14 that if the ruling is enforced by assessors, it will make Minnesota a "dangerously restrictive state" when it comes to applying for nonprofit status. Many organizations could lose their property tax exemption, which could lead them to lose sales tax exemption, too. The bill was laid over for possible inclusion in the division's omnibus bill.

Some community and children's mental health centers have already been approached by assessors questioning their nonprofit status, Avner said.

"Some of the very organizations that, I think many Minnesotans would agree, are providing a public benefit, really need the protection of a somewhat broader look at the criteria," she said.

HF3386, sponsored by Division Chairman

Rep. Paul Marquart (DFL-Dilworth), would place a one-year moratorium on enforcing the ruling, giving the nonprofit community a chance to discuss possible legislative solutions. A companion bill, SF2841, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Taxes Committee.

Currently, organizations are judged on six criteria, called the North Star Test, to determine tax exemption eligibility. The ruling put emphasis on the third test — whether participants are required to pay. The other tests include criteria such as whether the charity is helpful to the others without material reward, if it's supported by gifts and whether donations generate a profit.

— C. BLANCHARD

### **Tax bill surprises committee**

Got a \$1 billion deficit? Try scrubbing every corporate subsidy off the books.

House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) sponsors HF4103, a bill that would do just that. The bill dedicates 23 pages to repealing corporate tax subsidies, ranging among the JOBZ program, foreign royalties, research credits and the bovine testing credit. The bill would also lower the corporate tax rate by at least one percentage point.

"It should certainly be controversial," she said at the March 19 meeting. She came up with the idea after wondering how to solve the \$938 million biennial deficit without cutting vital programs.

A House researcher identified every corporate state subsidy in the tax code, and this bill would eliminate most of them.

Almost immediately after walking through the bill, committee members raised concern. Some wondered how the governor would sign a bill that scraps JOBZ, a program he created and promotes. Others asked whether getting rid of tax breaks would hurt the state by driving businesses to cut jobs or move elsewhere.

Rep. Randy Demmer (R-Hayfield) said corporate tax breaks give companies an incentive to come to the state.

"Most of the things we're undoing were made for the purpose of creating jobs," he said.

After the meeting, Lenczewski said there were major hurdles to overcome, but she hoped to build the omnibus tax bill around it.

The bill was a surprise even to members of her own caucus, Lenczewski said. She didn't show it to anyone ahead of time, because members would latch on to all kinds of things they didn't want to let go.

However, the bill would lower the corporate

tax rate and raise money so that lawmakers can avoid cuts to health and human services, which would make the bill more palatable to both sides of the political aisle, she said.

"There are a lot more winners than losers," Lenczewski said.

The committee is expected to take up the bill again after the Easter break, and the public will be invited to testify. There is no Senate companion.

— C. BLANCHARD

### **Governor's property tax proposal**

The governor's tax bill didn't exactly get a rave review in the House Property Tax Relief and Local Sales Tax Division on March 14, but it sparked discussion as the division begins to craft its omnibus bill.

"I do appreciate that the governor did not take another hit at local government aid or county program aid," said Rep. Paul Marquart (DFL-Dilworth), the division chairman. "I do think an effective case has been made by our mayors and city council members and commissioners that local government aid and county program aid does provide property tax relief."

Gov. Tim Pawlenty's bill covers three areas related to property taxes: a change to city levy limits; a reduction of the renters' tax credit; and transitional aid for cities affected by a utility tax rule change.

Revenue Commissioner Ward Einess said a change to levy limits would likely distribute millions of dollars in property tax relief. However, Marquart questioned whether the change would cause some cities to lose parts of their budget, forcing them to cut services.

Currently, an eligible renter gets back 19 percent of rent paid over a one-year period. Under the governor's proposal, it would be cut to 16 percent, or an average of about \$119 per renter.

Einess said the lowered percentage better reflects the current amount of property tax paid by landlords, but Rep. Diane Loeffler (DFL-Mpls) questioned whether it would be too much of a decrease for low-income renters.

The governor offered his solution for the controversial utility provision rule change, which lowered the amount of property taxes collected by local governments. The governor's proposal would offer state aid to communities that lost at least 5 percent of their tax base.

The proposal, which would last two years, did not impress every division member. Marquart said he'd like to see a solution that benefits everyone affected by the change, not just those hardest hit.

"This is going to put a squeeze on a lot of these communities," he said.

The governor's tax bill is HF3967, sponsored by Rep. Dean Simpson (R-Perham). Sen. Julianne Ortman (R-Chanhassen) sponsors the companion bill, SF3665, which awaits action by the Senate Taxes Committee.

— C. BLANCHARD

### **Possible utility tax resolution**

A new bill raised some old gripes March 17 in the House Taxes Committee. The governor's tax bill, HF3967, is sponsored by the committee's Republican lead, Rep. Dean Simpson (R-Perham).

The bill includes the governor's solution to the utility tax rule change, an issue that spurred intense debate over a tax bill earlier this session. Republicans said the governor would veto the DFL solution, and the Senate later removed the provision entirely.

The governor proposes a two-year transitional aid for cities that lost 5 percent of their tax base from the rule change. Rep. Sandy Wollschlager (DFL-Cannon Falls), who sponsored the provision that was stripped from the last tax bill, said the governor's proposal was "piecemeal," and she would like to see a different solution.

A discussion resurfaced in the March 14 meeting of the House Property Tax Relief and Local Sales Tax Division about the governor's proposed changes to levy limits.

The proposal would change how levy limits are calculated and could decrease operating budgets for cities that receive local government aid, said Rep. Paul Marquart (DFL-Dilworth).

Revenue Commissioner Ward Einess said the governor insists that the measure would equalize property tax rates across the state.

"He is a sincere believer that the only tool for holding down property taxes is a levy limit," he said.

Other proposals include a decrease in the renters' tax credit; a proposal to search bank account information for delinquent taxpayers; an extension to some contracts in the JOBZ program; an abolition of the political contribution tax credit; and a decrease in the state sales tax.

The companion bill, SF3665, sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits action by the Senate Taxes Committees.

— C. BLANCHARD

## **TECHNOLOGY**

### **Broadband task force proposed**

Widespread broadband technology in Minnesota is one step closer to fruition after a bill to establish the High-Speed Broadband Task Force was approved by the



House Governmental Operations, Reform, Technology and Elections Committee on March 18 and sent to the House floor.

HF2107/SF1918\*, sponsored by Rep. Sandra Masin (DFL-Eagan) and Sen. Yvonne Prettner Solon (DFL-Duluth), would create a High-Speed Broadband Task Force to develop a broadband deployment goal for the state and a strategy to achieve it. The Senate passed the bill 55-2 March 17.

Masin described the bill as something that would bring Minnesota into the 21st century by asking the governor to appoint the task force to make legislative recommendations regarding the creation of a state high-speed broadband goal and a plan to implement that goal.

"It attempts to create a balanced representation of metro and rural perspectives," Masin said.

The governor would appoint 19 members to the task force, in addition to four appointed by the Legislature. A report and recommendations would be due from the task force by Nov. 1, 2009, that:

- identifies a level of broadband service, including connection speeds, reasonably needed by 2015;
- describes a set of policies and actions needed to achieve that goal, and estimates the costs of doing so;
- identifies areas in the state that lack infrastructure necessary to support broadband service; and
- evaluates strategies and financing mechanisms used elsewhere to support broadband development.

The task force would expire on March 1, 2010.

— B. HOGENSON

## TRANSPORTATION

### Governor spending plan hurts transit

Fewer transit routes could be one result of the governor's supplemental transportation budget request.

Sponsored by Rep. Doug Magnus (R-Slayton), HF3964 was shared with the House Transportation Finance Committee March 17. No action was taken.

Under the plan, the Transportation

Department would receive an additional \$6.85 million in the current fiscal year, and a Fiscal Year 2009 reduction of \$2.5 million.

The onetime influx is needed to obtain the state's share of \$1 billion in additional federal bridge funding that was appropriated by Congress earlier this year.

The plan also includes a 4 percent ongoing reduction (\$752,000 in Fiscal Year 2009) in grants to Greater Minnesota transit and a \$1.7 million onetime reduction.

"The reduction is consistent with the governor's ongoing attempt to balance the General Fund deficit, and is consistent with other agencies," said Kevin Gray, MnDOT chief financial officer.

"We're anticipating the adjustment in the governor's proposal to impact the transit systems roughly about 10,000 hours in calendar year 2008 and another 40,000 hours in calendar year 2009," said Tom Gottfried, transit programs section director with the department's Office of Transit. There was an estimated 980,000 hours of Greater Minnesota transit in 2007.

The Twin Cities metropolitan area could also see less service because the governor's plan calls for \$29.9 million in bus system operation reductions for the Metropolitan Council in Fiscal Year 2009, and reduces the base appropriation in the 2010-11 biennium by \$3.2 million per year.

"There would be a fairly significant fare increase or route reductions if this stays as is," said Council Chairman Peter Bell.

Rep. Alice Hausman (DFL-St. Paul) added, "We need to be going the other way."

"I don't want to cut either, but we've got to make some choices here," Magnus said. "We'll be wrestling this for a long time."

The bill allocates \$12 million to the Driver and Vehicle Services Division of the Public Safety Department for the replacement of an outdated driver and vehicle services information system. Also within the department is a \$28,000 cut for a Republican National Convention security coordinator.

A companion bill, SF3686, sponsored by Sen. Michael Jungbauer (R-East Bethel), awaits action by the Senate Finance Committee.

— M. Cook

### Engineer as a deputy commissioner

To better manage its necessary obligations, a change could be made near the top of the Transportation Department chain of command.

Sponsored by Rep. Terry Morrow (DFL-St. Peter), HF3090 would require that a person appointed to be a deputy commissioner must be a licensed professional engineer.

The bill was approved March 17 by the House Finance Committee and sent to the House floor. A companion bill, SF2925, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the full Senate.

Current law allows for the commissioner to "establish four positions in the unclassified service at the deputy and assistant commissioner, assistant to the commissioner or personal secretary levels." The bill calls for the new position to remain as an unclassified position, and still leaves room for three others. No more than two of the positions could be at the deputy commissioner level.

"We believe it makes sense because MnDOT is, at its core, an engineering organization. All of the other functions necessary are in support of that technical mission," said Tom Eggum, a senior consultant at TKDA, a consulting engineering, architecture and planning firm.

Eleven states require their transportation commissioner be an engineer.

Morrow said the goal is not to change the commissioner role, but to ensure that a top engineer is in MnDOT's upper echelon.

"I can assure you that under our current system the deputy commissioner consults regularly, daily with the engineers who head the engineering divisions at MnDOT," said Betsy Parker, the department's government affairs director, told the House Transportation Finance Committee Feb. 26. "We have not felt internally any particular lack in terms of having the engineering guidance that we need. The engineers who head the divisions have been in MnDOT for a long time, and are very competent to provide the advice to both the commissioner and the deputy."

— M. Cook

To find out who represents  
you at the Capitol ...  
Call House Public Information  
Services at 651-296-2146  
or 800-657-3550

If you will be visiting the Capitol  
in the near future, call the  
Capitol Historic Site Program  
at 651-296-2881  
to schedule a tour.

#### Where to find information

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

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

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

# A final salute

Veterans cemeteries provide for burial close to home



PHOTO BY TOM OLMSCHIED

The Minnesota State Veterans Cemetery near Little Falls, is funded through a federal initiative establishing state-run cemeteries closer to where veterans and their families live.

By LEE ANN SCHUTZ

**T**erry Gile struggled to get the metal supports for the blue, red and white memorial wreath into the frozen March ground. He and his mother, Esther, traveled the 35 miles from St. Cloud to the Minnesota State Veterans Cemetery to visit the grave of her husband and his father, Laurence.

The World War II veteran died last April and it was his wish to be buried in the veterans cemetery. It means a lot to his family as well. Terry likes the symmetry of the white stones perfectly lined up “like soldiers marching in a parade,” that his father is with people who shared an important part of this country’s history, and that the grounds are so meticulously maintained. But for Esther Gile, the reason is much more personal. “We’ve been up here at least eight times, and it would just be hard to get to the cities, if he was buried at Fort Snelling (National Cemetery).”

The Gile family typify the rationale behind Congress acting to fund more national cemeteries in large population centers, but also its commitment to smaller state-run veterans cemeteries, which would be located closer to where veterans reside.

Minnesota is home to a national veterans cemetery at Fort Snelling, but it also hosts

one state-run veterans cemetery located just outside Camp Ripley near Little Falls. It was established in 1996 and expanded in 2003 with a \$3.5 million grant from the U.S. Department of Veterans Affairs as part of a federal initiative to keep veterans closer to home, even in death. Now plans are in the making for a new veterans cemetery near Duluth.

“You have to take a step back and appreciate what a facility like this can do for a family,” said Dave Swantek, the cemetery director.

Terry Gile agrees, “Spouses of the veterans are at an age, too, that makes it difficult for them to get to visit a cemetery if it is far away.”

## Accessibility a priority

Statistics show that only a small percentage of veterans actually participate in the federal benefits for which they are entitled. But for

many, burial in a veterans cemetery is one benefit they want.

When an eligible veteran dies, he or she can be buried in a veterans cemetery at no cost. An eligible spouse or dependent is entitled to burial there for a fee.

The Little Falls cemetery has burial room for about 20,000 veterans and their dependents, and is about 15 percent filled. Swantek said that they have jumped from about 100 burials a year to about 300, largely because of the cemetery’s accessibility to veterans living in the area.

Gov. Tim Pawlenty announced March 12 that the state is applying for an \$8 million federal grant to establish of a new veterans cemetery using 60 acres of land in Jay Cooke State Park that would be transferred from the Department of Natural Resources.

Next to the Twin Cities metropolitan area, St. Louis County has the second largest veterans population in the state. With an estimated 46,000 veterans living within 75 miles of the proposed cemetery, the location would make it easier for families to visit grave sites — an important criterion for the National Cemetery Administration, which awards the grants.

“Congress directs the NCA to have a national or state vets cemetery within

Salute continued on page 22





# An umbrella of coverage

A year in the making, health care proposal lays out an aggressive timeline

PHOTO BY TOM OLMSCHIED

Hospitals and providers would be rewarded for keeping people healthy under HF3391, the health care transformation bill. A Health Care Transformation Commission would develop a payment and reward system for providers

BY PATTY OSTBERG

**A**bout 93 percent of Minnesotans have insurance, but they aren't getting their money's worth, and the other 7 percent don't have insurance. Whatever percentage you fall under, changes could be just around the corner.

HF3391, sponsored by Rep. Thomas Huntley (DFL-Duluth), would set aggressive timelines to how the state pays providers for health care and how they manage chronic diseases.

"About 75 percent of the money spent on people in health care is spent on those with chronic diseases," Huntley said. The Governor's Health Care Transformation Task Force says the state could manage the diseases better and save about 20 percent in approximately five years.

On Huntley's own admission, the timelines set out in the health care transformation bill are hard to attain. "This is a work in progress ... and I'm not sure some of the timelines are completely realistic, ... I'm trying to end up with a bill that the governor will sign."

The House Health Care and Human

Services Finance Division approved the bill March 17, and sent it to the House Finance Committee. A companion bill, SF3099, sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the full Senate.

## Universal coverage and costs

Universal coverage goals are set in the bill at 94 percent of Minnesotans covered by 2009 and gradually increasing to 98 percent by 2013.

The affordability standard would be increased for people to qualify for MinnesotaCare coverage, and inpatient hospital services caps

would increase from \$10,000 to \$20,000. Affordability standards would be created for individuals and families with incomes of no more than 400 percent of the federal poverty guideline. Affordability is defined as the sum of premiums, deductibles and other out-of-pocket costs paid by a person or family. For example, a family at 375 percent to 400 percent of the guideline would pay 8 percent of their gross monthly income on health care expenses.

How to pay for the added coverage and other costs in the bill has yet to be decided. Huntley said monies could come from the Health Care Access Fund and through savings of managing chronic diseases better. "I guarantee you when this bill gets to the floor we'll have defined, perfect fiscal notes," he said.

It would be hard to determine exactly how much money would be available to cover the uninsured, said Rep. Laura Brod (R-New Prague). "You're either going to have to find another source of revenue, or you're going to have to chuck them all off. ... It just doesn't work."

**continued on next page**



## Payment restructure

The only way to ensure health care cost control is through restructuring payments to providers, said David Wessner, chief executive officer of Park Nicollet Health Services. He supported an amendment by Huntley that would allow a newly created Health Care Transformation Commission to develop a system to pay providers based on innovation and improved costs and quality. "It is the only real cost control mechanism," he said.

The idea is to pay providers for their performance of keeping people healthy, instead of rewarding for the number of visits and treatments, Huntley said.

Providers would submit bids for the total cost of care based on their prices for a facility and "must reflect the providers' commitment to manage their risk-adjusted patient population within this total cost." The health and human services commissioner would be required to implement this payment system by Jan. 1, 2011.

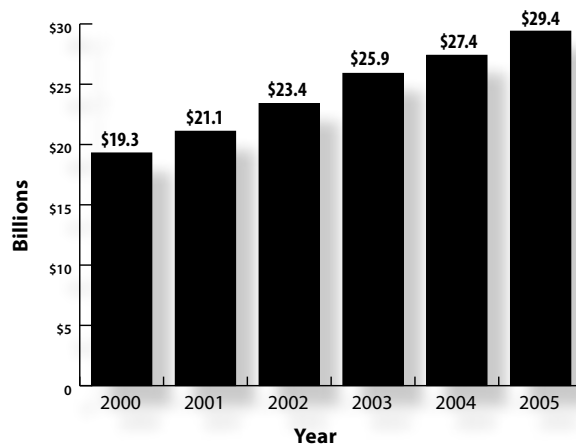
While the change could benefit large insurance companies, it could leave individual providers, like those in rural areas, unable to keep up, said Rep. Steve Gottwalt (R-St. Cloud). "It's a great global idea," but it's untested and we don't know what will happen to small providers, he said, noting they potentially would have to hire more staff to report on the data required for quality measurements.

## Measures and insurance

"Our payment system doesn't reward people for doing the right thing," Huntley said. Instead, we should shift the focus to a health care system that tries to keep people out of the hospital.

The governor's task force found that between 2001 and 2007, employer-sponsored coverage fell from 68 percent to 62.5 percent. Enrollment in public insurance programs rose from 21.1 percent to 25.2 percent, and the uninsured

## Total Health Care Spending Growth in Minnesota



Source: Behavior Risk Factor Surveillance System

rate increased from 6.1 percent to 7.2 percent.

A Health Care Transformation Commission would be created to establish a set of performance-evaluation measures that health care providers could use to set goals, and to track the progress of meeting those goals. By Dec. 15, 2008, the commission is to provide the Legislature with their recommendations.

A Minnesota Health Insurance Exchange would also be created to provide "greater access, choice, portability, and

affordability in health insurance products," according to the bill. Health plans would be sold through the exchange to individuals and employers.

By offering a state-created insurance plan and rewarding providers for keeping patients healthy, health costs would go down, Huntley said. "Think about what would happen in Minnesota's economy if we had 20 percent lower costs for health care."

## Medical homes

People with chronic diseases can see improvement in overall health when treated

in a health care home scenario. The bill calls for the state to pay providers to coordinate care in public programs resulting in long-term cost savings that could pay for the uninsured, Huntley said.

By July 1, 2009, the health commissioner would be required to have state program enrollees and those with chronic diseases select a primary care clinic or medical group and undergo an initial health assessment to identify preventable health care needs. The homes would coordinate care and develop a comprehensive plan for each enrollee.

## Cooperation

The uninsured sometimes wait until a crisis to seek medical care, which tends to be more costly than continued care to keep up with medical needs. After treatment they often end up off of medical assistance until another crisis occurs.

Provisions in the bill seek to automate and increase the cooperation between public programs to decrease the turnover rate. By July 1, 2009, the health commissioner is instructed to improve coordination between state health care and social service programs, and set up an automated process to send out state program renewal forms in various languages.

**Universal coverage goals are set in the bill at 94 percent of Minnesotans covered by 2009 and gradually increasing to 98 percent by 2013.**

## Frequently called numbers

Area code 651

### House Public Information Services

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

### Committee Schedule Hotline

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

### Chief Clerk of the House

211 Capitol .....296-2314

### House Index

211 Capitol .....296-6646

### Senate Information

231 Capitol .....296-0504

### Secretary of the Senate

231 Capitol .....296-2344

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

### Senate Index

110 Capitol .....296-2887

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

# The coming oil crash

Legislators look to prepare the state for the consequences of peak oil

By Nick Busse

**W**hen the average price of gasoline reached a new all-time high of \$3.23 a gallon last week, most Americans had little choice but to take it in stride. For the most part, the reality of expensive gas had become inevitable; like the weather, we can grumble about it, but we can't change it.

But if the forecast for the price of gasoline looks cloudy now, it's nothing compared to the storm that some experts say is gathering just over the horizon. Believe it or not, the price of gas is likely to rise even higher — a lot higher. And it's not because of greedy oil company executives or volatile Middle Eastern politics.

Sometime within the next 30 years, global demand for oil is projected to finally exceed the human capacity to produce it. We will not run out of oil, per se, but our production capacity will peak, meaning that oil supplies will grow increasingly scarce and significantly

more expensive. This phenomenon is known as "peak oil," and those familiar with the issue claim that it rivals global warming in terms of the problem it poses to humanity.

"This will be the defining challenge of the 21st century," said Matthew Simmons, chairman of the investment bank Simmons & Company International and author of "Twilight in the Desert: The Coming Saudi Oil Shock and the World Economy."

Simmons, one of many scientists and oil industry experts who appeared before members of the House Energy Finance and Policy Division in a series of peak oil



Source: Oregon Department of Energy

informational hearings that began in January, believes that the peak may have already occurred; others predict that production will peak between 2012 and 2015, while more optimistic estimates put it out to approximately 2040.

While the exact timing of peak oil remains in dispute, no one — not even the oil companies — denies that it's going to happen. And while state and local governments can do little to stop peak oil from occurring, a push has begun to get them to prepare for some of its potential consequences, which could include temporary gas shortages, rising food costs, rapid price fluctuations, general economic instability and social unrest.

## No good alternatives

Simmons and other experts say that one of the biggest problems with oil is its irreplacability. Ethanol and biodiesel, gasoline's chief competitors, are energy-intensive to produce, and there isn't nearly enough feedstock available to make quantities that would be large enough to replace gasoline. Other technologies like solar, wind and nuclear power are geared toward generating electricity, and offer little hope of solving the transportation needs of a global economy.

Moreover, even if some new miracle technology were to emerge in the next few decades that could replace oil as a fuel source, it's unlikely that it would. Consider the hundreds of millions of cars, trucks, ships and airplanes around the world that run on



PHOTO BY TOM OLMSCHEID

David Hughes, a geologist with the Geological Survey of Canada, checks the overhead display while giving a Power-Point presentation on peak oil production and other energy sources during at a March 17 hearing of the House Energy Finance and Policy Division.

Oil continued on page 22

## Monday, March 17

### HF4061-Kahn (DFL)

#### Finance

Human and civil rights investigation and statutory function fulfillment requirements established.

### HF4062-Nelson (DFL)

#### Taxes

Tax refund provided on fuel used in certain auxiliary power devices.

### HF4063-Jaros (DFL)

#### Finance

Indian Affairs Council allowed to conduct meetings by telephone or by electronic means.

### HF4064-Davnie (DFL)

#### Taxes

Tax incentives and certification provided for green economy businesses.

### HF4065-Davnie (DFL)

#### Finance

Mississippi River license plate created.

### HF4066-Otremba (DFL)

#### Finance

Silver and bronze star medal license plates authorized for awarded veterans.

### HF4067-Wagenius (DFL)

#### Finance

Water contamination prevention standards provided, and required financial assurance instruments specified for nonferrous metallic mineral mining owners.

### HF4068-Dittrich (DFL)

#### Finance

Permanent school fund payment distribution modified, and permanent school fund revenue growth set aside for school technology purposes.

### HF4069-Hamilton (R)

#### Finance

Excessive co-payments on drugs limited to treat multiple sclerosis.

### HF4070-Hausman (DFL)

#### Finance

Public facility funding provided.

### HF4071-Tillberry (DFL)

#### Finance

Safe school levy modified.

### HF4072-Hausman (DFL)

#### Finance

University of Minnesota and Minnesota State Colleges and Universities funding provided.

### HF4073-Gunther (R)

#### Taxes

Long-term care insurance credit increased.

### HF4074-Lanning (R)

#### Finance

Legislative Coordinating Commission funding provided for legislators' forum.

### HF4075-Olin (DFL)

#### Finance

Cattle herd requirements within certain areas provided and Board of Animal Health funding provided for the buyout of cattle herds in certain areas.

### HF4076-Beard (R)

#### Finance

Internet access equity aid modified.

### HF4077-Paymar (DFL)

#### Finance

Department of Public Safety and Department of Corrections funding provided.

### HF4078-Hornstein (DFL)

#### Finance

Metropolitan area transit and paratransit capital expenditures additional financing provided; obligation bonds authorized and issued.

### HF4079-Madore (DFL)

#### Finance

Health care reform plans cost analysis funding provided.

### HF4080-Hilty (DFL)

#### Health & Human Services

Environmental learning centers exempted from certain space requirements.

### HF4081-Emmer (R)

#### Health & Human Services

Web site registry and surveillance information public requirement provided.

### HF4082-Laine (DFL)

#### Health & Human Services

Prescription information required to be kept confidential.

### HF4083-Rukavina (DFL)

#### Commerce & Labor

Credit, insurance and other credit information use regulated.

### HF4084-Beard (R)

#### Transportation Finance Division

Insurance standards in road construction consideration required, trucks and vans reclassified for vehicle registration purposes, spotter truck registration method prescribed, mobile equipment registration modified and street study required.

### HF4085-Murphy, M. (DFL)

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

Correctional plan retirement provisions clarified.

### HF4086-Erickson (R)

#### Commerce & Labor

Video lottery terminals authorized, revenue use specified, lawful gambling taxes modified and conforming changes provided.

### HF4087-Shimanski (R)

#### Public Safety & Civil Justice

English established as the official state language, illegal immigration offenses and penalties provided.

### HF4088-Kahn (DFL)

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

Prohibited place names specified relating to public places.

### HF4089-Brod (R)

#### Health & Human Services

Legislative Commission on Autism established.

### HF4090-Hornstein (DFL)

#### Health & Human Services

Mental health fatality review team established.

### HF4091-Norton (DFL)

#### Health & Human Services

Small employer health coverage subsidy program established.

### HF4092-Hackbarth (R)

#### Environment & Natural Resources

Hunting and fishing supplies and equipment sales tax portion dedicated to game and fish purposes, quality wildlife initiative fund and council established, sales tax on fur clothing repealed and constitutional amendment proposed.

### HF4093-Anderson, S. (R)

#### Transportation Finance Division

Fuel-efficient vehicles authorized for operation in high-occupancy vehicle lanes.

### HF4094-Murphy, E. (DFL)

#### Environment & Natural Resources

Solid waste fired boiler requirements modified for burning refuse-derived fuel.

## Tuesday, March 18

### HF4095-Marquart (DFL)

#### Commerce & Labor

Prevailing wage requirements modified.

### HF4096-Lenczewski (DFL)

#### Taxes

Alternative minimum taxable income modified to exclude charitable contributions made by non-itemizers.

### HF4097-Davnie (DFL)

#### Taxes

Property tax refund payment allowed to counties when property taxes are delinquent.

### HF4098-Marquart (DFL)

#### Taxes

Agricultural land removed from the tax base for school bonded debt levies.

### HF4099-Nornes (R)

#### Finance

Higher education appropriations reduced and adjusted for the fiscal year ending June 30, 2009.

### HF4100-Morrow (DFL)

#### Finance

Driver and vehicle services technology account established, technology surcharge imposed and fees adjusted.



**HF4101-Gottwalt (R)****Health & Human Services**

Respite care program created for family adult foster care providers.

**HF4102-Gottwalt (R)****Finance**

State health care outreach incentive program established for licensed producers and funding provided.

**HF4103-Lenczewski (DFL)****Taxes**

Corporation franchise tax modified, grants authorized, foreign operating corporations eliminated, tax havens defined, subsidies taxed, rate reduced, JOBZ programs and tax credits repealed and exemptions eliminated.

**HF4104-Shimanski (R)****Agriculture, Rural Economies & Veterans Affairs**

Gambling revenue lawful purpose added.

**HF4105-Tillberry (DFL)****Commerce & Labor**

Motor vehicle service contracts and coverages regulated and term defined.

**HF4106-Clark (DFL)****E-12 Education**

American Indian youth summer programming funding provided.

**HF4107-Dill (DFL)****Transportation Finance Division**

Petroleum product distribution provisions modified.

---

**Wednesday, March 19**
**HF4108-Rukavina (DFL)****Environment & Natural Resources**

Eveleth; Iron Range off-highway vehicle recreation area management plan requirements modified and funding provided for recreational underpass.

**HF4109-Murphy, M. (DFL)****Governmental Operations, Reform, Technology & Elections**

Minnesota State Colleges and Universities system individual retirement account plan revision permitted in prior retirement benefit coverage elections.

**HF4110-Bunn (DFL)****Health & Human Services**

Proposed and mandated health benefits evaluation provided and funding provided.

**HF4111-Benson (DFL)****Public Safety & Civil Justice**

Teri Lee Law designated.

**HF4112-Murphy, E. (DFL)****Taxes**

Ramsey and Hennepin counties; authority extended to impose a mortgage registry and deed tax.

---

**WHO SCARED WHOM ...**


PHOTO BY TOM OLMSCHIED

Minnesota Zoo naturalist Judy Armstrong holds an African hedgehog that has rolled into a protective ball as 5-year-old Saher Ahasan of Blaine takes a closer look during "Zoo Day at the Capitol" March 18.

## Salute continued from page 16

75 miles of 90 percent of the veteran population,” Swantek said. “Once you get further away than 75 miles, people choose a local option. Congress really wants this benefit to be available.”

The state plans to submit a grant application this summer, and should know if it has been approved by the fall, Swantek said. If accepted, construction on the new facility could begin in the summer of 2010.

Rep. Al Juhnke (DFL-Willmar) sponsors HF3749 that would allow for construction of another state veterans cemetery. The House Agriculture, Rural Economies and Veterans Affairs Finance Division laid the bill over March 18 for possible inclusion in its omnibus bill. A Senate companion, SF3450, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the full Senate.

Christine Kiel, legislative liaison for the Veterans Affairs Department, said the federal grant would cover all construction costs, but the state would be responsible for the operation costs. “The Little Falls cemetery runs \$325,000 a year, and has a staff of six. But the new cemetery will have the director and administrator at Little Falls who will also oversee the operations, so we will only need four for maintenance,” she said. 🕌

## Oil continued from page 19

petroleum and that would have to be replaced in such a short time frame.

Given that investing in alternative fuels would likely put little more than a dent in the problem, any efforts to mitigate the effects of peak oil are likely to focus instead on conservation, and on softening the impacts of short-term problems like gas shortages and price spikes.

What that could mean for policymakers in the future is largely anyone’s guess; however, Simmons offered a few of his own ideas, such as growing more food locally, ending the “globalized” manufacturing of products and “liberating” the workforce by encouraging more people to work from home.

For the time being, Division Chairman Rep. Bill Hilty (DFL-Finlayson) intends to get the ball rolling with HF995, a resolution that would recognize the “unprecedented challenge” posed by peak oil and ask Gov. Tim Pawlenty to prepare a statewide response plan to deal with it.

It’s a small first step, but one that is intended to address what experts say is one of the biggest obstacles to dealing with the issue: the lack of public discussion about it.

## MUSLIM DAY

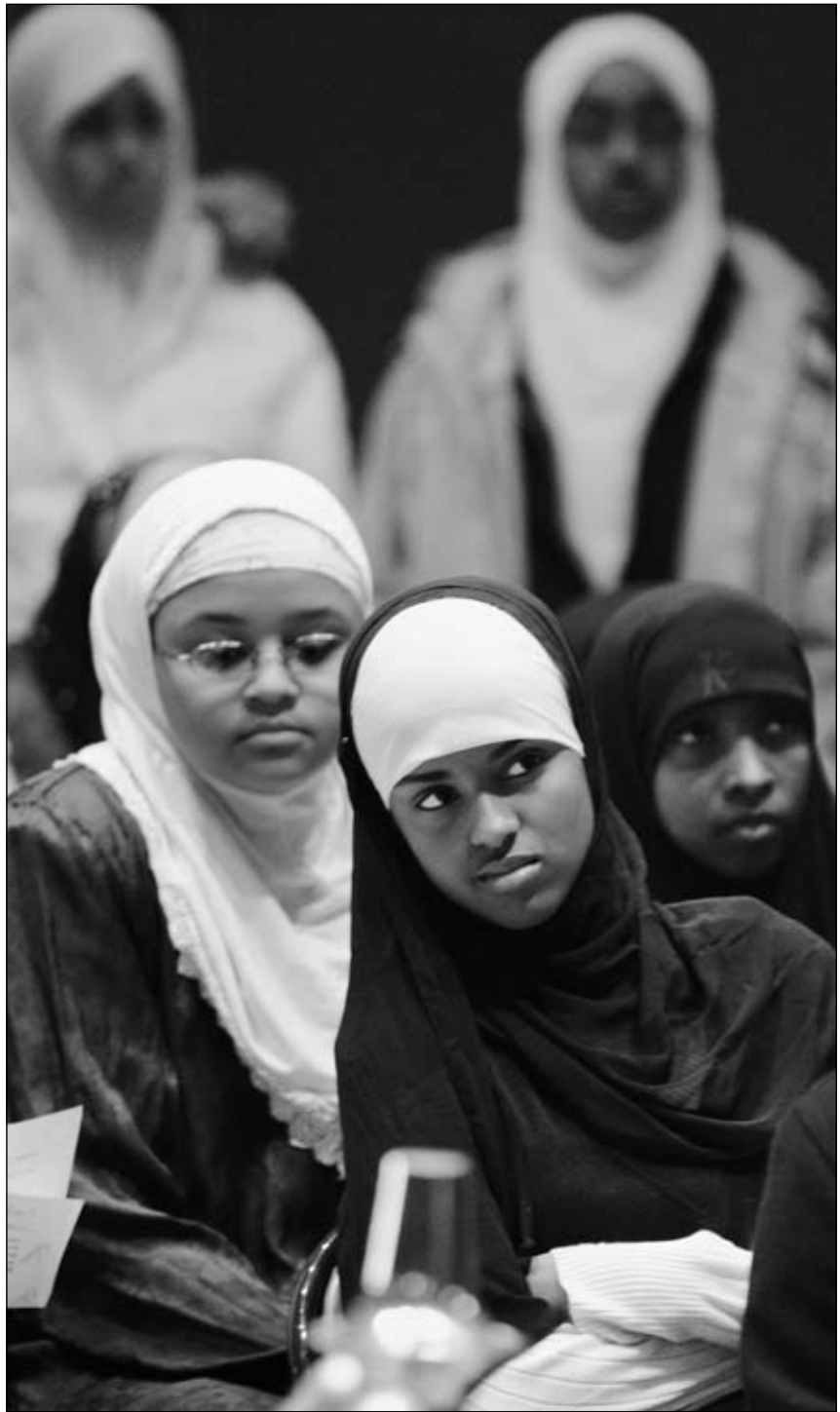


PHOTO BY TOM OLMSCHIED

**Eighth grader, Fatima Osman, front, and other students from the Tarek ibn Ziyad Academy in Inver Grove Heights, listen to speakers in the Capitol Rotunda during the March 18 “Muslim Day at the Capitol.”**

“Awareness is the first step, and that resolution goes a long way in producing awareness,” said David Hughes, a geologist with the Geological Survey of Canada, at a March 17 division meeting. Hughes said global warming and peak oil represent the two preeminent issues of our time, but noted

that the latter issue is relatively obscure.

Hilty’s resolution currently awaits action by the full House. A companion, SF1948, sponsored by Sen. Jim Carlson (DFL-Eagan), awaits action by the Senate Rules and Administration Committee. 🕌

# 2008 Minnesota House of Representatives

District	Member/Party	Room*	Phone 651-296-	District	Member/Party	Room*	Phone 651-296-
48B	Abeler, Jim (R)	203	1729	9A	Lanning, Morrie (R)	259	5515
19A	Anderson, Bruce (R)	201	5063	40B	Lenczewski, Ann (DFL)	509	4218
43A	Anderson, Sarah (R)	229	5511	66A	Lesch, John (DFL)	537	4224
3A	Anzelc, Tom (DFL)	417	4936	30A	Liebling, Tina (DFL)	393	0573
39B	Atkins, Joe (DFL)	503	4192	1B	Lieder, Bernard (DFL)	423	5091
35A	Beard, Michael (R)	207	8872	55A	Lillie, Leon (DFL)	353	1188
43B	Benson, John (DFL)	517	9934	59A	Loeffler, Diane (DFL)	349	4219
33B	Berns, John (R)	311	4315	37A	Madore, Shelley (DFL)	507	5506
57A	Bigham, Karla (DFL)	529	4342	22A	Magnus, Doug (R)	217	5505
25B	Bly, David (DFL)	557	7065	67A	Mahoney, Tim (DFL)	591	4277
25A	Brod, Laura (R)	321	4229	65B	Mariani, Carlos (DFL)	563	9714
27A	Brown, Robin (DFL)	337	8216	9B	Marquart, Paul (DFL)	597	6829
23B	Brynaert, Kathy (DFL)	421	3248	38A	Masin, Sandra (DFL)	527	3533
35B	Buesgens, Mark (R)	307	5185	53B	McFarlane, Carol (R)	223	5363
56A	Bunn, Julie (DFL)	521	4244	57B	McNamara, Denny (R)	271	3135
45B	Carlson, Lyndon (DFL)	479	4255	4A	Moe, Frank (DFL)	369	5516
61A	Clark, Karen (DFL)	471	0294	40A	Morgan, Will (DFL)	531	4212
24B	Cornish, Tony (R)	281	4240	23A	Morrow, Terry (DFL)	415	8634
62A	Davnie, Jim (DFL)	545	0173	58A	Mullery, Joe (DFL)	367	4262
52B	Dean, Matt (R)	327	3018	64A	Murphy, Erin (DFL)	413	8799
49A	DeLaForest, Chris (R)	323	4231	6B	Murphy, Mary (DFL)	343	2676
29A	Demmer, Randy (R)	225	9236	46A	Nelson, Michael V.(DFL)	569	3751
52A	Dettmer, Bob (R)	329	4124	10A	Nornes, Bud (R)	277	4946
6A	Dill, David (DFL)	571	2190	29B	Norton, Kim (DFL)	387	9249
47A	Dittrich, Denise (DFL)	371	5513	1A	Olin, Dave (DFL)	593	9635
58B	Dominguez, Augustine "Willie" (DFL)	539	8659	16B	Olson, Mark (IR)	301	4237
12B	Doty, Al (DFL)	433	4247	11B	Otremba, Mary Ellen (DFL)	445	3201
28B	Drazkowski, Steve (R)	247	2273	37B	Ozment, Dennis (R)	283	4306
17A	Eastlund, Rob (R)	243	5364	42B	Paulsen, Erik (R)	309	7449
2A	Eken, Kent (DFL)	575	9918	64B	Paymar, Michael (DFL)	543	4199
19B	Emmer, Tom (R)	261	4336	31A	Pelowski Jr., Gene (DFL)	491	8637
41A	Erhardt, Ron (R)	245	4363	32A	Peppin, Joyce (R)	331	7806
16A	Erickson, Sondra (R)	279	6746	20A	Peterson, Aaron (DFL)	451	4228
8B	Faust, Tim (DFL)	567	0518	41B	Peterson, Neil W. (R)	213	7803
21B	Finstad, Brad (R)	251	9303	45A	Peterson, Sandra (DFL)	345	4176
26B	Fritz, Patti (DFL)	551	8237	27B	Poppe, Jeanne (DFL)	487	4193
53A	Gardner, Paul (DFL)	581	2907	5A	Rukavina, Tom (DFL)	477	0170
36B	Garofalo, Pat (R)	221	1069	26A	Ruth, Connie (R)	291	5368
15A	Gottwalt, Steve (R)	231	6316	42A	Ruud, Maria (DFL)	515	3964
54A	Greiling, Mindy (DFL)	381	5387	2B	Sailer, Brita (DFL)	577	4265
24A	Gunther, Bob (R)	289	3240	54B	Scalze, Bev (DFL)	357	7153
48A	Hackbarth, Tom (R)	209	2439	21A	Seifert, Marty (R)	267	5374
22B	Hamilton, Rod (R)	215	5373	5B	Sertich, Anthony "Tony" (DFL)	459	0172
39A	Hansen, Rick (DFL)	401	6828	14A	Severson, Dan (R)	233	7808
66B	Hausman, Alice (DFL)	453	3824	18A	Shimanski, Ron (R)	227	1534
15B	Haws, Larry (DFL)	473	6612	44A	Simon, Steve (DFL)	375	9889
13A	Heidgerken, Bud (R)	237	4317	10B	Simpson, Dean (R)	295	4293
46B	Hilstrom, Debra (DFL)	379	3709	55B	Slawik, Nora (DFL)	403	7807
8A	Hilty, Bill (DFL)	559	4308	63B	Slocum, Linda (DFL)	523	7158
36A	Holberg, Mary Liz (R)	303	6926	33A	Smith, Steve (R)	253	9188
34B	Hoppe, Joe (R)	317	5066	3B	Solberg, Loren (DFL)	443	2365
60B	Hornstein, Frank (DFL)	437	9281	56B	Swails, Marsha (DFL)	409	1147
47B	Hortman, Melissa (DFL)	377	4280	65A	Thao, Cy (DFL)	359	5158
14B	Hosch, Larry (DFL)	565	4373	63A	Thissen, Paul (DFL)	351	5375
4B	Howes, Larry (R)	287	2451	51B	Tillberry, Tom (DFL)	501	5510
7A	Huntley, Thomas (DFL)	585	2228	49B	Tingelstad, Kathy (R)	255	5369
7B	Jaros, Mike (DFL)	583	4246	31B	Tschumper, Ken (DFL)	431	9278
67B	Johnson, Sheldon (DFL)	549	4201	18B	Urdahl, Dean (R)	239	4344
13B	Juhnke, Al (DFL)	485	6206	62B	Wagenius, Jean (DFL)	449	4200
59B	Kahn, Phyllis (DFL)	365	4257	61B	Walker, Neva (DFL)	553	7152
17B	Kalin, Jeremy (DFL)	579	5377	12A	Ward, John (DFL)	533	4333
60A	Kelliher, Margaret Anderson (DFL)	463	0171	38B	Wardlow, Lynn (R)	241	4128
50B	Knuth, Kate (DFL)	429	0141	30B	Welti, Andy (DFL)	389	4378
20B	Koenen, Lyle (DFL)	439	4346	11A	Westrom, Torrey (R)	273	4929
34A	Kohls, Paul (R)	313	4282	44B	Winkler, Ryan (DFL)	525	7026
51A	Kranz, Scott (DFL)	411	4226	28A	Wollschlager, Sandy (DFL)	335	8635
50A	Laine, Carolyn (DFL)	407	4331	32B	Zellers, Kurt (R)	315	5502



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

SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER

MAJORITY LEADER: ANTHONY "TONY" SERTICH

MINORITY LEADER: MARTY SEIFERT

## MINNESOTA INDEX

### Perils of poverty

Percent of state residents living in poverty in 2006.....	8.1
National rate, as percent.....	12.3
Maximum amount a single person could earn in 2007, and still be considered in poverty.....	\$10,210
Amount for a family of four.....	\$20,650
States in 2005 with higher poverty rates than Minnesota.....	46
Minnesotans living below 200 percent of the poverty guideline in 2005 .....	410,200
In 2000 .....	380,476
In 1990 .....	435,331
Estimated number of Minnesota children under age 18 living in poverty in 2006 .....	152,000
Number in 2000 .....	114,000
Percent of all Minnesota children living in poverty in 2006 .....	12.2
Percent in 2000.....	9
Of Minnesota children living in poverty in 2006, percent that were white .....	54
Percent that were black.....	24
Percent that were Hispanic or Latino .....	12
Percent of Minnesota's immigrant children living in poverty.....	25
Percent of children born in the United States.....	10
Percent increase in child poverty in state since 2000.....	35
Percent of Minnesotans age 75 and older living in poverty in 2005 .....	11
By third grade, estimated number of fewer words that low-income children with undereducated parents know compared to higher income peers .....	8,000
Minnesotans without a high school education living in poverty in 2005, as approximate percent.....	20
National average, as percent .....	23
Percent of Minneapolis, St. Paul and inner suburb (inside the Interstate 494/694 beltway) residents living in poverty .....	12
Percent of Greater Minnesota residents.....	10
Percent of Rochester, St. Cloud and exurb residents .....	5
Percent of suburban ring residents .....	4
Percent of Minnesotans with a disability living in poverty.....	17.4
Percent of nondisabled Minnesotans .....	7.7
Percent of persons with a mental disability living in poverty.....	26
Percent of persons with a physical disability .....	21.4

— M. Cook

**Sources: Poverty and People with Disabilities; A Report to the Legislative Commission to End Poverty in Minnesota by 2020, Minnesota State Council on Disability; Children's Defense Fund of Minnesota; Poverty in Minnesota, Testimony to Legislative Commission to End Poverty in Minnesota by 2020, State Demographer Tom Gillaspay and State Economist Tom Stinson, August 2007.**

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to: House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 7 • MARCH 28, 2008

CROSSING TO THE DIGITAL SIDE  
NO BEDS FOR THOSE IN CRISIS  
MEMBERS STEPPING DOWN  
SCHOOL FUNDING QUESTIONS

HF4113 - HF4133





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Tom Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Budget • 5  
Education • 10  
Elections • 10  
Energy • 11

Environment • 11  
Government • 12  
Health & Human Services • 12  
Local Government • 13

State Government • 13  
Taxes • 13  
Transportation • 13  
Late Action • 14

### BILL INTRODUCTIONS (HF4113-HF4133) • 23

### FEATURES

**FIRST READING:** Public TV stations look to state for help with digital conversion • 3

**AT ISSUE:** Psychiatric beds are full, but solutions are as complex as the problem • 15

**RESOURCES:** Contact information for constitutional officers • 17

**PEOPLE:** Stepping Down — DeLaForest, Finstad, Kranz, Ozment and Walker • 18-22

**MINNESOTA INDEX:** Crime and Punishment • 24

On the cover: Ian Austerman, from a New Prague school, looks for the "M" in the Capitol Rotunda during a scavenger hunt inside the State Capitol in early March. The tour was hosted by the Minnesota Historical Society.

—Photo by: Sarah Stacke



# Expanding the band

Public television stations want state help for digital changes

By COURTNEY BLANCHARD

**N**ext year, TV remotes will switch off fuzzy channels for the last time.

When TVs power up in February 2009, most stations will be broadcast with a digital signal. Rabbit ears won't give you static; there will either be a clear picture or nothing at all. Many shows will broadcast in high definition, and if you have an HD TV it will display a startlingly sharp picture with crisp sound quality. This will happen because the current method of TV reception, analog signals, will be replaced by digital.

While one goal for the switchover is to free up some of the analog spectrum for communication among public safety agencies, perhaps the biggest reason for the change is simply the money that the federal government can make. The Federal Communications Commission raised more than \$19 billion from auctioning the analog airwaves to wireless phone and Internet

companies, according to a March 20 release by the commission. It was one of the largest auctions the commission has ever held, and surpassed twice the amount Congress had anticipated. The money will go straight to the U.S. Treasury.

But money in the government's pocket comes at a price for TV stations. Since Congress mandated the switch 10 years ago, every TV station has been upgrading their equipment to enable them to pump out a digital signal by the February 2009 deadline.

While most stations must foot the entire bill for conversion, the Minnesota Public Television Association is looking for help from the Legislature. The association depends on annual state support for part of its operating costs, about \$1.36 million per year, according to the nonpartisan House Fiscal Analysis Department.

The money is divvied out among all six stations, and for the largest, Twin Cities Public Television, state funding makes up about 1 percent of its operating budget, according to the station's Web site.

But Lakeland Public

## Coping with the switchover

The switch to digital television could prompt many people to buy a new set. That has the Pollution Control Agency and county officials wondering just how many TVs will be thrown out next February, and how many people know how to legally dispose of them.

It's illegal to take most TVs to the landfill because they include hazardous material, like lead.

The Legislature passed electronic waste recycling legislation in 2007 to make it easier and cheaper for people to get rid of their old TVs.

Lisa Bujak, electronics products stewardship coordinator for the PCA, said new recycling sites are already popping up around the state — enough to handle the demand in 2009.

Many sites still charge a fee to accept TVs and computer monitors, though some have reduced or dropped the fee altogether, she said.

To find a site in the metro area, visit [www.greenguardian.com](http://www.greenguardian.com)

To find a site in Greater Minnesota or a special collection event, visit [www.pca.state.mn.us/ewaste](http://www.pca.state.mn.us/ewaste)

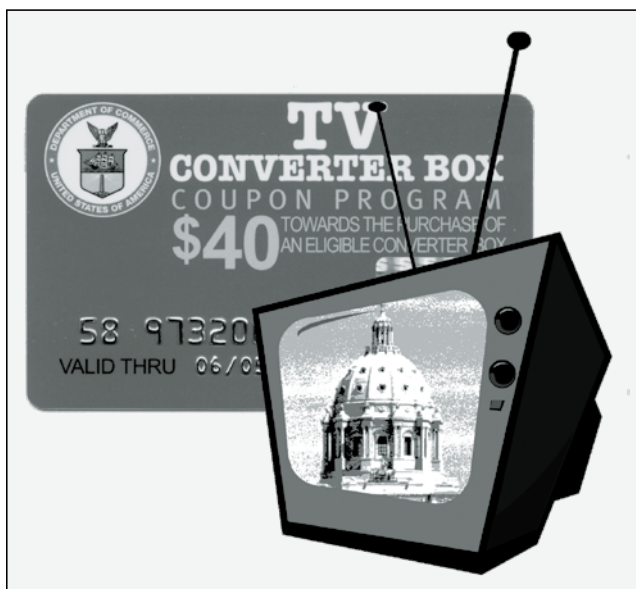


ILLUSTRATION BY PAUL BATTAGLIA

Even TVs adorned with old-fashioned antennas can keep working under the conversion to digital airwaves. Provided the TV set has the proper plug-in, a converter box will upgrade the signal. A federal government program offers each household up to two \$40 coupons for converter boxes.

Television, which sends channels to Brainerd and Bemidji, leans on state funding even more. It makes up 8 percent to 18 percent of the budget, and federal funding is tied to the amount of state funds received, said General Manager Bill Sanford. When state funding drops, so does the entire budget, he said.

## Another cost

The tab for conversion is piled onto every station's normal operating budget. It's a costly process, and even the electricity bill will go up for many stations, said Bill Strusinski, a lobbyist representing Friends of Minnesota Public Television.

"For those rural stations, it's problematic," he said. "They just don't have the resources."

The MPTA has already taken advantage of available federal funding, and the state doled out \$8 million four years ago and \$6.65 million last year for the digital conversion process. But the association hasn't yet wrapped up the switchover.

To cover the cost, the MPTA asked the House Minnesota Heritage Finance Division recently to include a request for \$6.5 million in the bonding bill.

First Reading continued on page 4

### First Reading continued from page 3

Rep. Phyllis Kahn (DFL-Mpls) sponsors HF1181, which would provide funding to the MPTA. A companion, SF1047, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the Senate Finance Committee. So far, the request hasn't ended up in the bonding bill that has been sent to a conference committee.

Even though it may be hard to fulfill the request during a deficit year, Kahn said lawmakers should take a serious look at the consequences if they don't grant money to MPTA.

"They do not have the money to do it themselves," Kahn said.

For the six stations lacking funds for new equipment, filming could be halted on local programming such as spelling bees, workshops and church programs, Strusinksi said.

### Expanding

After the upgrade, stations will be able to expand programming. With the space allotted for one analog channel, stations can send out multiple digital channels.

"We are on the air with more services than ever before, that's the great news about all of the work and all the expense associated with the transition," said Dan Thomas, chief operating officer for Twin Cities Public Television.

The network sends two channels to analog TV sets, he said. But there are seven digital

channels — many devoted to one thing, like children's education or how-to shows.

The Minnesota Public Television Association has almost completed the transition, Thomas said. The last step would upgrade stations with equipment for the ability to shoot on location in digital.

Not everybody agrees that money for the switch should come from taxpayers' pockets.

Digital conversion will allow public stations to raise more money, said James Gattuso, a senior research fellow on regulatory policy at the Heritage Foundation, a conservative think tank.

The government assigns the digital signal for free, which comes with space for additional channels. The improved quality and expanded service will attract more viewers, hence, more revenue.

"It seems to be ironic that this opportunity becomes a reason to ask for greater support," Gattuso said.

### Your tube

For those worried whether the transition will leave their TV screen blank, there are options.

For one thing, there's still some time before the February deadline. Until TV stations are required to shut down their analog signals, most stations, including public stations, will continue to pump them out. When analog goes off the air, it will be business as usual for TVs hooked up to

a digital cable or satellite connection.

For TVs using antennas, it's a different story. While newer sets are capable of receiving digital signals, many old TVs can't do the job without a converter box. The boxes typically run from \$50 to \$70, but a federal program offers up to two \$40 coupons per household. Like any coupon, there are restrictions. It expires 90 days after the issue date and customers can't combine coupons to buy one box. To apply for the coupons, visit [www.DTV2009.gov](http://www.DTV2009.gov).

The digital transition will also hit home at the Legislature, which provides live coverage of House and Senate proceedings.

Because the Capitol's production crews are not licensed broadcasters, the digital conversion mandate doesn't apply, said Barry LaGrave, director of House Public Information Services, which produces the televised House proceedings. But much like the owner of a Ferrari in a small town, production crews will find it hard to replace broken parts. Analog equipment will soon be obsolete, so any new equipment purchased will be digital, LaGrave said.

He's in no hurry to buy the latest technology. Even after the analog production equipment breaks down and is replaced by digital, the House proceedings probably won't be filmed in high definition. There's just no reason for it when all you see are the faces of legislators, LaGrave said. 🗽

### NEW LOOK



PHOTO BY ANDREW VONBANK

**Trooper Garrett Bondhus stands by a newly designed Minnesota State Patrol vehicle, during a media unveiling event in front of the State Capitol March 26.**

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held March 20-27. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill, version considered by the House, or the bill language signed by the governor.

## BUDGET

### House DFL plan proffered

A difference in priorities has led to a difference in budget-balancing plans between the governor and House DFL leaders.

Approved by the House Ways and Means Committee March 25, and amended slightly two days later, the House DFL plan to reduce the state's projected \$938 million biennial deficit includes the elimination of a \$350 million cash flow account, takes \$250 million from the state's \$653 million budget reserve and leaves the Health Care Access Fund intact. Gov. Tim Pawlenty's plan includes \$250 million from both the budget reserve and the Health Care Access Fund, along with \$341 million in spending reductions.

Rep. Loren Solberg (DFL-Grand Rapids), the committee chair, said the House DFL plan uses some of the resources used by Republicans to solve the \$4.5 billion budget deficit in 2003.

"We are taking the cash flow account, and

we are leaving enough in the Health Care Access Fund and the budget reserve to be able to manage the cash flow," he said.

Each House finance division was given a target to meet, but Solberg emphasized it was up to the division to determine how to meet the target. The division targets are to be merged into one large bill by the House Finance Committee.

The targets range from a negative \$201.77 million to the House Taxes Committee to a positive \$22.87 million for K-12 education. Other targets include a nearly \$45 million decrease to higher education and workforce development (\$7 million less than Pawlenty), \$11 million reduction in public safety (\$5.45 million less than Pawlenty) and a \$200,000 decrease in transportation (\$32.2 million less than Pawlenty).

Committees can meet their targets by revenue changes, spending changes or transfers to or from other funds.

"The governor submitted his budget, and where there's general agreement on that budget target we have tried to follow that," Solberg said. "We had several conversations with the Department of Finance on some of those issues. We also have our fiduciary responsibility to pass budget targets that reflect legislative priorities as well."

Rep. Mary Liz Holberg (R-Lakeville) expressed concern about how the plan addresses the projected deficit in the following biennium.

"We're going to be in for a heck of a time next year as some of these one-time shifts and funds happen," added Rep. Jim Abeler (R-Anoka).

The governor's plan leaves a negative balance for Fiscal Years 2010-11 of about \$693 million, but Solberg said House leaders would like to see cuts to state agencies and other programs be long-term cuts. Each division also received a long-term tails target to try to achieve, if possible.

— M. Cook

### Hopes for cattle, dollars for cows

An issue advocated by one Republican the last six years now has a better chance of becoming law.

Rep. Dean Urdahl (R-Grove City) has annually advocated for grants to help boost the state's declining number of dairy farms.

If the idea does make it into law, he says he can thank the DFL chairman of the House Agriculture, Rural Economies and Veterans Affairs Finance Division, Rep. Al Juhnke (DFL-Willmar). "Let's just say, I am more optimistic about this happening," Urdahl said.

Urdahl's proposal to make grant money available for eligible dairy farmers wanting to invest in their operations was extended by Juhnke to include producers of most livestock raised in the state. And the provision is a key component in the division's agriculture policy omnibus bill, HF3902.

The bill would allocate \$2.4 million to the



STITCHED PANORAMA BY ANDREW VONBANK

Members of the House Health Care and Human Services Finance Division work on the division's supplemental budget bill in a packed committee room March 25.



Department of Agriculture in Fiscal Year 2009 for grants of up to \$50,000 for qualifying expenditures of at least \$4,000 to a person who raises livestock in the state. This would include dairy farmers and those raising beef cattle, swine, mules, deer (also known as cervidae), bison and llamas.

However, with spending adjustments, the provision pushes the House's recommendation up more than \$2 million over the governor's request to cut the department's budget by \$102,000 for the current biennium.

The division approved two omnibus bills March 25. The first deals with policy issues related to agriculture and veterans affairs, which awaits action by the House Finance Committee. The other, HF3981, lays out budget provisions to deal with the biennial shortfall. It was incorporated March 27 by the House Finance Committee into the supplemental budget bill (HF1812).

Gov. Tim Pawlenty would increase by \$2.7 million the Board of Animal Health's budget to address the bovine tuberculosis problem affecting some cattle herds in the northwest part of the state. He also proposes to increase the budget for the Department of Veterans Affairs by \$5.85 million.

It was the bovine tuberculosis issue that prompted some members to question the committee's spending priorities.

The supplemental budget bill would allocate \$472,000 in Fiscal Year 2008 and \$2.56 million in Fiscal Year 2009 to the Board of Animal Health for response to the bovine tuberculosis problem. Rep. Dave Olin (DFL-Thief River Falls), who represents the infected area, pleaded for more money this year to help buy out cattle herds where the disease has been found. Calling it a disaster in the making, "You'd better find me another \$10 million," he said.

Junke successfully amended the bill in the Finance Committee to add \$3 million to the Board of Animal Health budget to address the bovine tuberculosis problem.

Both companion bills are sponsored by Sen. Jim Vickerman (DFL-Tracy). The companion to HF3981, SF3633, awaits action by the Senate Agriculture and Veterans Committee. The companion to HF3902, SF3683, awaits action by the Senate Finance Committee.

— L. SCHUTZ

### Opt out of No Child Left Behind

The House Finance Committee included in its larger omnibus bill a plan that would have the state say no to the federal No Child Left Behind Act.

HF2475, sponsored by Rep. Mindy Greiling (DFL-Roseville), was approved March 26 by the House K-12 Finance Division and the

House Education Finance and Economic Competitiveness Finance Division, before being included March 27 in HF1812, a bill that includes all other supplemental budget bills.

The bill would, among other things, give districts a one-time award of \$51 per pupil, which would come from the Quality Compensation for Teachers program, commonly known as Q Comp, as well as the state's General Fund. Districts that have applied for the program will be unaffected, but districts will no longer be able to apply for the 2008-2009 school year.

"We really feel strongly that the Q Comp moneys should be untouched," said Education Commissioner Alice Seagren, adding that it sends a mixed message.

Another one-time proposal would allow school districts to transfer \$51 per pupil unit from their capital budgets to their undesignated general fund balance.

A controversial amendment brought forth by Rep. Pat Garofalo (R-Farmington) and approved would end the state's participation in the federal No Child Left Behind Act.

Garofalo said in the worst-case scenario where the federal government dropped funding, the state would still come out ahead because of the many unfunded mandates in the act.

Rep. Randy Demmer (R-Hayfield) said being the first state to opt out of the program might seem like a fun thing to do, but the issue was serious.

"Quite frankly, if I was the governor, this wouldn't see much time on my desk," Demmer said.

The bill would also authorize the education commissioner to enter into reciprocity agreements with adjoining states and extend a task force that was looking at special education requirements.

Other changes to the bill include: adoption of an amendment by Rep. Carlos Mariani (DFL-St. Paul) that would make all data used to create summary data for the state's report card non-public. An amendment that would keep the school start date after Labor Day was also approved.

A companion bill, SF2149, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), has been held over by the Senate E-12 Education Budget Division for possible omnibus bill inclusion.

— T. HAMMELL

### Energy and commerce spending cuts

More than \$12 million in General Fund spending would be trimmed from the Commerce Department's remaining biennial budget under the provisions of HF1812, the House's supplemental budget bill.

Sponsored by Rep. Lyndon Carlson (DFL-Crystal), the bill includes the recommendations

of the House Energy Finance and Policy Division, originally carried in HF2305, sponsored by Rep. Bill Hilty (DFL-Finlayson). The House Finance Committee approved the bill March 27 and rolled into the supplemental budget bill (HF1812).

The spending reductions would be accomplished largely by shifting money from non-General Fund revenue sources to cover budget shortfalls caused by the state's projected \$938 million deficit. A \$2.6 million renewable hydrogen power initiative would also be cancelled. The bill would actually make a slight increase in direct appropriations to the department. New spending items would include \$300,000 for a solar rebate program, \$175,000 for a broadband mapping project, \$130,000 for unclaimed property compliance and \$85,000 for a state video franchising study. Cuts include a \$540,000 reduction to the state's Do Not Call program and \$46,000 from the operating budget.

The bill also contains several energy-related policy provisions, including:

- requiring that outdoor lighting fixtures installed or replaced with state funds take steps to increase energy efficiency and reduce light pollution;
- establishing a Green Economy Transformation Task Force to help grow the number of jobs related to renewable energy in the state;
- providing for a study of the impact of legislation that would require franchises for video service to be issued by a state agency;
- providing for a statewide inventory and mapping of broadband service and capabilities; and
- providing up to \$500,000 from existing accounts to be used to fund studies on cap-and-trade governance, economics and emissions. This provision is contingent on the passage of HF3195/SF2818, the cap-and-trade bill sponsored by Rep. Kate Knuth (DFL-New Brighton) and Sen. Ellen Anderson (DFL-St. Paul). Both bills await action by the respective body's finance committee.

A companion bill, SF1475, sponsored by

### Consider a donation

As a loyal reader of Session Weekly, please consider giving a voluntary donation of \$20 to help defray the publication and mailing costs of bringing you this award-winning news magazine. You can be assured that your donation will go directly to support the magazine.

Mail your check, made payable to Minnesota House of Representatives, to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

— N. BUSSE

### Environmental budget cuts

Environment and natural resources spending would see a net reduction of nearly \$1.6 million for the remainder of the biennium, under the supplemental budget proposal approved March 27 by the House Finance Committee, and rolled into the supplemental budget bill (HF1812).

HF1812, sponsored by Rep. Lyndon Carlson (DFL-Crystal), now contains the environment and natural resources budget cuts originally in HF4021, sponsored by Rep. Jean Wagenius (DFL-Mpls). The provisions would reduce General Fund spending by nearly \$3.4 million; however, they would compensate for some of the reductions by transferring more than \$1.9 million from various dedicated funding sources.

The Department of Natural Resources would bear the brunt of the cuts, with a net reduction of \$778,000, which would be spread out over a wide range of divisions and programs. The Pollution Control Agency would absorb most of its \$469,000 net reduction into various administrative costs, while a \$318,000 cut to the Board of Water and Soil Resources would affect mostly grant programs.

The total amount of General Fund spending reduced by provisions would be equal to the amount recommended by Gov. Tim Pawlenty; however, \$1.9 million would be transferred from three different dedicated environment funds to help mitigate the impact of the cuts. The governor's recommendations included only \$1 million of such transfers.

Some of the individual programs affected would include: a \$253,000 reduction to the DNR's waters division for water resource management; a \$230,000 reduction to the DNR's ecological services division for managing impaired waters; and a \$225,000 cut to the DNR's land and minerals division.

Several proposed funding increases are also included in the bill. Notable examples include:

- \$450,000 to BWSR for additional flood relief projects in southeast Minnesota;
- \$369,000 from the Game and Fish Fund to the DNR for fish virus surveillance; and
- \$134,000 from the Environmental Fund to the PCA for adoption of the California vehicle emissions standards (pending their enactment by the Legislature).

A proposal to cut \$175,000 from the DNR's budget for the Let's Go Fishing program for senior citizens has been excluded from the bill, despite being in the governor's budget recommendations.

A number of environmental policy provisions are also included in the bill. Among the more controversial of these is a requirement that all future landfills constructed in the state be located in areas where they are least likely to leech contaminants into groundwater supplies. This measure comes from HF3997/SF3703, sponsored by Rep. Julie Bunn (DFL-Lake Elmo) and Sen. Kathy Saltzman (DFL-Woodbury).

A companion bill, SF1475, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

— N. BUSSE

### Trimming the administration

A House plan would reduce General Fund biennial expenditures for state government entities by the same overall amount recommended by the governor, but takes a different route getting there.

Sponsored by Rep. Chris DeLaForest (R-Andover), HF3987, which calls for budget reductions totaling \$21.35 million, was approved by the House State Government Finance Division March 26 and included in the supplemental budget bill (HF1812) put together by the House Finance Committee one day later.

The committee recommends cutting \$1.67 million from the Legislature, including \$710,000 from the Senate and \$952,000 from the House. The governor's recommendations include \$6.9 million in legislative cuts.

The plan's \$1.1 million in cuts to constitutional offices consists of \$749,000 for the attorney general, \$195,000 from the secretary of state, \$113,000 from the governor and \$42,000 from the state auditor. The governor recommended cutting \$1.79 million from constitutional offices.

The committee's recommendations include cutting \$157,000 from the Office of Enterprise Technology, nearly half of the \$313,000 cut recommended by the governor.

The Department of Administration would receive a \$1.04 million cut from the plan while the governor recommends a similar cut of \$1.2 million.

The plan would recommend cutting \$421,000 from the Department of Finance, which is half the Governor's recommended cut of \$842,000.

Both the committee's and the governor's recommendations would give the Department of Military Affairs a General Fund increase of \$390,000.

An amendment successfully offered by Rep. Phyllis Kahn (DFL-Mpls) specifies that the Legislative Coordinating Commission must report to the Legislature by Jan. 15, 2009, on potential savings that could be achieved by having the commission perform administrative functions that are currently

handled separately by the House and Senate.

Another successful Kahn amendment would allow for certain bars in the Twin Cities metropolitan area to remain open until 4 a.m. from Aug. 29, 2008 to Sept. 8, 2008, in conjunction with the Republican National Convention in St. Paul. Liquor stores in the area would also be permitted to sell alcohol on Sunday during those dates.

Other notable provisions include:

- employees must be granted up to five days of leave to care for a domestic partner due to illness or a disability within a 12-month period;
- regulations for state-funded outdoor lighting fixtures;
- employees must be allowed paid leave in order to donate blood; and
- regulations on misidentifying state agencies.

Senate companion SF3650, sponsored by Sen. Claire Robling (R-Jordan) waits actions by the Senate Finance Committee.

— B. HOGENSON

### Payment delays to hospitals

The House Health Care and Human Services Finance Division's omnibus bill calls for a \$131 million cut in this biennium.

Most of last year's MinnesotaCare expansions remain, but hospitals wouldn't fare as well with rebasing and managed care payments delayed for up to one year.

Rep. Thomas Huntley (DFL-Duluth), the sponsor of HF3976, said it would protect most of last year's expansions, nursing homes and long-term care facilities from cuts. "The state is in a fiscal crisis and we have to balance a budget which means we have to make cuts. That is a very tough thing to do."

The bill was approved by the division March 25, and incorporated in the supplemental budget bill (HF1812) by the House Finance Committee.

In part, the bill would:

- remove the cap on the Minnesota Family Investment Program that provides food and cash assistance to needy families;
- create a study on alternative approaches to offering dental coverage for public program enrollees;
- transfer remaining funds from certain accounts, such as the Chemical Dependency Treatment Fund, to the General Fund;
- freeze substance abuse treatment rates;
- make technical changes to meet federal requirements; and
- delay by one year increased hospital payment rates for medical and general assistance programs that are currently at a 2002 cost rate.

By delaying hospital rebasing, the cost savings are expected to total \$9 million

## WATCHDOGS



PHOTO BY TOM OLMSCHEID

**Welfare Rights Committee of Minnesota members, from left, Kathryn Wodtke, Linda Gawby, Deb Konechne and Frank Arroyo, review a spreadsheet associated with the House Health Care and Human Services Finance Division's supplemental budget bill prior to the division's March 25 meeting.**

this biennium and \$30 million in the next biennium.

Huntley said the burden falls on hospitals. Most of the health and human services budget goes to long-term care and nursing homes, and if you don't cut those items, the cuts have to come from somewhere else, he said.

Rep. Steve Gottwalt (R-St. Cloud) unsuccessfully offered an amendment that would have used money in the state's Health Care Access Fund to increase funds to nursing homes 5 percent per year in fiscal years 2010-11. The House DFL budget plan does not touch the fund; the governor takes \$250 million.

Huntley said the state hasn't done a good job of providing for seniors, but health care access money would take away health care for needy children.

"We're not going to stop people from getting older. But we have to understand that taking money from one area and giving it to another has consequences," said Rep. Larry Hosch (DFL-St. Joseph).

Several amendments were presented and then withdrawn that would have increased money to nursing homes.

"We're going to be looking back on these times as the good ol' days," said Rep. Matt Dean (R-Dellwood).

A companion bill, SF3745, sponsored by Sen. Pat Pariseau (R-Farmington), awaits action in the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

### Stability for tuition and fees

A House plan would reduce funding to the University of Minnesota and Minnesota State Colleges and Universities system, but not as much as the governor requests.

The plan is one part of the \$22.99 million in supplemental budget recommendations approved March 25 by the House Higher Education and Work Force Development Policy and Finance Division. Approved one day later by the House Education Finance and Economic Competitiveness Finance Division, the bill was incorporated March 27 by the House Finance Committee into the supplemental budget bill (HF1812).

In his budget deficit recommendations, Gov. Tim Pawlenty seeks a \$27.2 million operating budget reduction at the university and \$26.6 million at MnSCU. The House plan calls for a \$6.17 million reduction for both higher education entities. An amendment successfully offered by Rep. Tom Rukavina (DFL-Virginia), the division chairman, and sponsor of HF3722, prohibits the raising of student fees or tuition beyond what is planned for next year to make up the difference.

Due to an increase in the federal Pell Grant, the bill calls for a decrease in the student share of their collegiate costs from 46 percent to 44.5 percent, at a cost to the state of \$11.25 million. The student share is one factor used to calculate the value of a state grant. This came from HF1142, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights).

The division agreed with the governor on an \$111,000 operating budget reduction for the Office of Higher Education.

However, the division reduced \$7 million from the governor's Achieve Scholarship program, which encourages low-income students to take rigorous high school courses in exchange for \$1,200 in college funding.

But the division allocated \$3.8 million for the Power of YOU program, which covers postsecondary enrollment costs not covered by grants for Minneapolis or St. Paul public high school graduates that attend one of three institutions, and \$200,000 for a pilot program to recruit and subsidize the education of students of color who enroll in teacher education programs at public four-year institutions. Those bills (HF3794 and HF3885) are sponsored by Rep. Lyndon Carlson (DFL-Crystal) and Rep. Kim Norton (DFL-Rochester), respectively.

Rep. Bud Nornes (R-Fergus Falls) unsuccessfully tried to amend the bill to keep the \$4 million in the Achieve Scholarship program, while eliminating money for the other two programs, including the creation of pilot programs for rural and suburban Power of You sites.

"Achieve is a statewide program in its infancy," he said. "The students are just getting involved, and to take funding away seems very unfair. ... Next year when we have the entire budget in front of us we can maybe look at a way to do all that."

"Basically the Achieve program became a resume builder for somebody running for higher office," Rukavina said.

Also in the bill is HF3014, sponsored by Rep. Larry Hosch (DFL-St. Joseph), which would change eligibility for a student loan forgiveness program for health professionals, so the minimum teaching requirement would be 12 credit hours per week, or 720 hours per year. The current requirement is at least 20 hours per week.

A companion bill, SF3471, sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Economic Development Budget Division.

— M. COOK

### More dollars for food shelves

The Health Department would have to cut administrative costs by 6 percent, under the House Housing Policy and Finance and Public Health Finance Division's omnibus bill approved March 25.

Sponsored by Rep. Karen Clark (DFL-Mpls), HF3381 would, in part, cut \$2.3million for the current biennium and give additional dollars to food shelf programs and long-term homeless supportive services.



Other provisions include:

- increasing the debt ceiling for the Minnesota Housing Finance Agency from \$3 billion to \$5 billion;
- reducing the positive abortion alternatives program by \$1.9 million;
- increasing money to the Board of Nursing Home Administrators from the special revenue fund;
- changing regulations to public pools;
- abolishing a deputy commissioner and assistant commissioner position in the Health Department; and
- appropriating \$619,000 to the food shelf program and \$618,000 to long term homelessness supportive services.

Rep. Dan Severson (R-Sauk Rapids) questioned why the bill would cut the department by 2 percent more than the governor's recommendations.

"It would present even greater challenges to the department," said Craig Acomb, the department's chief financial officer.

Clark said the department proposed cuts to programs such as fetal alcohol syndrome, and instead of those she suggested reducing positions and monies to other programs.

Clark successfully added an amendment that would ban bisphenol-a and certain phthalates from being sold by manufacturers as of Jan. 1, 2009. Both products are known to be used in children's toys or baby bottles.

The committee is faced with issues of people literally in the street who are hungry. "Of course this is unpleasant but this is the reality we're facing," said Rep. John Benson (DFL-Minnetonka).

The bill, which has no Senate companion, was incorporated March 27 by the House Finance Committee into one supplemental budget bill.

—P. OSTBERG

### **Celebrations, movies and a new song**

It didn't seem like a glamorous meeting, but movie stars and parties are the main themes in the House Minnesota Heritage Finance Division's omnibus bill, approved by the division March 25.

Division Chairman Rep. Mike Jaros (DFL-Duluth) sponsors HF4063, which would help fund sesquicentennial celebrations around the state and help lure St. Louis Park natives Joel and Ethan Coen back to Minnesota to shoot a movie.

Jaros said he was glad the governor didn't recommend significant cuts to the committee's budget. The governor suggested cutting state funding to the Target Center in Minneapolis, but Jaros did not include that in the bill.

The bill's cost to the General Fund this

biennium is a \$750,000 appropriation to the State Sesquicentennial Commission, a project that is backed by the governor, Jaros said. The money, to be used for the celebration of 150 years of statehood, would be distributed to communities across Minnesota and matched with local funds.

A commission is encouraged, under the bill, to accept suggestions for a new state song. The provision is modeled after a bill introduced by Rep. Dean Urdahl (R-Grove City), who, despite pleas from division members, declined to sing the current state song, "Hail! Minnesota."

The bill would also allow the state's tourism board to appropriate \$500,000 from a previous unused state appropriation to the Minnesota Film and TV Board. The money would be used as a production incentive for the filming of "A Serious Man," by the Coen brothers. The movie is tentatively scheduled to begin shooting in late summer.

The tourism board would also be required to conduct a study on vacation rental lodging in the state and report to the Legislature on how to protect consumers and promote rentals.

The bill would allow the Indian Affairs Council to conduct meetings using telephones or other electronic means. It would allow members to meet without driving across the state to one of the offices in Bemidji or St. Paul.

The bill, which has no Senate companion, was heard March 27 by the House Finance Committee, and incorporated into its supplemental budget bill (HF1812).

— C. BLANCHARD

### **Shift would bump up programs**

Although the governor would bump up the Department of Veterans Affairs General Fund budget allocation by \$5.8 million in the current biennium, the House Agriculture, Rural Economies and Veterans Affairs Finance Division has other ideas — a more than \$3.5 million cut to the department over the same period.

But numbers can be deceiving, and with a shift of some unexpended money in one account, hopes are other programs in agriculture and veterans affairs could see more dollars.

"We can do that," said Rep. Al Juhnke (DFL-Willmar), chairman of the division. "All our accounts (departments of agriculture, veterans affairs and the Board of Animal Health) are in one, so we can move funds from one department to another." The reductions and the new additions to some programs still hit the target set forth by House leadership of a \$2.4 million overall biennial budget increase.

The governor proposes an \$8.4 million increase.

The division's omnibus finance bill (HF3981), sponsored by Juhnke, would reduce by more than \$10 million an appropriation made in 2007 for the state's GI bill program, which provides tuition assistance for veterans and their spouses at any Minnesota post-secondary institution. Juhnke said the amount still sits waiting to be used, "mainly because of benefits coming from the federal government that we didn't know of at the time. So we are basically encumbering it in other parts of the bill."

The division is also looking to reduce in Fiscal Year 2009 a \$1 million appropriation to the former veterans homes board, which was abolished in November. There would also be a savings of more than \$2 million over the 2010-11 biennium, as well. Juhnke said with the state's veterans homes now under the administration of the department, there would be financial savings. He stressed, however, the reductions would solely be in the area of administration, and not in patient care.

In Fiscal Year 2009, the County Veterans Services Offices program would see a \$500,000 base increase, and the State Soldiers Assistance fund would see a \$3.5 million increase, \$2 million of which would be added to the base. A new program providing statewide community-based casework services would be funded with \$1 million in Fiscal Year 2009.

The bill was approved by the division March 26, and incorporated by the House Finance Committee into the supplemental budget bill (HF1812) the following day.

A companion bill, SF3633, sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action in the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

### **Public safety severely cut**

Though not as severe as the governor's recommended cuts, proposed reductions to public safety agencies will still have a bite.

Approved March 26 by the House Public Safety Finance Division, HF4077, sponsored by Rep. Michael Paymar (DFL-St. Paul), the division chairman, was included in the House Finance Committee supplemental bill, HF1812, the next day.

Paymar said that making the cuts was not easy, and together with other committee members, he tried to make the case "that public safety is a core function of government and that we should be careful when making cuts to public safety."

The proposal is \$5.45 million shy of the governor's recommendations, but still adds

up to an \$11.02 million reduction.

As anticipated, a large brunt of the cuts would come from the judicial branch, specifically the Supreme Court, the Court of Appeals and district courts. The total cut reduction is \$4.53 million in Fiscal Year 2009, half the \$9.1 million proposed by the governor.

The Board of Public Defense would lose \$1.69 million; again, half of the governor's recommendations.

The Department of Public Safety would receive a \$1.24 million reduction, including funds set aside for a Financial Crimes Task Force, and squad car technology upgrades. Specific language protects dedicated funds for the Office of Justice Programs and new forensic lab scientist positions established last session.

The Department of Corrections would have its budget narrowed by \$2.44 million, with a \$1.5 million reduction in funding to counties as reimbursement for housing short-term offenders in county jails.

The one non-fiscal section of the bill includes the formation of a working group to review and make recommendations regarding state-controlled substance laws. This section comes from HF2996, also sponsored by Paymar, which began an effort to provide more support for prisoners re-entering society after incarceration. A report would be due the Legislature by Jan. 16, 2009.

— C. GREEN

### More road construction

The supplemental transportation funding package calls for a \$200,000 reduction in biennial funding, yet calls for more spending on road construction.

Approved March 25 by the House Transportation Finance Division, HF3805 was incorporated two days later into the supplemental budget bill created by the House Finance Committee. The target was set by the House Ways and Means Committee.

Sponsored by Rep. Bernie Lieder (DFL-Crookston), the bill is a small percentage of the \$32.4 million cut proposed by Gov. Tim Pawlenty.

"The only reductions we can make is with the General Fund monies, and as you know we don't have many General Fund monies," Lieder said. "We only have General Fund monies in rural transportation and in public safety, basically. The rest are all trunk highway funds."

Items where cuts would occur are:

- a \$94,000 reduction for Metropolitan Council transit;
- a \$60,000 reduction for the Department of Public Safety, including a \$28,000 reduction for the Republican National Convention security coordinator, as was in

the governor's plan, a \$17,000 department operating reduction, and a \$15,000 Capitol Security reduction;

- a \$25,000 decrease for a value capture study that was funded in the transportation finance law passed earlier this year;
- a \$19,000 reduction for Greater Minnesota Transit; and
- a \$2,000 reduction in the freight area at the Department of Transportation, that deals with things like port operations and railroads.

"I'm very, very appreciative that the way-out-of-proportion cut that the governor proposed for transit of something like \$26 million is not here," said Rep. Frank Hornstein (DFL-Mpls). "I think that \$94,000 is not ideal, but hopefully the administration of the Met Council can absorb that. My understanding is this would not effect bus system operations in terms of a fare increase or any of the other draconian things that would have been prompted by the governor's proposal."

The plan calls for a \$6.85 million appropriation from trunk highway funds to recognize federal funds awarded to the state for bridge construction, as was requested in the governor's supplemental budget bill.

Also in the governor's plan, and included in this plan, is a \$12 million trunk highway fund appropriation directed at Driver and Vehicle Services in Fiscal Year 2009 for a redesign of the division's computer system.

— M. COOK

## EDUCATION

### Looking ahead for young learners

Rep. Nora Slawik (DFL-Maplewood) has big plans for the early childhood learning programs.

If the House Early Childhood Learning Finance Division chairwoman gets her way, by 2016, 75 percent of Minnesota's incoming kindergarteners will be fully prepared for school, Slawik said.

The target would help to close the achievement gap for incoming students, and by doing so, save costs for the K-12 education system and the juvenile justice system, she said.

The first step to achieving the goal is an early childhood education advisory board, which is supported by the governor, Slawik said. After that, the goal could come to fruition in several ways:

- a "4-year-old At-Risk" program, which would provide funding for high-quality preschool for low-income preschoolers;
- a universal preschool program;
- integrating social services into the school system for parents and children; and

- an "age 3 to grade 3" program, where students would be in close contact with the same teacher for the first several years of schooling. The teacher would monitor progress and form a close relationship with the child.

She hopes the issue could be taken up next session, but the goal is set for the year 2016 because it could take three biennia to complete.

The division received a zero budget cut target and won't meet again this session, she said. While avoiding cuts is a good thing in the midst of a deficit year, Slawik said she had hoped to tackle waiting lists for state child care and the Head Start program.

"What we would want is to serve more families," she said.

— C. BLANCHARD

## ELECTIONS

### School board representation change

One of the state's largest school districts could receive a significant redesign to better represent its large and diverse population.

Passed 91-42 by the House on March 25, HF1394/SF457\* would require the Bloomington Public School District to establish single-member election districts in order to prevent one area of the district from being overly represented on the school board. The bill now awaits the governor's signature.

Rep. Ann Lenczewski (DFL-Bloomington), the House sponsor, said that unequal representation has been a recurring problem in the district. All members now serve at-large, but six of the seven live on one side of the city.

"For school boards, we need to make sure we represent all kids in the school district," Rep. John Lesch (DFL-St. Paul) said.

Lenczewski said the school board would have identical lines as those used for the city council, which consists of four single-seat election districts with three at-large seats.

If the bill is signed into law and the district fails to approve the changes by resolution, the issue will be presented to voters at the 2010 general election. Otherwise, the changes will take effect in 2013.

Critics of the bill view it as another opportunity for state government to step on the toes of local residents and lawmakers.

"If you truly are an advocate of local control then let the locals in Bloomington take care of it," said Rep. Mark Buesgens (R-Jordan).

The bill was approved 41-18 by the Senate March 17. Sen. Dan Larson (DFL-Bloomington) is the Senate sponsor.

— B. HOGENSON

## CHILDRENS' VOICES



PHOTO BY ANDREW VONBANK

**Amber Van Dyke of St. Paul and her 2-year-old daughter, Mara, listen to songs and stories in the Capitol Rotunda during the seventh annual Voices for Children rally March 27.**

## ENERGY

### Increasing biodiesel blend

Viewed as another step along the state's road to increased biofuel production and use, the current mandate regulating biodiesel could increase.

Sponsored by Rep. Al Juhnke (DFL-Willmar), HF2987 would increase the biodiesel mandate incrementally from the current 2 percent blend to 20 percent by 2015.

"This is a big step continuing the history of renewable fuels. Minnesota has become sort of the model not only for other states, but for other countries," said Agriculture Commissioner Gene Hugoson.

The bill was approved by the House Agriculture, Rural Economies and Veterans Affairs Finance Division March 25, and awaits action by the House Finance Committee. Its provisions are also included in the division's omnibus bill.

The blend increase would move to 5 percent beginning May 1, 2009, and 5 percent each of the next two years to cap at 20 percent by May 1, 2015. Once the new blend requirement is reached, it would be effective May through September only, with the minimum content for the remainder of the year set at 15 percent.

The bill also calls for all revenue from the petroleum inspection fee, administered through the Department of Commerce, to

be used to enhance and ensure fuel quality, equipment and for educational activities focused on the use of biodiesel.

The state's biodiesel 2 percent mandate, enacted in 2002, required it not to be effective until Minnesota could meet half of the state's biodiesel needs. That occurred in the late summer of 2005. This requirement remains part of the new bill.

Juhnke said the requirements will give people "confidence in the product, that there will be a supply, that it will work, that it is a superior product. We think it adds a sense of stability and maybe even superiority. It's almost like a branding," he said.

With oil prices topping \$100 a barrel, Hugoson said that increasing the use of biofuels has become a national security issue. He also stressed the importance of moving away from food crops as a source for biofuels.

A companion bill, SF2724, sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action by the Senate Finance Committee.

— L. SCHUTZ

## ENVIRONMENT

### Biomass brouhaha in Minneapolis

Minneapolis residents concerned about emissions from a proposed wood-burning power plant in the city's East Phillips neighborhood scored a victory March 25 when a House division threw a new roadblock in front of the project.

HF3293, sponsored by Rep. Karen Clark (DFL-Mpls), would require the Pollution Control Agency to conduct a first-of-its-kind study on the potential environmental impact of the proposed Midtown Eco Energy biomass facility. The PCA would have to take into account the cumulative impact of all types and sources of pollution in the area before it could consider issuing a permit for the project. The House Environment and Natural Resources Finance Division approved the bill and referred it to the House Finance Committee.

Clark said the East Phillips neighborhood is already one of the most polluted areas in Minnesota, with high levels of lead and arsenic poisoning. She said the residents — mostly low-income minorities — suffer from a disproportionate amount of asthma and other environmental health problems.

Carol Pass, president of the East Phillips Improvement Coalition, testified that the facility would pump nearly a million additional pounds of various pollutants into the air over the neighborhood every year.

"I'm not saying 'not in my backyard.' I'm saying this backyard is packed full of pollutants," Pass said.



Kim Havey, finance and operations principal for Kandiyohi Development Partners, the firm proposing the facility, spoke in opposition to the bill. He said the Midtown Eco Energy project represented an investment in renewable energy that would reduce the state's overall carbon footprint, provide new jobs to the community and produce emissions that would be equal to or lower than any other biomass facility in the United States.

"It makes little sense to single out our project, after two years of permitting, to have additional regulatory requirements, and for Midtown Eco Energy to be scrutinized by an entirely different set of criteria," Havey said.

A companion, SF3393, sponsored by Sen. Linda Berglin (DFL-Mpls), was laid over March 10 by the Senate Environment and Natural Resources Finance Committee for possible inclusion in its omnibus bill.

— N. BUSSE

## GOVERNMENT

### Calling a special session

The power to call a special session could be in the hands of more than just the governor.

Awaiting action by the House Rules and Legislative Administration Committee is HF2554, sponsored by Rep. Lyndon Carlson (DFL-Crystal). It was approved March 25 by the House Ways and Means Committee on a divided voice vote.

The bill proposes a constitutional amendment be put before state voters at this year's general election. It would allow the Legislature to be called into session by the leadership in both bodies or by a petition among the majority of members in each body. Now, only the governor can call a special session.

A fiscal note indicates a \$2,000 cost to the Office of the Secretary of State, money it could absorb in its current allocation. The cumulative cost for counties would be approximately \$102,000 for auditors to add the question to optical scan ballot cards, program machines, count votes, print and publishing.

"The proposal does not change any of the powers of the governor, relative to being able to call a special session, but it would provide more balance of power between the legislative branch and the governor in the sense that if the Legislature saw a need for a special session they could move forward with that," Carlson said.

He said the bill is needed because historically the Legislature has had a difficult time determining when a special session should be called or what topics would be addressed. "Any bill may be considered whose subject is stated in the agreement or order that convened the special session," the bill states.

A session would be limited to seven days; however, Rep. Dennis Ozment (R-Rosemount) noted there is no provision indicating the session could not be extended another seven days, thus creating a full-time Legislature seven days at a time.

"It hasn't happened in the 33 states that have the right for the legislature to call a special session," Carlson said.

A companion bill, SF3072, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Rules and Administration Committee.

— M. COOK

### Paying out claims

A couple facing an assessment on their property for a problem they didn't create may get state help.

There is one of four claims against the state totaling \$86,657 that the Joint House-Senate Subcommittee on Claims recommends be paid. The subcommittee decides whether to pay claims against the state by persons who cannot proceed under the State Tort Claims Act. It also handles claims that cannot be litigated. The subcommittee heard more than 50 potential claims.

Sponsored by Rep. Dennis Ozment (R-Rosemount), HF3360 was approved March 27 by the House Finance Committee and sent to the House Ways and Means Committee. A companion bill, SF3021, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the full Senate.

Construction on the Inver Grove Heights home of John and Judy McEachran began in 2004, but was quickly halted when debris containing asbestos was unearthed. The debris came from a bridge that was demolished by the Department of Transportation and legally dumped on the site.

Dakota County removal of the material cost approximately \$143,000. A fund from the Pollution Control Agency contributed \$60,000 and the city kicked in \$15,000. This bill would award the McEachrans \$67,005 from the state. "Payment of the claim is not an admission of liability on the part of the State of Minnesota for these costs," the bill states.

Other claims in the bill are:

- \$11,905 to Robert Burton for permanent injuries suffered while performing work as an inmate at the Moose Lake correctional facility;
- \$3,737 for sentence-to-service claims under \$500 each and other claims already paid by the Corrections Department;
- \$2,005 from the General Fund and \$1,000 from the petroleum tank release cleanup fund to reimburse a Roseville couple for costs related to a mistaken order to search for an unsealed

well on their property; and

- \$1,005 to Minogheezhig Sandman-Shelifoe for loss of property caused by staff errors at the Rush City correctional facility.

Senior Assistant Revisor Craig Lindeke said it costs \$5 to file a claim, and instead of taking a lengthy process to get their filing fee back if a claim is successful, it was included in the award amount.

— M. COOK

## HEALTH & HUMAN SERVICES

### County purchasing health care

Health care public assistance enrollees in several southeast Minnesota counties would automatically default to county-based purchased health plans, under a bill approved March 26 by the House Health Care and Human Services Finance Committee.

Sponsored by Rep. Tina Liebling (DFL-Rochester), HF3380 would apply to Olmsted, Winona, Houston, Fillmore and Mower counties. People who have not chosen a plan through public assistance would automatically default to the county's plan, if health care needs arise. They would have the option to choose another plan after one year, under the bill.

It now goes to the House Finance Committee.

There would be no cost to the state because counties operate the plans, said Liebling.

The counties involved have come forward with the \$4 million needed to get the purchasing plan started, said Paul Wilson, Olmsted County commissioner.

The change could have a negative financial impact on other private health plans because the city would be the favored competition by automatic default, said Rep. Steve Gottwalt (R-St. Cloud).

It's not automatic enrollment when it's only the people who haven't chosen a plan in the first place, Liebling said.

Currently, the Health Department rotates health plans when they assign them to uninsured people, said Brian Osberg, human services assistant commissioner. The automatic default would put the county at an advantage and they should have to compete with other plans, he said, adding that county-based purchasing is currently a health care option, and the bill isn't really needed.

Liebling said the bill is an experiment, but it should be given the chance to save money and be successful.

A companion bill, SF3031, sponsored by Sen. Ann Lynch (DFL-Rochester), awaits action by the Senate Health and Human Services Budget Division.

— P. OSTBERG

## LOCAL GOVERNMENT

### Funding historical societies

**Signed  
by  
the  
governor**

A stroke of the pen by Gov. Tim Pawlenty gives cities of the first class the opportunity to give some property tax revenue to county historical societies.

Signed March 19, the law strikes language that prohibits these large cities from appropriating property tax revenues to the county historical society. Current law states that smaller cities or towns can appropriate up to 0.02418 percent of its taxable market value. No funds can be appropriated unless the society is affiliated with and approved by the Minnesota Historical Society.

Currently, Duluth, Minneapolis and St. Paul are the only cities of the first class in the state. It is expected that after certification of the next federal decennial census that Rochester, and possibly Bloomington, will reach the 100,000 population threshold required to be a city of the first class.

Sponsored by Rep. Andy Welte (DFL-Plainview) and Sen. Ann Lynch (DFL-Rochester), the law takes effect July 1, 2008.

HF2827\*/SF2690/CH158

— B. HOGENSON

## STATE GOVERNMENT

### I-35 bridge bill conferred

Survivors of the Interstate 35W bridge collapse are expected to get some kind of state compensation, but how much is yet to be decided.

A conference committee charged with creating a viable bill out of legislation passed by the House and Senate met for the first time March 26. It is expected to reconvene March 28.

The House passed HF2553, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), 120-10 on Feb. 28. SF2824, sponsored by Sen. Ron Latz (DFL-St. Louis Park), was passed 57-0 by the Senate March 17.

While the bills essentially have the same goal, there are two significant differences. A compensation fund of nearly \$40 million is established in the House bill, while the amount in the Senate bill is \$26.5 million. Unlike the House bill, the Senate bill leaves the \$400,000 state liability cap in place.

"The bill in the House, from my point of view, aims to be fair, aims to be administratively simple and it aims to be mindful of the state's legal and fiscal interests," Winkler said.

Latz said the legislative steps taken were unprecedented in response to a state-related

potential tort claim, and that no matter what happens as a result of the conference committee a significant policy precedent and potentially legal precedent will be set.

"We've never had an event which is arguably related directly to human cause," Latz said. "People built the bridge and somewhere along the line people either failed, or failed to act, or took improper actions that resulted in the bridge collapsing."

The committee heard testimony from three victims of the bridge collapse.

Brad Coulter, who was injured along with his wife and two daughters after their vehicle fell 65 feet from the bridge, and Jennifer Holmes, whose husband was killed by the collapse, urged the committee to remove the liability cap. Coulter said his wife alone will face more than \$1 million in medical bills related to the catastrophe.

Linda Paul, who suffered injuries to her face and back along with suffering traumatic brain injury, differs from most bridge survivors as she supports the Senate legislation.

"As much as the House bill is my first choice, I believe Sen. Latz's bill is the more appropriate response in the world in which we currently exist," Paul said, noting the economic downturn the state faces.

The Interstate I-35W bridge over the Mississippi River collapsed on Aug. 1, 2007, killing 13 people and injuring 85 others.

— B. HOGENSON

## TAXES

### Aiding local communities

A group of Minnesota mayors packed the House Property Tax Relief and Local Sales Tax Division meeting March 26 for "Local Government Aid Day."

Six bills were presented, with testifiers questioning the fairness of how LGA is distributed. Many suggested rerouting aid to certain cities, and a few proposed to overhaul the entire LGA system.

HF3756, sponsored by Division Chairman Rep. Paul Marquart (DFL-Dilworth), would inject \$90 million more into the system and change how the money is divvied out to communities.

Dubbed the "unity bill," because it was negotiated by mayors, city officials and Minnesota city coalitions from across the state, Marquart compared their mission to that of Dorothy in "The Wizard of Oz."

"Wasn't it the wizard who told Dorothy to go out and find the ruby red slipper and then come back and he would send her home?" Marquart said. "He didn't expect she would get that ruby red slipper."

The bill, laid over for possible inclusion in the division's omnibus bill, would:

- replace current "regional center aid" with a "jobs-based aid" and double city aid for communities with less than 5,000 people;
- freeze the aid received in 2009 for subsequent years, with inflation factored into the mix;
- create one formula to calculate LGA that applies to every community in the program; and
- require a study group comprised of legislators and city officials to analyze the program and recommend changes.

Marquart insisted that increasing LGA would provide property tax relief to homeowners, because cities can pay for services with LGA instead of property taxes.

Not everybody seemed pleased by the proposal. Rep. Sarah Anderson (R-Plymouth) said her city doesn't receive LGA in the first place, so they would reap no benefits from the bill, and Rep. Ron Erhardt (R-Edina) asked where the Legislature could find \$90 million in the midst of a deficit year.

Testifiers from one city in particular objected to the bill. Elk River would lose most of its LGA, or nearly \$600,000.

Sen. Rod Skoe (DFL-Clearbrook), who chairs the Senate Property Taxes Division, sponsors the companion bill, SF3234, which has been laid over for possible omnibus bill inclusion by his division.

— C. BLANCHARD

## TRANSPORTATION

### Milk truck weights

**Signed  
by  
the  
governor**

Federal law requires dairy haulers to completely empty a farm's milk tank before the hose to the truck can be removed. But because larger trucks are being used to accommodate larger bulk tanks used by dairy operators, the trucks are often overweight during the state's spring road restrictions.

Effective March 20, 2008, a new law permanently exempts milk haulers from certain truck weight restrictions, limits and prohibitions, such as those that are implemented during the spring when the ground is soft. A vehicle may not exceed a weight restriction of 5 tons per axle by more than 2 tons per axle.

Rep. Al Juhnke (DFL-Willmar), who sponsors the law with Sen. Betsy Wergin (R-Princeton), said previous law gave haulers two choices: running illegally or ignoring federal law by unhooking and going out with

the proper weight, thus risking the loss of their federal license.

HF1219\*/SF2197/CH159

— M. COOK

### Fees for technology

Minnesota motorists could pay more to register their vehicle or get a driver's license.

Sponsored by Rep. Terry Morrow (DFL-St. Peter), HF4100 calls for a \$1.75 surcharge on vehicle registration renewals; title applications, filings and transfers; and driver's license, permit and identification card filings. The money would be used to create a new information system in the Driver and Vehicle Services Division of the Public Safety Department.

The bill was approved March 25 by the House Transportation Finance Division and sent to the House Finance Committee. A companion bill, SF3787, sponsored by Sen. Rick Olseen (DFL-Harris), was scheduled to be heard March 27 by the Senate Finance Committee.

The division's current system has resulted in delays processing titles and driver's licenses, and has sometimes resulted in delays at traffic stops when a law enforcement officer checks information about a driver. Money for a system pre-design was appropriated last year from trunk highway funds.

A new system has a price tag of about \$48 million, with the anticipated collection amounts to be about \$12.25 million annually. After Fiscal Year 2012, Morrow said a future Legislature could decide to sunset the fee or keep it going to fund a system upgrade or other maintenance issues.

"The governor has proposed spending \$12

million a year over the next four years from the Trunk Highway Fund, but my concern is that money should be used for roads and bridges," Morrow said. "If the computer system is used for fees and registrations it should be paid for by licenses and registrations."

The division budget is fee-based, meaning all business costs must be covered through fee collections. "I don't like the idea of raising a fee, but I don't like the idea of having an antiquated computer system even more," Morrow said. The Minnesota Automobile Dealers Association supports the plan.

Rep. Mike Nelson (DFL-Brooklyn Park) unsuccessfully tried to amend the bill by requiring that the system allow law enforcement access to motor vehicle insurance status.

— M. COOK

## LATE ACTION

### 'Good faith' closer to becoming law

As he presented the "good faith" bill on the House floor, Rep. Joe Atkins (DFL-Inver Grove Heights) said that in every other state, insurance holders have this type of protection. Insurance companies are required to act in 'good faith' when filling or denying claims with their customers. Minnesota is another step closer to joining the other states.

Approved by the House 81-51, HF3115/SF2822\*, sponsored by Atkins and Sen. Tarryl Clark (DFL-St. Cloud), now awaits signature by the governor. The Senate approved it March 19 on a vote of 50-15.

According to the bill, a policy holder would be allowed to sue their insurance company for not settling a claim in "good faith," meaning

they can prove that the insurance company did not have a reasonable basis for denying a claim. The insurance company must also have known that it had no reasonable claim, or acted with "reckless disregard" for the lack of reason.

The bill would also provide reimbursement for legal fees to the insured.

Rep. Steve Smith (R-Mound) presented a delete-all amendment based on language provided by Sen. Linda Scheid (DFL-Brooklyn Park). The amendment further clarified that the "good faith" claims could only come about in "first party" cases, meaning the policy holder is directly insured by the insurance company in question. The amendment further allowed for awards above costs and disbursements, not to exceed \$100,000, and capped attorneys' fees at \$40,000.

Smith's amendment also provided that insurance agents are not personally liable under the "good faith" provisions, and those businesses with insurance policies over \$500,000 would be allowed the same 'good faith' protections as consumers. Although the Smith amendment was eventually adopted, the business policy section was stripped from the bill.

Concerns were raised, on the House floor and in earlier committee meetings, that the bill could result in higher premiums for consumers. Smith did not agree. He said that it would be "outrageous" for the state, specifically the Department of Commerce, to allow insurance companies to raise rates on customers because of the companies' bad conduct.

— C. GREEN

## Frequently called numbers

(Area code 651)

### House Public Information Services

175 State Office Building .....296-2146  
Toll-free.....800-657-3550

### Chief Clerk of the House

211 Capitol .....296-2314

### House Index

211 Capitol .....296-6646

**Committee Hotline, House..... 296-9283**

### House Sergeant-at-Arms

190 State Office Building .....296-4860

### House Research

600 State Office Building .....296-6753

### Senate Information

231 Capitol .....296-0504

Toll-free.....888-234-1112

### Secretary of the Senate

231 Capitol .....296-2344

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

### Senate Index

110 Capitol .....296-2887

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

### Senate Sergeant-at-Arms

G-1 Capitol/Chamber.....296-1119/296-7159

### Senate Counsel and Research

G-17 Capitol .....296-4791

### Legislative Reference Library

645 State Office Building .....296-3398

### Revisor of Statutes

700 State Office Building .....296-2868

### Governor's Office

130 Capitol .....296-3391

### Attorney General's Office

102 Capitol .....296-6196

### Secretary of State's Office

Election Center

180 State Office Building .....215-1440

Toll-free.....877-600-8683

Business Services

60 Empire Dr., Suite 100

St. Paul.....296-2803

Toll-free.....877-551-6767

### State Auditor

525 Park St., Suite 500

St. Paul.....296-2551

**Emergency ..... 296-2100**



# No rooms for those in crisis

Psychiatric beds are full, but solutions are as complex as the problem

By PATTY OSTBERG

An emergency room visit could last hours for a mentally ill person in the middle of a crisis episode. After waiting, and waiting, the hospital might squeeze them into an available bed somewhere in the Twin Cities metropolitan area. More often, there aren't any beds at all; and if there are, they're probably located 60-plus miles from their home or out of state.

Data from a Department of Health report released in February shows that 2,600 patients from the Twin Cities metropolitan area traveled distances to receive psychiatric or chemical dependency care.

Some patients are even being discharged from emergency rooms despite being at high risk of harming themselves or others, simply because there are no beds, Roberta Opheim, state ombudsman for mental health and mental retardation told the House Health and Human Services Committee March 11.

"Mentally ill people deserve better than that, and they should not have to wait until they're at death's door to get a hospital bed," she said.

## A bill for more beds

Rep. Marsha Swails (DFL-Woodbury) sponsors HF3539 that would establish a 144-bed specialty psychiatric hospital, Prairie St. John's, in Woodbury. Swails is convinced more beds are needed after hearing the story of a 16-year-old in her district who attempted suicide around Christmas 2006. After the teen was revived, her parents were told the closest mental health facility with open beds was in Duluth, more than two hours away from her family. They were forced to make a decision that no parent should have to make, Swails said.

The bill was approved and awaits action in the House Health Care and Human Services Finance Division. A companion bill, SF3429, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate Health, Housing, and Family Security Committee.

---

***"The question is not whether the mental health system needs change, but whether 144 new beds in a for-profit hospital in Woodbury represents the change needed,"***

---

— Kathy Knight, vice president of Fairview Behavioral Services

---

## Distribution of Psychiatric and Chemical Dependency Beds per 100,000 Population

Psychiatry	2004	2008
Twin Cities Metro	29.5	29.4
Central	26.1	15.7
Northeast	34.4	33.7
Northwest	12.1	15.0
South Central	28.3	18.6
Southeast	22.3	23.8
Southwest	66.0	30.5
West Central	34.7	20.2
<b>Total</b>	<b>29.7</b>	<b>25.8</b>

Chemical Dependency	2004	2008
Twin Cities Metro	5.2	4.9
Central	15.8	10.9
Northeast	12.4	12.6
Northwest	0	0
South Central	15.4	15.8
Southeast	0	0
Southwest	22.6	22.9
West Central	41.8	31.8
<b>Total</b>	<b>9.0</b>	<b>7.9</b>

**Includes both community and state operated hospitals**

**Source:MDH, 2004 and 2008 hospital surveys; Minnesota Department of Human Services; population estimates from the Minnesota State Demographic Center**

While HF3539 would increase the number of beds, hospital officials and doctors in the Twin Cities metropolitan area are saying it's not more beds that are needed. Beds are at capacity because there aren't enough psychiatrists to treat the mentally ill. Patients that are healthy enough to be released don't have community housing or a place that will take them. A patient needing treatment can be left to wait in the hospital for days or weeks at a time.

## Intermediate level care

Placing treated patients with complex health problems, such as having a mental illness and a disease like diabetes, can be especially difficult. There just aren't enough aftercare community housing units to send these types of patients to because of continuing medical needs such as dialysis or diabetes treatment.

"Once acute care needs have been met, it's a failure of care to delay discharge for lack of mid-level service," said Kathy Knight, vice president of Fairview Behavioral Services. "The question is not whether the mental health system needs change, but whether 144 new beds in a for-profit hospital in Woodbury represents the change needed," Knight said.

The Health Department report studied whether it is in the state's interest to approve additional beds in Woodbury.

Through early intervention and the implementation of programs funded by the 2007 Legislature, more beds will eventually open. But the report acknowledges, "It will take time to transform the mental health care delivery system in ways that better serve patients."

While hospitals plan to add 32 psychiatric beds and four chemical dependency beds in 2008, staffing these beds would directly compete with the additional beds in Woodbury.

Of Minnesota's 87 counties, 70 are designated as Mental Health Professional

**Crisis continued on page 23**

# Broken or flawed?

Bills seek solution to complicated school funding system

By THOMAS HAMMELL

**B**ecause a referendum to renew an operating levy failed by just 160 votes, the St. Cloud Area School District has \$4.5 million less to work with this year. The district plans to lay off teachers, bus fewer students and reduce the number of special education and health services and paraprofessional support.

"In general we'll look at every budget related to our operation and try and pare something back," Superintendent Bruce Watkins said.

Watkins echoes what has become a familiar refrain. "Districts have run out of places to cut corners and they're down at the Legislature saying 'Please help us,'" he said.

Along with other school administrators and concerned parents from around the state, Watkins testified earlier this month before the House K-12 Finance Division.

"We're here because we believe the system is broken and needs your attention," he said. Budget cuts in the district have created an exodus of students who open enroll in other districts, and take state funding with them.

From last year's session, school districts saw an increase in their basic per pupil funding unit from \$5,074 to \$5,124 for the 2008-09 school year, according to a report from the nonpartisan House Research Department.

The mechanics of school funding are complicated, but even with last year's increase, all it takes is 10 students leaving a district to put the district at least \$51,240 behind where they were the year before.

According to a report from the Department of Education, there were 16 school districts and four charter schools in statutory operating debt in Fiscal Year 2006. Three-dozen districts had negative fund balances. In 2005, the Department of Education listed two dozen districts in statutory operating debt.

Darrel Tungseth, a Fergus Falls school board member, said the district is cutting \$2.3 million this year, and has cut more than one-third of its budget in recent years.

"The students are suffering, and also it's

very demoralizing to the teachers we have," he said. Because of open enrollment, the district is competing with its neighbors for students and the per pupil state money they bring. The district has an operating levy of \$415 per student, which expires in 2011, and the school cannot cut enough expenses to keep up.

Fergus Falls Superintendent Jerry Ness said the school district had 3,400 students in the 1995-96 school year, compared to 2,500 students today.

## A numbers game

Rep. Mindy Greiling (DFL-Roseville), chairwoman of House K-12 Finance Division, said the main issue is that government as a whole is under-funded.

"We're the canary in the mine for the under-funding, because we're such a big part of the budget," she said. According to the Department of Finance, K-12 education represents 39.8 percent of the state's General Fund spending.

Nonetheless, administrators say that state allocations have not kept up with inflation, and open enrollment rules mean students can leave a struggling district, creating even more financial problems.

While the state might increase an appropriation for school districts, inflation and fluctuating costs might lead a district to reduce what it offers compared to the last year, Watkins said.

"A school district doesn't have any way of saying, 'It's OK that energy (costs) went up, we'll just generate more,'" Watkins said.

Since 1971, school districts have been able



PHOTO BY TOM OLMSCHIED

Even though per pupil funding has gone up, school district officials say it does not keep up with inflation. Pictured is teacher Jenny Heyer and her kindergarten class at Island Lake elementary School in Shoreview.

to levy, with voter approval, amounts for costs beyond levies specifically authorized in Minnesota, according to information from the House Fiscal Analysis Department. Before that time, school districts had much more flexibility.

According to House Research, per-pupil funding, adjusted for inflation, has increased over time, but on the other hand, building construction and special education costs have increased at a greater rate.

### Small change?

Legislators have drafted bills of all shapes and sizes to deal with the problem.

Rep. Will Morgan (DFL-Burnsville) sponsors HF2978, which would increase general education funding by roughly \$100 million for Fiscal Year 2009 and raise the formula allowance by 2 percent each year thereafter. The bill would also increase the special education funding by about \$75 million for Fiscal Year 2009 and then allow special education revenue to grow with special education costs.

"When I went back to school in September, I saw firsthand that schools were not back to the level of funding that they had been in 2003 and 2004. Caps on special education money had required schools to use general fund money to provide mandated services.

"When you combine that with the declining

enrollment, the Burnsville School District where I teach has just not been able to recover yet from the frozen funding," he said.

A companion bill, SF2815, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Rep. Sandra Peterson (DFL-New Hope) sponsors HF3622, which would allow school districts with a fund balance of less than 3 percent to hold a referendum at a time other than in November. Districts would still have to be careful, she said, but this would give them more options. Current law requires district referendums to be held at the time of a general election.

Peterson said both the Robbinsdale and Osseo school districts in her district have made huge cuts, and Osseo leaders recently decided to close two schools. A companion bill, SF3355, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

Rep. Debra Hilstrom (DFL-Brooklyn Center) sponsors HF3423, which would increase school district revenue and create a way for districts with a net negative unreserved general fund balance greater than 2.5 percent to levy to eliminate the deficit. A companion bill, SF3204, sponsored by Sen. Linda Scheid

(DFL-Brooklyn Park), awaits action by the Senate Finance Committee.

"The main thing that's broken is the over reliance on voter approved property tax referenda," Greiling said.

Rep. Sondra Erickson (R-Princeton) said the system is flawed, but not broken.

"We have created an inequity, especially between Minneapolis/St. Paul and the rest of us," she said, and said funding systems need to be simplified so a student is a student.

Erickson said more funding from the state is not the answer because there needs to be some sort of local buy-in.

"We fund our schools quite generously, but we also expect much more of schools because we have so many mandates," she said. The more programs a school is required to have, the more money it takes.

Erickson said the solution needs to involve not only legislators and school administrators, but also parents and school board members.

And then there may be the most extreme measure proposed.

Rep. Frank Moe (DFL-Bemidji) sponsors HF3107, which would repeal the referendum revenue authority of school districts and require the governor to come up with an alternate funding source by Oct. 1, 2008. There is no Senate companion.

## Constitutional Officers

### Governor

#### TIM PAWLENTY (R)

Room 130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
651-296-3391  
800-658-3717  
Fax: 651-296-2089  
Web site: [www.governor.state.mn.us](http://www.governor.state.mn.us)  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

### Lieutenant Governor

#### CAROL MOLNAU (R)

Room 130 State Capitol  
St. Paul, MN 55155  
651-296-3391  
Fax: 651-296-3587  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

### Attorney General

#### LORI SWANSON (DFL)

Executive Offices  
Room 102 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
651-296-6196  
800-657-3787  
Web site: [www.ag.state.mn.us](http://www.ag.state.mn.us)  
E-mail: [attorney.general@state.mn.us](mailto:attorney.general@state.mn.us)  
Consumer Division  
1400 Bremer Tower  
445 Minnesota St.  
St. Paul, MN 55101  
651-296-3353  
800-657-3787  
TTY 651-297-7206  
TTY 800-366-4812

### Secretary of State

#### MARK RITCHIE (DFL)

Election Center  
Room 180 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
651-215-1440  
877-600-8683  
Business Services  
Suite 100  
60 Empire Drive  
St. Paul, MN 55103  
651-296-2803  
877-551-6767  
Web site: [www.sos.state.mn.us](http://www.sos.state.mn.us)  
E-mail: [secretary.state@state.mn.us](mailto:secretary.state@state.mn.us)

### State Auditor

#### REBECCA OTTO (DFL)

525 Park St.  
Suite 500  
St. Paul, MN 55103  
651-296-2551  
TTY 800-627-3529  
Web site: [www.osa.state.mn.us](http://www.osa.state.mn.us)  
E-mail: [state.auditor@state.mn.us](mailto:state.auditor@state.mn.us)



# Do right by the people

DeLaForest thankful for the 'awesome responsibility' of serving

Editor's note: As the 2008 session goes into the home stretch, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures, and, for many, to also spend more time with their families. They leave a legacy of service that will remain part of legislative history.

BY BRIAN HOGENSON

Rep. Chris DeLaForest (R-Andover), a proponent for civility and professionalism in the House, is stepping away at the end of this session to embark on life after politics.

"Six years, I thought, was a good amount of time, and it was just time to pursue other opportunities, return to private life and spend time with my family," said DeLaForest.

If DeLaForest could pass something on to the person filling his seat during the next session it would be to never forget the awesome responsibility that they carry and to always do their work in a professional and civil way.

"Perhaps the area where any political body

could do some work is disagreeing amicably," DeLaForest said. "It's a good thing to disagree but a bad thing to disagree in an uncivil manner."

First elected to the House in 2002, he easily won re-election in 2004 and 2006, netting at least 60 percent of the popular vote in each election. His legislative district is composed of the quickly expanding suburbs of Andover and Ham Lake.

DeLaForest's committee membership includes Commerce and Labor, Crime Victims Subcommittee, Data Practices Subcommittee, Public Safety and Civil Justice, State Government Finance Division and Taxes.

An honorably discharged veteran who served on active duty as an army officer from 1992-96, when the House is not in session, DeLaForest works for a manufacturing company that builds testing devices for semi-conductors, according to his Web site.

One of the most interesting things about the legislative process during his time in the House has been how little things have changed.

"The more things change, the more they stay the same," DeLaForest said. "I've been part of a large majority, a thin majority and a thin minority. I've experienced successes and failures in all three."

Choosing not to focus on his individual legislative achievements, DeLaForest leaves that for others to examine. He said he has always considered serving in the Legislature to be part of a broader effort, "an effort of 201 legislators to do what's right for the people of Minnesota."

The most recent successfully passed bill sponsored by DeLaForest was legislation in 2007 that again made ticket scalping legal in Minnesota. He said the law was necessary in order to put Minnesota's ticket market on the same playing field as other areas of the economy, and use competition to bring down ticket prices for consumers.

"You have a legal contract where A and B agree," DeLaForest said during debate on the bill. "Why would the government step in?"

DeLaForest remembers one of the non-controversial revisor's bills to be the first bill that he introduced as a newly minted freshman legislator.

"It was somewhat intimidating in that I had heard the bill subjected the author to the hazing ritual on the floor, so I was intimidated that some of the more senior members of the body would pepper me with all sorts of questions about the bill that I was unprepared for."



PHOTO BY TOM OLMSCHIED

Rep. Chris DeLaForest is joined at his Chamber desk by his son, Will, as the House meets in floor session.

## STEPPING DOWN

Rep. Chris DeLaForest  
Republican  
District: 49A — Andover  
Terms: 3 (elected 2002)  
Advice to successor: "Never forget the awesome responsibility that they carry and to always do their best to carry out their work in a professional and civil way."

# Focus on family time

Finstad leaving to concentrate on his children

By CRAIG GREEN

**W**hen Rep. Brad Finstad (R-Comfrey) first ran for office in 2002, he did so in part because of encouragement from family and friends. He went through a pair of shoes knocking on doors in his district, got to know his constituents, and got elected.

Now, six years later, wanting to spend more time with the same family and friends, Finstad is stepping down.

When Finstad began he was the youngest male legislator in the House at age 26. The son of a farmer, he and his wife, Jaclyn, were expecting their first child. Now they have three children — Greta, Thomas and Jake — with one more on the way.

“Time for me to be a better dad,” Finstad said. “My wife is a superstar, but I’m two-and-a-half hours away. ... At some point you have to say: Am I going to be OK at a bunch of

things, or am I going to be good at a few?”

With previous experience working as an agricultural advisor to former U.S. Rep. Mark Kennedy, Finstad currently serves as an assistant minority leader and the lead Republican on the House Agriculture, Rural Economies and Veteran Affairs Finance Division. His other committees include the House Finance Committee, the House Health and Human Services Committee, the House Licensing Subcommittee and the House Rules and Legislative Administration Committee.

Though he sponsored the bill that helped

pave the way for the new Minnesota Twins ballpark, Finstad said that he is most proud of sponsoring the “Positive Alternatives Act,” which was signed into law in 2005. It provides a funding stream for birthing centers to help women and families carry their babies to full-term, he said.

Finstad said he knew there were women who were pregnant and in crisis, but they had nowhere to go. They would ask, “How can we get help?”

Never a legislator in search of headlines, Finstad is content working behind the scenes, taking care of the small things that need to be done. “I don’t need the big bills to go home and show everyone what I’ve done,” he said.

The first bill he sponsored in the House, which was also signed into law, was a mostly technical bill, allowing farms to pool their resources when selecting health plans. “I’ve just tried to put my head down, roll up my sleeves, and work.”

Looking back on his time at the House, Finstad believes that there has become a more partisan tone to how things are done. This, he said, has led to more short-sighted legislation. Instead of solutions, the focus has become power. “What do we need to do to pick up seats in the next election? Or save seats?”

We’ve reached the point where “we’ve dehumanized each other,” as opposed to seeing each other as people and agreeing to disagree, he said. For whatever reason, Finstad said, too many legislators are focused on going after those in the opposite party, and not spending enough time addressing the issues in front of us.

Asked what advice he would have for the person who will occupy his position once he’s gone, Finstad said: “Work hard. Use your two ears more than you use your one mouth. Stay true to yourself; true to your district.”



PHOTO BY SARAH STACKE

Rep. Brad Finstad holds his daughter, Greta, as she enjoys a sucker and the computer at his desk in the House Chamber.

## STEPPING DOWN

Rep. Brad Finstad  
Republican  
District: 21B — Comfrey  
Terms: 3 (elected 2002)  
Advice to successor: “Work hard. Use your two ears more than you use your one mouth. Stay true to yourself; true to your district.”

# New house means leaving the House

Personal move leads to a professional change for Kranz

By BRIAN HOGENSON

As the saying goes, things are not always as they appear to be.

Since first-term Rep. Scott Kranz (DFL-Blaine) announced he will not be seeking reelection, there has been speculation that it was due to distaste for the job or the partisan bickering that at times enflames the House.

In actuality, the reason boils down to district maps and moving boxes.

Kranz and his family have moved to a lake

home that is located 3 miles out of his district, and into the area represented by Rep. Paul Gardner (DFL-Shoreview).

"Everyone in Minnesota knows the dream of living on a lake or having a cabin," Kranz said. "My family decided to just live at the cabin."

For Kranz and his family, much consideration was given as to how the potential move would affect his ability to run and stay in the House, as well as how it affects the district. The district was

represented by a Republican for the eight years previous to his election. Kranz has not ruled out another run after redistricting in 2010.

His wife, Kristi, and two boys, Lucas and Ryan, have sacrificed a lot for him during the last two years, Kranz said, and it is his turn to sacrifice for them, saying that the chance to live on a lake is a once in a lifetime opportunity for his family.

Kranz, a social studies teacher at Spring Lake Park High School, said that it has been interesting to see government in action and that he will share that experience with his students.

Saying that he does not vote the party line, and has taken some fiscally conservative votes on issues, Kranz said he has been very lucky to share in this experience and thinks he has represented his district well.

"I was faced with tough decisions and I pictured the neighborhoods in my district and how they would want me to vote," Kranz said. "My advice to someone running

for this seat on either side would be to literally walk the district and get to know the people, whether they agree with you or not."

Kranz counts two bills he was able to pass during his first year in the House among his legislative accomplishments. One was a bill that allowed nonprofit firefighters to purchase equipment at the same rates as government firefighters. Another bill helped owners of manufactured homes cover the expense of relocating when a park owner decides to sell the property they are living on.

The manufactured homes bill broke a 40-year deadlock among manufactured homeowners and park owners. Kranz said he had senior legislators telling him how historic the legislation was, which surprised him since he felt it was simple, common-sense legislation that helps families.

One of Kranz's goals for this session was to help pass the transportation funding bill. He said his district has a traffic congestion problem and he is sick of seeing potholes in his district. However, the vote on the bill was not an easy one for Kranz, who said he supported the gas tax portion of the bill, but struggled with the sales tax portions.

While he has no personal goals in mind for the rest of the session, Kranz said that as a group, he would like the Legislature to get done on time, or even early.

Kranz now looks forward to teaching full-time and enjoying his family's first summer on the lake. 🏡



PHOTO BY TOM OLMSCHEID

Rep. Scott Kranz is joined at his desk in the House Chamber by his wife, Kristi, and sons, Ryan, left, and Lucas, center, at the opening of the 2007 session.

## STEPPING DOWN

Rep. Scott Kranz  
DFL

District: 51A —Blaine

Terms: 1 (elected 2006)

Advice to successor: "Literally walk the district and get to know the people, whether they agree with you or not."



# In the middle, a man apart

After 24 years in the House, Ozment prepares to step down

By Nick Busse

**I**t doesn't matter whether it's your first year in the Legislature or your last — your obligations and your oath of office remain the same, according to Rep. Dennis Ozment (R-Rosemount), so until the final gavel drops on the 2008 legislative session, he's not preoccupied with what will happen next.

"I'm not retiring, so to speak, I'm just not running for re-election. I don't know what that means because I haven't really stopped to consider options until I get through this session," Ozment said.

Ozment, currently the longest-serving Republican in either body, will conclude his 24th and final year in office when the Legislature adjourns. The reason he's leaving?

"It's just time," he said.

"I just know that it's time for me to move on — while everything is good. I still have my health; I still got options out there. Twenty-four years is enough."

As a lawmaker, Ozment will leave office with a wide range of legislative accomplishments under his belt. Among them, he has been a fierce advocate for the environment — in

particular, for cleaning up the state's waters. He was the chief sponsor of the state's Clean Water Legacy Act, and served at various points in his career as chairman of the House's environment policy and finance committees.

Among his greatest achievements, however, Ozment is perhaps best known for his ability to work across party lines. Throughout his career, he has preferred to craft legislation by listening to all sides of a debate and reserving judgment until he's heard all the facts, thereby making friends instead of adversaries. The consequences of this can be seen in the way many of his colleagues react to him; whether speaking softly in committee or delivering fiery oratory on the House floor, people tend to listen when he talks.

"I think that the biggest component that you need in order to be really successful at the Legislature is people need to trust you. And as frustrated as people may get with me from time to time, depending on their points of view, they can pretty well trust where I'm coming from. I don't change from one day to the next," Ozment said.

Ozment concedes that his style occasionally puts him at odds with members of his own party, some of whom don't always appreciate his moderate approach to legislating.

"When I was first here, I felt that I was more of the mainstream of my caucus. And as time has gone on, I think that I've become more and more isolated in the middle," Ozment said.

Ozment spent 27 years as a Minneapolis firefighter and fire captain — an occupation in which teamwork is an indispensable value. In the Legislature, where teamwork is often fleeting, Ozment said he's nevertheless tried to emphasize its importance to his fellow legislators. Whatever party is in charge, he said the majority often needs the minority's support to get anything accomplished, and vice versa. He thinks lawmakers shouldn't fear controversy.

"If we were all on the same page and all in the same groove, it would be either a very bland system or we'd be in a dictatorship, where everybody is forced to march in one direction. So the diverse ideas and sense of direction is, I think, very healthy," he said.

Ozment and his wife, Gayle, have two grown children and five grandchildren. Although they have no immediate plans for after session, Ozment said they will likely do some traveling, and spend time at their lakeside cabin near Annandale. 🌲



PHOTO BY ANDREW VONBANK

Rep. Dennis Ozment has his grandson, Jason Eckre, try the chair at his House Chamber desk during a visit to the Capitol.

## STEPPING DOWN

Rep. Dennis Ozment  
Republican  
District 37B — Rosemount  
Terms: 12 (elected 1984)  
Advice for successor: "Remember that it really is teamwork. There's no such thing as a powerful politician. The next election will show you who has the power. The power is in the people, and (members) shouldn't forget that."

# Rejuvenation for Neva

First black woman to serve in the House hopes for renewal time

By PATTY OSTBERG

**R**ep. Neva Walker (DFL-Mpls) made history in 2001 by becoming the first black woman to serve in the Minnesota House.

When her legislative journey began, she knew it wasn't just about representing constituents from District 61B, it was about representing all minorities. "I knew that as soon as I got elected," she said.

There have been many times in debates when she has been expected to speak up for minorities, she said. Sometimes just being the lone minority in a committee meeting or on the House floor made people think before they spoke. "Things one may want to say when I'm the room, they may want to think really hard if they want to say it," she said.

Her first bill was a resolution commemorating the Rev. Dr. Martin Luther King, Jr. and his life "devoted to the elimination of segregation and prejudice against his people."

Her fight for issues isn't over once she leaves the Legislature, but she said it's time for a break, "to remind myself why I really came here in the first place." Perhaps graduate school, substitute teaching or even starting her own business are in her future. A lot of hours go into representing a district, and she's never been able to figure out a way to have a second job to supplement her income as a legislator. "It's Neva time," she said of her decision.

She is dismayed at how the House too-often operates. "This place is really partisan and I'm not really a partisan person by nature," she said. "I'm just open and trying to get through session."

Once her term is complete, she doesn't intend to be a hired lobbyist, but she is still going to work on re-creating the position of an ombudsman for corrections, out-of-home placement and mental health issues. She's authored bills in the past on those issues and says there is more work to be done.

After six years of being in the minority

caucus, Walker was named chairwoman of the House Mental Health Division when the DFL took control in 2007. Last year she helped secure more than \$34 million in mental health grants for children and adult services. With a deficit looming, and the divide expected to be even larger next year, she says people need to get creative, and community support is necessary for those with mental illness.

Her words of advice for the person to take her seat: "Get to know everybody, and don't polarize yourself."

Walker speaks from experience. Whether it's rural, suburban or another political party, she says everyone can find common ground. "Even if you fundamentally disagree with that person on 99 percent of the issues, there has to be an issue that you guys can agree on."

The widening polarization of parties has been one of the biggest changes she's seen since beginning her legislative career. "We've become partisan and it doesn't do us any good," she said.

She believes that in years past there were members, both Republican and Democrat, more willing to work across party lines, but that spirit in so many ways is gone. "It's a difficult climate to get to know everyone," she said.

Walker says she's represented her district fully. Whether it's social justice, racial profiling, poverty or mental health issues, she's been able to advocate on their behalf.

"I'm the luckiest girl, because I have the best district that there is. It has been more than an honor to serve. It's been an opportunity of a lifetime." 🐾



PHOTO BY ANDREW VONBANK

**Rep. Neva Walker enjoys the company of her best friends' nephew, Kenney Gatlin Jr., in her State Office Building office.**

## STEPPING DOWN

Rep. Neva Walker  
DFL  
District 61B — Minneapolis  
Terms: 4 (elected 2000)  
Advice: "Get to know everybody, and don't polarize yourself."

## Tuesday, March 25

### HF4113-Clark (DFL)

#### Health & Human Services

Licensure disqualification variance consideration required by commissioner of human services.

### HF4114-Hackbarth (R)

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

Game and fish license applicants permitted to register to vote simultaneously.

### HF4115-Paulsen (R)

#### Taxes

Residential and alternative energy tax credits allowed for conservation improvements and alternative energy investments.

### HF4116-Benson (DFL)

#### E-12 Education

No Child Left Behind Act; Minnesota directed to nullify and revoke the consolidated plan submitted to the federal Department of Education.

### HF4117-Holberg (R)

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

Police and fire duty disability percentage increased.

### HF4118-Buesgens (R)

#### Commerce & Labor

State-operated casino allowed private contractor management, state lottery duties expanded, net proceed deposit provided for state and educational infrastructure capital improvement fund and constitutional amendment proposed.

### HF4119-Bly (DFL)

#### Health & Human Services

Health care availability and affordability for Minnesota children guaranteed, Minnesota Health Plan, Board, and Fund established, Office of Health Quality and Planning, ombudsman, and inspector general established and money appropriated.

### HF4120-Dean (R)

#### Health & Human Services

Minnesota comprehensive health plan created, health carriers and employees required to offer basic health plan, and state public health programs phased into the basic health plan.

### HF4121-Mahoney (DFL)

#### Taxes

St. Paul authorized to extend duration of a tax increment financing district.

### HF4122-Tillberry (DFL)

#### Taxes

Local government city aid distribution formula amended.

## Thursday, March 27

### HF4123-Koenen (DFL)

#### Taxes

Agricultural purposes definition modified for classification of agricultural property.

### HF4124-Kalin (DFL)

#### Taxes

Voluntary firefighter pension subtraction created.

### HF4125-Slawik (DFL)

#### E-12 Education

Early childhood program for at-risk 4-year-olds established.

### HF4126-Smith (R)

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

Fire inspectors provided coverage in the public employees police and fire plan.

### HF4127-Jaros (DFL)

#### Taxes

School district lease purchase agreements limited.

### HF4128-Tschumper (DFL)

#### Taxes

Income tax rates increased and general sales tax rate reduced.

### HF4129-Garofalo (R)

#### Transportation Finance Division

Provisional driver's license holder passenger restrictions established.

### HF4130-Peppin (R)

#### Finance

Rogers and Minneapolis commuter coach service established and funds directed.

### HF4131-Smith (R)

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

Metropolitan Airports Commission police officers provided a one-year exemption from reemployed annuitant earning limitations.

### HF4132-Kalin (DFL)

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

Post-sentencing officers special retirement plan actuarial cost study required.

### HF4133-Kahn (DFL)

#### Health & Human Services

Meningococcal, human papillomavirus and other diseases vaccine information required for public and private schools.

To find out who represents  
you at the Capitol . . .  
Call House Public Information  
Services at 651-296-2146  
or 800-657-3550

## Crisis continued from page 15

Shortage Areas. According to the report, a new facility could "create additional competition for existing workforce resources."

## Funding and complex patients


The proposed new facility would be limited in its treatment of complex patients.

Of the 31,000 admissions for psychiatric

care, more than 80 percent had other medical conditions. Whether those conditions would be severe enough to require hospitalization is unknown, but the new facility would not have "medical-psychiatry" units for patients with medical conditions, the report states.

Prairie St. John's argues that there are other facilities like theirs in the state, and usually patients are medically stabilized at a hospital before being sent to psychiatric facility.

Providing care for those on public assistance would be more costly for the state because of limitations on federal reimbursement costs. Federal regulations only reimburse Medicaid fee-for-service enrollees ages 21-64.

The facility has said it will accept all patients on public assistance, but the additional cost to the state would be about \$2 million per year, said John Ryan, special projects liaison for Prairie St. John's. 



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

**SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER**

**MAJORITY LEADER: ANTHONY "TONY" SERTICH**

**MINORITY LEADER: MARTY SEIFERT**

## MINNESOTA INDEX

### Crime and punishment

Adult state inmate population as of Jan. 1, 2008, excluding short-term offenders.....	9,270
Percent that are male.....	93.6
Total state inmates on Jan. 1, 2007.....	8,900
On Jan. 1, 2003.....	7,073
On Jan. 1, 2000.....	5,927
Number of lifers — prisoners sentenced to serve a 30-year term with the possibility of parole after that time — and those sentenced without parole possibility as of Jan. 1, 2008.....	554
Number who aren't Minnesotans.....	39
Number of lifers in state facilities in 2003, including non-Minnesotans.....	393
Number in 2000, including non-Minnesotans.....	344
Average age of a Minnesota prisoner at the start of 2008, 2003.....	35.6, 33.9
State inmates under age 18 at the start of 2008, 2003, 2000.....	13, 13, 27
Percent increase in the last 21 years of inmates whose governing offense is criminal sexual conduct.....	274
Average sentence length, in months, for these prisoners in Fiscal Year 1991.....	63
Months in Fiscal Year 2006.....	73
As of Dec. 31, 2007, approximate number of Level III sex offenders living in the state....	100
Of sex offenders assigned a risk, percent that are Level III, those most likely to reoffend....	13
Percent that are Level I.....	62
Inmates employed in MINNCOR Industry at start of year.....	1,283
Department of Corrections operational budget for Fiscal Year 2008, in millions .....	\$459.9
Number of staff .....	4,163
Average operating cost to house an offender for one day in Fiscal Year 2007 .....	\$86.14
Average Fiscal Year 2007 daily population of inmates in work release.....	202
Average operating cost to house these offenders for one day in Fiscal Year 2007....	\$58.94
Amount paid in room and board by offenders on work release in Fiscal Year 2007.....	\$578,345
Amount paid in restitution to crime victims.....	\$37,271
Applications received by the Board of Pardons in 2007 .....	39
Pardons granted.....	18
Minutes it took William Williams to die in 1906 after his neck was stretched and his feet touched the floor, before deputies pulled the rope upward causing his death by strangulation.....	14
State executions since.....	0

— M. Cook

**Sources: Department of Corrections, including DOC Backgrounders: Sex Offenders in Prison (September 2007), Community Notification Act (December 2007) and Work Release Program (February 2008); adult inmate profiles on Jan. 1, 2008, Jan. 1, 2003, and Jan. 1, 2000; and Notable Statistics about the Department of Corrections; Board of Pardons Annual Report to the Legislature 2007 Activity.**

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to: House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 25, NUMBER 8 • APRIL 4, 2003



FOCUS ON FORECLOSURE

CAPITAL INVESTMENT BILL SHOWDOWN

1812's OVERTURE

CLIMATE CHANGE TALK

HF4134 - HF4166





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Tom Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



# CONTENTS

## HIGHLIGHTS

Elections • 5  
Employment • 5  
Environment • 6  
Government • 6

Health & Human Services • 7  
Housing • 9  
Local Government • 9  
Military • 10

Taxes • 10  
Transportation • 11  
NOTES • 11

## BILL INTRODUCTIONS (HF4134-HF4166) • 23

## FEATURES

**FIRST READING:** Could an 1812 budget battle loom ahead? • 3

**FEATURE:** A picture says a thousand words • 12-13

**AT ISSUE:** Capital investment bill now in the hands of the governor • 14-15

**AT ISSUE:** State's initiatives to address climate change may wait for another day • 16

**AT ISSUE:** A new way to help homeowners and the neighborhood • 17

**AT ISSUE:** House moves to help with mortgage foreclosure crisis • 18

**PEOPLE:** Stepping Down — Tingelstad • 20

**RESOURCES:** Directions for coming to the Capitol • 21

**RESOURCES:** Tracking bills is just a mouse click away • 22

**MINNESOTA INDEX:** Tax collections, disbursements • 24

**On the cover:** An early spring wet snow clings to the trees and shrubs around the statue of Christopher Columbus, giving the Capitol Mall monument a ghostly figure.

—Photo by: Tom Olmscheid



# A budget in balance

DFL plan approved by the House, differs significantly from the governor's

By MIKE COOK AND COURTNEY BLANCHARD

**T**he War of 1812 was fought between the United States and the British Empire after a long period of troubled relations between the two countries.

The battle over HF1812 is the DFL willingness to solve the state's projected \$938 million biennial deficit one way, compared to that proffered by the state's top Republican, Gov. Tim Pawlenty.

Unlike the battle of nearly 200 years ago, this one is not likely to end in a stalemate, although other skirmishes may be forthcoming. After more than nine hours of debate, and more than three-dozen amendments, the House was still debating the bill April 3 when this magazine went to press. A companion bill, SF3813, sponsored by Sen. Richard Cohen (DFL-St. Paul), was approved by the Senate on a voice vote earlier in the day.

A conference committee is expected to work out the differences before a final product is sent to the desk of Pawlenty, where his veto pen rests.

"Although, after this is over, I don't think there's any plan to burn down the White House or anything like that," said Rep. Lyndon Carlson (DFL-Crystal), a former history teacher.

Carlson, the bill's sponsor, said the balancing act includes budget reductions, use of reserve funds and increased revenues by closing some corporate tax loopholes. "There are no general tax increases in the proposal and we keep our commitments to schools, health care and college students."

It makes nearly \$135 million in cuts, drains \$350 million from the cash-flow account and \$250 million from the budget reserve. The reserve would be left with \$403 million; similar to the governor's proposal.

After House leaders met with Pawlenty, House Speaker Margaret Anderson Kelliher (DFL-Mpls) said the House plan's budget reserve number was adjusted to match the governor's, and leaders made sure the House

plan could accommodate the governor's concerns on issues such as increased funding to eradicate bovine TB. "I hope that the governor comes to the table and negotiates in good faith."

Rep. Paul Kohls (R-Victoria) expressed concern about draining the cash flow account to zero. "It would at least provide the potential

for some more flexibility, if the budget situation doesn't improve."

Carlson said the Finance Department has the authority to use various accounts for cash flow purposes. "If finance needs additional funds for cash flow purposes, the two big ones that would remain would be the reserve fund and the Health Care Access Fund could be used temporarily, as well, as (Republicans) did in the past. ... It's just one of those decisions you make in terms of which account you're going to use to resolve some of the budget problems that we wanted to take care of."

The governor's proposal includes reducing state spending by \$341 million, using \$250 million of the state's \$653 million budget reserve and taking \$250 million from the surplus in the Health Care Access Fund. It also

First Reading continued on page 4



ILLUSTRATION BY PAUL BATTAGLIA

Some members believe the budget reduction bill discussed by the House April 3 could be ruled unconstitutional because it embraces more than one subject. Others say it is constitutional because it's all based on reducing the deficit.

### First Reading continued from page 3

includes no reduction in K-12 education or local government aid, a 4 percent reduction for most state agencies and a one-eighth percent sales tax decrease.

The governor's plan leaves an anticipated \$694.54 million deficit in the 2010-11 biennium; about \$110 million more than the House plan. Neither number accounts for any inflationary increase.

### Constitutional challenge forthcoming?

According to the state constitution, "No law shall embrace more than one subject, which shall be expressed in its title."

Rep. Mark Olson (IR-Big Lake) and a handful of Republicans said this bill violates that rule.

"Depending on how you want to define single subject, there's possibly as many as 28 different distinct subjects in the bill, but for sure 16 very distinct subjects that generally go through this process here in the House and the Senate as separate omnibus bills," he said.

Olson cited the 2003 "concealed carry" bill as an example of what could happen. In that case, a Ramsey Court District judge ruled in July 2004 that by amending the firearm carry language to a Department of Natural Resources bill, was unconstitutional. The Minnesota Court of Appeals upheld the lower court's decision in April 2005.

Two years ago we didn't have all these policy provisions in a finance bill, said Rep. Morrie Lanning (R-Moorhead). "This bill has way too much in it to meet the constitutional test."

House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) said everything in the bill works together to balance the budget and that the current minority caucus tried the same approach in 2002 and 2005.

"We're putting everything under a single subject: solving the deficit," she said.

### Bill provisions

"We incorporate several of the governor's recommendations, but differ with him in key areas," Carlson said. "We minimize his cuts to higher education, which should allow our universities to keep tuition stable. The plan does not incorporate the governor's proposed cuts to nursing homes and the disabled. In fact, the House proposal includes a 2 percent cost of living increase for nursing home workers. At a time when we are investing in a comprehensive health care system, and are advancing needed reform proposals, it is critical we strongly support our nursing home workers who are responsible for the daily care of our elderly."

The House Ways and Means Committee

provided targets for each finance division, and it was up to them to craft legislation to meet those goals. Some divisions received extra money, and some took hits. Some also included policy provisions in the bill, leading Lanning to call it an "omnibus-omnibus bill."

"No one ever said it was going to be easy to resolve these issues," Carlson said. "The final product is the result of each and every one of the divisions that are attached to the Finance Committee, and reflects their recommendations on how to resolve the issue."

Among the measures in the bill are:

- a 3 percent budget reduction for most state agencies, including the legislative budget;
- the delay of hospital rebasing of inpatient fee-for-service rates, which is expected to reduce spending by \$9.7 million in Fiscal Year 2009;
- a \$4.53 million combined cut in Fiscal Year 2009 to the Supreme Court, Court of Appeals and district courts, about half of the governor's proposal;
- a \$4 million transfer from the Telephone Assistance Plan Fund, also proposed by Pawlenty;
- the cancellation of \$2.6 million in grants for the development of renewable hydrogen initiatives that were approved last year, also recommended by the governor;
- a \$253,000 reduction to the waters division of the DNR for water resource management; a \$230,000 reduction to the DNR's ecological services division for managing impaired waters; and a \$225,000 cut to the DNR's land and minerals division;
- the governor is required to reduce by 25 percent the number of deputy commissioners, assistant commissioners and governor's office personnel supported by interagency agreements;
- a \$6.85 million appropriation from trunk highway funds to recognize federal funds awarded to the state for bridge construction, as was requested in the governor's supplemental budget bill; and
- a one-time 1 percent increase in the school funding formula for K-12 education, or about \$51 per student statewide, with the majority of money coming from a freeze in Q-Comp revenue to districts participating in the program.

The reduction to both the Minnesota State Colleges and Universities system and the University of Minnesota is proposed at \$6.1 million, compared to \$26.6 million and \$27.2 million respectively proposed by Pawlenty. "We put an end to the double-digit increase in tuition and fees last year, and we just cannot go back to the days when the state budget was balanced at the expense of students and their families," Carlson said.

A one-time \$14 million transfer from the Worker's Compensation Special Fund to the General Fund is proposed. Carlson said the Republicans took \$265 million from the special fund when they needed to balance the budget five years ago. Also, a one-time \$8 million transfer from the Workforce Development Fund to the General Fund is proposed by the House and Pawlenty.

### Tax provisions

On March 31, the House Taxes Committee added several provisions to the bill that would raise money for the budget.

The provisions would:

- repeal the definition of foreign operating corporations and, therefore, tax breaks that apply to them;
- repeal the foreign royalty subtraction;
- eliminate "tax havens" so that companies doing a certain amount of business in the United States and in countries identified as a tax haven by the IRS and the Organization of Economic Opportunity and Cooperation would be subject to Minnesota's corporate franchise tax; and
- increase fees on mutual funds, meaning regulated investment companies would have to pay higher annual securities fees to the Department of Commerce.

Altogether, they are expected to rake in more than \$201 million in Fiscal Year 2009 and more than \$382 for the 2010-2011 biennium, according to nonpartisan House fiscal staff.

Though it may appear to some that the bill is being used as a dumping ground for the tax committee, Lenczewski said everything in the bill balances out to solve the deficit. She said an omnibus tax bill is still forthcoming.

"This goes far beyond what any other state has," said Jill Larson, fiscal policy director for the Minnesota Business Partnership. "We're concerned that a company with foreign operations would have its foreign income taxed simply because they were doing business in one of these so-called tax haven countries."

Tom Hesse, vice-president of governmental affairs for the Minnesota Chamber of Commerce, asked the committee to avoid repealing the entire FOC statute and instead work on tightening it up.

"The purpose back in 1988 was to place U.S. companies operating overseas at an equal footing with their foreign competitors," he said.

Rep. Mary Liz Holberg (R-Lakeville) warned the corporate money to pay increased taxes will come from outside their walls. "Where they get the money to pay the taxes is from the average consumer you and I."



**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held March 27- April 3. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill, version considered by the House or the bill language signed by the governor.

## ELECTIONS

### Bloomington board change rejected

**Vetoed  
by  
the  
governor**

A plan to change the framework of the Bloomington School Board met up with Gov. Tim Pawlenty's veto pen on March 27.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Dan Larson (DFL-Bloomington), the bill sought to establish single-member election districts for part of the Bloomington School Board to better represent the diverse population of one of the state's largest school districts, supporters say.

In his veto message, Pawlenty said the bill provided a legislative solution that was not being sought by either the Bloomington community or school board. "It is also unnecessary because a petition process already exists in state law for community members to seek division of a school board into election districts."

Lenczewski said that unequal representation has been a recurring problem in the district, and that this bill is needed to ensure equal representation. All members currently serve at-large, but six of the seven members live on one side of the city.

The bill would have modeled the school board makeup after that used by the Bloomington City Council, consisting of four single-seat districts with the remaining three seats being filled by at-large members.

"This bill removes local control and authority from the hands of the Bloomington school district voters," Pawlenty said. "I am also concerned that this is directed only at Bloomington and invites a piecemeal approach to legislation addressing school district elections."

The bill was passed 91-42 by the House March 25 and by the Senate 41-18 on March 17.

HF1394/SF457\*/CH163

— B. HOGENSON

## EMPLOYMENT

### Background checks for all coaches

Background checks may not just be for full-time employees in school districts anymore.

A bill approved 118-11 by the House April 1 would require coaches for all extracurricular activities to undergo background checks.

The House approved SF2369, but inserted the language of HF2782 before giving approval. Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Ann Rest (DFL-New Hope) are the sponsors. The bill now returns to the Senate. A conference committee is expected to work out the differences.

Rep. Torrey Westrom (R-Elbow Lake) raised concerns about parents or community members who help with practices.

"My concern is we're going to stymie some of

that opportunity or incentive or volunteerism that comes out of those people if it's rigmarole to have a background check," Westrom said.

Bigham said it would only apply to those who came on a regular basis.

Rep. Mark Buesgens (R-Jordan) said the bill could create a burden for school districts which are already strapped for cash.

"We've got an issue, but we've got an issue that should be dealt with with a tweezers; instead, we're dealing with this issue with a nuclear bomb," Buesgens said.

Bigham said the bill is proactive and comprehensive and has the support of the Minnesota School Boards Association and the Minnesota State High School League.

"If this prevents one incident, then this law has been successful," Bigham said.

— T. HAMMELL

## SNOWY MORNING

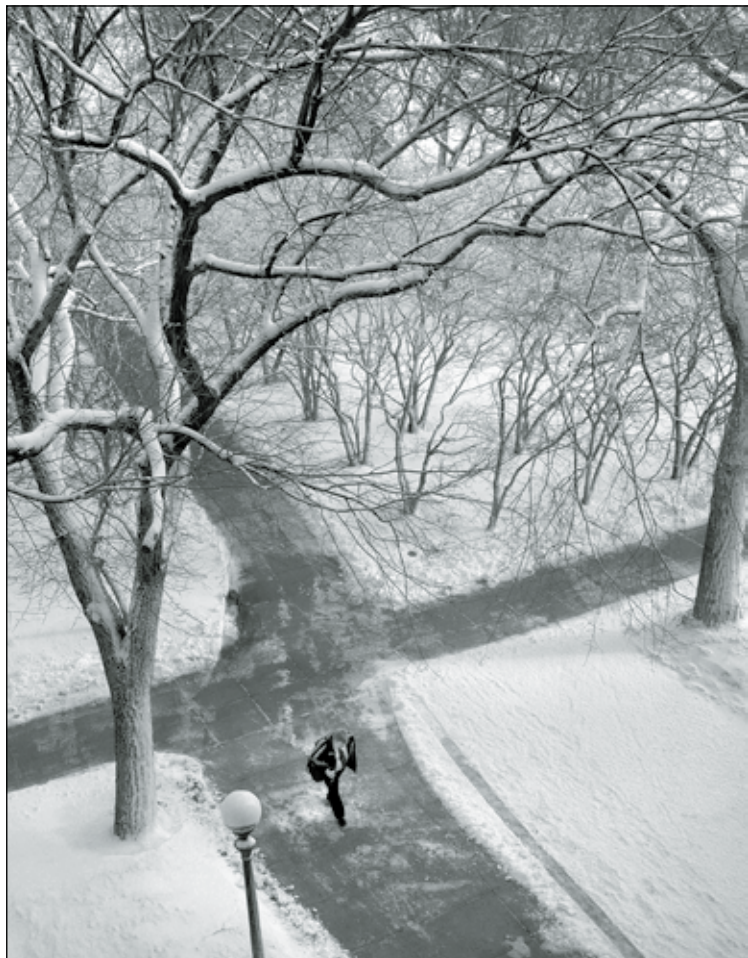


PHOTO BY ANDREW VONBANK

**A House employee walks into the State Office Building on a snow-filled April 1 morning. A March 31 storm coated the Capitol Complex in white for possibly the final time this spring.**



## KEEP FUNDING AFLOAT



PHOTO BY TOM OLMSCHIED

In addition to wearing a tiara to celebrate her birthday, Hannah Stoll, an eighth-grader at Forestview Middle School, wears a life vest along with other Brainerd residents during an "SOS-Save Our Schools" rally April 1 in the Rotunda that is designed to express concerns over public school funding issues. The vests symbolize that Brainerd residents are drowning in excess levies.

### Conflict of interest exception

Love can make things complicated, especially if you're on the school board and your husband is the head of the school's custodial union. A bill passed 129-0 by the House April 1 could clear up this situation.

HF2785/SF2653\*, sponsored by Sen. Don Betzold (DFL-Fridley) and Rep. Paul Gardner (DFL-Shoreview), would establish a conflict of interest exception for cases when the spouse of a school board member is part of a class of employees contracting with the school board. It now awaits action by the Senate.

The board could use the exception when competitive bids are not required by law and spouses would not benefit more than other members of the group. The spouse would have to abstain from voting on the contract.

Gardner said the bill was the result of a situation that occurred in the Mounds View School District, where a school board member's husband was the head of the school's custodial union. The member said she would excuse herself from the vote, but was asked to step down.

"The amended bill simply clarifies the existing statute, which everybody has simply been abiding by for many years," Gardner said.

Gardner said the bill would also protect the spouses of paraprofessionals, bus drivers and other school employees.

— T. HAMMELL

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

## ENVIRONMENT

### Landfill siting bill criticized

Opponents of a plan to use a special test to help prevent the siting of landfills in areas that are geologically sensitive to groundwater contamination lined up March 31 to poke holes in the proposal.

HF3997, sponsored by Rep. Julie Bunn (DFL-Lake Elmo), would require that all proposed new landfill sites in the state be tested to determine whether any groundwater supplies beneath them contain relatively high concentrations of tritium, a radioactive isotope of hydrogen. Tritium was spread throughout the atmosphere by above-ground nuclear weapons testing in the 1950s, and its presence in groundwater usually indicates that a pathway exists for contaminants to infiltrate underground aquifers from the surface. Bunn's bill would forbid the Pollution Control Agency from issuing any permits for the construction of a new landfill on a site that contains concentrations of five or more "tritium units."

The House Solid Waste, Recycling and Resources Conservation Working Group held an informational hearing on the bill, but took no action. Its language is also included in the House's supplemental budget bill — HF1812, sponsored by Rep. Lyndon Carlson (DFL-Crystal).

Chuck Donkers, a geologist for Xcel Energy, presented a laundry list of problems with the bill, including that it had gone through only

a limited technical review and that many of its potential impacts are unknown. He also questioned its potential environmental benefits, arguing that no evidence exists of any contamination of groundwater from modern landfill facilities, which use liners to prevent the infiltration of pollutants into groundwater. Older landfills did result in contamination, he said, but, "To use those as a benchmark ... is inappropriate."

Annalee Garletz, a lobbyist for the Association of Minnesota Counties, was among several testers who pleaded for more time to look at the implications and impacts of the legislation.

"We're just asking for more time to go through this decision-making process," she said.

Defending her bill, Bunn emphasized that the tritium testing would be used only as an additional screening tool for the PCA, and would not replace the agency's current landfill permitting process. She added that the bill's language contains a process by which those seeking a permit could appeal to the PCA commissioner if they believe the results of the tritium test did not accurately reflect the potential for groundwater contamination at the site.

A companion bill, SF3703, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

## GOVERNMENT

### Svigum moves toward confirmation

Former House Speaker Steve Svigum received approval March 31 from the Senate Business, Industry and Jobs Committee to be commissioner of the Department of Labor and Industry. He was appointed to the position in July 2007 by Gov. Tim Pawlenty.

For 29 years, Svigum represented District 28B in the House of Representatives, including eight years as Speaker of the House.

In his new role, he manages a department of 500, which oversees workplace issues. "Our goal is simple — that everyone goes home at night from their workplace," he said.

He told the committee he has moved from an advocate role in the Legislature to one of regulation, "in a fair and just way for the good of Minnesota and regulating the intent of the laws you pass."

Senate President James Metzen (DFL-South St. Paul), who chairs the committee, said there was concern about possible partisanship when Svigum's appointment was announced;

however, he complimented Sviggum on his balance and fairness. "You've become a pretty good manager," he said.

The Senate Health, Housing and Family Security Committee voted to recommend Dr. Sanne Magnan's confirmation as state health commissioner. Magnan was appointed to head the Department of Health in November 2007.

Both appointments await action by the full Senate.

— L. SCHUTZ

### Attorney general's office review

There will be an investigation into alleged misconduct at the Office of the Attorney General. The Legislative Audit Commission met March 28 with Legislative Auditor James Nobles to discuss an inquiry into allegations and began to outline the issues. No vote was taken by the commission.

Rep. Steve Simon (DFL-St. Louis Park), who worked in the office from 1996 to 2001, said that although recent media coverage can only be classified as allegations, because the attorney general is "the people's attorney," everyone in the office "has to be held to the highest possible standard."

Among the allegations is the claim that some attorneys in the office were pressured to give bad advice to state agencies, attorneys were pressured to post positive comments on blogs supporting the office and false information was provided on sworn affidavits.

With the severity of these claims, and the potential for a political impact, Simon believes the Office of the Legislative Auditor would be the best organization to conduct an investigation. He also said that any investigation should not delve into managerial matters, such as activities in the office dealing with unions.

Sen. Ann Rest (DFL-New Hope) raised concerns of an official "fishing expedition" into the workings of the office, possibly setting a precedent for future investigations of other state officials.

Rest then asked Nobles if his office could conduct an investigation without the commission making an official request. Nobles said that current statute does provide him with the authority to conduct an investigation if he feels it is warranted. And based on recent findings, Nobles said, an investigation could move forward.

Nobles also said that although he has no interest in conducting a "broad ranging investigation of the attorney general or anyone else," the office should not view the commission's decision not to vote on a request for a report as a lessening of his office's authority in pursuing the issue.

— C. GREEN

## DAY ON THE HILL



PHOTO BY TOM OLMSCHIED

**AFSCME members hold a rally in the Capitol Rotunda as part of the group's April 2 Day on the Hill. Members also met with their local legislators during the day.**

## HEALTH & HUMAN SERVICES

### Health reform modified

The House Ways and Means Committee gave its support April 2 to a health care reform bill that had its controversial provisions removed by a previous committee.

HF3391, sponsored by Rep. Thomas Huntley (DFL-Duluth), would set aggressive changes to how the state pays providers for health care and manages chronic diseases. It would also set universal coverage goals of: 94 percent of people covered by 2009, 96 percent by 2011, 97 percent by 2012 and 98 percent by 2013.

"About 75 percent of the money spent on people in health care is spent on those with chronic diseases," Huntley said.

Huntley said he worked closely with the Minnesota Medical Association to make changes to the bill, including the elimination of the Minnesota Health Insurance Exchange. The exchange would have sold health plans to individuals and employers.

Also removed from the bill in the House Finance Committee March 31 were pay for performance measures and references to health plans used by small businesses.

The bill would pay for the changes with \$43 million in 2009 from the Health Care Access Fund, \$81 million in 2010 and \$138 million in 2011. Huntley said after 2011 the costs are unknown, but they could be helped by savings from managing chronic disease better which the bill sets out to do.

Providers would submit bids for the total cost of care based on their prices to treat a set of chronic diseases.

A Health Care Transformation Commission would be created to coordinate health care transformation activities in the state. The responsibilities of the commission would include collecting data from providers on health care prices and quality, develop a implementation plan for health care payment system reform, and establishing uniform definition and methodology for calculating health care costs for providers treating patients.

Beginning Jan. 1, 2009, the health commissioner would encourage state program enrollees and those with chronic diseases to select a primary care clinic or medical group and undergo an initial health assessment to identify preventable health care needs. The groups would coordinate care and develop a comprehensive plan for each enrollee.

The bill now goes to the House floor. A Senate companion, SF3099, sponsored by Sen. Linda Berglin (DFL-Mpls), was approved 39-23 March 31. That bill was received by the House April 2 and referred to the House Ways and Means Committee.

—P. OSTBERG

### Child care changes

Family care providers would have to comply with a few new regulations, under a bill approved March 28 by the House Finance Committee.

HF3376, sponsored by Rep. Neva Walker

## KEEPING WATCH



PHOTO BY TOM OLMSCHIED

**Lobbyists and various state department staff keep watch over omnibus bills that are being heard March 31 by the House Finance Committee.**

(DFL-Mpls), would remove a loophole that allows families to receive paid assistance for caring for their own children in a child care setting.

Other changes in the bill include:

- creating a Child Care Advisory Task Force to make recommendations to the Legislature on removing barriers facing families applying for and receiving child care assistance;
- requiring that child care licensees place infants on their backs to sleep unless provided documentation by the parents from the infant's doctor;
- requiring participants in the Minnesota Family Investment Program to maintain eligibility by developing either an employment plan or family stabilization services plan;
- consolidating state laws with federal laws in regards to MFIP and Temporary Assistance for Needy Families; and
- modifying the Basic Sliding Fee allocation formula to distribute funds to counties for unmet family needs.

Walker added an amendment that would require counties and American Indian tribes to not impose residency requirements on families, except under state residency requirements.

Some counties have not allowed women to maintain county residency because they temporarily moved to another for aid in a battered women's shelter, said Jessica Webster, a Legal Services Advocacy Project advocate. Some counties require a 30-day residency and women were unable to qualify for aid, she said.

A companion bill, SF3170, sponsored by Sen. Patricia Torres Ray (DFL-Mpls), awaits action by the Senate Finance Committee.

— P. OSTBERG

### Community consortium project

A demonstration project that would allow three older adult services community consortiums to pool health care funds for long-term care was approved March 28 by the House Finance Committee.

HF3955, sponsored by Rep. Paul Thissen (DFL-Mpls), would allow the human services, health and housing finance commissioners to develop a three-year demonstration project by July 1, 2009. The consortiums may consist of health care and social service providers, county agencies, health plan companies and other stakeholders to create a joint decision-making process to pool funds and provide flexibility in distributing health care

money. An evaluation report would be given to the Legislature by Jan. 15, 2013, on the performance of the projects.

Each project would be designed to:

- ensure consumer access to a continuum of older care services;
- create an adequate supply of affordable home-based alternatives to care for those in nursing facilities, or those needing a facility in the future;
- establish and achieve measurable performance targets for care delivery; and
- support the management of chronic and complex conditions through greater coordination of all services needed by older adults.

Also under the bill, consortiums would be given priority for technology-related grants, financially feasible projects to create or preserve affordable housing options for older adults and distribution of transportation-related funds to create options for older adults.

Funding would come, in part, from appropriations to the nursing home moratorium exceptions process for the biennium ending in June 30, 2011. According to the fiscal note prepared by the Department of Finance, \$3 million was appropriated by



the Legislature for nursing home moratorium projects during the 2008-09 biennium. The health commissioner could reserve 10 percent of those funds to distribute to projects of the consortium.

The bill now goes to the House Ways and Means Committee.

A companion bill, SF3673, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action by the Senate Finance Committee.

— P. OSTBERG

## HOUSING

### Help to preserve home ownership

A bill that would increase the financial assistance cap for those participating in a program to prevent mortgage foreclosures was passed 127-2 by the House April 1.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF3346 would help families and individuals in financial crisis by increasing money available in the Foreclosure Prevention Assistance Program. Currently the cap is set at \$5,500 per individual or family. The bill would raise that to “110 percent of the greater of state or applicable metropolitan statistical area median monthly owner cost of owner occupied housing ... multiplied by six.” The change would amount to a \$10,718 cap for Twin Cities metropolitan area homeowners and \$9,478 in Greater Minnesota.

Tonja Orr, Minnesota Housing Finance Agency assistant commissioner, earlier told a House committee that foreclosure prevention counselors have said that monthly mortgage payments multiplied by six frequently exceed the \$5,500 cap. Therefore, they’re not able to help people who may have had a temporary loss of income and can’t catch up from the crisis, she said.

“Given the run up in housing values over the last decade, that assistance is not sufficient in many, many cases,” Davnie said.

The cap was last changed in 2001, and instead of coming back to the Legislature for another change, the adjusted standard would be built into the bill, Orr added. The only way loans are released is if the homeowner can solidly make payments after use of program funds.

The bill now goes to the Senate where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

— P. OSTBERG

### Moving?

Please help save postage costs by keeping us informed of address changes. Call 651-296-2146 or 800-657-3550.

## LOCAL GOVERNMENT

### Setting a foundation for annexation

A bill born out of the work of the Municipal Boundary Adjustment Advisory Task Force received House approval March 31.

Sponsored by Rep. Paul Marquart (DFL-Dilworth), HF3357, in part, states that joint resolutions for orderly annexation, consolidations and mergers of towns and municipalities should be encouraged.

Approved 130-0 in the House, it now goes to the Senate, where Sen. Rick Olseen (DFL-Harris) is the sponsor.

“This bill sets a great foundation for future issues that are going to be discussed by this task force,” Marquart said. “The work of this task force is going to be ongoing and they look forward to discussing some of the bigger issues that will be coming up.” He said townships and cities support this plan.

Rep. Torrey Westrom (R-Elbow Lake) said annexation issues are unfairly tilted to favor cities over townships, leaving township residents frustrated at a process that always seems to bow to the desires of cities in the end.

“Why go through this dog-and-pony show when the outcome is already guaranteed for the city that wants to annex?” Westrom asked.

Agreeing that the task force still has issues to work out between cities and townships, Marquart said the bill contains the low-hanging fruit that both sides could agree on.

The task force was established in 2006 and amended in 2007 to extend the life of the task force into 2008.

An amendment to the bill would extend the timeline for when the task force would have its final work completed from June 30, 2008, to Jan. 15, 2009.

— B. HOGENSON

### Reporting date change

Signed  
by  
the  
governor

County governments will have an additional month to report their budget data to the state auditor.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Claire Robling (R-Jordan), HF3522/SF3461\* was passed April 1 by the House 129-1, and by the Senate March 19 66-0. The bill was signed by the governor April 3

The law changes the date that summary budget data must be provided to the Office of the State Auditor from Dec. 31 of the year preceding the budget year to Jan. 31 of the budget year.

Hilstrom said the issue was brought to her

attention by the state auditor because meeting the current reporting date is impossible, and this makes the state statutes match current reporting practice.

— B. HOGENSON

### Donations to nonprofits

Political subdivisions may be permitted to donate gifts to nonprofit organizations.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF3220 was passed by the House 97-33 April 1. Received by the Senate one day later, the bill awaits action by the Senate Rules and Administration Committee. Sen. Jim Vickerman (DFL-Tracy) is the Senate sponsor.

According to Davnie, the bill would authorize a political subdivision to give money or make in-kind gifts to nonprofit organizations classified as 501(c)(3) groups. Such groups are restricted from lobbying or supporting political parties.

The gift must be for public purpose that supports educational, social service, health or charitable purposes. It must be presented and voted on at a regularly scheduled meeting of the subdivision’s governing body.

“The idea of taking taxpayer money and giving it to nonprofit groups is something we need to be concerned about,” said Rep. Paul Kohls (R-Victoria). He added that if members of the House were honest with themselves they might question whether some of the work being done by nonprofits is really worthy of taxpayer support.

Amendments unsuccessfully offered by Rep. Mark Buesgens (R-Jordan) would have prohibited any taxpayer dollars from going to nonprofits affiliated with political parties and prevented political subdivisions currently receiving less state aid than the previous year from donating to nonprofit groups.

Davnie said that Buesgens was ignoring the language in the bill that specifies any gifts must be for public purpose.

An amendment offered by House Minority Leader Marty Seifert (R-Marshall) would have specified that political subdivisions cannot give monetary or in-kind grants to groups that provide abortions. It failed 66-64.

“Our tax dollars and local government aid should not be used to fund the abortion industry,” Seifert said.

— B. HOGENSON

### Dollars to prevent demolition

What can you do with an eight-story gothic tower built more than 100 years ago? Don’t demolish it!

That’s what Fergus Falls Mayor Russ Anderson told the House Property Tax Relief

and Local Sales Tax Division March 28.

The Department of Human Services is phasing out its use of the Fergus Falls Regional Treatment Center, built in the 1880s to treat the mentally ill. The historic Kirkbride building is in good condition; but without any purpose, it will likely be torn down, Anderson said.

Fergus Falls businessman Richard Anderson is turning to an unlikely source for help: China. He and other community members are partnering with officials from the Hunan province of China to develop an Institute for Cross Cultural Studies in Fergus Falls. The plan calls for the Kirkbride building to be converted to dorms, classrooms and a campus, which would accommodate about 1,000 students. Financial support for the project would be split between Chinese and U.S. sources.

"We know what will happen if this project will not come to fruition, and we're talking about some \$7 million effort to demolish that very property," Russ Anderson told the division. "We need your help to make this project work."

Rep. Bud Nornes (R-Fergus Falls) sponsors HF3064, which would give the school a 15-year exemption on property taxes. The bill was laid over for possible inclusion in the division's omnibus bill. Sen. Dan Skogen (DFL-Hewitt) sponsors the companion, SF2713, which awaits a hearing in the Senate Taxes Committee.

— C. BLANCHARD

### Filling a county board vacancy

A bill governing the process used to fill vacancies on a county board received House approval.

Sponsored by Rep. Bill Hilty (DFL-Finlayson), HF3662 would require a public hearing to be held before a county board fills a vacancy by appointment.

Approved 131-0 by the House March 31, it now moves to the Senate, where Sen. Tony Lourey (DFL-Kerrick) is the sponsor.

Hilty said the bill would require that before a county board can make an appointment to fill a vacancy, it would have to hold a public hearing regarding the vacancy and notify the county commissioner and public officials that hold office in that district, such as town boards and city councils.

The bill was amended to strike a section that would have shortened from two years to one year the length of time a person appointed to fill a vacancy is allowed to serve before an election must be held to fill the vacancy.

— B. HOGENSON

## MILITARY

### Vietnam Vets have their day of honor

Signed  
by  
the  
governor

Minnesota Vietnam Veterans had their first official day of honor in the state on March 29, the effective date of a new law signed by Gov. Tim Pawlenty two days earlier.

The new law, which commemorates the

withdrawal of American troops from Vietnam on March 29, 1973, "is one small thing we can do for the men and women who served in Vietnam," said Rep. Larry Howes (R-Walker), who sponsors the law with Sen. Dan Skogen (DFL-Hewitt).

Vietnam veterans came home to jeers because of the unpopular war, and Howes said the law is an effort to raise awareness to the "cost of freedom" and "welcome them home."

"This is a touching issue because individuals who served in Vietnam weren't thanked at all. What we need to do is show them how proud we are of them, even though many years have passed," said Rep. Dennis Ozment (R-Rosemount).

HF2582\*/SF2632/CH164

— L. SCHUTZ

## TAXES

### Airport tax hits turbulence

For more than 10 years, the St. Paul Downtown Airport has avoided city and school taxes in exchange for payments to the St. Paul Police and Fire departments and a promise that businesses affiliated with the airport would mentor local students interested in aviation careers.

A bill sponsored by Rep. Carlos Mariani (DFL-St. Paul), HF3509, would eliminate the tax exemption passed by the Legislature in 1996. The House Property Tax Relief and Local Sales Tax Division laid over the bill March 28 for possible inclusion in its omnibus bill.

Currently the airport is liable only for county and special taxing district property taxes, which is also the case at Minneapolis-St. Paul International Airport.

The bill sparked a discussion about whether the tax breaks are beneficial to the city.

Some argued that businesses park their planes at the St. Paul airport because of the tax breaks, and in return, they create jobs for the community.

Clint Kummer, general manager for Signature Flight Support, said that before the tax break, "St. Paul was underutilized and struggling." Kummer's company provides ground support for aircraft, and he said that business is much better now, thanks to the 1996 legislation.

"With the recent economic downturn, it really impacted our industry as a whole," he said. "The soaring fuel prices, combined with additional taxes and the competitive advantage Minneapolis would again enjoy, would endanger the prosperity and future of our businesses at the airport."

Others questioned whether it was fair to give a tax break to the airlines, which cater



PHOTO BY ANDREW VONBANK

With the law's sponsors and supporters around him at a March 27 ceremony, Gov. Tim Pawlenty signs into law a bill designating March 29 as Vietnam Veterans Day. Rep. Larry Howes and Sen. Dan Skogen sponsor the law.



mainly to corporate traffic, when small businesses that border the airport must pay full taxes.

Mariani, who sponsored the House bill in 1996, said it's time to re-examine whether the exemption is needed, and if surrounding property owners are unfairly picking up the tax burden.

"That's become increasingly acute given the fact that the city of St. Paul has ... real loss of ground in LGA," he said, referring to state-allocated Local Government Aid.

Sen. Sandy Pappas (DFL-St. Paul) sponsors the companion bill, SF3731, which has been laid over for possible inclusion in an omnibus tax bill.

— C. BLANCHARD

### JOBZ — mistake or just misused?

The state's JOBZ program is anything but a black-and-white issue. While some are calling for its repeal, others can't seem to agree on how to fix it.

Launched in 2004, the program is the brainchild of Gov. Tim Pawlenty. It was intended to create jobs in rural Minnesota, and about 300 businesses have signed on to receive more than \$45 million in tax breaks statewide.

The nonpartisan Office of the Legislative Auditor released its report on the program in February, and explained it to the House Taxes Committee on March 31.

In a nutshell, findings are that the program is misused, and in some cases doesn't work at all, but if corrected, it could spur job creation in the state.

After public officials and the business community weighed in, the end conclusion wasn't so clear.

"JOBZ was supposed to create jobs, and it's really not doing that," said Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington).

She advocates eliminating the program altogether and sponsors a bill, HF4103, that would substitute JOBZ for grants allocated to businesses that are currently receiving the tax credits, but they would need to prove eligibility. The bill was discussed at the March 19 meeting and public testimony is expected at a later meeting. There is no Senate companion.

"A business expansion that creates five jobs in a little town like Lancaster, Minn. ... is a benefit to the community and may not have a large cost to the program," said Dan McElroy, commissioner of the Department of Employment and Economic Development. He argued to keep the program, but didn't agree with all of the auditor's recommendations, like placing a cap on the number of subsidies.

Tom Hesse, vice-president of government

### CLOSE-UP VIEW



PHOTO BY ANDREW VONBANK

**Emily Thissen, lower left, daughter of Rep. Paul Thissen, and her friend, Giselle Durand, view a television monitor under the speaker's rostrum during a March 31 floor debate in the House Chamber.**

affairs for the Minnesota Chamber of Commerce, said the chamber hasn't taken up a position either way.

"What we hear when traveling around the state ... many local chambers of commerce think it's an important tool to use," he said. "As you might expect, we have some members on the other side of the issue as well."

— C. BLANCHARD

### TRANSPORTATION

#### Temporary permit display expansion

A bill to help a state entity more efficiently administer a temporary license plate program received overwhelming House support.

Sponsored by Rep. Connie Ruth (R-Owatonna), HF3089 would allow the Driver and Vehicle Services Division of the Public Safety Department to issue a 60-day permit for certain vehicles when initially registered.

"Currently if you order a special plate, you would have to get a regular plate while the special plate is being produced," Pat McCormack, the division director, previously told the House Transportation Finance Division. "So we're

using that plate for a very short time — maybe three to four weeks — and then we have to make sure we get the plate back and dispose of it properly. With the cost of aluminum, at this point, and with the process of moving toward a flat plate program, we believe that this initiative will help to streamline our plate administration program."

Under the bill, when a dealer initially files title and registration paperwork with a deputy registrar or DVS staff, the license holder could receive a 60-day permit. Dealers would not be able to issue the special 60-day permit, so as not to confuse an owner with a 21-day permit new vehicle owners receive stating the plate has been applied for.

Approved 130-0 March 31, the bill now goes to the Senate, where Sen. John Doll (DFL-Burnsville) is the sponsor.

McCormack said that once flat plate production begins, she believes owners of specialized plates will easily get the plates within 60 days and probably closer to three weeks.

— M. COOK



### Celebrating with the other side

Included in the omnibus budget-balancing bill, HF1812, is a provision allowing on-sale licensees in cities within 10 miles of the Xcel Energy Center to serve alcohol until 4 a.m. in conjunction with this year's Republican National Convention.

During the March 27 House Finance Committee meeting, Rep. Ann Lenczewski (DFL-Bloomington) wanted to ensure that her community would be included because many delegates are expected to stay in the city, which is close to the 10-mile line.

After Rep. Paul Thissen (DFL-Mpls) suggested making the limit 15 miles, Rep. Tom Rukavina (DFL-Virginia) blurted out, "... let's make it 200."

Once the laughter subsided slightly, he added, "We'll all celebrate the Republicans!"

### Consider a donation

As a loyal reader of Session Weekly, please consider giving a voluntary donation of \$20 to help defray the publication and mailing costs of bringing you this award-winning news magazine. You can be assured that your donation will go directly to support the magazine. Mail your check, made payable to Minnesota House of Representatives, to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298



# A picture says a thousand words

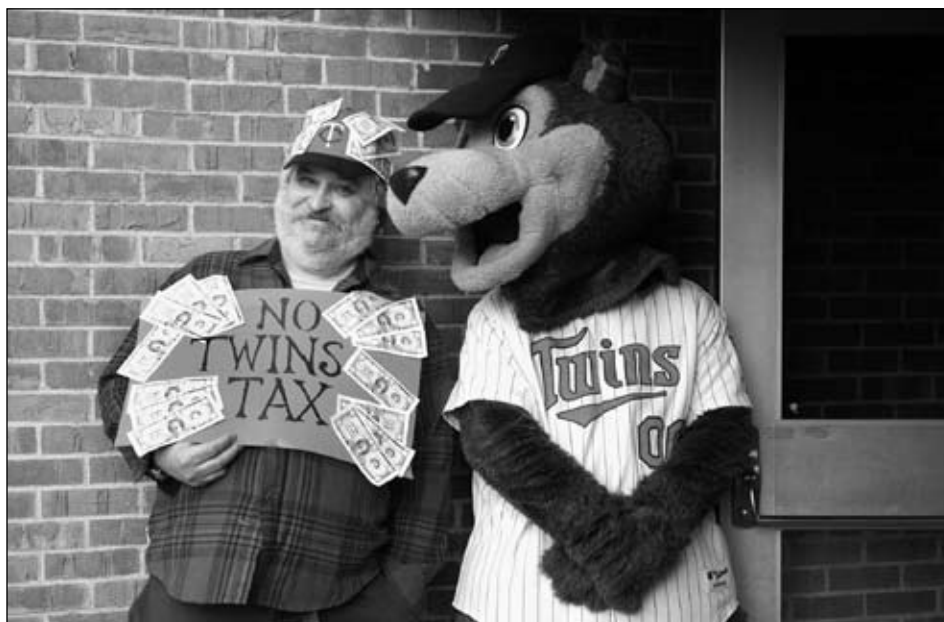
House photographer's archive track events at the State Capitol

**S**ession Weekly, the nonpartisan news magazine of the Minnesota House of Representatives, celebrates 25 years.

Created in 1984, the magazine educates and encourages the public to participate in the legislative process. In the early issues, there were no photos on the pages of Session Weekly. But since 1988, images captured by House photographers have added a visual dimension to the magazine, and, to this day, contribute to its popularity.

These photos not only give us a look at some historical events, but visually capture issues affecting the people of Minnesota.

**1986 — Pat Christianson, front, who farmed with her husband near Elbow Lake, was among about 2,500 people that rallied at the Capitol for legislation to help indebted farmers.**



**2006 — Dave Garland, left, holds his sign as Twins mascot, T.C., holds the door open at Oak Grove Middle School in Bloomington to welcome people to a House Taxes Committee hearing on a proposed new ballpark for the team.**



**2005 — Members of the Welfare Rights Committee of the Capitol Rotunda, while sixth graders lay on the floor to get a better view of the**



Committee drape their protest sign from the second floor of the dome during an April 29 Capitol tour.



2001 — The Dalai Lama addresses a joint session of the Legislature May 9. House Speaker Steve Sviggum, top, listens to the address.



1988 — Rep. Wayne Simoneau put a bag over his head to show his lack of enthusiasm for the environmental trust fund during a hearing of the House Rules Committee. He did vote yes, but thought a portion of state lottery proceeds should go to education.



1991 — As he makes his way through a tax fairness rally outside the front doors of the Capitol, Rep. Jim Rice passes out dimes similar to what John D. Rockefeller once did to the poor. His sign read: "The Reincarnation of John D. Rockefeller."

**Photos by Tom Olmscheid**

# Capital investment bill showdown

Proponents say it's about jobs; critics call it breaking the bank

By LEE ANN SCHUTZ

**A** \$1.09 billion capital investment bill is in the hands of the governor. Proponents call it a jobs bill to help an ailing economy. Critics call it veto-bait because it is about \$100 million higher than the governor's proposal, and does not adhere to a marker traditionally used to establish a bond spending limit.

HF380 lays out funding for higher education projects, transit corridors, parks and trails, new public safety facilities, hockey rinks and grants for local projects, such as wastewater treatment plants and flood mitigation measures.

Coming in at \$925 million in general obligation bond spending, the bill reflects a compromise between the House and Senate. Sponsored by Rep. Alice Hausman (DFL-St. Paul) and Sen. Keith Langseth (DFL-Glyndon), the bill was passed 90-42 by the House April 2, and 57-10 by the Senate later that day.

"We are passing a jobs bill for jobs for tomorrow," said House Majority Leader Tony Sertich (DFL-Chisholm), "The bill is balanced to every corner of Minnesota. Now we are looking for the governor to join us. This bill maintains

our guidelines for fiscal responsibility."

"We have to take the high road today," countered House Minority Leader Marty Seifert (R-Marshall).

He said that Hausman gave assurances when the original bill was passed on the House floor that the final product would not be above the \$825 million mark. He called the bill irresponsible because it comes in above the "state's credit limit" and is full of "pork projects." It is a reflection of the Senate, he said. "They rolled us again. ... Stop the nonsense and send a message to the other body that we meant it when we said we would not break the debt limit."

"This bill is fiscally irresponsible and has misguided priorities," Pawlenty said

after reviewing the April 1 conference committee report. "Their inability to say 'no' led to a seriously bloated laundry list. We'll be carefully reviewing it and considering our options over the coming days." The governor received the bill April 3, and has three days to act. He could veto the entire bill or line-item out provisions he does not support.

### Calculating debt

Since about 1979, 3 percent of General Fund spending has been the target for general obligation bond spending. And the governor has said that a bill beyond that threshold would not make it past his veto pen.

Depending on how the numbers are calculated, there is dispute whether this bill exceeds that mark, an indicator questioned by House and Senate DFLers. Some advocate for one used by several states that is based off a percent of personal income. They also say that the sale of bonds can be staged in such a way that spending will not exceed 3 percent in any given year.

To assure the governor of legislative intent, a provision is included in the bill that affirms



PHOTO BY TOM OLMSCHEID

Rep. Alice Hausman, standing left, answers a question April 2 about a portion of the Capital Investment Conference Committee report.





PHOTO BY SARAH STACKE

**A miniature toy gorilla sits on the desk of House Minority Leader Marty Seifert, symbolizing a component of the capital investment bill that has been a target of his criticism. Included in the bill is \$11 million that, in part, would improve the gorilla living quarters at the Como Zoo in St. Paul.**

### Capital Investment continued from page 16

the use of Department of Finance guidelines in calculating the debt service limits.

### What's in, what's out

Nearly half the conference committee agreement, \$412 million, would be allocated to projects at the University of Minnesota and the Minnesota State Colleges and Universities system.

While the governor had asked for \$40 million to acquire land for a new Lake Vermilion State Park, he comes up empty-handed, largely because negotiations with U.S. Steel continue for the northern Minnesota land with no agreed upon price, said Hausman.

The governor's request for nearly \$34 million to fund renovations to the Minneapolis Veterans Home is also absent. Hausman explained that there will most likely be a separate proposal this year to reevaluate how veterans needing long-term care are housed in the state. "Some

think that we should be turning to local nursing homes, so they can remain closer to home."

A proposal to fund biomedical science research facilities at the University of Minnesota would not receive direct funding from the state's bonding capabilities. Instead, the bill calls for the university to use its own bonding authority to fund the project, with the state providing an appropriation for up to 25 years or not more than \$219 million from the General Fund to pay the debt service.

Rep. Loren Solberg (DFL-Grand Rapids) said this is similar to the mechanism used to fund the new university stadium.

The bill lays out a complex transit system that, when complete, would connect the state's regional centers, Hausman said. "For the first time, we are saying we are not doing a line-by-line, but a complete system." Funding is also provided for study of a high-speed train from St. Paul to Chicago.

A proposal for \$11 million to fund gorilla and polar bear exhibits at the Como Zoo is

included in the bill. This once again raised the ire of House Republicans, citing it as an example of misplaced priorities.

"We have veterans who go to war and we don't have money for the veterans home, but we have money for the gorillas," Seifert said.

Also included in the bill is money for several hockey arenas and community and sports centers across the state, including \$38 million for a new arena in the Duluth, a project that was in last year's vetoed capital investment bill, and has the support of the governor.

Whatever the outcome of the bill, Hausman is committed to getting a bonding bill passed this year, unlike last year's vetoed bill, which she sponsored. She said there are three other bill options waiting in the wings. "I won't let a day go by without progress toward a bonding bill to put people to work," she said.

### Quick-start comes to quick-stall

The bill got off to a quick start when it was passed by the House and Senate on March 6, less than a month after the start of session, with the House, Senate and governor proposing about \$965 million in general obligation bonding.

But things changed after the dismal February economic forecast was digested, forecasting a projected biennial deficit of nearly \$1 billion. Using the 3 percent cap as a guide, the governor asked that the bill not exceed \$825 million in general obligation bonds. While Hausman said she was open to a lower number, Langseth dug in his heels. "This is the time to have a large bonding bill — to get people back to work," he said.

After several weeks of closed door negotiations, the Capital Investment Conference Committee met on April 1 and came to agreement. But coming in \$100 million higher than the governor's recommendation, and missing at least two of his key projects, opens speculation that the bill won't sit long on his desk. 🐼

### Frequently called numbers

Area code 651

#### House Public Information Services

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

#### Committee Schedule Hotline

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

#### Chief Clerk of the House

211 Capitol .....296-2314

#### House Index

211 Capitol .....296-6646

#### Senate Information

231 Capitol .....296-0504

#### Secretary of the Senate

231 Capitol .....296-2344

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

#### Senate Index

110 Capitol .....296-2887

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

# Cap and trade conundrum

In order to move forward on climate change, Minnesota will have to wait

By NICK BUSSE

**W**hen the Legislature enacted a law last year committing Minnesota to an 80 percent reduction in its greenhouse gas emissions by 2050, it sealed the debate on global warming — sort of.

Many Republican lawmakers still voice skepticism about whether manmade climate change is real, but with Gov. Tim Pawlenty calling for aggressive climate change mitigation policies, and with the DFL-controlled Legislature more than happy to oblige him, the state is rapidly moving down the path of a greener energy economy.

Well, sort of.

Although steady progress is being made on a variety of legislation to address climate change, the one that would make the biggest impact remains elusive: a cap-and-trade system for greenhouse gasses.

In a cap-and-trade system, a strict limit is placed on the emission of certain pollutants. Emitters are then issued pollution “allowances” that they can buy, sell and trade with one

another. The idea is to create a clear financial incentive to reduce pollution while still providing polluters with a degree of economic flexibility. Such a system was successfully used by the federal government to reduce acid rain in the 1990s, and many believe it’s the ideal solution to global warming as well.

The problem is that if Minnesota goes it alone, it could put the state at an economic disadvantage with the rest of the country.

That being the case, Pawlenty has committed the state to negotiations for a regional cap-and-trade system; however, there’s no guarantee the talks will bear out a viable solution, and some lawmakers think the Legislature should have a larger role in the process.

HF3195, sponsored by Rep. Kate Knuth (DFL-New Brighton), is intended to achieve that purpose. Also known as the “Green Solutions

Act,” it would initiate a pair of studies and lay out some general principles that any cap-and-trade system should include. The bill awaits action by the House Finance Committee.

In its original form, the bill would have established a statewide cap-and-trade program, but Knuth has since pared it down so that it only lays the groundwork for the regional system.

“I think that people pretty much get that a statewide cap-and-trade system is too small,” Knuth said.

The results of the regional negotiations are expected later this fall. Edward Garvey, director of the Office of Energy Security and the self-described “point person” for the governor on climate change issues, has asked the Legislature not to take any action on cap-and-trade this year, arguing that it could adversely impact the negotiations. Knuth dismisses that claim.

“I actually think it could strengthen (the governor’s) hand in terms of, ‘This is a statement of my Legislature,’” Knuth said.

## Many still skeptical

Regardless what happens to Knuth’s bill, it’s clear that, for now, progress on cap-and-trade is largely beyond the Legislature’s control.

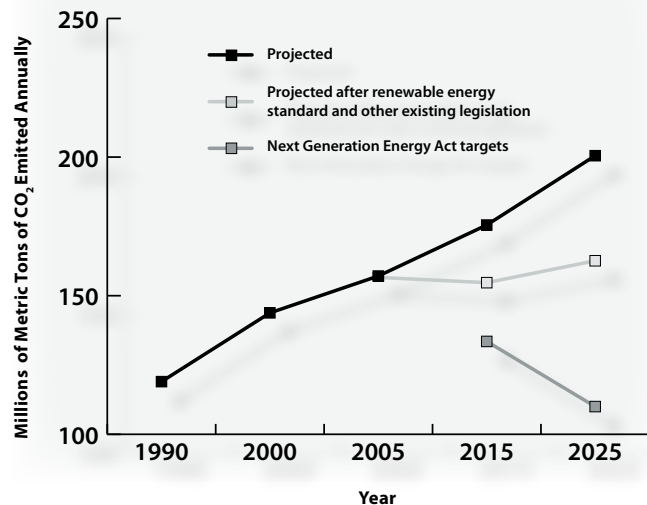
That’s just fine with Rep. Mike Beard (R-Shakopee), to whom the argument over whether a regional cap-and-trade system is better than a statewide one misses the point entirely.

“My truck isn’t with the concept of cap and trade. It’s ‘why are we doing it?’” Beard said.

Beard and many of his Republican colleagues remain skeptical of the science behind climate change. To a large extent, they see the issue as a red herring — an excuse to experiment with Soviet-style massive government intervention.

“I always wondered where did all those state central planners go that used to do all these marvelous five year plans and great leaps forward that I always used to hear about when

## Greenhouse Gas Emissions in Minnesota



Source: Minnesota Climate Change Advisory Group Draft Final Report

Cap and trade continued on page 19

# The land trust model

A new way to help homeowners and their neighborhoods

By PATTY OSTBERG

**I**n 2006 the Twin Cities metropolitan area experienced about 11,000 sheriff's sales of homes. When figures are released for 2007, that number is projected to more than double, according to HousingLink, a Minneapolis-based nonprofit that provides information on affordable housing. In Greater Minnesota, between 2005 and 2007, about 15,000 families are projected to have lost their homes, HousingLink reports.

With the number of foreclosures growing, there is a suggestion to address the problem with the use of land trusts. Rep. Karen Clark (DFL-Mpls) introduced land trust legislation as part of the current capital investment bill.

In HF380, sponsored by Rep. Alice Hausman (DFL-St. Paul), the Minnesota Housing Finance Agency would be required to bring together people involved in community land trusts, providers of mortgage foreclosure prevention services, bankers, individuals who have experienced mortgage foreclosure, legal aid attorneys and a representative of the property tax division of the Department of Revenue to discuss several topics, including:

- the use of 501(c)(3) bonds as a means to prevent residential mortgage foreclosures and to address the effects of widespread residential mortgage foreclosures;
- means to make the Community Activity Set-Aside program more accessible to neighborhood land trusts; and
- alternative tax classifications for neighborhood land trust properties to make more equitable taxation of properties and

provide incentives for land trust utilization.

A report would be due to the Legislature by Jan. 1, 2009.

"Whole communities are being devastated by the kind of foreclosures that have already happened or are coming," Clark said in a Feb. 19 meeting of the House Housing Policy and Finance and Public Health Finance Division.

Jeff Washburne, City of Lakes Community Land Trust director, said land trusts are a way to bring communities together and keep homes affordable beyond the first sale to subsequent home buyers.

They work in this way: say an individual is buying at home at the cost of \$200,000. The land trust would supply a down payment, in the form of a grant, of \$50,000. The homeowner then receives a loan for \$150,000.

If the homeowner wants to sell the property, the front-end investment of \$50,000 stays with the house. The seller receives 25 percent of any increase in value based on the difference between the purchase appraisal and the appraisal when it's sold. The remaining

75 percent would be added to the initial \$50,000 and is passed onto the next household.

Along with helping clients get into affordable housing, equally important is working with homeowners to break the cycle of foreclosures in low-income areas, Washburne said. The land trust offers ongoing homeowner education, community participation, and finance reassessment. The land trust is one of nine in the state and has been operating for about 10 years.

"We create ownership opportunities that otherwise wouldn't be created or be provided to low- or moderate-income houses," he said. Last year in Hennepin County, there were more than 700 foreclosures. These land trusts bring those assets back into the community, he said.

Chip Halbach, executive director for Minnesota Housing Partnership, said because of the cutbacks in federal funding for public housing units, land trusts are becoming even more viable. "The best way to stop long-term homelessness is to keep people in housing," he said.

The crisis is a pressing statewide issue, Halbach said. It affects the neighborhoods, communities and the state. "We believe the community land trust model is one of the solutions that would be particularly valuable in those impacted communities," he said.

The City of Minneapolis recently calculated that it would cost to up to \$200,000 to turn a trashed-out vacant home back to the marketplace. Of that \$200,000, as much as \$75,000 needs to be subsidy. That's a large investment of public dollars, Halbach said.

It begs the question: how do you best distribute monies so the value of investment can be maintained for future home buyers? "The land trust model is one way and a good way to that," Halbach said, adding, "The pulling together of the working group is going to be a very important contribution to the overall approach to deal with the foreclosures."

**A summary of sheriff's sales for 2005-2007**

Region	2005 Sheriff's Sales	2006 Sheriff's Sales	Percent Change '05-'06	2007 Sheriff's Sales (Projected)*	Percent Change '06-'07 (Projected)
7-County Metro	3,759	7,039	87%	12,885	83%
Greater Minn.	2,707	4,168	54%	7,688	84%
Minnesota	6,466	11,207	73%	20,573	84%

Source: HousingLink

\* 2007 projected numbers are based on 2007 Q1-Q3 actual sheriff's sale counts



# Bipartisan focus on foreclosures

House moves on to help with mortgage foreclosure crisis

By CRAIG GREEN

**A**t the end of last session, a bill sponsored by Rep. Joe Mullery (DFL-Mpls) cracking down on predatory lending was signed into law. It provides restrictions on “special mortgages,” prohibits various fees and provides borrowers with a private cause of action against mortgage lenders who violate certain laws.

The law was ahead of the country in many respects, according to a University of Minnesota report. Mullery believed that more needed to be done, and during the summer, he convened a group to look into laying out plans to aggressively deal with issues related to people facing foreclosure.

This group included DFL and Republican legislators, representatives from Legal Aid, Hennepin and Anoka counties, the City of St. Paul, HousingLink, Minnesota Bankers Association, Office of the Attorney General and the housing advocacy group Minnesota ACORN.

From this, five working groups emerged: the Renter Working Group; the Remedies Working Group; the Foreclosure Data Group; the Foreclosure Prevention Working Group; and the Vacancies Working Group.

Through this process, Mullery wanted to draft a series of bills that could be passed and survive a veto from the governor. At this point, it seems to be working out.

By April 1, at least 18 bills were drafted, and to date, seven bills dealing with mortgage foreclosure issues had passed the House with overwhelming support. At least two additional bills, including the Minnesota Subprime Foreclosure Deferment Act, are waiting to be heard on the House floor.

“People are hurting, neighborhoods are declining, our economy is wavering and the credit market is collapsing under the weight of this foreclosure crisis. These bills expand the options and resources available to homeowners to help Minnesotans avoid foreclosure,” Mullery said.

## The main concerns

Of the issues raised, early intervention surfaced as the top concern. “The biggest way to help most people is to get them counseling,” Mullery said. If some type of support is not provided in that first 60 to 90 days, the situation often cannot be saved, he said.

HF3475/SF2912\*, sponsored by Mullery and Sen. Linda Scheid (DFL-Brooklyn Park), would require lenders to notify foreclosure protection agencies when a borrower has been issued a default notice. The bill also provides

the borrower with a “preforeclosure notice” alerting them to why they are getting a notice and what services are available. Passed 51-1 by the Senate March 5, the bill now awaits action by the full House.

Renters are sometimes caught in the middle of the foreclosure process, specifically when the property they are renting goes into foreclosure and no one tells them. Out of the discussions of the Renters Working Group came two bills.

HF3517/SF2910\*, sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), expunges an eviction from a tenant’s record if the tenant vacates the premises before commencement of eviction, or was not given proper notice. It was passed 129-0 by the House April 1 and 49-0 by the Senate March 5.

Meanwhile, HF3428/SF2909\*, sponsored by Rep. Bob Gunther (R-Fairmont) and Sen. Rick Olseen (DFL-Harris), would allow for a

**Foreclosures continued on next page**



PHOTO BY TOM OLMSCHEID

**Like this home in Northeast Minneapolis, houses in foreclosure are subject to vandalism and contribute to the deterioration of neighborhoods.**

## Other foreclosure bills moving through the Legislature

Mortgage foreclosure bills	Sponsors	Status
HF3346*/SF3073	Rep. Jim Davnie (DFL-Mpls) Sen. Linda Higgins (DFL-Mpls)	Passed by House; awaits action by the Senate Finance Committee.
HF3428/SF2909*	Rep. Bob Gunther (R-Fairmont) Sen. Rick Olseen (DFL-Harris)	Passed by House and Senate. Senate did not concur with a House amendment. Conference committee requested.
HF3474/SF2918*	Rep. Debra Hilstrom (DFL-Brooklyn Center) Sen. Linda Higgins (DFL-Mpls)	Awaits the governor's signature.
HF3475/SF2912*	Rep. Joe Mullery (DFL-Mpls) Sen. Linda Scheid (DFL-Brooklyn Park)	Passed by Senate; awaits action on the House floor.
HF3476/SF2908*	Rep. Paul Kohls (R-Victoria) Sen. Linda Higgins (DFL-Mpls)	Awaits the governor's signature.
HF3477*/SF2917	Rep. Paul Gardner (DFL-Shoreview) Sen. John Marty (DFL-Roseville)	Passed by House; awaits action by the full Senate.
HF3478/SF2915*	Rep. Neil W. Peterson (R-Bloomington) Sen. Mee Moua (DFL-Mpls)	Passed by Senate; awaits action on the House floor.
HF3516*/SF2914	Rep. Jim Davnie (DFL-Mpls) Sen. Ann Rest (DFL-New Hope)	Passed by House; awaits action by the full Senate.
HF3517/SF2910*	Rep. Jim Davnie (DFL-Mpls) Sen. Linda Higgins (DFL-Mpls)	Awaits the governor's signature.
HF3612/SF3396	Rep. Jim Davnie (DFL-Mpls) Sen. Ellen Anderson (DFL-St. Paul)	Each awaits action on the respective floor.

tenant to pay a utility bill to keep service on when a landlord fails to pay a bill. It was passed 129-0 by the House April 1 and 63-0 by the Senate March 6.

Both bills await the governor's signature.

### The real numbers

The Foreclosure Data Group discovered that it's difficult to find accurate data on properties in foreclosures. The group recommended two courses of action.

First, additional data should be provided on sales notices, including the complete address of the property, the name of the lender, whether or not the property is privately owned or owned by an investor, and whether or not the property is registered with the Mortgage Electronic Registration Systems.

The group further recommended that a study take place to develop a statewide foreclosure data collection and reporting system.

These two recommendations make up HF3516\*/SF2914, sponsored by Davnie and Sen. Ann Rest (DFL-New Hope). Passed 129-0 by the House April 1, it now awaits action by the full Senate.

### Addressing civil rights

North Minneapolis has been devastated by the foreclosure crisis. Mullery, who represents this area, knows that in some instances, people were given subprime loans that should not have received them. But there were also others who were clearly taken advantage of.

According to Mullery, 60 percent of the

blacks who were in the subprime loans were eligible for prime rate loans, which could have saved them thousands of dollars. This type of discrimination, Mullery said, is inexcusable.

HF3478/SF2915\* would raise the cap for punitive damages under the Minnesota Human Rights Act for fair housing from \$8,500 to \$25,000. Sponsored by Rep. Neil W. Peterson (R-Bloomington) and Sen. Mee Moua (DFL-St. Paul), the bill would allow authorities to prosecute mortgage fraud by charging them with other offenses and higher prison terms. The bill passed the Senate 57-4 March 31 and awaits action by the full House.



### Cap and trade continued from page 16

I was in high school," Beard said half-jokingly. "I think those people have all gone into the environmental movement."

The partisan divide over global warming is well-known; however, this year a new element has been injected into the debate. In a series of information hearings, members of the House Energy Finance and Policy Division heard testimony from analysts who said that global oil production is peaking, and that reserves of petroleum, coal and even natural gas should begin to dwindle over the next few decades.

This phenomenon, known as peak oil, presents an entirely different set of challenges to policymakers. But it also begs the question: if we're running out of fossil fuels, do we really need to worry about reducing our emissions? Beard says no.

"If we continue on the pace we're on, we're going to outstrip our supply ... so the problem — if you think CO<sub>2</sub> is a problem — is going to fix itself anyhow in the next 20 years," he said.

Knuth sees it differently. She said many of the solutions to peak oil — like planning

communities that don't depend so heavily on gas-powered transportation and producing more food and products locally — are also solutions to global warming.

"I think it's a distraction to say, 'Peak oil will solve global warming.' I think we need to be planning for both," she said.

A companion to Knuth's bill, SF2818, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.



# Looking for better balance

After 12 years, Tingelstad to focus on family

BY COURTNEY BLANCHARD

**R**ep. Kathy Tingelstad (R-Andover) has a way of standing out at the Capitol.

In a hurried environment with a lot of fast-talking political rhetoricians, Tingelstad always takes a moment to think before she speaks, and what she says is clear, meaningful and sincere.

More than 20 years ago, Tingelstad climbed the Capitol steps on a mission to improve the adoption process in Minnesota. She was surprised that, as a volunteer, she helped eliminate the requirement for adoptions to go through an agency, thereby allowing independent adoptions.

"So when I saw how that was done, I thought, 'Well, I'd like to be here as a legislator to be able to work on those issues,'" she said.

One of her proudest moments was the passage of \$100 million in bonding for the

Northstar Commuter Rail project in 2005, "Because it took so many years to get it passed," she said.

Tingelstad still remembers one of her first bills, which impacted at least one person. After a sheriff deputy ticketed a Ramsey man for operating a snow plow with too wide of a blade, the frustrated plower asked her to change the law.

"It was like a one-word change in the law ... but for him it was a huge deal," she said. "After we changed the law, I sent him an actual

copy signed by the governor, and he put that in his glove compartment. And a week later, the Sheriff pulled him over and was going to give him another citation. He says, 'No, there's a new law and I helped to change it!'"

Few things have changed since Tingelstad passed that law, but new technology has sped up the turnaround on amendments. It's made the entire process faster, and now lawmakers introduce more bills compared to 10 years ago.

"Sometimes I'm totally amazed how quickly the Revisor's office can do things with so many bills and so many amendments," she said. "We're probably overworking our staff!"

Since being elected, Tingelstad discovered a passion for environmental issues. During her first year, she was stuck on the environmental committee "because they needed a Republican woman from the suburbs," she said. It became one of her favorite committees.

"This job is truly public service, you're here for your leadership skills, but you have to be able to use the skills in any policy area," she said.

Tingelstad is often described as a moderate, and some would say that the Legislature is losing those kinds of members on both sides.

Delegates delayed Tingelstad's endorsement for reelection this year after she joined five other Republicans to override the governor's veto of the transportation bill. She also lost her position as lead Republican on the House Capital Investment Finance Division.

"I absolutely would vote the same way," she said.

The delayed endorsement just made the decision to step down easier, she said. After 12 years in the House, it's time to move on and find a job that allows her to support her sons through college, she said.

"In the summer, I'm looking forward to not having to door-knock," Tingelstad said.



PHOTO BY SARAH STACKE

Rep. Kathy Tingelstad joins her son, Karl, center, who gets to try the gavel of former House Speaker Steve Sviggum, left. Karl served in the High School Page Program in 2006.

## STEPPING DOWN

Rep. Kathy Tingelstad  
Republican  
District: 49B — Andover  
Terms: 6 (elected 1996)  
Advice to successor: "It's important to keep good balance in your life. Keep time for family and other things."



# Come to the Capitol

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

## Directions

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

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

## Parking

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

Capitol Security personnel will issue tickets for expired meters.

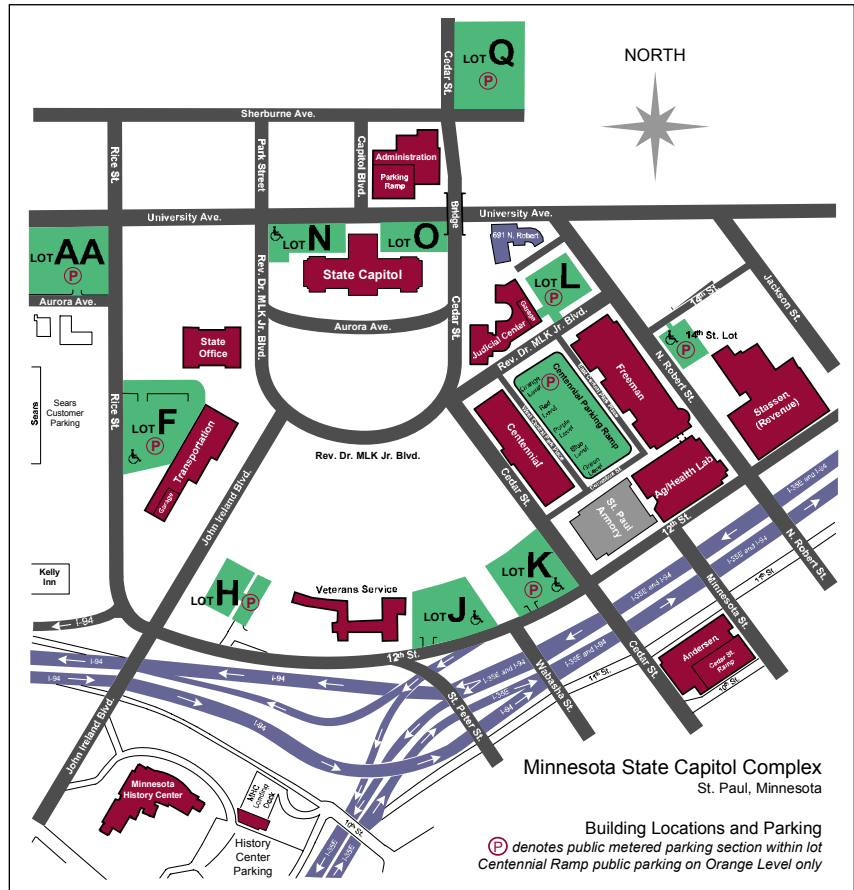
All-day parking permits are available from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted. For more information, call 651-201-2307.

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

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

## Visiting the Legislature

During session, all House and Senate floor sessions are open to the public. No pass is required for spectators to sit in the galleries of either chamber. The House usually meets at 12:30 p.m. Monday and 10 a.m. Thursday, and the Senate generally meets at 11 a.m. Monday and Thursday during the first few weeks of session. As the session nears the end, however, both bodies may meet several times a week, often into the night.



Edited map courtesy Minnesota Department of Administration, Plant Management Division

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

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

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

Sometimes groups plan a "legislative day" at the Capitol. For information on reserving a room for group conferences, call the State Office Building room scheduler at 651-296-4279 or the Capitol room scheduler at 651-296-0866.

## Tours

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

Tour guides lead the 45-minute tours on the hour Monday through Friday between 9 a.m.

and 4 p.m. (last tour leaves at 3 p.m.); Saturday between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sunday between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol information desk. Brochures in about 20 foreign languages also are available there.

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

The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. A special events guide is available upon request.

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

## Dining

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

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

## From beginning to end

Tracking bills is just a mouse click away

**W**hether you follow a number of bills or just a few, you don't have to physically be at the Capitol to track legislation. Through the Legislature's Web site ([www.leg.mn](http://www.leg.mn)), there are several ways to follow a bill from your computer.

### Personalized tracking

The MyBills service allows a user to personalize bill tracking for current legislation, and be notified by e-mail of the bill's movement through the process.

Beginning at the Legislature's main page, click "Bill Search, Status and MyBills." Once on the bill search page, look for the "MyBills" tag located along the left sidebar. This will take you to the "MyBills" subscription page. Once there, just follow the instructions, which includes establishing a username and password. Once that is established you can:

- Receive an RSS feed of bills in your account;
- Add House and Senate bills to your list by bill number, subject or author;
- View the legislative status of your bills, with items with significant current action highlighted;
- Modify your list at any time; and
- Receive daily updates.

### Bills, bills and more bills

Information about any bill that has been introduced since 1993 is accessible through the Web.

Begin at [www.leg.mn](http://www.leg.mn) and click on "Bill Search, Status and MyBills." This will take you to a page where you can enter a House or Senate file number, which is used to identify a bill in the House or Senate, the name of the chief sponsor in either body, a committee of origin topic, or a keyword description.

Once the search criteria is entered, the "bill status summary" page gives a short version of what the bill is about, and provides links to the status, full text or summary of a bill from the nonpartisan House Research Department. The status area shows the process of a bill from its introduction, through the committee and floor process to gubernatorial action.

### Tools to help with your search

You don't have to know a bill's number or even the chief sponsor to find information on legislation you are interested in.

There are several features on the Legislature's Web site to help you determine a bill's number, and sponsors in both the House and the Senate.

### Information by phone

For those who do not have access to a computer, bill information is just a phone call away. Contact the House Index Department at 651-296-6646. Also, if you're looking for information on the Internet, and you're not sure where to find it, contact House Public Information Services at 651-296-2146 or 800-657-3550.

On the main bill tracking search page, there is a section at the top for House and Senate bills. Choose either link and you will be directed to an Internet form providing a number of options.

If you are unsure about the best way to proceed, click the Help button and be directed to the Examples and Explanations page. The page features an explanation of how to search for bills that have been passed or are still in the legislative process.

Near the top of the main bill status page are four links to four different searches.

- **House Topic Search:** this search allows you to find bills according to the major topic area that it falls into. In some cases, a bill deals with several topics, and the topic you are interested in will be a part of another larger bill.
- **House Author Search:** this option allows you to see all the bills a particular member has sponsored. It is handy when you know a certain representative has sponsored a bill, but you're not sure of its number or status.
- **House Committee Search:** sometimes all you might know about a bill is that a particular House committee is hearing the bill. This search option allows you to see all the bills initially referred to a committee.
- **House Action Search:** this link offers dozens of possible status actions for bills in the House. This may also be handy if you are trying to determine whether a committee has reported on a certain bill or if you think a bill was acted upon on a certain day, but you're not sure of any other information.



**The MyBills service allows a user to personalize bill tracking for current legislation, and be notified by e-mail of the bill's movement through the process.**

## Monday, March 31

### HF4134-Hamilton (R)

#### Health & Human Services

Cottonwood County; intermediate care facility relocation provided.

### HF4135-Otremba (DFL)

#### Agriculture, Rural Economies & Veterans Affairs

Congress memorialized to acknowledge that Agent Orange can cause Parkinson's disease and to require the U.S. Department of Veterans Affairs to offer assistance to military members who have acquired Parkinson's disease through exposure to Agent Orange.

### HF4136-Olin (DFL)

#### Taxes

State-paid property tax credit provided for property in bovine tuberculosis management zones.

### HF4137-Clark (DFL)

#### Public Safety & Civil Justice

Petty misdemeanor offense established for damaging property with graffiti, liability establishment addressed and local approval required.

### HF4138-Olson (IR)

#### Taxes

Individual income tax rate reduced to offset state transportation tax increases.

### HF4139-Olson (IR)

#### Taxes

Nonrefundable individual income tax credit for certain home sales allowed.

### HF4140-Greiling (DFL)

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

Voter permitted to show on the ballot an intent not to vote for any candidate for an office.

### HF4141-Olin (DFL)

#### Taxes

State paid property tax credit provided for property in bovine tuberculosis management zones.

### HF4142-Berns (R)

#### Taxes

Local government aid distribution modified.

### HF4143-Thissen (DFL)

#### Finance

Health and safety revenue modified to include elevator repair costs.

### HF4144-Heidgerken (R)

#### Health & Human Services

Outdoor smoking shelters allowed.

### HF4145-Bigham (DFL)

#### Taxes

Film investment credit provided, and motion picture productions exempted from sales tax.

### HF4146-Marquart (DFL)

#### Taxes

Imposition of new local sales taxes prohibited.

### HF4147-Loeffler (DFL)

#### Taxes

County program aid appropriation increased.

## Tuesday, April 1

### HF4148-Dill (DFL)

#### Commerce & Labor

Grand Marais; on-sale liquor license authorized.

### HF4149-Dill (DFL)

#### Taxes

Two Harbors; local sales tax revenue use expanded.

### HF4150-Dill (DFL)

#### Taxes

Property tax exemption provided for certain leased lands, personal property definition modified and tax-exempt property held under a lease clarified.

### HF4151-Hoppe (R)

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

Teachers Retirement Association service credit purchase authorized.

### HF4152-Olson (IR)

#### Environment & Natural Resources

Water quality and lake restoration grant program provided, report required.

### HF4153-Olson (IR)

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

Public Employees Retirement Association police and fire fund; joint and survivor annuity authorized for a surviving spouse of a deceased retiree who elected a straight life annuity.

### HF4154-Paulsen (R)

#### Health & Human Services

Minnesota residents permitted to buy health coverage approved in other states, Physician's Council on Health Care Policy created to analyze health coverage mandates, and tax credit provided for persons without access to employer-based coverage.

### HF4155-Loeffler (DFL)

#### Taxes

Classifications and class rates modified for residential property that is not homesteaded.

### HF4156-Lesch (DFL)

#### Taxes

Ramsey County, St. Paul and Independent School District No. 625; proposed property tax hearing modified.

### HF4157-Faust (DFL)

#### Environment & Natural Resources

Permits to harvest or destroy aquatic plants provisions modified.

## Wednesday, April 2

### HF4158-Dill (DFL)

#### Taxes

St. Louis County authorized to impose a mortgage and deed tax, and environmental response fund created.

### HF4159-McFarlane (R)

#### Taxes

Vadnais Lake Area Management Organization included as a special taxing district.

### HF4160-Koenen (DFL)

#### Taxes

Agricultural property classification definition modified, rural vacant land classification defined and Minnesota agricultural property tax law criteria modified.

### HF4161-Drazkowski (R)

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

English designated as the official language of Minnesota.

### HF4162-Lenczewski (DFL)

#### Taxes

Partnership return and refund claim time filing extended.

### HF4163-Thissen (DFL)

#### Health & Human Services

Health care professionals task force established.

### HF4164-Eken (DFL)

#### Environment & Natural Resources

Wildlife disease management provided.

## Thursday, April 3

### HF4165-Olin (DFL)

#### Finance

Beef price support program created for producers located within a downgraded bovine tuberculosis split state zone.

### HF4166-Olin (DFL)

#### Rules & Legislative Administration

Foster care definition technical correction provided.

To find out who represents  
you at the Capitol . . .  
Call House Public Information  
Services at 651-296-2146  
or 800-657-3550



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

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

## MINNESOTA INDEX

### Tax collections, disbursements

Billions in state and local taxes collected in Fiscal Year 2007 .....	\$23.14
Billions in Fiscal Year 2005 .....	\$20.09
State tax collections, in billions, in Fiscal Year 2007 .....	\$16.96
Billions in Fiscal Year 2005 .....	\$14.89
State sales tax revenue, in billions, in Fiscal Year 2007 .....	\$5.07
Billions in Fiscal Year 2005 .....	\$4.79
For Fiscal Year 2008, cents of each dollar of taxpayer personal income estimated to be paid to state, county, township or school districts for services during the year .....	16.0
Cents paid in Fiscal Year 2006 .....	16.5
Cents paid in Fiscal Year 2003 .....	15.4
Cents paid in Fiscal Year 2000 .....	16.2
For Fiscal Year 2008, percent of all payments Minnesotans will make in taxes, fees and charges that go to the state .....	61
Percent to counties, cities and townships .....	31
Percent to school districts .....	8
Once intergovernmental aids are considered, percent spent by the state .....	33
Percent spent by local governments .....	39
Percent spent by school districts .....	28
Estimated millions in estimated annual sales tax revenue raised beginning in Fiscal Year 2011 if voters approve a constitutional amendment in November to raise the sales tax by three-eighths of 1 percent with the money going for the environment and arts .....	\$276
Percent of the market value of all property in Minnesota that is classified as business property .....	11.6
Percent of property taxes paid by businesses .....	29.9
Per \$100 of market value, amount in property taxes paid by business owners .....	\$3
Amount paid by homeowners .....	\$1
Millions appropriated by the 2007 Legislature to the Revenue Department to beef up tax enforcement .....	\$20.5
Additional revenue, in millions, to be generated by that expenditure .....	\$102.4
Millions spent by the department as of Dec. 31, 2007 .....	\$3.1
Amount collected, in millions .....	\$23.2
For every \$1 spent on expanded tax enforcement, amount generated, as of Dec. 31, 2007 .....	\$7.40

— M. Cook

**Sources:** *Expanded Tax Compliance Initiatives Fiscal Years 2008-2009 Report to the Minnesota Legislature*, Department of Revenue, March 2008; *Price of Government*, Department of Finance, February 2008; *Minnesota Government in Brief*, House Research Department, January 2005 and January 2007; *Minnesota Business Partnership*.

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 25, NUMBER 9 • APRIL 11, 2008

OMNIBUS BILLS: **GARBAGE** OR GOOD LEGISLATION?

VERMILION IN THE BALANCE

A LOT AT STAKE FOR CATTLE RANCHERS

SPEAKING **MANDARIN CHINESE**

HF4167 - HF4188





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Thomas Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



# CONTENTS

## HIGHLIGHTS

Agriculture • 5  
Bonding • 5  
Business • 6  
Crime • 7  
Elections • 7  
Employment • 8

Energy • 8  
Health & Human Services • 9  
Housing • 9  
Local Government • 10  
Safety • 10

Taxes • 10  
Technology • 11  
Transportation • 11  
Notes • 13  
Late Action • 21

## BILL INTRODUCTIONS (HF4167-HF4188) • 21

## FEATURES

**FIRST READING:** The clock is ticking on a proposal for a new state park in northern Minnesota • 3

**AT ISSUE:** Bovine TB problem could define an industry and a community • 14-15

**AT ISSUE:** California 'clean car' emissions bill faces opposition from ethanol, auto industries • 16

**AT ISSUE:** Omnibus bill can be one legislator's junk, another's treasure • 17

**AT ISSUE:** Preparing youth for a world that's flat • 18-19

**AT ISSUE:** JOBZ — some want it scrapped, others expanded • 20

**RESOURCES:** How a Bill Becomes Law • 22-23

**MINNESOTA INDEX:** State parks • 24

On the cover: Shadows abound as a glimmer of sunlight reaches the depths of the Capitol Rotunda.

— Photo by: Andrew VonBank



# Vermilion in the balance

The clock is ticking on a proposal for a new state park in northern Minnesota

By Nick Busse

**W**hen the opportunity arose last summer to turn a 3,000-acre tract of land along the rocky shores of Lake Vermilion into Minnesota's first new state park in 25 years, so much about the idea seemed perfect: a sprawling, undeveloped property located on a major lake in Northeastern Minnesota, accessible via a major highway and abutting an existing park, and all for sale by a single owner.

According to Courtland Nelson, the parks and recreation director for the Department of Natural Resources, it's the kind of once-in-a-lifetime deal that won't come again.

"This is probably the last chance for this kind of an opportunity," he said.

Not only would the park provide guaranteed public access to what Nelson calls a "quintessential Minnesota lake;" it would also rescue a swath of mostly pristine

wilderness from the ongoing real estate rush that's turning northern Minnesota into a patchwork of housing developments.

The opportunity may be short-lived. U.S. Steel, which owns the Lake Vermilion property, wants a deal by July. If one isn't reached, the company will move forward with plans to turn the land into a nest for approximately 150 high-end homes. And despite Gov. Tim Pawlenty's strong support,

the park plans have, so far, run into one roadblock after another.

Negotiations between U.S. Steel and the DNR have failed to settle on a price for the land, and the Legislature, which needs to authorize funding for the project before it adjourns this year, has been stifled by an economic downturn and political conflicts. The fate of the Lake Vermilion State Park hinges on whether lawmakers can come up with enough money and political support to rescue the project before the session's May 19 constitutional adjournment deadline.

## Funding problems

The most immediate problem facing the proposed park is how to fund it. Pawlenty wants to use the Environment and Natural Resources Trust Fund, which derives money from state lottery proceeds. But the Legislative-Citizen Commission on Minnesota Resources, which controls the fund, unanimously rejected the idea.

"We had many hours of thorough discussion on it when it was first proposed," said Rep. Kathy Tingelstad (R-Andover), who co-chairs the commission. "It was pretty overwhelming that we just did not see that it was appropriate."

Tingelstad said she supports the Vermilion park proposal, but would rather not use the trust fund, which is traditionally used for cash projects rather than bonding.

"I think the original proposal ... would've taken about half of our funding for the next 20 years to cover the debt service," she said. "Those are dollars that we look to for research projects and other good work around the state."

The LCCMR's annual funding bill — HF2745/SF2492, sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul) — includes no money for Vermilion. Although it could still change before it gets to the House floor, Tingelstad said it's unlikely.



Photo courtesy of the Minnesota Department of Natural Resources

Gov. Tim Pawlenty has asked the Legislature to provide funding for a new state park on Lake Vermilion, pictured here, located near Tower in northeast Minnesota.

First Reading continued on page 4

That leaves bonding as the most likely funding mechanism for the park. But, the chance to include it in the bonding law has already come and gone. A \$17.5 million appropriation for the park was included in the House's version of the bonding bill, but was removed by a conference committee.

But for park supporters, there's still hope. Before signing the bonding law, Pawlenty axed \$208 million worth of projects, bringing the bill's final price tag down to \$717 million in general obligation bonding — more than \$100 million less than the latest target he gave the Legislature. The size of the cuts have left many to speculate on whether the move was intended to encourage a second bonding bill that would include the Vermilion funding.

"The governor did leave \$108 million sort of on the credit card," Tinglestad said. "People are talking about potentially sending the Central Corridor \$70 million through as another bonding bill and perhaps Vermilion could be with that."

## Local objections

Even if a second bonding bill takes shape in the coming weeks, Vermilion will have to clear another significant hurdle: the reluctance of local leaders to give up 3,000 acres of taxable land.

In St. Louis County, where the park would be located, more than 60 percent of the land is already publicly owned — which means the county draws property tax revenue from less than 40 percent of the total land within its borders. County officials don't want to lose any more land that could provide potential new tax revenue, and they're proposing a controversial solution to the problem: a land swap with the state.

"We need to have an offset, so that as this land is taken off the tax rolls ... we have other lands that are owned by the state that will then be put on the tax rolls. That way we don't further damage those taxpayers in those communities," said Rep. David Dill (DFL-Crane Lake), who represents the area.

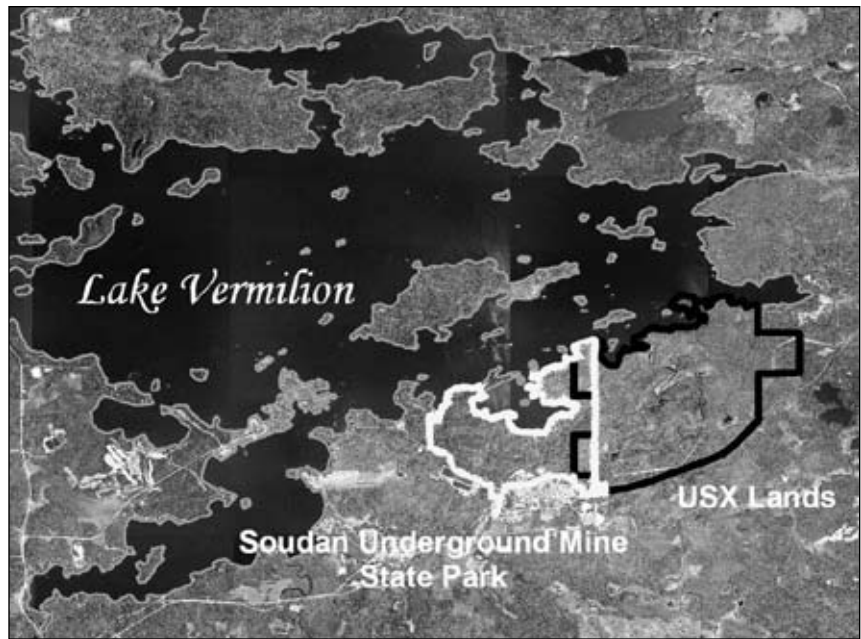


Photo courtesy of the Minnesota Department of Natural Resources

**The lands currently owned by U.S. Steel are situated adjacent the Soudan Underground Mine State Park. Unless a deal is reached with the state, U.S. Steel plans to turn the area into a residential subdivision.**

Dill spoke at a March 11 meeting of the House Environment and Natural Resources Committee. At that hearing, his bill, HF3433, which would authorize the establishment of the park, stalled on a tie vote over a provision that would have required the state to hand over school trust lands to the county in exchange for authorizing the park. Dill said it would only be fair, considering that the private development proposed on the land would be more valuable to the county than the park.

"Let's get real," Dill told committee members. "I'll take the 150 homes of multi-million dollar valuations with the people coming in jets and turboprops and buying jet fuel and spending money and buying snowmobiles and all that over the park."

The bill now awaits action by the House Finance Committee, but it is unclear on what will happen next. Dill is currently in talks with Sen. Tom Bakk (DFL-Cook), the sponsor of a companion bill, SF3076, on how to move forward on the issue. That bill awaits action by the Senate E-12 Education Budget Division.

## Holding out hope

There are some critics who say the proposed Lake Vermilion State Park shouldn't be funded at all. They argue that the extensive backlog of maintenance and repairs needed on current state parks and trails should be given priority over new park projects. Courtland Nelson understands their argument, but sees it differently.

"There isn't a time when all bills are paid, when all developments are completed, and so now you have the opportunity to look to the future," he said.

To Nelson, the opportunity is simply too good to pass up. The Vermilion park would be located next to the existing Soudan Underground Mine State Park, which means the DNR would have existing infrastructure and facilities to build from.

"That's a wonderful running start for us on the whole process," Nelson said, adding that if things go according to plan, the park could be open for day-use activities beginning as early as 2010.

## Frequently called numbers

Area code 651

### House Public Information Services

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

### Committee Schedule Hotline

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

### Chief Clerk of the House

211 Capitol .....296-2314

### House Index

211 Capitol .....296-6646

### Senate Information

231 Capitol .....296-0504

### Secretary of the Senate

231 Capitol .....296-2344

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

### Senate Index

110 Capitol .....296-2887

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

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held April 3-10. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill version considered by the House or the bill language signed by the governor.

## AGRICULTURE

### Fixing the Green Acres program

Green Acres really isn't the place to be, according to a February 2008 report by the nonpartisan Office of the Legislative Auditor. Upon its release, the House Property Tax Relief and Local Sales Tax Division heard the auditor's critique of the 40-year-old program, which gives farmland near developing areas a property tax break.

The division learned that the program doesn't always protect the farmland, and is sometimes misused by landowners who try to hold onto their land until they can sell it to developers for a high value.

Rep. Lyle Koenen (DFL-Clara City) sponsors two bills, HF4160 and HF4123, to address some of the report's findings. He worked with Rep. Randy Demmer (R-Hayfield) on crafting the legislation, in hopes to preserve farmland near areas of development. The bills were laid over April 4 for possible inclusion in the division's omnibus bill.

The bills would tweak the definition of agricultural land; would repeal the minimum income requirement for the program; and would allow existing Green Acre recipients to be "grandfathered" into the updated program.

Several farmers said they'd like to have been more involved in the process to help ward off unintended consequences of the proposals. Others questioned why the proposals didn't include dropping the limit of 10 acres for parcels that apply for the program.

Judy Erickson, a member of the Minnesota Fruit and Vegetables Grower Association, said parcels with less than 10 acres should apply because the demand for locally grown food is rising. Those who sell at farmer's markets usually specialize in just a few types of produce and farm small parcels close to the metro.

"The public is looking for the availability of fresh, locally grown crops. It's a niche market," she said.

Sen. Gary Kubly (DFL-Granite Falls) sponsors SF3810, a companion bill to HF4123, which has been incorporated into the Senate

tax bill in a slightly different version. Sen. Tom Bakk (DFL-Cook) sponsors the tax bill, SF2869, which passed the Senate on April 3. HF4160 has no companion measure.

— C. BLANCHARD

## BONDING

### Bonding bill parts get red-lined

**Signed  
by  
the  
governor**

The omnibus capital investment bill received a \$208 million line-item trim from Gov. Tim Pawlenty April 7 before being signed into law.

Coming in at \$717 million in general obligation bonding, it is more than \$100 million less than the governor previously set as a target. It reflects the state's deteriorating economic condition, he said.

Taking a direct hit from Pawlenty's veto pen is a \$70 million allocation for the proposed Central Corridor light-rail transit project that would link St. Paul and Minneapolis. "The project still faces serious challenges. We are pulling the project into the maintenance shed for further inspection," Pawlenty said.

Also among the 55 red-lined projects are:

- \$72 million for various University of Minnesota and Minnesota State Colleges and Universities system projects, including \$24 million for a new Bell Museum of Natural History on the university's St. Paul campus;
- \$20 million for various center improvements and expansions, including \$3 mil-

lion for renovation design for Orchestra Hall in downtown Minneapolis;

- \$18.5 million for improvements to various metropolitan area parks and trails, including \$11 million for improvements to the polar bear and gorilla exhibits at St. Paul's Como Zoo;
- \$11.75 million for proposed rail and transit projects, including \$4 million for planning of a high-speed rail line connecting St. Paul to Chicago; and
- \$7.7 million for various sports centers proposed through the Amateur Sports Commission.

Historically, a good share of a bonding bill funds higher education projects, and while the governor cut a considerable amount of the institutions' requests, Pawlenty acknowledged a \$219 million General Fund commitment laid out in the law to pay the debt service on bonds the university will issue for four new bioscience facilities.

"I am supportive of the University of Minnesota's bioscience facilities request, but we must recognize that this multi-year commitment is a large, new state financial obligation and should be weighed against other capital projects requested by the University," he wrote in his veto letter.

House Majority Leader Tony Sertich (DFL-Chisholm) called the new law "bittersweet." While creating jobs, addressing clean water and wastewater infrastructure issues, he said it is "a direct personal attack" on Rep. Alice Hausman (DFL-St. Paul), who sponsors the law with Sen. Keith Langseth (DFL-Glyndon).



PHOTO BY ANDREW VONBANK

John Pollard, left, executive assistant to the House majority leader, talks with Rep. Alice Hausman, chairwoman of the House Capital Investment Finance Division, after the governor line-item vetoed most St. Paul projects in the capital investment law, which she sponsors.



Sertich called the cutting of most St. Paul projects, “disgusting,” and said the cuts are retaliation on the House for the veto override of the transportation bill.

Sertich left open the door to a compromise with the governor over the Central Corridor proposal and the governor’s proposed Lake Vermilion State Park, which was not funded in the bill sent to the governor.

The law has various effective dates.

HF380\*/SF223/CH179

— L. SCHUTZ

## BUSINESS

### Slight changes for accountancy board

Anyone wanting to become a certified public accountant in Minnesota may be able to do it a little quicker.

This is one of the few points in a bill addressing the Minnesota Board of Accountancy. Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ann Rest (DFL-New Hope), HF2811/SF2402\* was approved by the House Finance Committee April 4 and awaits action by the full House. It was passed 60-0 by the Senate on March 10.

More specifically, the bill would allow anyone in their last semester of college to take the exam to qualify as a CPA. Once a certificate of qualification is given, the bill proposes, the certificate would be good for three years, a change from the current process that requires a yearly renewal.

The initial CPA permit fee would remain at \$100, while the annual fee would increase from \$35 to \$68.

The bill would also bring Minnesota statute in line with the Uniform Accountancy Act, require that no fewer than two of the seven members of the Board of Accountancy be owners or employees of a qualifying certified public accountant firm, and eliminates the requirement for the board to have a judicially noticed seal.

— C. GREEN

### Bars may be open later for convention

Attendees to the Republican National Convention in St. Paul may find it easier to get a drink later in the evening, if they choose.

Sponsored by Rep. Kurt Zellers (R-Maple Grove), HF3986 would allow closing time for establishments in the seven-county Twin Cities metropolitan area with an existing on-sale liquor license to serve alcohol until 4 a.m. from Aug. 31 to Sept. 5. It would also allow licensing agencies to charge a permit fee, not to exceed \$2,500.

Presented to the House Commerce and Labor Committee on April 8, the bill was laid



PHOTO BY TOM OLMSCHIED

**John Wolf, general manager of Dixie’s on Grand in St. Paul, testifies for proposed legislation that would extend the closing time of bars and restaurants to 4 a.m. during the Republican National Convention.**

over and then included in the omnibus liquor bill, HF3829/SF3672\*, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Dan Skogen (DFL-Hewitt). The omnibus bill was approved, and awaits action by the House Rules and Legislative Administration Committee.

A similar provision was removed from the supplemental budget bill (HF1812) approved April 4 by the House.

Zellers said that proposal was much broader in scope and extended through Sept. 8. But concerns were raised by others, including members of the city councils of St. Paul and Minneapolis, who wanted more local control over when and where this would take place, he said.

John Wolf, general manager of Dixie’s on Grand in St. Paul, encouraged the committee to support the bill because it’s a “once in a lifetime” chance for many establishments in the state capital. “This will be a tremendous opportunity to showcase the city and show what we’re made of.”

Zellers also said that the bill was in no way a back door effort to extend alcohol sales hours on Sunday. If it were to become law, the bill would be repealed at 4:01 a.m. on Sept. 5, 2008.

— C. GREEN

### Contractor bill shipped back

**Vetoed  
by  
the  
governor**

Last November, the Office of the Legislative Auditor provided the Legislature a report on the misclassification of employees as independent contractors.

The report said that using independent contractors significantly reduces labor costs for companies, but it also means that those workers do not have access to company benefits and protections.

The report went on to recommend that the responsible state agencies work with the Legislature to conduct audits of various companies, and that the Legislature should authorize penalties for repeated misclassification of employees.

A bill sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. David Tomassoni (DFL-Chisholm), would require the commissioner of employment and economic development to conduct these audits. However, the bill also would have created a problematic exemption to the rules dictating whether certain owner-operators of licensed vehicles could be designated as independent contractors.

During the March 31 floor discussion, House Minority Leader Marty Seifert (R-Marshall) said that he had heard concerns from many of his constituents — mostly small business owners — and that more public testimony was needed. Seifert unsuccessfully made a motion that the bill be re-referred back to the House Commerce and Labor Committee.

Already approved 60-5 by the Senate on March 19, the bill was approved by the House 84-44. It was not, however, approved by the governor.

“The bill singles out owner-operators who ‘deliver shipments less than 250 pounds per parcel’ for different treatment than other carriers. Nothing in connection with the existing criteria would suggest that the criteria are more or less appropriate for the industry on the basis of the size or weight of the individual items being transported,” Gov. Tim Pawlenty said in his April 4 veto letter. He called the weight designation arbitrary, “with no rational basis,” and said it would “certainly create unwarranted confusion in the industry.”

Pawlenty also said that the legislative auditor’s report found that the number of trucking industry cases involving misclassified workers was “no greater than other industries,” and that current law was adequate.

HF3296/SF2688\*/CH172

— C. GREEN

## CRIME

### Gang report due date changed

Signed  
by  
the  
governor

A new law pushes back the date an annual report from the Gang and Drug Oversight Council is due to the Legislature.

Sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), the law will move the annual due date from Feb. 1 to March 1.

Deputy Attorney General David Voigt told the House Public Safety and Civil Justice Committee March 12 that the various task forces providing information often work on a calendar year, meaning they won't begin preparing their materials until Dec. 31.

The extension would allow the council more time to receive updates and analyze the data, he said.

The new law was signed by Gov. Tim Pawlenty on April 3, and takes effect Aug. 1, 2008.

HF3408/SF2861\*/CH169

— C. GREEN

## ELECTIONS

### Elections bill gains House approval

A bill incorporating several elections provisions was approved by the House 131-0 on April 7.

Provisions from various elections bills were inserted into HF3172, sponsored by Rep. Gene Pelowski Jr. (DFL-Winona). His hope is that a bundled bill will have a better chance of being signed into law than the omnibus bills that have failed in the past.

The bill now goes to the Senate where Sen. Ann Rest (DFL-New Hope) is the sponsor.

Incorporated from the original text of Pelowski's bill are provisions that would:

- require the governor to call for a special election within five days after a legislative vacancy occurs, with a special election to be held no more than 35 days thereafter;
- provide that a candidate file no later than 14 days before a special primary; and
- provide that standard recount laws apply to a special primary or election.

Provisions from HF965/SF753\*, sponsored by Rep. Carol McFarlane (R-White Bear Lake) and Sen. Sandy Rummel (DFL-White Bear Lake), would:

- require that at least two election judges in each precinct be affiliated with different major political parties, and provide that other individuals not affiliated with a major political party be appointed as judges

## HOUSE TOUR



PHOTO BY ANDREW VONBANK

**Rep. Carol McFarlane brings guests into the House Chamber for a tour April 7.**

- at any time; and
  - exempt townships and school districts from party balance requirements in elections that are not held along with a statewide election.
- Integrated from HF768/SF208, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Kathy Sheran (DFL-Mankato), are provisions that would permit county auditors to deliver absentee ballots to designated agents, and change from four to seven the number of days preceding an election when an agent can be designated.
- Provisions from HF646/SF380\*, sponsored by Rep. Denise Dittrich (DFL-Champlin) and Sen. Chuck Wiger (DFL-Maplewood), include:
- permission for counties, municipalities or school districts to conduct special elections via e-mail;
  - giving school boards permission to decide whether to hold a primary election;
  - modification to the deadline for candidates to file for school board elections; and

- school district elections could be conducted via an approved electronic voting system.

Also included is HF2866/SF2552, sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Chris Gerlach (R-Apple Valley), which would permit existing voter registration applications to be used, without alteration, until they are gone.

— B. HOGENSEN

### Elections processes modified

A bill comprised of several elections administration and technical modifications was approved by the House 130-0 April 7.

Rep. Bill Hilty (DFL-Finlayson), who sponsors HF1110/SF1298\* with Sen. Linda Higgins (DFL-Mpls), said the bill would streamline elections processes. As amended, it now returns to the Senate. If that body concurs, the bill would go to the governor. If not, a conference committee could be called to work out the differences. The Senate passed its version 40-23 last year.

The bill would, among other things:

- permit registering voters who are unable to sign their name to sign by making a mark;
- require that affidavits of candidacy and nominating petitions be filed with the county auditor for county elections, the secretary of state for federal elections and either for state elections;
- prohibit lingering at the polling place;
- introduce new regulations for discretionary recounts; and
- specify the number of signatures required for a federal or state office nominating petition, to be the lesser of 1 percent of the total number of individuals voting in the last general election or 2,000.

An amendment successfully offered by Rep. Sarah Anderson (R-Plymouth) would prohibit residential housing listings at postsecondary institutions compiled for use in Election Day registration from being used or disseminated by a county auditor or the secretary of state for any other purpose.

An adopted amendment, offered by Rep. Tom Hackbarth (R-Cedar), would allow applications for a game and fish license issued by the commissioner of natural resources to serve as a voter registration application.

Rep. Laura Brod (R-New Prague) successfully offered an amendment that would require the secretary of state to report to the Legislature within 60 days of the general election the number of incidents where a legal non-citizen voted.

— B. HOGENSEN

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

## Improved voter registration system

**Signed  
by  
the  
governor**

New procedures for processing voter registration notices were signed into law by Gov. Tim Pawlenty on April 3.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Dan Larson (DFL-Bloomington), the law is intended to keep voter registration rolls updated to allow for more efficient elections. It modifies procedures for processing voter registration notices that are returned as undeliverable due to a lack of valid address.

Established by the law is a procedure for the secretary of state to collect information from the U.S. Postal Service and electronically distribute it to county auditors to update the statewide voter registration system; thereby, avoiding voters being registered at multiple locations.

The new law takes effect once the secretary of state has certified that the statewide voter registration system has been tested and shown to accurately update records and prepare appropriate notices.

HF1546\*/SF1297/CH165

— B. HOGENSON

## Help for voters abroad

A bill to make overseas voting easier for Americans serving abroad received House approval April 7.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Sharon Erickson Ropes (DFL-Winona), HF1259/SF1218\* would allow electronic transmission of absentee ballots, in certain circumstances, as a way to reduce barriers facing military members and other Americans abroad that have not always succeeded in having their votes counted.

As amended and passed 129-0, the bill returns to the Senate, where it was passed 63-1 April 23, 2007. If the Senate concurs with the changes, the bill would go to the governor.

Kalin said the bill is needed to make sure that those serving our country are guaranteed the right to vote, which he called a "cornerstone of democracy."

"Every citizen should be guaranteed that their vote will get counted, and this bill comes much closer to making that guarantee a reality," Kalin said.

The two most controversial provisions in the bill were removed through an amendment authored by Kalin.

One would have allowed United States citizens living abroad who have never resided in this country to vote in state elections if their parent maintained residence in Minnesota for at least 20 days before departing the country.

The second provision removed would have

given the secretary of state the authority to use emergency orders or special procedures to facilitate absentee voting in the event of an emergency that makes compliance with existing procedures impossible or unreasonable.

Calling attention to Minnesota's September primary, Rep. Laura Brod (R-New Prague) suggested that moving up the primary would make it easier for overseas citizens voting in the primary to have their votes received on time to be counted.

"That would solve a heck of a lot of problems in a simple straightforward way," she said.

— B. HOGENSON

## EMPLOYMENT

### Payroll cards to stay

**Signed  
by  
the  
governor**

A 2005 law allowing an employee to receive their wages electronically by way of a payroll card was set to expire May 31, 2008.

A new law, signed by Gov. Tim Pawlenty April 3, removes the sunset date. It is effective April 4, 2008.

Rep. Joe Atkins (DFL-Inver Grove Heights), who sponsors the law with Sen. Dan Sparks (DFL-Austin), called the payroll cards "an experiment that worked." It's a voluntary program that allows employees to withdraw funds from the card, and all parties involved agree it should be permanent, he said.

HF3481/SF2830\*/CH168

— C. GREEN

## ENERGY

### Energy-efficient building codes

A House committee approved a bill that would provide for the development of new energy-efficient building codes, but some members are concerned it could lead to increased costs down the road.

HF3401/SF2706\*, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), would require the Commerce Department to contract with the University of Minnesota to develop cost-effective energy efficiency standards for all residential, commercial and industrial buildings. The House Finance Committee approved the bill April 4 after deleting the Senate language in favor of the House version.

The standards would also have the goal of reducing per-square-foot carbon emissions by 60 percent in 2010, 70 percent in 2015, 80 percent in 2020 and 90 percent in 2025. The proposed standards would apply only to newly

constructed and substantially reconstructed buildings.

Hilty emphasized that the bill would only call for the development of new building codes — not implement them. He said the university's Center for Sustainable Building Research would propose new energy efficiency measures that the Legislature could either pass in bill-form or disregard.

"It's not putting any requirements into law. It's simply initiating the process of evolving those standards," Hilty said.

Rep. Bruce Anderson (R-Buffalo Township) said that although the bill contains no building code revisions or mandates, the eventual adoption of the standards proposed in the bill would prove costly to both builders and consumers.

Hilty responded that improving the energy efficiency of buildings would result in cost savings in the long-term.

The bill would also require the Commerce and Administration departments to work together to develop new sustainable building guidelines by Feb. 1, 2009, for all major renovations of state buildings. "Major renovations" would include only those involving 10,000 square feet or more of space. The goal is to exceed the state energy code by 30 percent.

The Senate passed its version of the bill 47-13 on March 31.

— N. BUSSE

### Air conditioner refrigerant ban

Anyone planning on replacing their own air conditioner refrigerant in their car or truck might want to do it soon, because if a bill sponsored by Rep. Bill Hilty (DFL-Finlayson) becomes law, you will most likely have to go a mechanic instead.

Hilty's bill, HF3661, contains a provision that would ban the sale of mobile air conditioner refrigerant in containers of less than 15 pounds. The idea is to prevent leakage of the refrigerant — a potent greenhouse gas — by discouraging consumers from replacing their own refrigerant and instead using the services

### Consider a donation

As a loyal reader of Session Weekly, please consider giving a voluntary donation of \$20 to help defray the publication and mailing costs of bringing you this award-winning news magazine. You can be assured that your donation will go directly to support the magazine.

Mail your check, made payable to Minnesota House of Representatives, to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298



of a professional mechanic or car dealer.

The House Finance Committee approved the bill April 4, and referred it to the House Ways and Means Committee. Its companion, SF3337, was passed 52-14 one day earlier by the Senate, where Sen. Yvonne Prettner Solon (DFL-Duluth) is the sponsor.

Hilty said the provision only makes sense, since it is very difficult for “anyone but a trained mechanic in proper conditions” to replace refrigerant in a car’s air conditioner; however, Rep. Tim Mahoney (DFL-St. Paul) refuted that claim, noting that his wife replaced the refrigerant in her car’s air conditioner by herself last year.

“I have an awful lot of backyard mechanics in my district,” Mahoney said. He called the provision “very, very problematic.”

The bill also contains several other greenhouse gas-related provisions, including:

- requiring the Commerce Department and Pollution Control Agency to submit annual joint reports to the Legislature on progress made in reducing greenhouse gas emissions;
- requiring manufacturers of air conditioner refrigerant and other gasses with a high “global warming potential” to report production data to the PCA;
- requiring auto manufacturers to report the refrigerant leakage rates on all new motor vehicles to the PCA; and
- requiring the PCA and the Office of the Attorney General to post mobile air conditioner leakage rates for each model and make of new car on their respective Web sites.

Rep. Dan Severson (R-Sauk Rapids) questioned the necessity of the legislation, arguing that global warming is the latest of a series of environmental “scare” that have ultimately proven to be false. He gave the example of the concern in the 1980s that various chemicals were depleting the Earth’s ozone layer, which he said is now repairing itself.

“I’m finding it very difficult to support a lot of the stuff that’s coming through with the whole term ‘global warming,’” Severson said.

— N. BUSSE

## HEALTH & HUMAN SERVICES

### Marijuana for medical purposes

Still alive after a year is a bill that would allow marijuana use for qualifying patients with illnesses such as cancer, glaucoma or a chronic disease.

HF655/SF345\*, sponsored by Rep. Thomas

## SOCIAL ACTION



PHOTO BY TOM OLMSCHIED

St. Olaf College students Rebecca Lambrecht, left, and Holly Paterson write evaluations in the Capitol Rotunda during “Social Worker Day at the Capitol” April 7. The day is designed as an educational event to increase the political and social action of social workers.

Huntley (DFL-Duluth) and Sen. Steve Murphy (DFL-Red Wing), would allow qualifying patients to receive 2.5 ounces of marijuana, 12 plants or any amount of other parts of the plant. A patient would be required to obtain a registry identification card and have a written certification from a practitioner with a statement of how the potential benefits of the use of marijuana would alleviate the condition or related symptoms.

The bill was approved by the House Ways and Means Committee April 9 and now goes to the House floor. It was approved by the committee last session, but was referred back from the General Register after not being heard on the House floor. The Senate passed the bill 35-29 last year.

An appropriation of \$401,000 would be placed in the state government special revenue fund for this fiscal year for the health commissioner to implement the changes.

Proponents previously said that, in some cases, conventional treatment just doesn’t work. Opponents argued it would pit Minnesota against federal law and would confuse youth who have been consistently taught that the drug is wrong and illegal.

— P. OSTBERG

## HOUSING

### Tenant evictions records

Signed  
by  
the  
governor

According to a report from a Renters Working Group convened during the interim, an eviction notice on anyone’s rental record makes it difficult for someone to find new housing. Until now, the report continues, some tenants have evictions added to their records even if they have left the property before the end of a foreclosure redemption period, or even if they never received notice that they should leave.

Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), a new law changes this.

Signed into law by Gov. Tim Pawlenty April 4, it provides for the expungement of an eviction from someone’s rental records if they left the property before the end of the redemption period, or if they never received the proper notice.

Davnies said that too often, when a lender takes possession of a foreclosed property, they automatically evict the tenants. The tenants are adversely affected by something that’s not their fault, he said.

The law takes effect Aug. 1, 2008.  
HF3517/SF2910\*/CH174

— C. GREEN

### Moving?

Please help save postage costs by keeping us informed of address changes. Call 651-296-2146 or 800-657-3550.

## Notice of pending foreclosure

**Signed  
by  
the  
governor**

When a Renters Working Group met last summer to discuss issues facing tenants in properties undergoing foreclosure, they discussed the fact that renters are not always given the full story about the homes they live in.

For instance, if someone was to rent a property while that property is in the redemption period of a foreclosure, they are not entitled to notice from the landlord about the situation. Those who rent before the redemption period are entitled to a notice — but only one month's notice.

A new law requires that the notice of mortgage foreclosure be given to prospective tenants, and it extends the timing of notice to existing tenants from one month to two. The law also allows a tenant to withhold the last month's rent under certain circumstances.

Rep. Paul Kohls (R-Victoria), who served as part of the working group, said the legislation is intended to clean up some of the issues that came up when tenants are caught in the middle of foreclosure procedures.

Sponsored by Kohls and Sen. Linda Higgins (DFL-Mpls), the law was signed by Gov. Tim Pawlenty April 4, and takes effect Aug. 1, 2008.

HF3476/SF2908\*/CH177

— C. GREEN

## Redemption period shortened

**Signed  
by  
the  
governor**

When a property is in the foreclosure process, a mortgagor may request a hearing to reduce the redemption period. This is often based on a claim that the property has been abandoned.

A new law signed by Gov. Tim Pawlenty states that a defendant's failure to appear at the hearing is "conclusive evidence" that the property has been abandoned.

Because of the recent increase in foreclosures, vacant homes have become a problem for some neighborhoods. Rep. Debra Hilstrom (DFL-Brooklyn Center) said the law is an attempt to work with the cities so that abandoned buildings do not become public safety issues. Hilstrom and Sen. Linda Higgins (DFL-Mpls) sponsor the law.

The law was also the result of work completed by a Vacancy Working Group convened last summer to discuss the sharp increase in vacancies and abandonments, and the impact on municipalities.

Signed into law April 4, 2008, it is effective immediately.

HF3474/SF2918\*/CH178

— C. GREEN

## LOCAL GOVERNMENT

### Town authority clarified

**Signed  
by  
the  
governor**

Towns will be able to exercise new powers at their town meetings.

A new law, signed by Gov. Tim Pawlenty April 3, sponsored by Rep. Tom Anzelc (DFL-Balsam Township) and Sen. Tom Saxhaug (DFL-Grand Rapids), clarifies a provision related to parks. It authorizes expenditures for the purpose of recognizing volunteers, services efforts, retiring officials and hosting community celebrations. It takes effect Aug. 1, 2008.

The law also strikes a provision that has been interpreted as requiring a separate election for a ballot question to direct the town board to raise funds for parks. The electors will still vote at the annual town meeting on how much of a tax there should be to pay for parks.

By allowing the town's electors to authorize the town board to spend money for the purpose of recognitions and community celebrations, towns will have the same authority already granted to cities under Minnesota statutes.

HF2636\*/SF2807/CH166

— B. HOGENSON

### Filling local supervisory seats

**Signed  
by  
the  
governor**

The Watonwan County Soil and Water Conservation District will no longer lack supervisors.

A new law allows the Watonwan County Board to make appointments and allows the appointees to hold office until those elected in November's election are able to take office. Those elected will hold office for the remainder of the current term in addition to their elected term.

The new law, signed April 3 by Gov. Tim Pawlenty, is in response to all five of the supervisors resigning prior to the Oct. 1 deadline for filing with the Campaign Finance and Public Disclosure Board. State law says that any vacancy occurring more than 56 days before the next state primary is filled by appointment of the district board, but because all board seats are vacant and there is no one to make the appointments.

The new law, sponsored by Rep. Brad Finstad (R-Comfrey) and Sen. Julie Rosen (R-Fairmont), is effective April 4, and expires Jan. 5, 2009.

HF3890/SF3555\*/CH170

— B. HOGENSON

## SAFETY

### Emergency management training

**Signed  
by  
the  
governor**

It began as a response to the collapse of the Interstate 35W bridge last August.

A new law, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Linda Higgins (DFL-Mpls), requires that within any state agency designated as a disaster or emergency response organization, at least one employee must have completed an emergency management curriculum prepared by the Department of Public Safety's Division of Homeland Security and Emergency Management. Signed by the governor April 3, it takes effect Aug. 1, 2008.

Speaking before the House Public Safety and Civil Justice Committee on Feb. 27, Kalin said that, although Minnesota had much to be proud of on that day for the way so many responded, there are still lessons to be learned.

More specifically, Kalin said that government managers responsible for directing agencies during major emergencies should be fully trained and certified in emergency management.

Rocco Forte, director of emergency preparedness for the City of Minneapolis, who has gone through the emergency management curriculum, said that emergency managers need to know how to work with different entities and disciplines in times of crisis. Forte was a leader in the rescue efforts after the bridge collapse. He said he couldn't have been successful "without the skills and relationships built through the classes."

The new law also directs the commissioner of public safety to annually report to the Legislature how state agencies are progressing with these new requirements.

HF3099\*/SF2656/CH167

— C. GREEN

## TAXES

### Rotating the tax assessors

For the first time since the Great Depression, housing values have dropped, said Rep. Paul Marquart (DFL-Dilworth).

Marquart, who chairs the House Property Tax Relief and Local Sales Tax Division, told the division on April 4 that decreasing values add complexity to a system of property taxation that isn't always transparent.

"There are always concerns about assessments because property tax is the only tax where the government is involved in both ends," Marquart said. The government

determines the value of a property and its tax rate, he said, whereas the amount of income that is taxed is left up to the worker.

Marquart sponsors HF4020, an attempt to shed more light on the assessing process. The bill was laid over for possible inclusion in the division's omnibus bill. There is no Senate companion.

The bill would:

- rotate assessors every five years so that a property wouldn't have the same assessor for every appraisal;
- require assessors to let the property owner know how to access detailed information on why their house is valued at its rate; and
- allow county boards of appeal to hold informational meetings in the evenings or on Saturdays.

Opponents of the bill said the current system is fair and works well, and that the proposals would strain counties who are losing state aid and already struggling with their budgets.

Hennepin County Assessor Thomas May said his office sends assessors out to 25 cities.

"In those cities, they expect that we have some continuity of assessors," he said. "A lot of it has to do with the expertise needed in each city."

Proponents said the rules would ensure that property owners are getting the most information and are treated in the fairest manner possible.

"The assessors are doing a professional job and I believe the best job they can do. It's the system that creates the problem," Marquart said.

— C. BLANCHARD

### **Subsidy, corporate tax reaction**

The public had a chance to weigh in on HF4103, a bill that would eliminate all state corporate subsidies and, in turn, lower the corporate tax rate by one percent.

House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) sponsors the bill, which will be considered for possible inclusion in the committee's omnibus bill. There is no Senate companion.

Lenczewski said at the April 7 meeting that she included provisions to repeal all subsidies indiscriminately. "I made a complete list so we're not picking winners or losers," she said.

Testifiers told the committee that research credits help to bring high-paying jobs to the state.

"This is a very important issue as we compete here in Minnesota and across the world," said Doug Carnival, board secretary of the Minnesota High Tech Association.

Thom Peterson, government director of

the Minnesota Farmers Union, said farmers need the bovine tuberculosis tax credit as the epidemic spreads in the state.

"That's going to mean a lot more testing for farms, it's going to mean a lot more burden for our cattle producers," Peterson said. The tests cost between \$10 and \$12 per head of cattle, and that can quickly add up for farmers with large herds.

Several lawmakers, including Rep. Morrie Lanning (R-Moorhead), said they plan to present bills at an upcoming meeting to expand tax credits for businesses.

"Anything that we do in this tax committee will either help the unemployment rate or continue the growth of it," said Rep. Dean Simpson (R-Perham).

Lenczewski said the bill would actually help most Minnesotan companies, which do not get corporate subsidies and would have their tax rate lowered. "Or, let's say you're not a corporation, you're paying through the income tax system, your size of government that you have to pay for in your taxes now goes down. You're a beneficiary."

— C. BLANCHARD

## **TECHNOLOGY**

### **Captioning grants to continue**

**Signed  
by  
the  
governor**

Three years ago, a law was passed to give grants to television stations for an accessible electronic information service for persons who are blind or disabled, including real-time captioning of local news programming. These grants are funded through a telephone bill surcharge.

In order to assess the progress and effectiveness of the program, a sunset date of June 30, 2010, was set. With the program now proven successful, Gov. Tim Pawlenty signed a new law on April 4 repealing the sunset.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Senate President James Metzen (DFL-South St. Paul), the law takes effect Aug. 1, 2008.

HF3739/SF3147\*/CH171

— C. GREEN

### **Redundant telephone rules repealed**

**Signed  
by  
the  
governor**

With so many improvements in technology, the Internet and access to cell phones, certain rules regulating telephone companies have become redundant, and in some cases, obsolete. A new law signed by Gov. Tim Pawlenty on April 4 repeals some of these rules.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Dan Sparks (DFL-Austin), the law takes effect Aug. 1, 2008.

At a meeting of the House Telecommunications Regulation and Infrastructure Division on Feb. 22, Jerry Knickerbocker, Minnesota Telecom Alliance vice-president of government relations, said that some of the regulations on the books were written for another time, and don't reflect what's going on in the marketplace today.

Knickerbocker said that in meetings with representatives from the Public Utilities Commission, the Department of Commerce and the Office of the Attorney General, they found that of the 54 regulations currently covering the telephone companies, at least 22 needed to be updated, 14 need to be rewritten, and eight should be repealed.

Some of the older rules include frequent inspection of equipment used to record information that affects a customer's bill; a requirement that a telephone company furnish information to a contractor working near a utility or telephone line; and, in each incorporated village, at least one coin-operated public telephone, available 24-hours a day and lighted at night.

HF2414/SF2262\*/CH173

— C. GREEN

## **TRANSPORTATION**

### **Bridge collapse investigation update**

In about a month, an investigation into the Department of Transportation's role in the Interstate 35W bridge collapse is due to be shared.

The law firm of Gray Plant Mooty was retained by the Legislature in mid-December to aid in the investigation of the Aug. 1, 2007, collapse that killed 13 people. The firm gave an update April 9 to the Joint Committee to Investigate the Bridge Collapse.

"We're looking at policy and practices within MnDOT to see how safety concerns were addressed to help guide the Legislature on future policy issues," said Robert Stein, counsel at Gray Plant Mooty. He said the National Transportation Safety Board is looking into technical reasons why the Minneapolis span collapsed.

He said firm investigators have reviewed more than 16,000 documents and are expecting more. Despite the tight time frame and the volume of information consumed, Stein said work is on schedule for the mid-May deadline.

Kathryn Bergstrom, co-chair of the firm's Business and General Litigation Group, said some department documents have been slow





PHOTO BY TOM OLMSCHIED

**Betsey Sathers, left, who lost her husband, Scott, and Ron Engebretsen, center, who lost his wife, Sherry, in the Interstate 35W bridge collapse listen as Chris Messerly, an attorney with Robbins, Kaplan, Miller and Ciresi, testifies March 31 before the Survivor Compensation Fund Conference Committee. Messerly and other attorneys are representing some bridge collapse victims and their families on a pro bono basis.**

— M. Cook

to come in because of data privacy issues; however, the department has been good to work with.

Stein said it would be “premature and counterproductive” to give any preliminary findings, but said issues being looked at include:

- the effect of increased load levels and other structure modifications over time;
- if appropriate action was taken after outside reports about bridge safety and maintenance were shared;
- whether key MnDOT personnel have a voice about safety, and if clear lines of decision-making were made;
- if MnDOT has adequate staff to ensure the safety of the state’s infrastructure; and
- if cost was an issue when addressing safety concerns of the bridge.

Sen. Steve Murphy (DFL-Red Wing) also encouraged the report to include positives.

“I’d like to see what the department is doing right so people see that we have a good bridge program,” he said. For example, he said the recent closing of a similar-style bridge in St. Cloud was a good thing.

— M. Cook

### Construction awareness

Owners of small businesses have sometimes felt uninformed and helpless when it comes to transportation projects that are to occur outside their front door.

A bill approved by the House Finance Committee and sent to the House Ways and

Means Committee April 9 hopes to change that.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley) and Sen. Patricia Torres Ray (DFL-Mpls), HF4055/SF3669\* was approved 66-0 by the Senate April 3. The House language was inserted into the Senate bill by the House Finance Committee.

“This bill asks for a report to find out what it would cost to actually engage the local business community, cities and counties,” Madore said. “We’re looking to improve communication opportunities for small businesses.”

It would require the Department of Transportation to submit a report to the Legislature by March 15, 2009, about a potential model public information program for small businesses impacted by transportation construction projects. To be developed in consultation with the Department of Employment and Economic Development, the Metropolitan Council, counties, cities and community organizations, the report would address:

- best ways to get information to small businesses;
- what should be included in an information packet, such as potential changes in parking, traffic and public access in the area; and
- recommendations for opportunities to provide further assistance to small businesses.

Iric Nathanson, financial resources coordinator for the Metropolitan Consortium

of Community Developers, told the House Transportation Finance Division March 26 that experiences small businesses have had are inconsistent. “In some cases, they’ve been able to get up-to-date, accurate information, but in other cases, particularly where there are a collection of very small ethnic-oriented businesses, it’s difficult to get full information out.”

A fiscal note indicates \$43,000 in Trunk Highway Fund expenditures would be spent this biennium to prepare the report. Rep. Paul Kohls (R-Victoria) questioned the expense at a time when fiscal restraint should be in order.

Betsy Parker, MnDOT government relations director, previously said programs already exist to reach out to affected businesses, and have had many successful business community interactions, but they are “comfortable” with the House bill.

### Special golf tournament permits

Some of the world’s best female golfers are expected to tee it up at the 2008 U.S. Women’s Open at Interlachen Country Club in Edina.

But they, and event officials, will need ways to get to and from the course and anywhere else they’d like to visit while in the Land of 10,000 Lakes.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley), HF3558 would require the Driver and Vehicle Services Division of the Public Safety Department to issue at least 250 special permits for courtesy vehicles to be used at the late-June tournament. The vehicle manufacturer is to cover the \$10 fee associated with each special permit to make the bill revenue-neutral.

Approved April 9 by the House Finance Committee, the bill was sent to the House Ways and Means Committee.

The same thing occurred when the men played Hazeltine National Golf Club in Chaska for the 1991 U.S. Open.

The tournament committee would be liable for any parking violations connected to a vehicle with a special permit, unless special information on the driver and employer are provided within 15 days after the committee becomes aware of the violation.

A companion bill, SF3069, sponsored by Sen. Geoff Michel (R-Edina), has been incorporated into the Senate omnibus transportation policy bill (SF3223), which awaits action by the Senate Finance Committee.

— M. Cook

**If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.**

## Abolish property taxes? Really?

A bill originally sponsored by former state Rep. Phil Krinkie (R-Lino Lakes) to eliminate all property taxes resurfaced at the House Taxes Committee April 9.

There is no Senate companion, and the committee laid over the bill. Rep. Chris DeLaForest (R-Andover) sponsored HF3632 to "have a little bit of a discussion."

Here are some excerpts:

- DeLaForest: "We're conservatives, we're liberals, we're Republicans or Democrats. But I've had so many good discussions with colleagues across the spectrum about this issue who all recognize the problem with property taxes ... Should we be taxing property at all, especially in 2008, when it seems that property

wealth has less and less of a nexus to ability to pay?"

- Rep. Mike Jaros (DFL-Duluth): "It's the most archaic and unfair tax. It was created to tax wealth. Just because someone has a nice home or a nice business building doesn't mean they have an income."

- Rep. Tom Rukavina (DFL-Virginia): "To go to income tax would be great, but can Minnesota charge an income tax on all those people from Chicago who've got those beautiful cabins on Lake Vermilion?"

- Rep. Paul Marquart (DFL-Dilworth): "The one thing about the property tax is you have a linkage with services that you don't get with state and income taxes."

- Rep. Sandy Wollschlager (DFL-Cannon Falls): "I think that property taxes were invented by men ... because my husband has used that excuse any number of times: the government sets your value. And he would just

love to remodel the basement but that would be about the time someone would come in and reassess the value of the house."

- Gary Carlson, intergovernmental relations director, League of Minnesota Cities: "We might have to increase the appropriation for LGA by about \$1.6 billion."

- Grace Schwab, director of governmental relations, Minnesota School Boards Association: "Property tax adds some kind of stability to education funding that we can count on year-to-year."

- Keith Carlson, executive director, Minnesota Inter-County Association: "We have great concern about anything that suggests an alternative where we would have to rely on the state because, frankly, the state's proven itself to be an unreliable funder."

— C. BLANCHARD

## THE BRIDGE ON DISPLAY



PHOTO BY TOM OLMSCHIED

John Schmidt and his daughter, Emily, of Rochester, look at the signatures of well-wishers on the panels of the "The Bridge — A Memorial" that was on display in the Capitol Rotunda April 4 by the Red Cross to provide education on the organization's services in Minnesota. The panels, showing the bus that was carrying the children from Pillsbury United Communities Waite House after the Interstate 35W bridge collapse, were on display at the 2007 State Fair for well-wishers to send messages to the victims of the bridge collapse.

# A lot at stake for ranchers

Bovine TB problem could define an industry and a community

By LEE ANN SCHUTZ

**W**ith the discovery of four new cases of bovine tuberculosis in northwestern Minnesota since last fall, the federal government this week stepped in to restrict the movement of cattle, bison, goats and farm-raised deer from Minnesota to other states. The new restrictions come with the downgrade in the state's bovine TB status. It means that feeder cattle, breeding stock and even some dairy cows will need to be tested to certify they are TB-free before being shipped out of state.

Bovine TB is a contagious and infectious disease caused by *Mycobacterium bovis*. It affects cattle, bison, deer, elk, goats and other warm-blooded species and can be fatal. The disease can be transmitted to humans through direct contact with infected animals or consumption of raw milk.

The U.S. Department of Agriculture announcement was expected by state agriculture officials and members of the two House agriculture committees. The state is moving quickly in its efforts to quarantine the disease — but this takes money and time. And few could argue with the aggressiveness of Rep. Dave Olin (DFL-Thief River Falls) as he tries to find funds to keep the disease at bay.

The governor proposes \$2.7 million in his supplemental budget proposal to address the disease. For Olin, that doesn't come close to financing the solution to a problem that, at best, will take at least four or five years to fix, and will only get worse if kept unchecked, he said.

Now, several proposals are moving forward in the House, including an Olin-sponsored bill, HF4075, which lays out a \$6 million Board of Animal Health proposal in the current biennium to deal with the disease, which has been found in Roseau and Beltrami counties. This includes a \$3.1 million state buyout program and fencing cost/share assistance.

## A targeted response

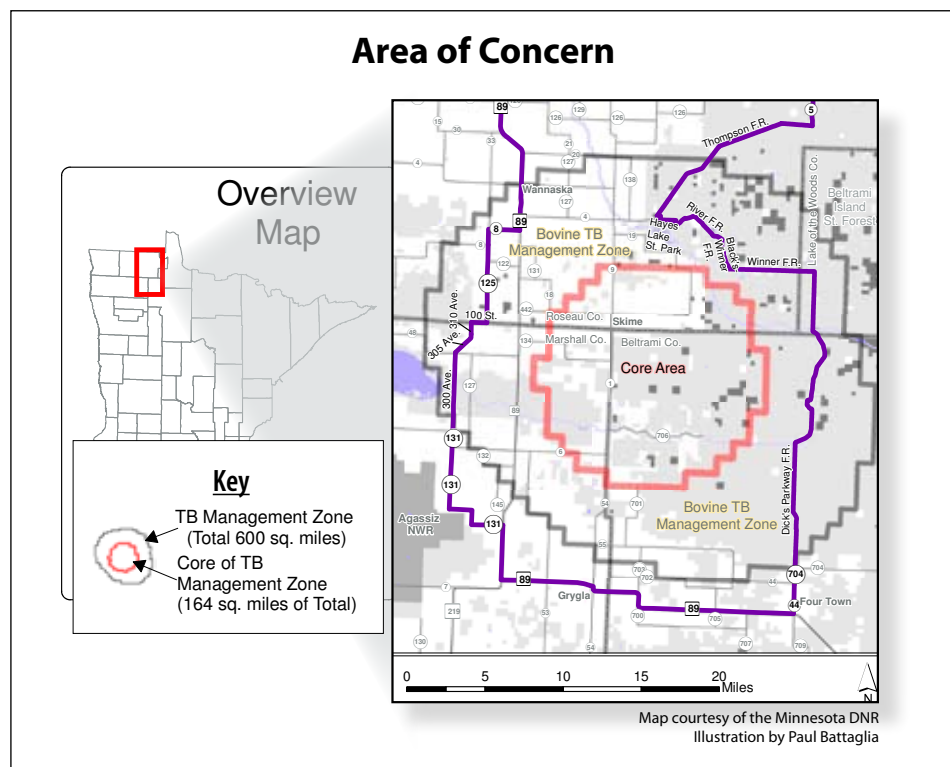
Since 2005, 11 infected herds have been detected in the state. But this latest downgrade is serious business.

Bill Hartmann, executive director of the board, is seeking split-state status from the federal government. This would allow the majority of the state to upgrade its status, while focusing resources to the infected area, and saving producers outside the TB area from the additional federal testing requirements.

HF4075 was approved April 8 by the House

Finance Committee and awaits action in the House Ways and Means Committee. A companion bill, SF3728, sponsored by Sen. Rod Skoe (DFL-Clearbrook), awaits action by the full Senate. It has \$190,000 more in funding than the House plan. The House language is also contained in HF1812, the supplemental finance bill, which is now in conference committee.

The bill would offer ranchers inside an established bovine tuberculosis management zone the choice to voluntarily depopulate their cattle herds by Dec. 31, 2008. To that end, the board would be allocated \$3.1 million in Fiscal Year 2008 to help cattle owners comply with new requirements that could include fencing or a buyout. Cattle owners in the zone would have until July 15 to decide whether to participate in a buyout program. Those who do would be paid market-value plus \$500 per



The area of concern centers around Roseau, Marshall and Beltrami counties.





PHOTOS BY TOM OLMSCHIED

**Roseau County Bovine TB Coordinator Dave Grafstrom, from left, County Commissioner Russell Walker and County Coordinator Trish Harren-Klein talk with Rep. Dave Olin, right, in his office about bovine TB in the area and his proposed legislation.**

head by the state and an annual payment of \$75 for each animal slaughtered until the area receives a bovine-tuberculosis-free status and the owner is authorized by the board to have cattle located in the zone.

Hartmann said 56 herds would be eligible for the buyout, at a cost of \$2.75 million, with the annual producer payments totaling more than \$1.3 million over the five years that it is expected to take to have the disease under control.

Ranchers choosing to keep their herds intact would be subjected to several testing and control requirements, including adequate fencing of their herd and grazing areas so they cannot be accessed by deer or elk. The state would provide a cost-share payment of up to \$75,000 or 90 percent of the cost of an approved fence. Hartmann said the DNR estimates it would cost between \$1 million and \$1.5 million to fence all 56 herds in the infected area, along with the stored feed and winter feeding area.

The board would use more than \$2.7 million of the appropriation for monitoring testing outreach and other required activities to comply with federal regulations.

It was also announced this week the state will receive \$2.7 million from the U.S. Department of Agriculture to fight the disease.

## The impact

The economic impact of not doing anything could be huge to a state that annually moves more than 200,000 head of cattle across state lines.

While the state moves its plans forward,

there's some resistance from ranchers and another local partner needed to battle the disease — sports enthusiasts who use their land in the infected area for hunting. It's not only cattle that can carry the disease, but deer and elk, and part of the state's plan includes nearly wiping out the area's deer population.

In all likelihood, the newest TB outbreak started with one infected cow, imported from another state. But deer and elk are efficient carriers of the disease, since they graze on open lands and come into contact with cattle and their food source. According to the DNR, there are about 800 deer in the bovine TB infected area, and 17 TB cases have been confirmed in free-ranging deer.

The DNR has been taking measures to thin deer populations on publicly owned

land, but HF4164, sponsored by Rep. Kent Eken (DFL-Twin Valley), would extend the DNR's authority for controlling the deer population to privately owned land. The bill awaits action by the House Environment and Natural Resources Committee. The companion, SF3811, sponsored by Skoe, awaits action by the Senate Rules and Administration Committee.

Roseau County Commissioner Russell Walker, County Coordinator Trish Harren-Klein, and Bovine TB Coordinator Dave Grafstrom were in Olin's office April 7 to talk about the state plans that, just in the past six weeks, are reaching a "fever pitch," according to Harren-Klein.

This is a debate that could define a community of people for some time to come, they say. They fear that it could become a livestock vs. sportsmen conflict, and acknowledge there are those who want to drive a wedge between the two. They are hoping that as information about the issue gets out, and the solutions to manage the problems are explained, there will be more buy-in.

"It gets down to people are people, and you gotta get down to the one-on-one to find out their concerns and try to address them," Grafstrom said.

The idea of a voluntary buyout has been floated at recent community meetings, but so far there aren't too many interested parties, Grafstrom said. "Farmers, in general, are independent (thinkers) and livestock producers are more independent, they don't get a lot of government subsidies. But one of the things that is important are neighbors. People want to get along with each other and that sense of community is important."

APR 11, 2008



PHOTO BY TOM OLMSCHIED

**With the recent downgrade to the state's bovine tuberculosis rating, dairy cows, along with cattle, will now be subject to testing, if they are to be shipped out of the state.**

# Clean cars vs. clean fuels

California 'clean car' emissions bill faces opposition from ethanol, auto industries

By NICK BUSSE

**W**hen members of the House agriculture policy and finance committees sat down to hear arguments for and against toughening Minnesota's vehicle emission standards April 7, they were probably hoping to come away with some clear answers as to how it would impact the state's ethanol industry.

By the end of the meeting, however, Rep. Al Juhnke (DFL-Willmar) wondered aloud whether the opposite was true.

"I don't know if we've answered questions or created even more," said Juhnke, chairman of the House Agriculture, Rural Economies and Veterans Affairs Finance Division.

Juhnke's division met with members of the House Agriculture, Rural Economies and Veterans Affairs Committee for an informational hearing on HF863. Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), the bill would adopt California's "clean car" vehicle emission standards for Minnesota, and would affect new passenger vehicles model 2012 and later. Supporters say the measure is necessary to help the state meet its greenhouse gas reduction goals, but opponents worry that it could damage the state's thriving ethanol industry.

At the heart of the issue is whether E85 and flex-fuel vehicles could meet the new emission standards. Automakers and auto dealers say it's not technically feasible, and that has ethanol producers worried that the demand for their product — and the infrastructure to support it — could dry up under the new regulations.

"If automakers quit selling flex-fuel vehicles, our E85 infrastructure will crumble under itself," said Kevin Paap, president of the Minnesota Farm Bureau.

Laura Dooley, manager of state government affairs for the Alliance of Automotive Manufacturers, said that although more than a dozen other states have adopted the

California standards, Minnesota would be the first "ethanol state" to do so. She added that many of the same goals in Hortman's bill will be achieved by the 30 miles per gallon by 2020 fuel efficiency standard recently enacted by the federal government.

"We ask that you allow our experts to work toward achieving (that) aggressive goal without being sidelined with the burden of having to comply with individual state programs designed to meet the same end," Dooley said.

Supporters say the auto industry is exaggerating the threat to ethanol. David Kittelson, a professor of mechanical engineering at the University of Minnesota, said domestic automakers are already planning on installing advanced systems that will allow ethanol-powered vehicles to produce fewer emissions than those powered by regular gas. If that's the case, Kittelson said, the California standards might actually lead to increased ethanol use.

Hortman agreed, arguing that the California standards actually create an incentive to sell E85 and flex-fuel vehicles by providing credits to dealers who track their customers' use of ethanol fuel blends.

"Some people could look at the standards and say that there is an incentive for E85 fueling infrastructure, because the only way for manufacturers to get credit for selling flex-fuel vehicles is to show that the vehicles are actually using E85," Hortman said.

That answer isn't good enough for Paap,

who argued that the mere possibility the bill could harm ethanol makes it unacceptable.

"There seems to be much uncertainty — maybe too much uncertainty," Paap said.

## The bigger picture

Although ethanol was the main focus of the discussion at the hearing, it wasn't the only topic debated. Each side of the argument presented its own laundry list of reasons why the California standards should or should not be adopted.

Federal law gives states two options on air quality regulations: they can choose either the standards set by the U.S. Environmental Protection Agency or those set by the California Air Resources Board. Critics say that adopting the California regulations would be tantamount to relinquishing Minnesota's own authority on the issue, and that it would place the state's future in the hands of a governing body that has no accountability to Minnesota voters or elected officials whatsoever.

On the other side, Hortman said adopting the California standards would have numerous positive impacts aside from reducing greenhouse gasses, including: increasing the state's energy independence; lowering the incidence of cardiovascular conditions caused by air pollution; and creating an incentive to produce more fuel-efficient vehicles that would save consumers money at the gas pump. She argued that policymakers need to show leadership on the issue.

"What I would ask you is, do you like seatbelts, and do you like airbags? Because if we left the automotive manufacturers to make that decision for us, we would not have those things," she said.

The bill currently awaits action by the House Finance Committee. A companion, SF481, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Business, Industry and Jobs Committee.



# 'Garbage' or good legislation?

Omnibus bill can be one legislator's junk, another's treasure

By BRIAN HOGENSON

**G**one are the days when every bill was brought before the House on an individual basis for debate and a vote. Large omnibus bills are becoming the norm for steering a committee's bills toward the governor's desk, raising questions of legality and good government in the process.

"Omnibus bills are inherently bad for policy making and good decision making all around," Rep. Mark Olson (IR-Big Lake), adding they "guarantee bad government" and can have a bad effect on the legislative process even in the years after they are passed.

"Many people complain how often we have to come back to fix legislation that we just passed the year before," he said. "I've noticed, numerous times those legislative repairs are needed for laws created by omnibus bills and the lack of scrutiny they receive for each of the many policy provisions in them."

In Olson's view, on top of being bad government, omnibus bills are often illegal. He cites the state constitution that states: "No law shall embrace more than one subject which shall be expressed in its title."

Before the turn of the 20th century, the Minnesota Supreme Court struck down 11 laws it found to violate the single-subject requirement. Since that time, the court has struck down another six, the last one occurring in 2000 with the case of Associated Builders and Contractors v. Ventura. That case stemmed from the Omnibus Tax Bill of 1997, specifically the provision requiring school districts to pay prevailing wages on any construction project estimated to cost more than \$100,000.

The 2003 "concealed carry" law didn't make it to the state's highest judicial body for a ruling. A Ramsey Court District judge ruled that by amending the language to a Department of Natural Resources bill, the law was unconstitutional. The Minnesota Court of Appeals later agreed. A different "concealed carry" law was passed on its own in 2005.

## All or nothing

The omnibus bill that has generated the most debate this session is HF1812, a bill to resolve the state's projected budget deficit. Critics say the bill violates the "one bill, one subject" constitutional provision and it contains too many policy provisions.

Rep. Lyndon Carlson (DFL-Crystal), the bill sponsor, notes that it sets out to resolve the state's projected \$935 million budget deficit, as well as resolving projected deficits into the next biennium. "There is a long history of omnibus budget balancing bills that have as the single issue the budget and the balancing of the budget."

Rep. Phyllis Kahn (DFL-Mpls), chairwoman of the House State Government Finance Division, said that with 11 finance divisions, it makes sense to combine their budget recommendations into one bill.

Having some policy in omnibus finance bills is OK as long as it's linked to the financial policy, according to Rep. Michael Paymar (DFL-St. Paul), chairman of the House Public Safety Finance Division. "Some of what went into the budget bill is probably just policy. That's something we need to be concerned about."

Kahn noted that for 15 years, pension bills have been put together into an omnibus bill made up of the work done by the Legislative Commission on Pensions and Retirement. Without the omnibus bill, she says, enormous amounts of time would be spent discussing numerous bills.

"Nobody has ever suggested that it's unconstitutional," Kahn said. "No one has

ever suggested that we go back to individual pension bills."

Rep. Mindy Greiling (DFL-Roseville), chairwoman of the House K-12 Finance Division, has put together omnibus bills in the past and says that abiding by "one bill, one subject" is the key to a good bill.

She believes that if the House were to approve education bills individually the available funding would run dry quickly. By having education bills grouped together in an omnibus bill it is easier for the House members and those serving on conference committees to keep the total fiscal impact of education legislation in perspective.

Greiling would like to see an end to the so-called "garbage bills," like this year's supplemental budget. She said having bills that large with both fiscal and policy provisions included makes it tough for the average citizen to follow the legislative process.


"The average citizen doesn't have that kind of time," she said. "We should want the public to know what we are doing here because we get a better result."

For Rep. Gene Pelowski Jr. (DFL-Winona), chairman of the House Governmental Operations, Reform, Technology and Elections Committee, the issue goes beyond whether omnibus bills are a good idea. He has witnessed a deterioration of the legislative process under DFL and Republican leadership of the House, calling it a "bipartisan debacle."

In the past, Pelowski says, HF1812 would have been broken up into its various sections and voted on as separate bills.

During the 14 hours of floor debate on the bill, 62 amendments were introduced, which Pelowski said should have been taken care of during the committee process.

The current way of doing things not only makes it impossible for the public to know what is in these bills, according to Pelowski, but creates a heavy burden for the House staff who draft the bills and amendments, which facilitates errors.

"It's a disservice to the public," Pelowski said. 



# Preparing youth for a world that's flat

Interest in Mandarin Chinese curriculum increases

By THOMAS HAMMELL

**A**s Shu-Whei Miao enters the classroom, her students bow and she tells them it's time for morning exercises. The students, a little sheepishly, follow her in a series of neck rolls and arm movements, and then they sit down. The classroom is like any other — the only noticeable difference is that posters on the wall are in Mandarin Chinese.

Miao begins by asking the students, in Chinese, what kinds of stores can be found on University Avenue in St. Paul, an area with a large Asian population. She asks them to tell her where to find shops, restaurants and a Chinese grocery store.

These students are in the Chinese III class at St. Paul's Highland Park Senior High, and though the district has had a longstanding Chinese program, many school districts are trying to implement the language into their curriculum.

"Really, when it comes to teaching Chinese, Minnesota is seen as a leader," said John Melick, director of Chinese language initiatives for the Department of Education.

## New programs

Since the department's 2007 report on establishing Chinese language programs came out, Melick said there has been change.

"The biggest change is the number of new programs and new students studying Chinese from last year to this year," he said. The state has four schools offering Chinese immersion curriculum: Minnetonka Public Schools offers it in kindergarten and first grade at two different schools, Hopkins Public Schools offers it in kindergarten and the Yinghua Academy in St. Paul has expanded its offerings to fourth grade.

Melick said the Legislature put five grants into law in 2007 each giving districts \$50,000 for each of two years. One grant had to go to Mandarin Chinese, and one to an indigenous American Indian language program. The

other three had to go to K-8 world language instruction.

Rep. Erik Paulsen (R-Eden Prairie) sponsored the legislation that led to these grants and would like to see funding this year, though because of the deficit, that likely won't happen, he said.

"I think the next step, though, is to offer more grants, to have more focus for more opportunities on it," he said. He said he would like to see Mandarin Chinese offered in every high school in the state by 2020.

Melick said based on the quality of grant applications, the money went to Yinghua Academy and Fridley Public Schools. Both

will have two years to develop world language programs, which will be used as models for language programs throughout the state.

Although the state does not have formalized guidelines for teaching Chinese, this year more than 3,000 students in Minnesota are studying the language, compared to 2,216 last year. The number is small compared to the 116,188 students studying Spanish, but Mandarin Chinese programs will grow if the interest is there.

## China by the numbers

Interest in Mandarin Chinese peaked after Gov. Tim Pawlenty's 2005 China trade mission and again after Education Commissioner Alice Seagren led a delegation to the country in 2006.

"China is recognized as one of the major players that is going to shape our future," Melick said.

It's easy to see why there is such an interest in the language.

China has a Gross Domestic Product of \$3.24 trillion and the predominant dialect, Mandarin, is spoken by more than 70 percent



PHOTO BY TOM OLMSCHEID

Shu-Whei Miao asks a question of a student in her Chinese III class at Highland Park Senior High in St. Paul.





PHOTO BY TOM OLMSCHIED

**Will Robertson, a sophomore at Highland Park Senior High in St. Paul, works on a worksheet during the Chinese III class.**

of the population, according to information from the U.S. State Department. Cumulative United States investment in China was estimated at \$65.2 billion through 2007, making the U.S. the second largest foreign investor in China.

It's not surprising, then, that some parents want to give their children an early start. At the Yinghua Academy, students are getting just that.

Just a few blocks from University Avenue in St. Paul, students begin their day singing songs in Chinese. Most of the school's instruction is in Chinese, although since the school was started in 2006, some of the older students are taught primarily in English.

Director Betsy Lueth said language is so tied to culture, that by learning a language, people become more culturally literate.

She favors immersion education.

"I think immersion just provides a better opportunity to get to native fluency levels," she said.

### Putting it all together

Federal, not state, money seems to be the key to the establishment of programs for some Greater Minnesota Chinese language courses. Willmar Public Schools, located in the west-

central part of the state, has a Chinese language program thanks to a federal grant.

Last year the district began implementing a Mandarin Chinese program with a part-time teacher who is full-time this year, Superintendent Kathy Leedom said.

The school had 40 students in Chinese I last year, and will have 61 students in the class this year and 29 in Chinese II. Next year they are planning a Chinese III section, she said.

Along with a local match, the school received more than \$300,000 from the federal Foreign Language Assistance Program for a three-year period, Leedom said. The grant allowed the schools to gradually implement a new world language program over a few years.

"I was part of the Minnesota trade mission trip to China, and definitely my own interest as a school leader was a result of that trip," she said. On top of that, the district's administrative cabinet had finished reading "The World is Flat: A Brief History of the 21st Century," by Thomas Friedman, a book about the changing world economy.

"Collectively we were beginning the process of offering the types of classes we should be offering to prepare students for a world they are going to be a part of as they leave the school setting," Leedom said.

Mankato Area Public Schools Superintendent Ed Waltman said the district's two high schools share a Chinese language class, but the program will likely not be offered next year. The school was hoping to get grant money for the program, but the Legislature did not approve enough money for all schools.

The school funded the class this year for \$15,000. After some students dropped out, the school has 15 in the class.

"We've got only six students that want to continue next year with Chinese II," he said.

Jodi Husting, K-12 world language project coordinator for South Washington County Schools, said the district also received a federal grant and is running a pilot program at three elementary schools and hoping to expand that to fifth or sixth grade.

The funding came from the federal government, but Husting said the network created to make the report has been helpful.

"Just generally speaking, in order for a language program to be successful, there needs to be support for second language learning in general," she said. "If we want our students to be competitive globally, we need to provide a wealth of opportunities for second language learning."

# JOBZ — love it or hate it

Some legislators want the program scrapped, while others fight for its expansion

BY COURTNEY BLANCHARD

**W**adena is a small, central Minnesota town, stuck in the awkward transition from a family farm economy. About 4,300 people live there; mostly retirees and students at the local technical college. In the center of town is the Cozy Movie Theater, which looks much the same as it did in 1938, except now it has three screens instead of one. People work what jobs they can; there are two wholesale grocer distribution centers and a Wal-Mart that opened up a few years back.

But last summer, an economic disaster loomed. The Homecrest furniture plant shut down, scattering about 140 employees, a large part of the town's workforce, said Mayor Wayne Wolden. The plant began to arrange relocation to China.

"JOBZ was the most important piece of the puzzle that was able to keep Homecrest in Minnesota," Wolden said. "Homecrest Industries was 24 hours away from moving to China." The plant reopened in Wadena and now employs more than 70 people.

But JOBZ, short for Job Opportunity Business Zones, doesn't always play out that way, according to a February report by the nonpartisan Office of the Legislative Auditor. The report found that the program, designed to give tax breaks to new or expanding businesses in rural Minnesota, was often misused or unnecessary.

JOBZ launched in January 2004, and despite some abuse, has had its successes. The auditor's report found that in the first three years, more than 300 subsidy agreements and \$45 million in tax breaks were awarded to businesses in rural Minnesota. In some of those cases, jobs were created or salvaged when businesses threatened to move elsewhere.

However, the report raised questions of whether the program, which has no budget constraints, should be continued as it stands in the midst of a deficit.

## Critics and advocates

It's been a source of contention this session; referred to as a pet project of the governor. Some lawmakers want to scrap it, but JOBZ has

fierce advocates that are willing to change it.

One bill, HF3599, sponsored by Rep. Paul Marquart (DFL-Dilworth) would inject \$175.2 million of new money into the program. The program would still end in 2015, but the new money would allow a business that enrolls near the deadline to receive 11 years of tax benefits. Some businesses would qualify for two additional years.

Marquart focused his bill on the report's criticisms. Those include:

- JOBZ wasn't targeted to distressed areas. HF3599 would direct the program to areas with high unemployment and declining population. The bill takes into consideration other available forms of aid and whether the JOBZ contract would threaten a competing business in the area.
- Some businesses would have expanded anyway, without a JOBZ contract. HF3599 would require businesses to complete expansion agreements in two years and meet a job creation quota of five or 10 jobs. The Department of Employment and Economic Development would have to approve contracts instead of a local government.
- DEED was slow to identify noncompliant businesses and kick them out of the program. HF3599 would require businesses and local governments to submit detailed reports to DEED throughout the year about the progress on the contract.

Businesses would lose the contract if they failed to meet their goals or didn't provide information within 30 days of the request.

At an April 8 meeting of the House Taxes Committee, city officials from rural towns leaned into the microphone to say the same thing: JOBZ brought jobs to our city. Please don't get rid of it!

Former state Rep. Dan Dorman (R-Albert Lea), now the executive director of the Albert Lea Economic Development Agency, said 600 jobs in his city have JOBZ behind them.

"By and large, most of those would have been in Iowa or South Dakota without it," he said.

DEED Commissioner Dan McElroy said cities like Albert Lea have difficulty attracting new businesses. Border states offer more competitive tax incentives and can lure companies out of Minnesota.

"But the challenge is ... could we do away with border wars?" McElroy said.

Rep. Ann Lenczewski (DFL-Bloomington), the committee chairwoman, said the data is unclear whether businesses actually migrate to other states, and the solution is more complex

than offering tax credits to companies near the state line. She questioned whether government is the best entity to encourage business growth.

"In general, government is bad at this. This isn't what we should be doing. We're trying to battle in a world that we're not qualified to battle in," she said.

Marquart presented the bill to the committee on April 8. It was laid over, and could show up in the division's omnibus bill in late-April.

"We are going to do something with JOBZ this year in the Minnesota House," Lenczewski said.

Sen. Julie Rosen (R-Fairmont) sponsors the companion, SF3115, which was passed by the Senate in a slightly different version April 3 in the omnibus tax bill, SF2869, sponsored by Sen. Tom Bakk (DFL-Cook).

---

***"We are going to do something with JOBZ this year in the Minnesota House."***

---

— Rep. Ann Lenczewski  
House Taxes Committee chairwoman

---



## Monday, April 7

### HF4167-Clark (DFL)

#### Health & Human Services

Naturopathy working group created.

### HF4168-Lenczewski (DFL)

#### Taxes

Wages subject to withholding definition modified.

### HF4169-Lenczewski (DFL)

#### Taxes

Bloomington; tax increment financing five-year district rule extended.

### HF4170-Olin (DFL)

#### Finance

Beef producer grant program established.

### HF4171-Gardner (DFL)

#### Taxes

Property taxes limited to a percentage of homeowner's income, and market value homestead credit reduced.

### HF4172-Olson (IR)

#### Health & Human Services

Alternative medicine effectiveness study required.

### HF4173-Davnie (DFL)

#### Taxes

First tier of commercial-industrial property exempted from state general tax.

### HF4174-Olin (DFL)

#### Agriculture, Rural Economies & Veterans Affairs

Interagency coordinator established for bovine tuberculosis control and eradication.

### HF4175-Peppin (R)

#### Agriculture, Rural Economies & Veterans Affairs

Ethanol producer payment program and minimum ethanol content requirement repealed, and an appropriation cancelled.

### HF4176-Abeler (R)

#### Health & Human Services

Prescription electronic reporting system modified.

### HF4177-Severson (R)

#### Public Safety & Civil Justice

Interference of parenting time civil penalties imposed.

### HF4178-Greiling (DFL)

#### Finance

School finance system modified and new education funding framework created.

## Thursday, April 10

### HF4179-Dean (R)

#### Health & Human Services

Health care provider emergency care and treatment liability regulated, and expert review affidavits in malpractice actions against health care providers regulated.

### HF4180-Otremba (DFL)

#### Environment & Natural Resources

Firearm possession restrictions modified.

### HF4181-Olin (DFL)

#### Taxes

Subtraction from income attributable to herd eradication provided, bovine testing credit increased, state paid property tax credit provided for bovine tuberculosis management zones, sales tax exemption provided and money appropriated.

### HF4182-Hackbarth (R)

#### Health & Human Services

MFIP eligibility drug screening required.

### HF4183-Thao (DFL)

#### Health & Human Services

Naturopathy practice prohibited.

### HF4184-Abeler (R)

#### Health & Human Services

Health and human services finance board established, rule making authorized and board designated to receive General Fund appropriations.

### HF4185-Hansen (DFL)

#### Finance

License plates established for contributions to cure pediatric cancers.

### HF4186-Dill (DFL)

#### Taxes

Ely; sales and use and excise tax imposition authorized.

### HF4187-Benson (DFL)

#### Taxes

Property tax exemption extended relating to an electric generation facility.

### HF4188-Gardner (DFL)

#### Taxes

Maximum property tax refund increased, income threshold for homeowners' property tax refund decreased and a second exemption amount allowed for married claimants who are both 65 or older or disabled.

## LATE ACTION

### Possible health care reform

After five hours and more than a dozen amendments, the House was still deliberating the comprehensive health care reform bill April 10 when this magazine went to press.

HF3391, sponsored by Rep. Thomas Huntley (DFL-Duluth), would create health care homes to manage people with chronic diseases; set income standards for how much people should pay for care; create payment reform; and set universal coverage goals of 94 percent of people covered by 2009, 96 percent by 2011, 97 percent by 2012 and 98 percent by 2013.

"About 75 percent of the money spent on people in health care is spent on those with

chronic diseases," Huntley said.

Huntley said he worked closely with the Minnesota Medical Association and other groups to create the proposal. The bill would pay for the changes from the Health Care Access Fund with \$43 million in 2009, \$81 million in 2010 and \$138 million in 2011.

Providers would submit bids for the total cost of care based on their prices to treat a set of chronic diseases.

A Health Care Transformation Commission would be created to collect data from providers on health care prices and quality; develop an implementation plan for health care payment system reform; and establish uniform definition and methodology for calculating health care costs for providers treating patients.

Beginning Jan. 1, 2009, the health commissioner would encourage state program enrollees, and those with chronic diseases, to select a primary care clinic or medical group to coordinate care and develop a comprehensive plan for each enrollee.

Rep. Mark Olson (R-Big Lake) unsuccessfully offered an amendment that would have allowed state employees to opt out of state health plans. An unsuccessful amendment offered by Rep. Matt Dean (R-Dellwood) would have required all state health policies to be patient-centered, and offer choice and competition through the free market.

A companion bill, SF3099, sponsored by Sen. Linda Berglin (DFL-Mpls), was passed 39-23 by the Senate March 31.

— P. OSTBERG

# How a Bill Becomes

## Idea

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

## Legal form

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

## Authors

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

## General Register

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

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

## Calendar for the Day

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

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

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



# a Law in Minnesota

## Introduction

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

## Committee

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

## Floor

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

## Conference

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

## Floor

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

## Governor

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





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

**SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER**

**MAJORITY LEADER: ANTHONY "TONY" SERTICH**

**MINORITY LEADER: MARTY SEIFERT**

## MINNESOTA INDEX

### State parks

Number of state parks in Minnesota.....	66
State recreation areas .....	6
State waysides.....	8
Forest recreation areas.....	46
Acres managed by the DNR's Division of Parks and Recreation.....	267,300
Percent of total state land area that represents.....	0.5
Division of Parks and Recreation operating budget in 2005, in millions.....	\$28.6
Amount from the General Fund, in millions.....	\$16.2
Amount from state lottery proceeds, in millions .....	\$3.5
Amount from the state parks dedicated fund, in millions.....	\$8.9
State park visits made annually, in millions.....	8
Visitors who camp or stay in park lodging annually.....	900,000
Percent of Minnesotans who visit a state park annually.....	30
Millions contributed to the economy by state park visitors in 2006.....	\$196
Percent of state park visitors from Minnesota.....	84
Percent from outside the state .....	16
Of total state park visits, percent of Minnesota visitors from the	
Minneapolis-St. Paul area .....	43
Area as a percent of state population .....	54
Of total state park visits, percent of Minnesota visitors from Greater Minnesota .....	57
Area as percent of state population .....	46
Percent higher that per-capita park visitation was in 1995 than in 2005.....	12
Percent higher in 2000.....	8
Acres of natural land converted for development in Minnesota every day.....	170
Number of full-time state park employees .....	175
Part-time .....	700
Percent of state park staff located in the field.....	85
Number of new employees the Division of Parks and Recreation will have to	
recruit, hire and train in the next 10 years to replace its aging workforce .....	350
Number at the supervisory/managerial level .....	80
Minorities as a percentage of the parks and recreation workforce .....	2.5
As a percentage of the DNR's total workforce.....	3
As a percentage of the state's population .....	14
Women as a percentage of the parks and recreation workforce .....	48.2
As a percentage of the DNR's total workforce.....	34
As a percentage of the state's population .....	50.4

— N. BUSSE

**Source: Minnesota State Parks: "Everyone's Country Estate," Strategic Plan 2006 – 2011, Department of Natural Resources, 2007.**

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 10 • APRIL 18, 2008

BETTING ON YOUR LIFE  
ETHANOL, ENVIRONMENT AND ECONOMICS  
FOOD SHELVES HUNGRY FOR HELP  
AN ENERGIZED ELECTORATE

HF4189 - HF4203





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Thomas Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Budget • 5  
Business • 5  
Crime • 6  
Education • 6  
Energy • 7

Government • 8  
Health & Human Services • 9  
Insurance • 11  
Local Government • 11

Military • 13  
Taxes • 13  
Transportation • 14  
Late Action • 15

### BILL INTRODUCTIONS (HF4189-HF4203) • 22

### FEATURES

**FIRST READING:** Stranger-Originated Life Insurance policies raise questions • 3

**AT ISSUE:** Legislators disagree over ethanol's impact on the environment • 16-17

**AT ISSUE:** Controversial 'No Child Left Behind' has lawmakers looking for alternatives • 18-19

**AT ISSUE:** Food shelf needs are growing across the state • 20

**AT ISSUE:** Tapping the high caucus turnout for new volunteers • 21

**RESOURCES:** Constitutional Officers • 23

**MINNESOTA INDEX:** Waste management • 24

**On the cover:** Members of Citizens for a Safer Minnesota held a "lie-in" in front of the Capitol April 16. They were commemorating the Virginia Tech victims on the anniversary of the shootings, and to remember the 32 Americans murdered by gun violence on a "typical day." Seventy cities and towns across America held similar events to, in part, urge legislators to strengthen the Brady Act, requiring firearms dealers to request background checks on individuals attempting to purchase a firearm.

— Photo by: Tom Olmscheid



# A roll of the dice

Pair of bills seek to determine whose life (insurance policy) is it anyway?

By CRAIG GREEN

**C**arl Wolk started a business in Minneapolis 44 years ago, eventually expanding from one store to 16. In 2005, he was approached by other businessmen who offered to buy out a majority of Wolk's business with the understanding that he would receive a payout over five years.

Two years later, those same businessmen filed for bankruptcy. The deal and the promised payout were gone.

"So everything I had coming, it went down the tubes," he said. With few options, Wolk sold one of his few remaining assets: his life insurance policy.

Speaking April 1 before the House Commerce and Labor Committee, Wolk said that he was also having problems making payments on the life insurance policy because the premiums had gotten so high. With the sale of his policy, he was able to assure that he and his wife could live comfortably.

According to the Life Insurance Settlement Association, Wolk's situation is not unusual. A typical scenario could involve someone wanting to sell a life insurance policy valued at approximately \$2 million. If they were to surrender their policy to their life insurance provider, they may be able to recover \$50,000. But if they were to sell their policy to the "secondary market," they could possibly receive \$200,000.

Yet, with this growing market and the professed good intentions of some of the companies involved, there is a flip side. There are those who see the potential for a financial windfall, and are looking for ways to take advantage.

## The stranger among us

The 800-pound gorilla in the room is called STOLI, or stranger-originated life insurance. STOLI is life insurance issued on the life of someone as part of a transaction in which they

agree to transfer the policy to a "stranger." The new owner could be one person, or a group of investors.

Once the policy is transferred, the owner continues to pay the premium until the seller dies. When the insured dies, the investor gets paid. Those often targeted for this arrangement are seniors, ages 65 to 85, encouraged to sign up for new life insurance policies they will then sell for a buyout.

According to the nonpartisan House Research Department, investors are attracted to these arrangements — also known as "death bonds" — because their return on investment is not dependent on the stock market, or the insured's financial performance.

The goal is to make the investors money, not to provide financial security for the insured.

## Taking action

In California, two men were indicted in 2006 for conning dozens of members of a church to take out life insurance policies with promises of quick money for the church. The policies were sold to investors with the understanding that the return on the investment would be high because the church members "were predominantly African Americans and had a higher mortality rate than the average population," according to the indictment.

At least 20 states are considering legislation dealing with the life settlement industry and STOLI. This session, two bills have



First Reading continued on page 4

PHOTO BY ANDREW VONBANK; PHOTO ILLUSTRATION BY PAUL BATTAGLIA

been introduced in Minnesota.

HF3534, sponsored by Rep. Kate Knuth (DFL-New Brighton), calls for a five-year period between the time a life insurance policy is issued and the time any type of life settlement agreement could be reached. The bill is based on the Viatical Settlements Model Act of the National Association of Insurance Commissioners. It awaits action by the House Commerce and Labor Committee.

"A life insurance policy that is just made for someone else dying as an investment is bad," Knuth said. "The people who need a life insurance policy, and those who buy and sell them, no one wants it to get out of hand. The question is: How do we decide to regulate?"

A companion bill, SF3063, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the the Senate Commerce and Consumer Protection Committee.

Another bill takes a slightly different tact. HF3878, sponsored by Rep. Leon Lillie (DFL-North St. Paul), also focuses on restrictions to STOLI practices, but does not have the five-year waiting period. The bill adopts language supported by the National Conference of Insurance Legislators. It, too,

awaits action by the House Commerce and Labor Committee.

"It's hard to think of life insurance like a house, or as a product or property that someone might own, but it is." And with the bill that he has introduced, "you would be able to cash out if you want to."

Though he is still learning about many of the issues involved, Lillie agrees that the STOLI problems need to be addressed, even though the consumer issue is just as important. "If you own something, you should be able to sell it."

A companion bill, SF3495, sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the the Senate Commerce and Consumer Protection Committee.

### **For and against**

Representing the National Association of Insurance and Financial Advisors, Dominic Sposeto spoke in favor of any legislation that would help to guard against STOLI, saying that this practice was simply easy money for the secondary life insurance market.

Sposeto said STOLI is an attempt to get around the doctrine of life insurance, and it creates problems for the industry, agents and policyholders. If this trend continues, he said

insurance companies will be reluctant to write policies for seniors, and that will lead to increased costs for seniors who want insurance.

At the same time, Sposeto said, if there are legitimate businesses helping policyholders to sell their policies, they should have the right to do so. "We want to maintain true life settlements, but somewhere we have to draw the line."

Joe Sabes, CEO of GWG Life Settlements in Minneapolis, said that life settlements offer tremendous opportunities for seniors to sell their policies, and cautioned the committee about restrictive legislation that would hinder the practice. Sabes also said that it was his company that bought Wolk's policy, and had there been the five-year ban in place Wolk would not have been able to sell his policy.

Rep. Joe Atkins (DFL-Inver Grove Heights), chair of the House Commerce and Labor Committee, acknowledged that the issues are complicated and it will take time to resolve them all. But there is a desire for those parties involved to come to some type of compromise, he said.

"There is general agreement that something should happen," Knuth said. "There's not general agreement on exactly what." 🐼

## **OCCUPIED TIBET**



PHOTO BY TOM OLMSCHIED

**Tenzin Kunchok, 3, wears a pair of mock handcuffs, while her mother, Namgyal Norzon, holds a sign during an April 16 gathering in the Capitol Rotunda to pray for the victims of the latest repression of the Tibetan people, and to protest China's occupation of Tibet.**

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held April 10-17. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill version considered by the House or the bill language signed by the governor.

## BUDGET

### Conference committee at work

A number of fiscal questions are yet to be answered, but the issue of policy has apparently been resolved by the Omnibus Supplemental Budget Bill Conference Committee.

Rep. Lyndon Carlson (DFL-Crystal) and Sen. Richard Cohen (DFL-St. Paul), the committee co-chairs, requested April 14 that working groups be created within the separate divisions of the bill (HF1812/SF3813) to determine what policy in the respective provisions has a fiscal implication and what is just plain policy. The House file is loaded with policy provisions; the Senate not so much. Nonpartisan staff has been asked to help with the determination.

"The expectation is that policy bills will be created, so members don't lose what they've been working on," Cohen said.

Conferees hope to quickly get some sense from the chairs as to what works and can be incorporated into the final conference committee report.

Sen. Don Betzold (DFL-Fridley) and Rep. Tom Rukavina (DFL-Virginia) said it would be tough for discussions to occur without having a financial goal for the respective divisions. "Until a fiscal target is decided, how do we begin to discuss the end product?" Rukavina said.

An E-12 working group completed its work April 15, and a higher education group met April 16. An agriculture and veterans working group scheduled for April 18 was canceled.

Conferees also heard from various state commissioners on how potential budget changes would affect their agencies.

After meeting with Gov. Tim Pawlenty April 16, DFL leaders said a general understanding had been reached that the governor would not use \$250 million from the Health Care Access Fund as part of his budget-balancing plan. House and Senate proposals both use none of that money, saying it should be used to improve and expand health care.

However, Republicans countered that the governor only said that he understood the DFL position, but he did not agree to remove the cut from his proposal.

It was also announced that a coin flip resulted in Pawlenty being asked to present the first offer in the negotiations to erase a projected \$938 million biennial budget deficit.

M. COOK

## BUSINESS

### Fundraiser exemption for auctioneers

**Signed  
by  
the  
governor**

An auctioneer's job is to talk and sell — sometimes for private events, sometimes for charity.

Addressing the House Commerce and Labor Committee Feb. 28, Kurt Johnson, former president of the Minnesota State Auctioneers Association, said that the Office of the Attorney General recently became aware of an auctioneer who was asking for money at a nonprofit fundraiser.

In response, Johnson said, the office broadly interpreted current law to say that all auctioneers must be registered as professional fundraisers.

In an effort to clarify what an auctioneer can and cannot do at a charitable event, a new law states if an auctioneer is licensed and bonded, and he or she does not have access to the proceeds from the event, they do not have to register as a professional fundraiser.

Sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. LeRoy Stumpf (DFL-Plummer), the new law was signed by Gov. Tim Pawlenty on April 10. It is effective the next day.

HF3289\*/SF2979/CH181

— C. GREEN

### Fund management regulation

**Signed  
by  
the  
governor**

Changes will be made to regulations on the management and investment standards for entities holding funds for charitable purposes.

A new law signed by Gov. Tim Pawlenty April 10, adopts language recommended by the National Conference of Commissioners on Uniform State Laws and repeals the state's current version of the Uniform Prudent Management of Institutional Funds Act, which was enacted in 1973.

Specifically, the law focuses on supervision and investments in institutional funds, appropriation of endowment funds, compliance review and electronic signatures.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Linda Scheid (DFL-Brooklyn Park), the law is effective Aug. 1, 2008.

HF1499\*/SF1406/CH188

— C. GREEN



PHOTO BY TOM OLMSCHEID

**House Speaker Margaret Anderson Kelliher addresses the press April 16 after budget talks in Gov. Tim Pawlenty's office. Also speaking with the press following the meeting are House Majority Leader Rep. Tony Sertich, Senate Majority Leader Larry Pogemiller and Assistant Senate Majority Leader Tarryl Clark.**



## CRIME

### Personal jurisdiction extended

**Signed  
by  
the  
governor**

Minnesota law currently prohibits state courts from exercising jurisdiction over foreign corporations or nonresidents when the cause of action is based on defamation or invasion of privacy. That restriction is about to be lifted.

Signed by Gov. Tim Pawlenty April 10, a new law permits jurisdiction in Minnesota for out-of-state acts that cause injury or property damage to Minnesota residents.

For example, if a Web site based outside the state violates the privacy of or defames someone in Minnesota, the person affected could sue.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley), the law takes effect Aug. 1, 2008.

HF117\*/SF181/CH185

— C. GREEN

### Police can coat car windows

**Signed  
by  
the  
governor**

Placing glazing material on the window of a motor vehicle is against the law in Minnesota, with a few exceptions, such as vehicles transporting a body to a funeral, and those vehicles where the driver has a prescription or physician's note. A new law adds police vehicles to the list.

Sponsored by Rep. Bud Nornes (R-Fergus Falls) and Sen. Dan Skogen (DFL-Hewitt), the law permits police departments to put glazing material over side and rear windows of police vehicles.

Nornes said the initial bill was in response to a K-9 police officer concerned about conditions for police dogs that ride in the back of police cars. An amendment was added to remove a "used to transport a police dog" exemption, and allow police departments to determine when vehicle window glazing is appropriate.

Signed into law by Gov. Tim Pawlenty April 10, the law is effective April 11.

HF2602\*/SF2381/CH186

— C. GREEN

## EDUCATION

### Legislators look toward next year

A bill that would drastically change the way schools are funded has a long way to go before it could emerge as a new proposal next year.

Rep. Mindy Greiling (DFL-Roseville), who sponsors HF4178, hopes a similar proposal

will be considered first thing when session convenes next year.

It was heard, but not acted upon, April 10 by the House K-12 Finance Division, which Greiling chairs. A companion bill, SF3828, sponsored by Sen. Terri Bonoff (DFL-Minnetonka), awaits action by the Senate E-12 Education Budget Division.

The bill would change the way school districts are funded, simplify the pupil count for schools, eliminate teacher performance pay and, in effect, fund all-day kindergarten. The bill would also eliminate property tax levies for general education revenue so that it would be provided through state aid and establish an agriculture credit for school bonds. She said districts now get so much of their money from property taxes that they have trouble passing referendums.

"It's a dynamic process and we want people's input," she said.

Greiling said the bill could be scalable, depending on the amount of funding that was available.

Rep. Randy Demmer (R-Hayfield) questioned how the bill would handle declining enrollment. "We don't want to be in a position of punishing schools for growing."

Rep. Sondra Erickson (R-Princeton) said some programs weren't represented in information supplied about funding. Because the information did not address certain areas, such as special education funding, the bill could lead to "a huge amount of misunderstanding" among the public.

Greiling said removing teacher performance

pay, also known as Q-Comp, could be controversial, but the reason was that some schools got it and some do not.

— T. HAMMELL

### Law simplifies conflict rules

**Signed  
by  
the  
governor**

School board members will be exempted from conflict of interest in cases where their spouse is a part of a labor bargaining unit.

Under the law, signed by Gov. Tim Pawlenty April 4, as long as the employee's spouse receives no additional monetary benefit from the rest of the group, school boards can contract with a class of district employees, even if a member of the board is a spouse of one of the members of that class. A board applying this exemption would need to have a majority of members vote to support the contract, have the school board member's spouse abstain from voting, and publicly establish the facts of the contract at the meeting where the contract is approved.

The law is effective April 5.

Sponsored by Sen. Don Betzold (DFL-Fridley) and Rep. Paul Gardner (DFL-Shoreview), the law comes from a situation in the Mounds View School District where a school board member's husband was the head of the school's custodial union and served on the bargaining team that negotiated the custodians' contract with the board. The board member said she would excuse herself from the vote, but was asked to step down.

HF2785 /SF2653\*/CH176

— T. HAMMELL

### READ-A-THON



PHOTO BY ANDREW VONBANK

**Rep. Larry Haws, donning a Cat in the Hat chapeau, reads to a group of preschoolers during the annual early childhood read-a-thon in the Capitol Rotunda April 16.**

## Work group finishes what it started

An E-12 working group charged with coming up with recommendations for the Omnibus Supplemental Budget Bill Conference Committee completed its work April 15.

The group, chaired by Rep. Mindy Greiling (DFL-Roseville) and Sen. LeRoy Stumpf (DFL-Plummer), pulled pure policy out of the deficit-reduction bill (HF1812/SF3813) with plans to include it in another bill.

In addition, the group recommended adding a rider to the budget-balancing bill to fund \$188,000 in value-added improvements to the state's school system. This language was originally carried in both the omnibus House K-12 bill (HF2475), sponsored by Greiling, and the omnibus E-12 education policy bill (HF3316), sponsored by Rep. Carlos Mariani (DFL-St. Paul).

Mariani was concerned that if too much policy was taken out of bills, then policy would effectively be decided by state departments.

"I think it's very much up to the legislative branch to do that," Mariani said.

Some legislators brought concerns about how this session is going.

"I have a concern as a legislator and a citizen," Rep. Kathy Brynaert (DFL-Mankato) said on taking the policy out of the bill. She called it a Catch-22, where segments were previously removed because they had a fiscal impact, now parts were taken out because they not have a fiscal impact.

In other sections, the group recommended that a virtual education program be dropped from the Senate deficit-reduction proposal, and an amendment that would end participation in No Child Left Behind be dropped from the House offer.

The group also recommended eliminating the General Fund offset for the Permanent School Fund. Instead of getting money directly from school fund lands, the money would come out of the General Fund. Supporters said if the offset is eliminated, districts would get the same appropriation, plus money from the Permanent School Fund, starting in 2011.

— T. HAMMELL

Energy Development projects — primarily wind turbines — and also own and operate C-BED projects of their own. The House Taxes Committee approved the bill April 14.

"What this bill does is allow counties to collaborate on C-BED projects to promote wind energy development in Minnesota," said Koenen, who explained that the bill's language is the product of several years of talks between power companies and rural and metro-area counties. He said the utilities support the bill, and noted that cities already have the authority to invest in C-BED projects.

Peter McLaughlin, a Hennepin County commissioner, said the bill would help counties stabilize energy prices by entering into long-term contracts with C-BED developers that can guarantee electricity prices.

"Every prediction on the price of electricity has the graph heading north, and we're trying to find a way to stabilize that," McLaughlin said.

Some committee members are concerned that the bill would put counties in direct competition with the private market. Rep. Dean Simpson (R-Perham) said that county governments would have an unfair advantage over private investors insofar as they could levy taxes to pay for the projects.

"If I'm not mistaken, C-BEDs were basically designed for local investors, and now we're going to put local government into the C-BED business," Simpson said.

Koenen rejected the idea, and suggested that the bill might actually help more privately funded projects come to fruition.

"If there's a project that's 90 percent of the way there or 95 percent of the way there, but doesn't have quite enough investment to get over the edge, the counties could fill in to complete the project," he said.

In response to objections raised by several committee members, Koenen amended his bill by striking provisions that would have granted counties the authority to issue tax-exempt bonds and levy a 0.015 percent property tax increase to pay for C-BED projects.

A companion bill, SF3160, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the full Senate.

— N. BUSSE

Control Agency to submit regular reports to the Legislature on progress made in meeting the state's greenhouse gas reduction goals. As amended by Hilty, it will also serve as the vehicle for several other energy policy initiatives, including:

- requiring that one-eighth of 1 percent of the state's 25-percent-by-2025 renewable energy standard be generated by solar-electric power (from HF3843, sponsored by Rep. Kathy Brynaert (DFL-Mankato));
- requiring producers and purchasers of gasses with a high "global warming potential" to report data on their sales and use in the state to the PCA (from HF3545, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights));
- forbidding the sale or purchase of mobile air conditioner refrigerant in containers of less than 15 pounds (also from HF3545);
- authorizing the Commerce Department to coordinate and arrange bulk purchases of wind turbines and related equipment for individuals, community-based energy developers and public entities (from HF3343, sponsored by Rep. Al Juhnke (DFL-Willmar));
- exempting wind and solar projects from having to obtain a certificate of need if the Public Utilities Commission deems them a "reasonable and prudent approach" to implementing the renewable energy standard (from HF3977, sponsored by Brynaert); and
- creating a pilot project for achieving energy efficiency through the strategic planting of trees and shrubs around buildings (from HF2946, sponsored by Rep. Rick Hansen (DFL-South St. Paul)).

Hilty said most of the original bills had been "thoroughly vetted" in multiple committee hearings and are currently awaiting action on the House floor. Still, committee members voiced concerns.

Rep. Joyce Peppin (R-Rogers) argued the one-eighth-of-1-percent solar power carve-out could lead to future carve-outs for other industries. Brynaert replied that it was not her intention to do so.

## ENERGY

### C-BED for counties

A bill that would allow counties to purchase wind energy at fixed prices and invest in their own wind power projects is on its way to the House floor.

HF3585, sponsored by Rep. Lyle Koenen (DFL-Clara City), would allow counties to enter into long-term power purchase agreements for electricity generated by Community-Based

### Energy policy bill takes shape

Proposals designed to boost solar and wind power and tighten greenhouse gas regulations are among provisions of the omnibus energy policy bill approved April 15 by the House Finance Committee.

HF3661/SF3337\*, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), originally contained language that would require the Commerce Department and Pollution

### Consider a donation

As a loyal reader of Session Weekly, please consider giving a voluntary donation of \$20 to help defray the publication and mailing costs of bringing you this award-winning news magazine. You can be assured that your donation will go directly to support the magazine. Mail your check, made payable to Minnesota House of Representatives, to: House Public Information Services 175 State Office Building 100 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, MN 55155-1298

House Minority Leader Marty Seifert (R-Marshall) asked whether the tree-planting pilot project would merely provide an opportunity for private residents to get their landscaping paid for by the state. Mike Bull, deputy director of the Office of Energy Security, replied that the program would be more carefully administered than that; however, he also confessed, "We are not excited about this provision."

The House Ways and Means Committee approved the bill April 17 and it now awaits action on the House floor. The Senate passed its version of the bill 52-14 on April 3. Hilty said that both House and Senate leadership support the expanded version of the bill.

— N. BUSSE

## GOVERNMENT

### Old rules down the drain

Rules for contracting bids and drainage authorities could be amended.

Sponsored by Rep. Paul Marquart (DFL-Dilworth) and Sen. Rick Olseen (DFL-Harris), HF3646/SF3622\* was passed 64-3 by the Senate April 3 and 115-17 by the House April 14. It awaits action by the governor.

The bill would increase the threshold amounts for the various methods of entering into contracts under the Uniform Municipal Contracting Law and would make related changes to the statute governing drainage authorities.

Marquart said the bill seeks to reach a balance between making sure that taxpayer dollars are protected by an above-the-board system of bidding, and making sure taxpayers do not face increasing expenses due the cost faced by cities and townships in meeting current bidding requirements.

The threshold amount for sealed bids in the UMCL would increase from \$50,000 to \$100,000, and the maximum amount for using quotations or open market solicitations would increase from \$10,000 to \$25,000.

Relating to drainage authorities, the bill would remove the specific dollar amount under which advertising for bids would not be required for drainage authorities; remove the dollar amount over which the drainage authority may not levy an assessment for repairs or maintenance; and strike the specific dollar amount threshold for bids for repair and reconstruction for drainage systems after a disaster. Each provision is tied to the updated UMCL regulations.

— B. HOGENSON

### APOs for DNR

A bill sponsored by Rep. Rick Hansen (DFL-South St. Paul) is igniting an old debate about whether administrative penalty orders — corrective actions used by executive branch agencies — unfairly supersede the court system.

Hansen sponsors HF3625, which would grant authority to the Department of Natural Resources to use APOs to enforce laws relating to state waters. The House Finance Committee approved the bill April 15 and referred it to the House Ways and Means Committee.

"Administrative penalty orders are another method to achieve compliance, rather than just the criminal process or the civil process," Hansen said, noting that the Board of Water and Soil Resources and Pollution Control Agency both have the ability to issue APOs.

Rep. Loren Solberg (DFL-Grand Rapids) said he hates APOs "with a passion" because they deprive people of the rights afforded to them in normal court proceedings.

"If we're going to have administrative fines, then let's do away with the court system and let the executive branch be the court," he said.

Solberg also questioned whether those who receive APOs would be given adequate opportunity to appeal the orders. In response, DNR Division of Waters Assistant Director Jim Japs said that individuals could request an expedited administrative hearing within 30 days of receiving an order, and could also file with the Court of Appeals as in regular criminal cases.

"We're really hoping that this serves more as a carrot than as a stick," Japs said, adding that the orders would likely only be used in cases of "egregious and repeat" offenders.

Rep. Jean Wagenius (DFL-Mpls) said she supports using APOs because it allows the state to enforce laws without having to initiate criminal proceedings.

"I am equally passionate as Rep. Solberg, but for administrative penalty orders, just because we can use them and not make people criminals," she said.

Another section of Hansen's bill would allow the DNR to use proceeds from the sale of administrative sites to remodel or upgrade other department facilities. Currently those proceeds go into the department's land acquisition account.

A companion bill, SF3056, sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Finance Committee.

— N. BUSSE

### Finishing the DOER dissolution

Loose ends resulting from last year's elimination of the Department of Employee Relations could be tied up.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Ann Rest (DFL-New Hope), HF3309/SF3202\* awaits gubernatorial action. It was passed 65-0 by the Senate April 3 and 127-2 by the House 127-2 April 14.

Pelowski said the bill clarifies the dissolution of DOER; transfers all of the titles to the Department of Finance; and clarifies duties of one deputy commissioner.

"We dissolved the department last year, and this just finishes the job," Pelowski said. "We have worked with the governor. This bill will be signed."

Rep. Paul Kohls (R-Victoria) praised the legislation. "Anything we can do to consolidate services and reduce the cost of government, I'm fully supportive of."

In 2007, the Legislature passed a law abolishing DOER and transferring its duties to other state agencies. The law required the transfer to be completed by June 1, 2008.

— B. HOGENSON

### Simplified land exchanges

A bill that would make it quicker and cheaper for the state and local governments to consolidate ownership of public lands is on its way to the House floor.

HF3280, sponsored by Rep. David Dill (DFL-Crane Lake), contains several measures designed to make it easier for the state to exchange lands with counties, cities, tribal and other local government units. He explained that the bill would allow governments to forgo "full-blown" land appraisals in favor of an abbreviated process. The House Ways and Means Committee approved the bill April 14 and sent it to the General Register.

"If you look at Minnesota, where there is a large amount of public land ... it looks like your grandmother's quilt," Dill said.

Dill said the proposal, which was brought forward by the Department of Natural Resources, would allow for better land management practices — especially in regard to state forests — and save the state \$66,000 annually. He described the bill as noncontroversial.

Committee Chairman Rep. Loren Solberg (DFL-Grand Rapids) noted that the \$66,000 in projected savings is "already spent" by HF1812, the House's omnibus supplemental budget bill.

A companion, SF2651, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Finance Committee.

— N. BUSSE

### Political subdivision defined

Political subdivisions could be more clearly defined to allow for more consistency in the state auditor's oversight role.



The House passed HF1309/SF1436\* 132-0 on April 14. The bill awaits action by the governor. Senate approval was given on a 64-0 vote March 23.

Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the bill with Sen. Claire Robling (R-Jordan), described it as a housekeeping bill brought to her by the state auditor to remove archaic language in state law.

"The purpose is to define a political subdivision consistently for the use in chapter six, which refers to local government, and to make the state auditor's oversight role more consistent regarding all local units of government, including special districts," Hilstrom said.

The bill defines political subdivision to mean "a county, home rule charter or statutory city, town, school district, metropolitan or regional agency, public corporation, political subdivision or special district." It removes from the definition agencies audited by the legislative auditor such as the Metropolitan Airports Commission, Metropolitan Sports Facilities Commission and Metropolitan Mosquito Control Commission.

— B. HOGENSON

### Legislative reforms discussed

The House Governmental Operations, Reform, Technology and Elections Committee is exploring reforms to increase legislative efficiency.

Noting the deterioration of the legislative process he has witnessed over his more than two decades in the House, committee chairman Rep. Gene Pelowski Jr. (DFL-Winona) said the committee members have an opportunity to look at how things have been done under both Democrats and Republicans and make it better.

During meetings held April 15-16, Brenda Erickson, a program principal in the Legislative Management Program of the National Conference of State Legislatures, presented reforms the Legislature could adopt to help maintain the Legislature's part-time status and avoid the "end of session logjam."

According to Erickson, one thing that could make the legislative process more efficient, particularly since the Legislature has a limited number of legislative days it can use, would be formal organizational sessions before the start of the regular session.

Members would be sworn in, caucus leaders elected, rules and session deadlines adopted and the committee structure established.

Erickson also suggested there is a strong committee process, where issues can be worked out before a bill arrives on the floor.

She said a balance is being sought on any

procedural changes with the goal to find the perfect balance of majority rule and minority rights. "Minorities tend to use parliamentary procedures to make their points because they don't have the votes."

Other reform options the committee explored were:

- the use of "veto sessions," which are special sessions specifically convened to consider bills vetoed by the governor;
- deadlines for bill introductions, committee action, first and second house action, and conference committee work;
- members setting a priority of one, two or three for their introduced bills; and
- better use of the interim for planning purposes.

— B. HOGENSON

## HEALTH & HUMAN SERVICES

### Child services consolidation

The human services commissioner would be required to consult with the Legislature before closing or relocating an enterprise activity within state-operated services, under a bill passed 105-25 by the House April 16.

Sponsored by Rep. John Ward (DFL-Brainerd) and Sen. Paul Koering (R-Fort Ripley), HF2588/SF2368\* was amended to include the House language before its passage. It now returns to the Senate.

The bill is in response to the Department of Human Services proposed consolidation of the Brainerd and Willmar child service facilities, Ward said.

Staff from the Child and Adolescent Behavioral Health Services Program in Brainerd previously told a House committee its facility is consistently at bed capacity with needy and severely mentally ill children. But department statistics show Brainerd's inpatient services steadily declining since 2004. Therefore the department recommends consolidating services to save the state \$1.2 million annually. Staff said the consolidation would significantly impact the involvement of families in their children's treatment because of the long distance they would need to travel to another center.

Ward said he has been unsuccessful in his attempts to discuss a consolidation proposal.

Rep. Tom Emmer (R-Delano) said forcing the department to wait until the Legislature meets in session to be able to close a facility is more deficit spending "causing further stress on an already stressed budget."

"Over and over and over and over and over and over again state-operated services has dumped on our regional treatment centers

out in rural Minnesota," said Rep. Al Juhnke (DFL-Willmar). "This bill is necessary so that they will have Legislative involvement."

Current law prohibits the commissioner from closing a center, nursing home or certain programs at a facility without legislative approval.

Wes Kooistra, the department's assistant commissioner for chemical and mental health services, said the Brainerd facility is set up to operate under receipts for their services. The facility has been losing money since 2006, and by keeping it open the state is "covering, in many cases, empty beds," he said.

— P. OSTBERG

### Uninsured colorectal screenings

A colorectal screening program for the uninsured and underinsured would be created, under a bill receiving an informational hearing by the House Health and Human Services Committee April 15.

Sponsored by Rep. Maria Ruud (DFL-Minnetonka), HF2890 would provide colorectal cancer screening follow-up services



PHOTO BY ANDREW VONBANK

**Colon cancer survivor Cindy Hillger testifies before the House Health and Human Services Committee April 15 in support of a bill that would provide colorectal cancer screening for the uninsured.**

for abnormal tests and diagnostic services for eligible individuals. An applicant would have to:

- be at least 50 years of age, or under age 50 and at high risk for colon cancer;
- be uninsured, have insurance that does not cover routine colorectal cancer screenings, or be unable to pay the deductible or co-payment; and
- have a gross family income at or below 250 percent of the federal poverty level.

If an enrollee screened under the program is diagnosed with cancer, the treatment would be covered by medical assistance if they are uninsured or have insurance that doesn't cover treatment.

"I have a strong family history of colon cancer," Ruud said, noting her mother, brother and grandmother all had colon cancer.

The bill is modeled after the Minnesota cancer screening program that provides breast and cervical cancer screenings for qualified women, she said.

Dr. David Perdue, a gastroenterologist at the University of Minnesota, said colon cancer is the third-most common type of cancer and the second leading cause of cancer-related death. In Minnesota there are 2,600 new cases each year, resulting in the deaths of about 950 people, he said.

There was no opposition to the bill.

A companion bill, SF2698, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action by the Senate Finance Committee.

— P. OSTBERG

### Studying Iron Range miners' health

House approval was given to a bill that would help fund a mesothelioma study.

Rep. Tom Rukavina (DFL-Virginia) sponsors HF3569 that would make a one-time \$4.9 million appropriation from the Workers' Compensation Special Compensation Fund for the University of Minnesota to lead a study of workers' health, including lung health. It would include comparing the effects of different exposure levels, and a comparison of current and former miners on their health status versus how long they worked in the mines. Other family members may also be tested because they were exposed to dust from taconite operations. Rukavina hopes that 70,000 people would be studied.

Following the 88-45 vote April 10, the bill was sent to the Senate where Sen. David Tomassoni (DFL-Chisholm) is the sponsor. It awaits action by the full Senate.

A rare, fatal form of cancer, mesothelioma comes primarily from asbestos fiber, which is naturally occurring in some Iron Range areas. The Department of Health found that 58 Iron Range miners have died from mesothelioma,

a disease that can take decades to develop following exposure.

The university will work on the study with the Health Department, Natural Resources Research Institute at the university's Duluth campus and other private and public organizations and affected groups. Work must be completed by 2013.

While agreeing a study is needed, some members believe funding should come from another source.

Rep. Denny McNamara (R-Hastings) unsuccessfully offered an amendment to have the money come from the Taconite Area Environmental Protection Fund, which is paid for by taconite production taxes collected from mining companies. Rep. Randy Demmer (R-Hayfield) said the fund is set up, in part, for "monitoring of mineral industry related health problems among mining employees."

The workers comp fund, they argued, is paid for by all Minnesota businesses. Further, McNamara said it would cost \$20 for every employee covered by the state's worker's compensation program. Plus, the governor opposes using this fund.

Supporters said the Workers Compensation Special Fund is the proper funding source.

What they learn on the range can help others across the state, said Rep. Tim Mahoney (DFL-St. Paul). "This is an appropriate place to fund this money because working people need answers."

House Majority Leader Tony Sertich (DFL-Chisholm) said if the mines were contributing to the health issues, he would go after the companies to make them pay.

— M. COOK

### Optometry practice changes

Optometry definitions first written in 1915 would be changed, under a bill passed 129-3 by the House April 14.

Sponsored by Rep. Cy Thao (DFL-St. Paul), HF2837 changes practice and licensing requirements for optometrists. For example, it further defines optometry as any person who shall in anyway "prescribe or administer legend drugs to aid in the diagnosis, cure, mitigation, prevention, treatment, or management of disease, deformity, or abnormality of the human eye and adnexa included in the curricula of accredited schools or colleges of optometry."

The bill would prohibit optometrists from:

- administering legend drugs intravenously, intramuscularly or by injection except for the treatment of anaphylaxis;
- performing invasive surgery, including the use of lasers;
- administering or prescribing schedule II

and III oral legend drugs and oral steroids;

- administering or prescribing oral antivirals for more than 10 days; or
- administering or prescribing oral carbonic anhydrase inhibitors to be prescribed or administered more than seven days.

The term "reciprocity" would be changed to "endorsement" to clarify the process for applicants from other states to work in Minnesota. An application fee of \$87 would be required for those seeking a state license.

Applicants who apply for state endorsement would be required to provide evidence of:

- having obtained a clinical doctorate degree from a board approved school or college of optometry;
- successful completion of both written and practical examinations for licensure in the applicant's original state of licensure that thoroughly tested the fitness of the applicant to practice;
- successful completion of an examination of Minnesota state optometry laws;
- compliance with the requirements for board certification;
- compliance with all continuing education required for license renewal in every state in which the applicant currently holds an active license to practice; and
- being in good standing with every state board from which a license has been issued.

The bill now goes to the Senate, where Sen. Tony Lourey (DFL-Kerrick) is the sponsor.

— P. OSTBERG

### Physical therapy changes

Licensed health care professionals and physical therapists would see definition and licensure changes, under a bill waiting for the governor's signature.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Yvonne Prettner Solon (DFL-Duluth), HF1189/SF1018\* would define a licensed health care professional or licensed health care provider as "a person licensed in good standing in Minnesota to practice medicine, osteopathy, chiropractic, podiatry, dentistry, or advanced practice nursing."

It was approved 66-0 by the Senate April 3 and 132-0 by the House 11 days later.

The changes are a result of meetings with interested parties last interim.

Rep. Steve Gottwalt (R-St. Cloud) said the bill "expands in a common sense way" for physical therapy treatment to continue without having to go back to a primary care doctor and pay an additional co-pay.

Physical therapists would be licensed to treat a patient for an initial period of 90 days, an extension from the 30 days in current law.

Physical therapists could also continue to treat patients with a referral from certain advanced practice nurses made in collaboration with a physician, chiropractor, podiatrist or dentist. The 90-day limitation would not apply to prevention, wellness, education or exercise.

Physical therapists licensed less than one year would be prohibited from treating a patient without a referral. They would also be required to practice one year with a physical therapist who has more than one year of experience, or under a physician's orders or referrals as verified by the board's records.

The Board of Physical Therapy would be required to report to the Legislature by Jan. 15, 2010, any disciplinary actions taken against physical therapists whose conduct resulted in physical harm to a patient, but only if that conduct was a result of the changes made in this bill.

— P. OSTBERG

### Pregnant women support

More women would be able to choose to keep a baby, rather than have an abortion, under a bill she sponsors, said Rep. Mary Ellen Otremba (DFL-Long Prairie). HF2640 received an informational hearing by the House Health and Human Services Committee April 15.

Also known as the Minnesota Pregnant Women and Parent Support Act, the bill would:

- remove health plan policy waiting periods due to pregnancy;
- eliminate health carriers using pregnancy as a preexisting condition;
- establish a grant program in postsecond-

ary institutions to provide counseling to students who are pregnant or have young children and would provide on campus child care services;

- require health care professionals providing prenatal care to women to provide information about the accuracy of alpha-fetoprotein testing;
- provide a \$1,000 tax credit for adoption expenses; and
- appropriate money for the Women, Infants and Children program and grants for battered women's shelters, child care and parent support programs.

"The bill looks to eliminate the stumbling blocks a woman with an unplanned pregnancy finds, should she choose to carry the child to term," said Pat Mullins, executive director for Democrats for Life of Minnesota. Many times it comes down to an economical situation, and he said the bill would remove some of those barriers.

While supportive of the goals, Rep. Steve Gottwalt (R-St. Cloud) agreed that more services should be offered, but that communities need to take care of these situations and not rely entirely on state funding.

A companion bill, SF3734, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

To find out who represents you at the Capitol . . .  
Call House Public Information Services at  
651-296-2146 or 800-657-3550



PHOTO BY ANDREW VONBANK

Alexandra Fitzsimmons, left, policy director of Minnesota Catholic Conference, and Pat Mullins, executive director of Democrats for Life of Minnesota, testify April 15 before the House Health and Human Services Committee in support of a bill to assist pregnant women.

## INSURANCE

### Aviation liability coverage redefined

Signed  
by  
the  
governor

On Aug. 28, 2003, Toby Pearson learned that his wife, Kathryn, was killed in a plane crash in northern Minnesota. Miraculously, their two daughters, Grace and Lily, survived the crash. Both suffered extensive injuries and required extended hospital stays.

Shortly after Pearson took his daughters home, the medical bills began to appear. It was then that he learned that the aviation insurance company for the pilot was denying coverage, claiming that the pilot was not factual on his application.

It took another three years of litigation before a settlement was reached.

This chain of events led to the creation of a new law, signed April 10 by Gov. Tim Pawlenty addressing aviation liability insurance. It takes effect Jan. 1, 2009.

Rep. Michael Paymar (DFL-St. Paul), who sponsors the law with Sen. Yvonne Prettner Solon (DFL-Duluth), said that "it narrows, but does not eliminate, the likelihood of another third party victim having to suffer through the chaos and struggles that the Pearsons had to experience."

The new legislation states that for an aviation insurance company to deny a claim, the pilot's actions, or failure to act, must have a direct effect on the loss.

At the end of last year's session, a working group was established to review the aviation insurance industry and third-party issues. The law is a result of the group's deliberations.

HF2898\*/SF2491/CH182

— C. GREEN

## LOCAL GOVERNMENT

### County treasurer duty assignment

Signed  
by  
the  
governor

A new law modifies the responsibilities of the treasurer in Big Stone County.

The law, sponsored by Rep. Aaron Peterson (DFL-Appleton) and Sen. Gary Kubly (DFL-Granite Falls), permits the county board, by resolution, to assign to the county treasurer all duties related to delinquent real property taxes, including forfeiture of real property for nonpayment of taxes. The law requires concurrence of the county treasurer and auditor.

The law, signed April 10 by Gov. Tim Pawlenty, makes permanent a waiver granted



to Big Stone County in 2006 by the state auditor. Peterson said that assigning the county treasurer those duties was deemed to be the most efficient way to return tax forfeited properties to the county's tax base in a timely manner.

The law is effective upon local approval.  
HF3157\*/SF2903/CH180

— B. HOGENSON

### Conflict of interest clarifications

A bill to help attract and retain volunteers to serve on municipal economic development authorities is on its way to the governor.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Tom Saxhaug (DFL-Grand Rapids), HF3295/SF2806\* would further define actions to be considered a conflict of interest, and it establishes procedures to address such conflicts for authority members. The bill would make the rules similar to those for members of a housing and redevelopment authority. It was approved 66-0 by the Senate April 3 and 131-0 by the House April 14.

"If you're a member of an HRA or a city council member, you declare the potential conflict of interest, you abstain from discussion and you abstain from voting. The issue is debated and you resume participation," Ed Zabinski, president of the Grand Rapids EDA, told a House division last month.

A case in Grand Rapids spurred the bill, although Solberg said it could also be an issue in other communities.

"We discovered, last fall, that what we thought was standard operating procedure, frankly had the potential for resulting in a gross misdemeanor for several of our participants," Zabinski said. "We were assembling a loan fund so we could expedite some economic development in downtown. In the due diligence process, our attorneys discovered that the way we had been operating conflicts of interest and managing conflicts of interest was in violation of state statute."

Instead of being able to abstain from an action, a member who owns a store that sells and installs commercial windows resigned once he learned a conflict of interest may exist. Zabinski said current rules make it hard to fill EDA seats, even if many people in the local business community have the right skill-set and would like to participate.

"In this case, the guy could potentially sell a window to the business that has a loan through the EDA, and that became a potential conflict of interest, and he probably never even knew it," Solberg said.

— M. COOK

### Incorrect legal description rectified

Legal confusion over a boundary description is a signature away from being resolved.

Sponsored by Rep. Mike Jaros (DFL-Duluth) and Sen. Yvonne Prettner Solon (DFL-Duluth), HF3454/SF3084\* was passed 61-0 by the Senate March 17 and 132-0 by the House April 14.

It awaits action by the governor.

The bill would amend the legal description of the boundaries of the tracts of land administered by the Spirit Mountain Recreational Area Authority in Duluth that are incorrectly listed in the special legislation that created the authority.

Jaros said the bill simply corrects an error in the legal description of the authority and carries no tax implications.

— B. HOGENSON

### Appointive offices in Houston County

The Houston County offices of auditor and treasurer could be appointive in the near future.

Sponsored by Rep. Ken Tschumper (DFL-La Crescent), HF3577 was passed by the House 92-37 on April 16. The bill now goes to the Senate, where Sen. Sharon Erickson Ropes (DFL-Winona) is the sponsor.

The bill would allow Houston County to make the offices of auditor and treasurer appointed, pending an 80 percent vote of the county board and the decision would be subject to reverse referendum. The current officeholder would be permitted to serve the remainder of the current term.

"We need to stop this trend of subverting the local voters by appointing the county officers," said Rep. Torrey Westrom (R-Elbow Lake).

Under general law, a county may make the offices of auditor and treasurer appointive if approved by a referendum.

— B. HOGENSON

### Metropolitan Council term changes

Legislation to re-institute staggered terms for members of the Metropolitan Council was passed by the House 82-48 on April 16.

Sponsored by Rep. Sandra Peterson (DFL-New Hope) and Sen. Kathy Saltzman (DFL-Woodbury), HF2662/SF2605\*, was amended to insert the House language, now goes back to the Senate, where it was originally passed 56-7 on April 10. If the Senate does not agree, a conference committee could work out the differences.

According to its Web site, "The Metropolitan Council is the regional agency of government serving the Twin Cities seven-county metropolitan area. The Council establishes regional growth policies, and it plans for transportation, aviation, water resources and

regional parks and open space. It also provides essential regional services, including bus and rail transit, paratransit services for people with disabilities, and wastewater collection and treatment."

Sixteen of the 17 members represent a geographic district, and the chair serves at-large. Members are appointed by the governor and serve terms that end with the term of the governor.

Peterson said the council had staggered terms prior to 1994 and the bill would simply reinstate them. "It seems to me this is a bill whose time has come."

Rep. Mark Buesgens (R-Jordan) said the proposal was dangerous and could create a situation where 50 percent of the members would be beholden to nobody. "This is a horrible idea and should be rejected."

A supporter of the bill, Rep. Frank Hornstein (DFL-Mpls), said the bill was a step in the right direction, but he would prefer members of the council be elected in order to provide more accountability.

"This is not the end of the line as far as reform efforts," Hornstein said. "A lot more has to be done."

— B. HOGENSON

### Commission expansion OK'd

More could be merrier for the Nashwauc Public Utilities Commission.

Sponsored by Rep. Tom Anzelc (DFL-Balsam Township) and Sen. Tom Saxhaug (DFL-Grand Rapids), a new law increases the membership of the commission and modifies the term structure.

Under the law, signed April 10 by the governor, the commission will grow from three to five members, with the members serving three-year staggered terms. No more than one member of the city council will be able to serve on the commission.

Anzelc said that with Nashwauc becoming the home to a \$1.6 billion Minnesota Steel Industries project, city council leaders think it is in the public interest to have more participation by the community on the commission.

Public utilities commissions are responsible for the management of publicly owned water and electrical utilities. Under state law, a commission has three members that are appointed by the city council.

Grand Rapids was given similar expansion authority in 1999, while Delano and Shakopee were granted the same in 2002.

The increase in membership will be effective upon local approval.

HF2788\*/SF3192/CH183

— B. HOGENSON

Signed  
by  
the  
governor

## Auditor-treasurer could be appointed

The office of auditor-treasurer in Rock County is a signature away from being an appointed position.

Sponsored by Rep. Doug Magnus (R-Slayton) and Sen. Jim Vickerman (DFL-Tracy), HF3831/SF3474\* was passed by the House 106-22 on April 16, and is en route to the governor. The bill was passed by the Senate 52-12 on April 3.

"I have not heard of any concerns from the county," Magnus said. "I would not do this if there were objections from the county."

The bill would allow Rock County to make the office an appointed position pending an 80 percent vote of the county board, and the decision would be subject to reverse referendum. The current officeholder would be allowed to serve the remainder of the current term.

Under current law, a county may make the office of auditor-treasurer appointive if approved by a referendum.

— B. HOGENSON

## MILITARY

### A memorial for all veterans

**Signed  
by  
the  
governor**

There could be a new plaque honoring state veterans in the Court of Honor located on the Capitol grounds.

Gov. Tim Pawlenty signed a new law April 10 allowing for the memorial plaque to be furnished by AMVETS Mexican-American Post 5 in St. Paul. The law is effective April 11, 2008.

Sponsored by Rep. A. Willie Dominguez (DFL-Mpls) and Sen. Patricia Torres Ray (DFL-Mpls), the plaque's purpose is to "recognize the valiant service of all Minnesota veterans who have honorably and bravely served in the United States armed forces during both peacetime and war, since the founding of this great nation."

The design would need approval from the Department of Veterans Affairs commissioner and the Capitol Area Architectural and Planning Board.

HF3240\*/SF3006/CH184

— L. SCHUTZ

## TAXES

### Expanding R&D credits

If all goes well, Nanocopoeia, Inc. will grow to be a big player in the state among the biotech and medical device industry. It's a small start-up nanotechnology company in Minnesota that isn't making much money yet,

CEO Bob Hoerr said.

The company recently created six jobs that pay an annual salary of more than \$70,000 each. However, the company is being recruited to relocate to Ohio, a state with tax incentives, Hoerr said.

Rep. Tim Mahoney (DFL-St. Paul) sponsors HF3315, which would expand the state's research and development tax credits to entice companies like Nanocopoeia to stay or start up in Minnesota.

"We're looking at companies that are pre-revenue, that so-called 'valley of death,' where companies typically fail unless they get access to capital," Hoerr said.

Currently corporations can claim an R&D credit for 5 percent of the first \$2 million of research expenses and 2.5 percent after that. The proposal would allow a 20 percent credit, and the program would be capped at \$3 million per year. The credit would also be refundable, so companies could essentially pay no taxes and get a refund. Presently, the credit is nonrefundable, so it can only cover the company's tax liability.

The proposal would apply to "high technology" companies headquartered in Minnesota with fewer than 30 employees, and at least 51 percent of the employees located in the state.

House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) questioned whether the Legislature should instead dole out grants.

"Tax credits are a nontransparent, in my estimation, illegitimate use of the tax system to create a behavior," she said. "If they want money to give a company to do a great thing, they should just give them the money."

Mahoney presented the bill, which was laid over for possible inclusion in the omnibus tax bill, to the committee on April 15. Sen. Terri Bonoff (DFL-Minnetonka) sponsors the companion, SF3106, which awaits action by the Senate Business, Industry and Jobs Committee.

— C. BLANCHARD

### Education tax credit equity proposed

Every year the Legislature seems to get an earful from public school officials asking for a stable source of funding. But private schools, by their nature, usually grapple with their funding issues off the Capitol grounds.

However, Tom McCarver, former director of education for the Archdiocese of St. Paul and Minneapolis, told the House Taxes Committee April 14 that the cost to educate each student is increasing faster than the ability for some families to pay.

"When we can't have families able to afford tuition, we make up for that by asking for

financial help" from outside sources, he said. "Four or five years down the road, and we will not be able to make it."

Rep. Paul Thissen (DFL-Mpls) proposes one solution — HF3586, which would encourage people to donate to foundations that fund public and private schools or programs that enroll low-income students. Single filers could deduct up to \$10,000, married couples up to \$20,000 and corporations up to \$100,000. The state would cap the program at \$10 million per year. The donations would be 100 percent tax deductible.

But critics say the bill could send taxpayer money to religious institutions. René Lara, legislative action specialist for Education Minnesota, said the bill proposes to take money that would have gone into the General Fund and refund it for donations to private schools. Currently 40 percent of the General Fund already goes to fund public education in the state, he said. "So it could conceivably result in a 100 percent redirection to private schools. It takes money away from K-12."

Thissen said all schools would be better off under the proposal.

"We clearly don't fund public schools — any of our schools — enough. This would draw private money into the system," he said. "For every 75 cents, we'd be bringing in another dollar."

The committee laid over the bill for possible inclusion in its omnibus bill. Sen. Dan Larson (DFL-Bloomington) sponsors the companion, SF2951, which awaits action in the Senate Taxes Committee.

— C. BLANCHARD

### Independent contractors

For a while the House Taxes Committee appeared baffled by a proposal to make a technical change to the state's tax code.

HF4168, sponsored by Chairwoman Rep. Ann Lenczewski (DFL-Bloomington), would change a provision that allows a worker to be qualified as an "independent contractor." The committee laid over the bill on April 16 for possible inclusion in the omnibus tax bill. There is no Senate companion.

Under current law, the tax code provides a safe haven for the employers to avoid tax withholding, Lenczewski said. The proposal would classify some workers as employees instead of independent contractors, subjecting them to withhold Minnesota's taxes.

But the reasons, possible repercussions and the current law itself (Section 530 of the Revenue Act of 1978), prompted frustration in the committee.

"I've never heard of Section 530, and I don't want to hear about it again!" said Rep. Loren Solberg (DFL-Grand Rapids).

About the proposal, testers said:

- it could lead to more tax compliance, so it could bring in more revenue;
- it would standardize the definition of an employee, following a recommendation by the nonpartisan Office of the Legislative Auditor;
- it would move away from federal conformity, and some workers would have to file a W-2 for their state taxes and a form 1099 for their federal taxes; and that
- carpenters would no longer be misclassified on state tax returns filed by construction firms. The proposal would change state law, and wouldn't grant access to federal benefits. However, the 26 percent of carpenters who should be classified as "employees" could lobby for access to federal benefits like workers' compensation and employee insurance, said Kyle Makarios, political director at the North Central States Regional Council of Carpenters.

— C. BLANCHARD

### Old debate reignites

A bill to exempt houses in disaster relief areas from a mortgage tax unleashed a debate about funding a study about cancer on the Iron Range.

Rep. Steve Drazkowski (R-Wabasha) sponsors HF3338, which was laid over April 16 by the House Taxes Committee for possible omnibus bill inclusion. A companion bill, SF3552, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona) is part of the Senate omnibus tax bill, SF2869, sponsored by Sen. Tom Bakk (DFL-Cook), and passed April 3.

The mortgage registry tax averaged to \$53 per home in the Winona area after floods hit southeastern Minnesota last summer. Most of that money came from disaster relief funds, Drazkowski said.

"The way the bill lays now, it's forward-looking for the next disaster," he said. "It's an attempt to avoid this type of conflict in the next disaster in Minnesota."

Rep. Tom Rukavina (DFL-Virginia) questioned why Drazkowski would support state funds for tax exemption in a specific area, but not for a study on mesothelioma.

On April 10, the House passed HF3569, sponsored by Rukavina, that would fund a study on mesothelioma, a strain of fatal cancer that has killed nearly 60 people on the Iron Range. The \$4.9 million to fund the study would come from a state Workers' Compensation Special Compensation Fund. However, some members argued that the fund should come from a Taconite Area Environmental Protection Fund. Rukavina said that fund is, in part, collected in lieu of property taxes from mining companies.

### "TAX DAY"



PHOTO BY SARAH STACKE

Members of the Minnesota Welfare Rights Coalition unfurl a banner April 15, which spanned the width of the Capitol Rotunda. They were at the Capitol on the so-called "Tax Day" to speak out against legislators potentially taking money from welfare funds (TANF) to balance the state's budget.

"Our constituents are supposed to pay out of our local property taxes?" he said.

Rep. Randy Demmer (R-Hayfield) said the taconite fund is directed in statute to be used for suspected medical problems. "Nobody disagrees with the fact that we have to do this study," he said.

"I believe it was three weeks after the flood, this state came together to help southeastern Minnesota," Rukavina said. "My constituents have been waiting for relief for two years. Two years later and I still can't get \$4.9 million for a problem that some people have known has existed for 30 years."

The argument turned tense when Demmer tried to steer the conversation back to Drazkowski's bill. "I'm not going to go with this tit for tat anymore. The 'woe is me' that we're hearing about is unfortunate. We need to get back to Rep. Drazkowski ..."

Rukavina interrupted Demmer, saying that 58 people had died. "The 'woe is me' attitude is absolutely astounding, to me, that you would say that publicly."

— C. BLANCHARD

## TRANSPORTATION

### Moving a registrar office

On its way to the governor is a bill to provide a variance for a deputy registrar office.

Sponsored by Rep. Laura Brod (R-New

Prague) and Sen. Kevin Dahle (DFL-Northfield), HF3128/SF2755\* was passed sans discussion 131-0 by the House April 14. It was passed 65-0 by the Senate March 19.

The bill is needed because the State Bank of New Prague is moving four blocks to a new location; however, in doing so it crosses from Scott County to Le Sueur County. The bank has been providing deputy registrar services in the area for years, but because state law does not allow a deputy registrar office to move across a county line without a revision, the bill provides for one. The office move must take place by the end of the year.

— M. COOK

### Policy bill, part I

A report that screeched to a halt in 2007 has been given a green light this year.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Steve Murphy (DFL-Red Wing), an omnibus transportation policy bill was approved 88-44 by the House April 14. If approved by the Senate, the bill would go to the governor.

HF1351 was approved by a conference committee on the final day of the last year's session, but was awaiting floor action when the final gavel was pounded. Hornstein said this is the first of two projected transportation policy bills for the year.

The bill changed slightly from last year. But a controversial addition is a provision calling



for the use of state funds for the federal Real ID Act of 2005.

According to the Department of Homeland Security, "REAL ID is a nationwide effort to improve the integrity and security of state-issued driver's licenses and identification cards, which in turn would help fight terrorism and reduce fraud."

Opponents call it an \$88 million unfunded mandate on the state. The bill says that if federal dollars would pay at least 95 percent of state costs, Minnesota could comply with the act. Further, it tries to ensure adequate security of resident data is in place.

"There is a building rebellion against this huge federally unfunded mandate with all sorts of huge, serious data privacy issues which begin to fly in the face of our U.S. Constitution," said Rep. Carlos Mariani (DFL-St. Paul). He added that the National Governors Association, which Gov. Tim

Pawlenty chairs, voted Feb. 24 to reject Real ID and called for full federal funding.

Previous Real ID language would have prohibited the Department of Public Safety from taking any steps towards complying with federal requirements. But conferees made a move towards the governor's position. Still, some Republicans said the provision will get the bill vetoed.

"I have grave concerns with Real ID," said Rep. Mark Buesgens (R-Jordan). "I think what the governor wants is ridiculous."

In part, the bill addresses traffic regulations, vehicle registration, Department of Transportation planning reports, towing authority, Metropolitan Council planning, railway safety and truck weight restrictions. Among the minor changes to last year's bill are shifting effective dates by one year from 2007 to 2008; removing obsolete or duplicative provisions, such as things included in the

transportation finance law passed earlier this year; and updating some verbiage.

Other provisions in the bill include:

- people who need to keep their address hidden, such as a stalking victim or battered woman, can use a post office box on their driver's license or state identification;
- MnDOT would evaluate the state's long-term transportation needs and identify strategies to meet the needs;
- the reopening of the Culkin Rest Area on Interstate 35 between Hinckley and Duluth; and
- the Public Safety Department would study allowing credit and debit card payments of vehicle registration taxes, title transactions and driver's license and identification card fees. A report would be due to the Legislature.

— M. COOK

## LATE ACTION

### Money for bovine TB issue

A bill that would provide more than \$6 million in 2008-09 to address the outbreak bovine tuberculosis affecting cattle herds in northwestern Minnesota passed the House 131-0 April 17. It now moves to the Senate, where Sen. Rod Skoe (DFL-Clearbrook) is the sponsor.

"This is having a huge impact to the cattle industry," said the sponsor of HF4075, Rep. Dave Olin (DFL-Thief River Falls).

The developing problem took center stage last week, when the federal government downgraded the state's bovine TB status, effectively stopping cattle shipments out of

the state unless the animals are certified as bovine-TB-free.

"It is not a good place for the state of Minnesota to be sitting. Now you need authority to take your cattle across state lines," Olin said.

The bill would offer ranchers inside an established bovine tuberculosis management zone the choice to voluntarily depopulate their cattle herds by Dec. 31, 2008. To that end, the Board of Animal Health would be allocated \$3.1 million in Fiscal Year 2008 to help cattle owners comply with new requirements that could include fencing or a buyout. Cattle owners in the zone would have until July 15, 2008 to decide whether to participate in a buyout program. Those who do would be paid market value plus \$500 per head by the

state and an annual payment of \$75 for each animal slaughtered until the area receives a bovine-tuberculosis-free status and the owner is authorized by the board to have cattle located in the zone. Ranchers choosing to keep their herds intact would be subjected to several testing and control requirements, including adequate fencing of their herd and grazing areas so they cannot be accessed by deer or elk. The state would provide a cost-share payment of up to \$75,000 or 90 percent of the cost of an approved fence.

The board would use \$2.7 million of the appropriation for monitoring, testing, outreach and other required activities to comply with federal regulations.

— L. SCHUTZ

## Minnesota's U.S. Representatives in Washington, D.C.

### First District Tim Walz (DFL)

1529 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-2472  
Fax: 202-225-3433

### Second District John Kline (R)

1429 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-2271  
Fax: 202-225-2595

### Third District Jim Ramstad (R)

103 Cannon  
House Office Building  
Washington, D.C. 20515  
202-225-2871  
Fax: 202-225-6351

### Fourth District Betty McCollum (DFL)

1714 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-6631  
Fax: 202-225-1968

### Fifth District Keith Ellison (DFL)

1130 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-4755  
Fax: 202-225-4886

### Fifth District Michele Bachmann (R)

412 Cannon  
House Office Building  
Washington, D.C. 20515  
202-225-2331  
Fax: 202-225-6475

### Seventh District Collin Peterson (DFL)

2211 Rayburn  
House Office Building  
Washington, D.C. 20515  
202-225-2165  
Fax: 202-225-1593

### Eighth District James L. Oberstar (DFL)

2365 Rayburn  
House Office Building  
Washington, D.C. 20515  
202-225-6211  
Fax: 202-225-0699

# The ethanol question

Legislators disagree over ethanol's impact on the environment

By Nick Busse

**W**hen William Lee sat down to testify in support of a bill that would establish a low-carbon fuel standard in Minnesota on April 15, he might have been forgiven for not expecting such a lively response to his testimony.

Lee, the general manager of the Chippewa Valley Ethanol Company, told the assembled members of six House and Senate committees that HF2527, sponsored by Rep. Frank Moe (DFL-Bemidji), would create a win-win situation for the state's energy economy: not only would the bill reduce greenhouse gas emissions from transportation fuels 10 percent by 2020, he said, but it would also be a boon to the state's ethanol producers.

It's the kind of scenario politicians dream of: legislation that would create a cleaner environment while also giving a boost to an industry that infuses millions of dollars annually into rural Minnesota. But instead of soothing committee members, Lee's comments ignited a debate that has been simmering all session — an emerging dispute between those who think ethanol helps the environment and those who think it hurts.

"We are not taking into account the secondary environmental impacts of biofuel development," said Rep. Ken Tschumper (DFL-La Crescent). He alluded to myriad environmental problems created by new land use practices brought on by the demand for corn ethanol.

"Everywhere I go, I always hear criticism of ethanol," said Sen. Ellen Anderson (DFL-St. Paul), who went on to describe the political pressure being placed on some metro-area legislators to end ethanol subsidies.

"Literally, that's what they tell me when I go to district meetings: they say, 'Stop it. Take the money away. Don't give them any more support. It's bad for us,'" she said.

Other members raised even more concerns, running the gamut from rising food prices caused in part by the increasing demand for corn to the excessive consumption of water required by the ethanol production process.

The question of whether ethanol is good for the environment is an important one. Since the state first starting pumping millions of dollars into ethanol subsidies more than 20 years ago, one of the industry's main selling points for its product has been its perceived

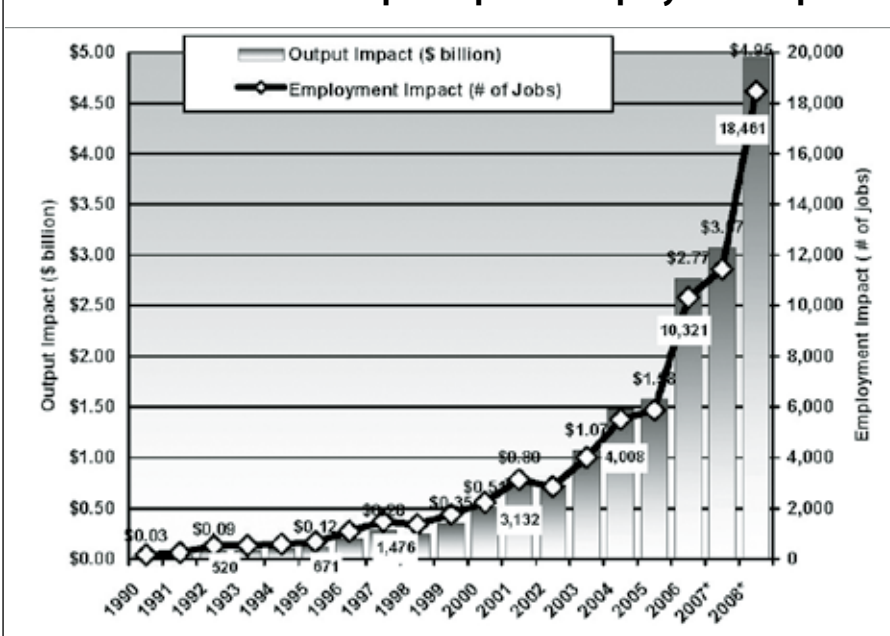
environmental advantage over fossil fuels. Moreover, as the state pursues new measures to reduce greenhouse gas emissions, ethanol's future may hinge on whether it can perform as well as petroleum in meeting any rigorous new air pollution standards imposed by the state.

## The public relations war

According to the Department of Agriculture, approximately 1 billion gallons of ethanol are expected to be produced in the state this year, creating an economic impact of nearly \$5 billion and employing some 18,000 Minnesotans. For many, the sheer economic impact of ethanol is reason enough not to hinder its future development, but Rep. Al Juhnke (DFL-Willmar) said there are environmental reasons to support ethanol as well.

According to Juhnke, ethanol burns cleaner than gas, and that mid-grade ethanol blends

**Minnesota Ethanol: Output Impact & Employment Impact**



\* projected

Courtesy of Agricultural Marketing Services, Minnesota Department of Agriculture



PHOTO BY TOM OLMSCHIED

**This plant in Buffalo Lake is one of 17 located in the state. Four more are currently under construction.**

like E10 and E20 have been shown to increase vehicles' fuel-efficiency. He also said next-generation biofuels like cellulosic ethanol, once they become commercially viable, will be much better for the environment and could be produced at the same ethanol plants producing corn-based biofuel right now.

Juhnke alluded to a recent report from the University of Minnesota stating that the production of ethanol actually creates more greenhouse gas emissions than conventional gasoline. He said such studies don't take into account advancements such as improved conservation practices and increased crop

yields. He also added that much of the negative press coverage of ethanol stems from a public relations war between environmentalists and biofuel producers.

"We're just not as good at promoting, I guess, as the other side is at this point in time. And we're not funding the studies on food vs. fuel and water use and other things like the other side is," Juhnke said.

Along those lines, Mike Bull, deputy director for the Office of Energy Security, said Minnesota's ethanol production processes are already more environmentally friendly than other states and countries.

"We have a number of producers in the state who are working hard to reduce the fossil inputs to their current ethanol production," Bull said. "We're making some of the most renewable ethanol in the world here in Minnesota."

### True costs

Meanwhile, Rep. Melissa Hortman (DFL-Brooklyn Park) raised a different perspective on the issue, asking whether serious comparisons between the relative costs of petroleum fuels vs. biofuels should factor in things like the cost of sending troops to wage war in oil-rich nations with politically unfriendly regimes.

"If we're going to include externalities like fertilizer in corn production, are we including externalities like weapons manufacturing for petroleum?" Hortman asked. "I think there was probably a lot of carbon emitted when the wells were on fire in Kuwait, and at various times when the wells have been on fire in Iraq, so I think it is definitely a carbon-intensity question."

No action was taken on the bill, which Moe said raised "significant unanswered questions" that would have to be addressed before the legislation could move forward. A companion bill, SF3830, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action by the Senate Environment and Natural Resources Committee. 🐼

## Economics of ethanol

In an effort to grow the state's ethanol industry, the sector has benefited, over the years, from various tax credits, start-up loan initiatives and producer payments.

A controversial state subsidy, known as the producer incentive payment was enacted in 1986 to boost the budding industry, and is now under scrutiny.

Under the plan, any plant online before 2000 receives payments set at typically 20 cents per gallon, and limited to the first 15 million gallons of annual production. The payments are not to exceed \$3 million in any fiscal year, for no more than 10 years.

During Fiscal Years 1986-87, three plants received payments. Soon though, the producer payments gave banks the confidence to offer loans to new entrepreneurs and more plants went on line. Critics now say that subsidies should be stopped because the industry is profitable, and the money could instead be used to kick-start a biofuel indus-

try that would have more overall sustainability.

Currently, there are 17 ethanol plants in the state and four more are under construction, according to a Department of Agriculture report. Eleven of those are receiving producer payments. By 2010, these payments will be suspended, but for the 2007-08 biennium, the payments are expected to total \$30.3 million.

Because of the law's language, one ethanol plant, Gopher State Ethanol, continues to receive a subsidy even though it filed bankruptcy and closed in 2005. There is language in HF1812, the Omnibus Supplemental Budget Bill, which would discontinue a \$310,000 producer payment in Fiscal Year 2009, and reduce the amount of the payment in 2010 and 2011.

### Facts of Note:

- Minnesota produced 500 million gallons of ethanol from 16 plants in 2006.

- The state's net ethanol export was 290 million gallons, or 53 percent of the state's total annual ethanol output.
- At the 2006 production level, the state's ethanol industry generated an estimated \$2.77 billion in economic impact and was responsible for 10,321 jobs.
- The 1 billion gallon production output projected in 2008 could generate a \$4.95 billion economic impact and 18,461 jobs. The production would consume approximately 25 percent of the state corn crop.
- In 2006, Minnesota processed 196 million bushels of corn into ethanol.
- To meet the requirement of 20 percent blend of ethanol in Minnesota's gasoline by 2013, the state would need to produce 564 million gallons of the product.

— L. SCHUTZ

Sources: Department of Agriculture, nonpartisan House Research Department



# Will Minnesota leave 'No Child' behind?

Controversial federal education mandate has lawmakers looking for alternatives

By THOMAS HAMMELL

**I**f you ask 10 Minnesota legislators what they think of the federal No Child Left Behind Act, you will get 10 different answers.

**Some like it; some hate it and some are conflicted, but few would say they love every part of the sweeping federal law.**

Critics say that implementation of the law is expensive and federal funding has not matched federal demands, not to mention that the law mandates 100 percent proficiency by 2014 in reading and math, something some see as a pipe dream.

Since the law was enacted in 2002, states, including Minnesota, have tried to pass laws to nullify certain provisions in the act or petition the federal Department of Education for exemptions. Minnesota could now opt out entirely, if a provision sponsored by Rep. Pat Garofalo (R-Farmington), makes it in to HF1812, the Omnibus Supplemental Budget

Bill.

On April 15, an E-12 work group recommended removing the amendment opting out of NCLB from the Omnibus Supplemental Budget Bill. The work group recommendations are nonbinding and the conference committee still has to decide whether to include it in the bill that would be presented to Gov. Tim Pawlenty.

"No Child Left Behind, while well-intentioned, is federal oversight and federal control of our schools," Garofalo said, "I don't like Farmington teachers being told what to do by the federal government." Given the choice,

citizens would rather pay more for education if they could have local control.

Signed into law by President George W. Bush in 2002, the No Child Left Behind Act of 2001 increased federal funding for education by 24 percent, but included an unprecedented number of unfunded mandates and sanctions. David Shreve, federal affairs education counsel for the National Conference of State Legislatures, said in an interview the law was supposed to be renewed by October 2007, but with no congressional action, a provision allowed for the law to be automatically extended.

The act culminates more than four decades of federal expansion into public education, which began with the Elementary and Secondary Education Act of 1965, according to information from the NCSL. That act appropriated about \$2 billion to help improve educational opportunities for low-income students.

## Why not just opt out?

To consider the total cost of No Child Left Behind, Shreve said you have to look at two factors: what it costs to comply and what it



Jenny Heyer's kindergarten class at Island Lake Elementary School in Shoreview.

costs to meet the performance requirements of the law.

To meet the compliance goals, many states spend upwards of 6 percent of their education budget. Federal funding equals about 2 percent of a state's education budget. States are supposed to meet 100 percent compliance for the law by 2014, he said.

The money that comes from the federal government, on the other hand, equals about 2 percent of a state's education budget, so it costs a state roughly twice the amount of money they receive to comply.

The latest state data on the impact of NCLB, a 2004 report by the Office of the Legislative Auditor, found that costs could soon outstrip revenue from the federal government because of sanctions for underperforming schools. However, if the state had opted out of the accountability provisions, it would have lost \$216 million for 2005.

Part of the problem, Shreve said, is that when schools aim for higher achievement levels, their costs increase. That means a state can have a short-term cash problem.

"I sort of look at No Child Left Behind as the classic bait and switch," Shreve said.

Education Commissioner Alice Seagren said the biggest concern of opting out would be the potential loss of \$200 million in federal funding.

"I don't see the federal government backing out of No Child Left Behind," she said. She sees the act's 2014 goal as utopian, and said as that deadline looms, the Department of Education will likely be more flexible.

"There are just so many ways you cannot meet adequate yearly progress," she said.

Minnesota is not alone in its frustration or its reaction.

Shreve said states have been trying to opt out of the law, in some form or another, since its passage.

"It was pretty comprehensive, the reaction initially," he said. Utah toyed with the idea of opting out in 2003. In 2005, the state passed a bill saying the state would comply with NCLB only until the law got in the way of the state's accountability system.

An Arizona bill sponsored by Rep. David Schapira, a Democrat, would opt the state out by 2011, and fund the difference with state money. "Ideally, I hope that the feds will fix and fund it and we don't have to opt out," Schapira said.

Shreve said these bills could be looked at as a negotiating ploy in a time when NCLB is vulnerable. "You've got the law, and the supporters of the law, reeling on the ropes like a punch-drunk boxer."

### Member reaction

Members of the House K-12 Finance Division have mixed reactions to Garofalo's proposal to opt out of NCLB.

Rep. Marsha Swails (DFL-Woodbury) said the state is in the middle of a budget crisis, and now is not the time to start making changes.

"I do believe that schools are improving under it, I do believe that with all of my heart," she said. On the other hand, some of the measures are punitive and the testing does not show improvement in individual students.

"I think the message is loud and clear from states across the nation that we are tired of

mandates from the federal government," she said.

Rep. Jim Davnie (DFL-Mpls) is conflicted, he said. His daughter's school did not meet adequate yearly progress three or four years ago because two students in a subgroup were tested once but not again.

Though he has problems with NCLB, Davnie said schools need some form of accountability.

"Like it or not, standardized testing is probably a part of that," he said, and he would need to see an alternative before scrapping the program.

Rep. Randy Demmer (R-Hayfield) said it's hard to argue with the principles of NCLB.

Demmer said he is a strong advocate for local control, and this does not overstep that. He said the bill creates a framework that states and districts use, and a little accountability is not a bad thing.

"I think it's best for our children and best for our schools to continue to work with that program," he said.

### Where to find information

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

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

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



PHOTO BY TOM OLMSCHEID



# Hungry for help

Food shelf needs are growing across state

By PATTY OSTBERG

**M**ichelle Reagan is more often hearing a familiar refrain from her clients: "I've been giving to all of your drives for years and I never thought I'd have to be here."

Reagan, director of Friends in Need Food Shelf in St. Paul Park, said the elderly, disabled and working poor will always be food shelf users, but in the last few years, middle class families are increasingly showing up for help. "These are the people who could be any one of us. All of us are just a few paychecks away from being in this situation," she said.

In the 10 years she's been working at the location, the number of those needing assistance has increased from 3,000 to 13,000 people. "The need is out there," she said.

Food shelf use has increased 60 percent since 2000, according to Hunger Solutions Minnesota, a hunger relief organization providing assistance to food shelves. The number of those needing help from food shelves is only going to grow as the economy continues to show signs of souring, Executive Director Colleen Moriarty told the House Housing Policy and Finance and Public

Health Finance Division March 5. "Food has become a luxury."

Rep. John Benson (DFL-Minnetonka) sponsors HF3988, which would appropriate \$1.6 million for 2009 to state assisted food shelves.

The House Housing Policy and Finance and Public Health Finance Division approved the measure March 14. It now awaits action in the House Finance Committee. A companion bill, SF3676, sponsored by Sen. Terri Bonoff (DFL-Minnetonka), awaits action by the Senate Finance Committee.

"If the state has any responsibility, the

## Food Shelf Facts

- 55 percent of families that rely on food shelf assistance are working, but cannot make ends meet.
- Since the establishment of the state food shelf program in 1998, there has been no increase in funding.
- In 2007, the 300 Minnesota food shelves were visited 1.9 million times and they provided 47 million pounds of food to families and seniors.
- Between 2000-2007, food shelf visits in Minnesota increased from 1.2 million to 1.9 million.
- Food shelf usage has increased 60 percent since 2000.
- People who use food shelves average six visits a year, nearly 40 percent only once or twice a year.
- 85 percent of families using food shelves fall below the federal poverty guidelines.
- 11 percent of children served in Minnesota's food shelves are forced to skip meals because there is not enough food in the home.
- 20 percent of people visiting food shelves are seniors.

Statistics provided by Hunger Solutions Minnesota



PHOTO BY TOM OLMSCHEID

Robert Hass, left, packs groceries as fellow volunteer Dorothy King gathers items to fill an order at the Friends in Need Food Shelf in St. Paul Park.

fundamental responsibility is seeing children are not hungry in the state of Minnesota and their families," he said. However, since the state began sponsoring food programs in 1998, there has been no increase in appropriations. Because food costs are escalating rapidly it not only affects the poor, but the organizations that attempt to fill this food gap. It is estimated that 10 percent of the state's children live in poverty and one-third qualify for free and reduced lunches at public schools.

"Clearly the economic times are having a significant effect on the usage," said Rep. Rob Eastlund (R-Isanti). There is a tension of what nonprofits and government provide in programs. When government gives more money, the pressure is taken off local nonprofits and the community to provide, he said. "This is an area where people are truly best served when the communities they live in step up to the plate and provide those needs."

Food shelves distributed about 42 million pounds of food last year, said Connie Greer, self-sufficiency program director with the Human Services Department. Of that, the department provided \$1.3 million for food

**Food shelves continued on page 22**



# An energized electorate

With House up for election, can high caucus turnout translate into new volunteers?

BY COURTNEY BLANCHARD

**A**lmost two months after Super Tuesday, DFL Senate District 64 Chairwoman Elizabeth Wefel held the first district meeting of the year on April 2. She looked out into the larger-than-normal crowd and asked how many people were new volunteers.

“More than half the room put their hands up,” she said. “That many people at a Senate district meeting, that’s people who are willing to actually be involved with the process, not just show up for one-time events.”

High turnout on Super Tuesday is now falling into the hands of local party organizers, who must try to hold onto a potential volunteer base that could easily slip through the cracks and never return to politics.

House leaders say their parties are using the excitement of the presidential race to recruit volunteers for local elections. The newcomers are potential fresh volunteers; door-knockers, new frontiers for lawn signs and additional sources of campaign contributions, House Minority Leader Rep. Marty Seifert (R-Marshall) said.

“Caucuses are the catalyst that get people initially involved,” Seifert said.

This year, it was all about timing, he said. The two parties moved their caucuses up to Super Tuesday on Feb. 5, even though state law designates caucuses are to be held the first Tuesday in March. However, Secretary of State Mark Ritchie said he wouldn’t intervene, effectively allowing the earlier caucus date.

That was good news for both sides, but especially the Republicans, Seifert said. If the straw poll had been held after Sen. John McCain (R-Ariz.) secured the nomination, turnout may not have been so high, he said.

## Broken records, high expectations

The Republican caucus broke the attendance record on Super Tuesday. The last record, 58,000

in 1988, was replaced with 63,000 this year.

Republican voters showed an enthusiasm for the election that’s expected to carry through to November, state party spokesman Mark Drake said. They also provided a new list of names for candidates to use for campaign back-up.

“A lot of the people are new,” he said. “It’s a good base of support.”

Across the political aisle, like many other DFL-caucuses, thousands of people crammed into the rooms at Highland Park Junior High in St. Paul on Super Tuesday. Many parked far away and stood in long lines to scratch their choice for a presidential candidate. When the ballots ran out, organizers turned to a Minnesota standard: the Post-It note.

“It was a very chaotic scene; what I tried to do was initial as many of those as I could as I was passing them out!” said Mitch Gordon, former DFL chair of Senate District 64.

The state’s DFL caucuses drew more than 213,000 people, compared to about 51,000 people in 2004.

The biggest draw to the caucuses was the presidential race, which presents a challenge to local politicians who want to tout their platforms, too.

“The presidential race has taken on a super-size feel. It started so soon that it’s taken the air out of local issues,” said House Majority Leader Rep. Tony Sertich (DFL-Chisholm). With so much attention focused on the national race, House members have to get new attendees energized about local elections, he said.

## Hanging on to new volunteers


The best way to get a local candidate to connect with voters is to knock on their doors and meet them in person, Sertich said. The same approach can be extended to a potential volunteer base. Candidates for a House seat get a rare chance to connect face-to-face with their volunteers. “That’s the advantage of living in the communities we represent,” Sertich said.

When Rep. Kate Knuth (DFL-New Brighton) took her first run for the House two years ago, volunteers from St. Paul piled into cars and drove to the suburbs to door-knock for her campaign, Gordon said. There were enough volunteers that they could essentially “adopt” House races outside of their districts, he said. That kind of strategy will likely be followed this year, too.

At the University of Minnesota, College Republicans President Abdul-Rahman Magba-Kamara said the group recruited new caucus attendees to send out to several campaigns, including one candidate with strong ties to the school – College Republicans Co-Chairman Ole Hovde, a junior at the University.

“That definitely is going to help energize people,” Magba-Kamara said. Hovde is running for seat 59B, which includes much of the University campus. His candidacy highlights the importance of local elections, Magba-Kamara said. The group will also focus on Minneapolis elections for city council and sheriff.

Volunteers won’t show up unless they have a candidate they are inspired to rally behind, Seifert said, in agreement with his colleagues across the aisle.

“I think most people get involved for a candidate or a cause more than a party,” Seifert said. “That’s what really jolts them into politics.” 

## Food shelves continued from page 20

assistance, and distributed about 5 million pounds of food from the emergency food assistance program. "The local organizations make up the balance of that, up to this 42 million pounds of food, so there's this tremendous contribution already from the local level," she said.

Eastlund asked if food shelves look at resources such as bread companies that have day-old bread or grocery stores with produce that doesn't get used.

Many food shelves work with America's Second Harvest Food Banks, of which there

are five network members in Minnesota: Crookston, Duluth, Grand Rapids, Rochester and St. Paul. A Fargo member network serves one Minnesota county. Part of its collection involves food recovery. Also, the Emergency Food Shelf Network: Minnesota's Free Food Bank works with restaurants to pick up food that can be distributed to food shelves and shelters, Moriarty said.

More frequently there are fewer food products available from grocery stores and food processing plants because of technological advances. In years past when a company had a bad run and mislabeled jars of food or boxes

of cereal, food shelves would benefit, she said.

Much of that product has also been shifted to dollar stores instead of being donated.

Many food shelves are only open a few days a week now because they don't have enough food to distribute. The need continues to build resulting in less opportunity for food. If the state does nothing, "what we'd have is the return to long lines at meal programs and soup kitchens in our community like we've seen before in history," Moriarty said. We don't want to return to the soup kitchen era, she said. "They are us, they are no strangers."



## BILL INTRODUCTIONS

APRIL 14 - 17, 2008

HOUSE FILES 4189 - 4203

### Monday, April 14

#### HF4189-Davnie (DFL)

##### Finance

First class metropolitan area cities financial status study and report required on conventions and event centers.

#### HF4190-Kahn (DFL)

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

First class cities provided election of certain council members elected by ward after reapportionment.

#### HF4191-Eken (DFL)

##### Environment & Natural Resources

Heartland Trail modified.

#### HF4192-Kahn (DFL)

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

Candidacy affidavit required to state candidate's residence address and telephone number, and candidate ballot placement prohibited if residency requirements not met.

#### HF4193-Clark (DFL)

##### E-12 Education

Early childhood education for homeless children pilot project established.

### Wednesday, April 16

#### HF4194-Solberg (DFL)

##### Environment & Natural Resources

Outdoor heritage fund provided.

#### HF4195-Marquart (DFL)

##### Health & Human Services

Health care directive registry established by the Office of the Secretary of State, and money appropriated.

#### HF4196-Morrow (DFL)

##### Finance

School finance system modified, and a new education funding framework created.

#### HF4197-Haws (DFL)

##### Finance

Education license plates authorized.

#### HF4198-Cornish (R)

##### Public Safety & Civil Justice

Postsecondary institution authority to establish policy rescinded regarding the carrying and possession of firearms by students on public postsecondary institution property.

#### HF4199-Mahoney (DFL)

##### Local Government &

##### Metropolitan Affairs

Delinquent vacant building registration fees collection as special assessment authorized.

#### HF4200-Drazkowski (R)

##### Finance

Goodhue County; nursing facility payment rates increased.

#### HF4201-Bunn (DFL)

##### Taxes

Metropolitan counties; number of years changed for vacant platted land to be valued at market value, and vacant platted land phase-in modified.

### Thursday, April 17

#### HF4202-Clark (DFL)

##### Transportation Finance Division

Towing vehicles with disability plates or certificates prohibited.

#### HF4203-Lesch (DFL)

##### Finance

St. Paul; capital improvement bond local law amended.

### Frequently called numbers

Area code 651

#### House Public Information Services

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

#### Committee Schedule Hotline

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

#### Chief Clerk of the House

211 Capitol .....296-2314

#### House Index

211 Capitol .....296-6646

#### Senate Information

231 Capitol .....296-0504

#### Secretary of the Senate

231 Capitol .....296-2344

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

#### Senate Index

110 Capitol .....296-2887

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

## REMOVING BARRIERS



PHOTO BY SARAH STACKE

**Elaine Howe, who communicates using a DynaVox 5, attends an April 15 ceremony in the Rotunda that recognizes citizens, educators and organizations committed to removing barriers to independence through the use of assistive technology. Howe can create sentences and prepare paragraphs with the DynaVox 5, an inventive communication device.**

### Constitutional Officers

#### **Governor**

##### **TIM PAWLNTY (R)**

Room 130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
651-296-3391  
800-658-3717  
Fax: 651-296-2089  
Web site: [www.governor.state.mn.us](http://www.governor.state.mn.us)  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

#### **Lieutenant Governor**

##### **CAROL MOLNAU (R)**

Room 130 State Capitol  
St. Paul, MN 55155  
651-296-3391  
Fax: 651-296-3587  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

#### **Attorney General**

##### **LORI SWANSON (DFL)**

Executive Offices  
Room 102 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
651-296-6196  
800-657-3787  
Web site: [www.ag.state.mn.us](http://www.ag.state.mn.us)  
E-mail: [attorney.general@state.mn.us](mailto:attorney.general@state.mn.us)  
Consumer Division  
1400 Bremer Tower  
445 Minnesota St.  
St. Paul, MN 55101  
651-296-3353  
800-657-3787  
TTY 651-297-7206  
TTY 800-366-4812

#### **Secretary of State**

##### **MARK RITCHIE (DFL)**

Election Center  
Room 180 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
651-215-1440  
877-600-8683  
Business Services  
Suite 100  
60 Empire Drive  
St. Paul, MN 55103  
651-296-2803  
877-551-6767  
Web site: [www.sos.state.mn.us](http://www.sos.state.mn.us)  
E-mail: [secretary.state@state.mn.us](mailto:secretary.state@state.mn.us)

#### **State Auditor**

##### **REBECCA OTTO (DFL)**

525 Park St.  
Suite 500  
St. Paul, MN 55103  
651-296-2551  
TTY 800-627-3529  
Web site: [www.osa.state.mn.us](http://www.osa.state.mn.us)  
E-mail: [state.auditor@state.mn.us](mailto:state.auditor@state.mn.us)



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

SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER

MAJORITY LEADER: ANTHONY "TONY" SERTICH

MINORITY LEADER: MARTY SEIFERT

## MINNESOTA INDEX

### Waste management

Pounds of waste generated per American per day in 2006 .....	4.6
Of that, pounds that were recycled.....	1.5
Percent of nation's waste that is organic, and could be converted to soil .....	25
Millions of tons of municipal solid waste generated in Minnesota in 2006 .....	6.1
Millions of tons in 1999 .....	5.4
Millions of tons in 1991 .....	3.9
Per capita generation of municipal solid waste, in tons, in Minnesota in 2006 .....	1.167
In 2005 .....	1.166
State recycling rate in 2006, as percent.....	48.7
Percent in 1989.....	23
Millions of tons of recyclable materials collected by recycling programs in 2006.....	2.5
Percent increase over 2005.....	1.7
Estimated tons of plastic, metal and glass recycled by Twin Cities residents in 2006.....	270,000
Percent of garbage that is paper and paperboard.....	40
Millions of tons of recyclable material in 2006 that remained in the state's waste stream.....	1.3
Market value of that recyclable material, in millions.....	\$312
Percent increase in statewide electronics recycling from 2000 to 2006.....	287
Billions contributed annually to the state economy by Minnesota's recycling manufacturers.....	\$2.98
Millions in annual wages related to recycling activities.....	\$760
Energy equivalent of barrels of oil saved by one ton of recycled aluminum cans.....	36
Gallons of gasoline saved.....	1,655
Energy reduction, as percent, by using recycled glass instead of new materials.....	40
Date of Earth Day 2008 .....	April 22
Sheets of copy paper used by the average office worker each year .....	10,000
Tons of letter and legal white paper purchased by the House in a 15-month period from Feb. 28, 2006, to May 31, 2007 .....	61.14
Sheets used per person, on average, during that time .....	29,000
Millions of sheets used per month by the House from Jan.1 to May 31, 2007, a budget session.....	1.4
Millions of sheets used per month by the House from Feb. 28 to May, 23, 2006, a non-budget session.....	1.18
Sheets used per month by the House in the last seven months of 2006, when the House was not in session.....	296,285
States, including Minnesota, that use legal-size paper in the House of Representatives....	6

— M. Cook

Sources: Report of 2006 SCORE Programs, A summary of waste management in Minnesota, Pollution Control Agency, December 2007; Office Paper Reduction at MN House of Representatives: Assessment Findings and Next Steps, Pollution Control Agency, February 2008; Minnesota Office of Environmental Assistance; U.S. Environmental Protection Agency; Recycling Association of Minnesota.

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to: House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 11 • APRIL 25, 2008

A 'MEGA' OPPORTUNITY?

FOOD VS. FUEL

RETHINKING PROPERTY TAXES

COMPENSATION'S BRIDGE OVER TROUBLED WATER

HF4204 - HF4212





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Thomas Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

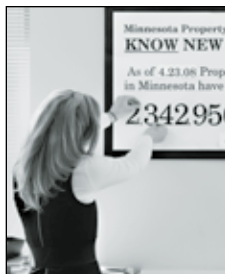
### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



# CONTENTS

## HIGHLIGHTS

Banking • 5	Employment • 8	Military • 14
Budget • 5	Energy • 8	Safety • 15
Business • 6	Environment • 9	Taxes • 15
Consumers • 6	Government • 10	Technology • 16
Crime • 6	Health & Human Services • 11	Tourism • 16
Education • 7	Industry • 12	Transportation • 16
Elections • 8	Local Government • 13	

## BILL INTRODUCTIONS (HF4204-HF4212) • 23

## FEATURES

**FIRST READING:** Public money sought for Mall of America expansion • 3

**AT ISSUE:** Rethinking property taxes • 18

**AT ISSUE:** House and Senate butt heads over survivor compensation • 19

**AT ISSUE:** Hospitals face nursing shortage • 20

**AT ISSUE:** Food vs. fuel drives ag and veterans affairs debate • 21

**PEOPLE:** Moe to go back to Bemidji • 22

**MINNESOTA INDEX:** Minnesota nonprofits • 24

**On the cover:** Electrician Todd Folta holds his 4-year-old son, Myles, as they listen to testimony during the April 22 meeting of the House Taxes Committee. The committee was discussing a bill that would help finance an expansion of the Mall of America in Bloomington.

— Photo by: Tom Olmscheid



# A mega opportunity at what cost?

Public money sought for Mall of America expansion, jobs

BY COURTNEY BLANCHARD

**H**ow could 8,000 parking spaces at the Mall of America keep \$1,333 away from East Grand Forks? Even though it is a five-hour drive from Bloomington, a funding proposal to expand the mall could divert local government aid from the northwest Minnesota city and other cities across the state.

The proposal, HF2237, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park), went before the House Taxes Committee on April 22.

The bill provides a funding mechanism for the MOA to start construction on Phase II.

Phase II has been in the works since the original plans for the mall came about 20 years ago. More than 5 million square feet would be planted to the north of the existing mall. The \$2 billion project would house four levels of shops, spas, hotels, theaters and a water park.

"The ability to draw tourists during tough economic times is even more important," said MOA Vice President Maureen Bausch. "The Mall of America has to stay fresh. It's what we do best. And to do that, we have to grow."

Supporters of the project say growth for the mall means the state gets more jobs and tourism. Others argue that the project could lead to property taxpayers chipping in for the mall because, if it's funded through the fiscal disparities pool and a tax increment finance district land swap, communities would miss

out on increased LGA or tax base.

Lawmakers are under pressure to decide if it's worth it.

## Bill rundown

The bill proposes for the project to be funded, in part, by:

- using what would have gone into the fiscal disparities pool to fund a parking ramp, which would be owned by the City of Bloomington;
- transferring some land from a tax increment financing district that expires in 2015 to one that expires in 2018; and
- authorizing the City of Bloomington to impose a local sales tax on lodging, admissions and recreation, food and beverages and a general sales tax on the mall.

The bill has restrictions on how the public money could be used. Those include:

- that all tax increments go toward public

**First Reading continued on page 4**



PHOTO BY TOM OLMSCHIED

During the April 22 House Taxes Committee meeting, Rep. Mike Nelson, *second from right*, House sponsor of a proposal to finance a Mall of America expansion, listens to, *from left*, Kyle Makarios, political director for the North Central States Regional Council of Carpenters, David Ybarra, business manager for the Minneapolis Building & Construction Trades Council, and Rhys Ledger, strategic campaigns director at Teamsters Local 120. There were more than five hours of testimony about the proposal.

## First Reading continued from page 3

- infrastructure costs;
- using as much American-made steel as possible;
- paying full-time employees wages above the federal poverty level for a family of four (excludes part-time and seasonal employees and businesses with fewer than 50 employees);
- keeping attractions affordable; and
- remaining neutral on labor negotiations with hotel workers.

After five hours of testimony, the bill was laid over for possible inclusion in the committee's omnibus tax bill.

In the Senate, sponsored by Sen. Tom Bakk (DFL-Cook), the language was incorporated April 3 into SF 2869, the omnibus tax bill. Even if the House doesn't include the proposal in its upcoming omnibus bill, the issue will show up at the tax bill conference committee.

### Funding questions

Some lawmakers question how the project would help their districts. Rep. Sandy Wollschlager (DFL-Cannon Falls) said she walks down the street in her hometown and sees empty storefronts.

"The people are telling me that it doesn't benefit our district very much to help a big shopping mall that's already very successful and already getting dollars from me," she said.

Some critics assume that Phase II will be built with or without the state's help. If that were true, the bill would actually take money away from the general funds of cities across the state.

The bill would exempt the mall from paying property taxes into the fiscal disparities pool.

All businesses located in the seven-county Twin Cities metropolitan area pay into the pool, and the funds are redistributed to business property-poor cities. The mall's exempted share would pay for a parking ramp, but it would cause the metro cities to lose a chunk of property tax base.

The bill also contains a partial land swap between the TIF districts around the mall. A TIF district allows a community to pay debt on a development project with a future tax base.

Both provisions would shift the LGA formula because some of the metro cities would appear "poorer" due to lost tax base, according to the nonpartisan House Research Department. The formula shift would funnel money from Greater Minnesota cities like East Grand Forks to metro cities.

Most outstate cities would lose under \$1,000. Metro cities would gain some LGA, but take a bigger hit by losing property tax base. Altogether, metro cities would share a budget loss of \$1.2 million, according to estimates by House Research.

"Every little lever that you pull in the property tax system affects and bulges out somewhere else," said Rep. Paul Marquart (DFL-Dilworth).

The proposal to use the fiscal disparities pool also has critics among metro area businesses. Sam Grabarski, president of the Minneapolis Downtown Council, said mall competitors would be funding the parking ramp with their property tax dollars, allowing the mall to grow more successful and become a bigger competitor.

"That sort of imbalance is anathema to the retail industry," he said.

### Job potential

Mall representatives insist that without the state's help, the project isn't feasible. In that

case, the state would miss out on one of the project's upsides — job creation.

About 7,000 contractors, electricians, plumbers, dry wall installers, concrete pourers and painters would be put to work.

For Carl Madsen of Minneapolis, that means he'd come out of a period of unemployment that could last 18 months. He's one of hundreds of union electricians waiting to get a job.

"I'm proud to be an electrician, but it's tough when you're sitting at home staring at the wall, and you're not working," he said.


If the proposal goes forward, workers from Delano, Virginia and Brainerd could be called to work on the project. For some lawmakers, the job potential seals the deal.

"I've witnessed, firsthand, what the downturn in the economy has done to my family," said Rep. Debra Hilstrom (DFL-Brooklyn Center). Her husband is a carpenter who was recently called back to work after a long period of unemployment.

"I think we have the ability to show the leadership and bring in these Minnesota jobs that this industry so desperately needs," she said.

It wouldn't be the first time a state subsidy has gone toward a large building project. This year, the Legislature passed two laws that will create construction jobs. The transportation finance law cleared the way for road projects, and the bonding law funds projects around the state, from a convention center in Duluth to improvements to state parks.

However, the MOA proposal is different from the transportation and bonding laws, Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) said.

"The bonding bill and the transportation bill are public money for public core government services. This proposal is public money for a private company," Lenczewski said. 

### Frequently called numbers

Area code 651

#### House Public Information Services

175 State Office Building .....296-2146  
Toll-free.....800-657-3550

#### Chief Clerk of the House

211 Capitol .....296-2314

#### House Index

211 Capitol .....296-6646

**Committee Hotline, House** .....296-9283

#### House Sergeant-at-Arms

190 State Office Building .....296-4860

#### House Research

600 State Office Building .....296-6753

#### Senate Information

231 Capitol .....296-0504

Toll-free.....888-234-1112

#### Secretary of the Senate

231 Capitol .....296-2344

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

#### Senate Index

110 Capitol .....296-2887

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

#### Senate Sergeant-at-Arms

G-1 Capitol/Chamber .....296-1119/296-7159

#### Senate Counsel and Research

G-17 Capitol.....296-4791

#### Legislative Reference Library

645 State Office Building .....296-3398

#### Revisor of Statutes

700 State Office Building .....296-2868

#### Governor's Office

130 Capitol .....296-3391

#### Attorney General's Office

102 Capitol .....296-6196

#### Secretary of State's Office

Election Center

180 State Office Building .....215-1440

Toll-free.....877-600-8683

Business Services

60 Empire Dr., Suite 100

St. Paul.....296-2803

Toll-free.....877-551-6767

#### State Auditor

525 Park St., Suite 500

St. Paul.....296-2551

**Emergency .....296-2100**

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held April 17-24. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill version considered by the House or the bill language signed by the governor.

## BANKING

### Debit cards OK for custodial accounts

Signed  
by  
the  
governor

For those who manage a custodial account of a loved one, making purchases and transferring funds will be a little easier.

A new law signed by Gov. Tim Pawlenty April 17 allows the use of a debit or credit card to make payments from custodial trustee accounts. Until now account custodians were permitted to withdraw funds or make payments from the account by check only. This statute is part of the Uniform Custodial Trust Act, adopted in 1990.

Rep. Steve Simon (DFL-St. Louis Park), who sponsors the law with Sen. Ron Latz (DFL-St. Louis Park), said that with fewer retailers willing to accept checks, this "moves us into the 21st century." Supported by senior advocate groups, this change will also make it harder for others to get away with fraud and theft, Simon said.

The law is effective Aug. 1, 2008.  
HF3457/SF3070\*/CH201

— C. GREEN

## BUDGET

### Reduction may mean new programs

Although there's no official agreement on how the \$935 million biennial deficit will be solved, that didn't stop a House-Senate working group from coming to consensus April 22 on funding priorities for the Military Affairs, Agriculture and Veterans Affairs departments.

"We just thought it best to move ahead," said Rep. Al Juhnke (DFL-Willmar), chairman of the House Agriculture, Rural Economies and Veterans Affairs Finance Division. "We think the quicker we can move this onto their desk the less likely it is they'll ask us to revisit stuff."

The House and Senate Agriculture and Veterans Working Group, led by Juhnke and

Sen. Jim Vickerman (DFL-Tracy), did not take official action, but informally agreed on budget suggestions and referred them to the conference committee discussing HF1812, the omnibus supplemental budget bill.

The governor has proposed more than \$6 million in combined biennial spending increases for the three departments. Through reallocation of some funds, the House and Senate proposal would actually cut more than \$2 million from the budgets during the same period, while at the same time allocating money for some new programming.

The greatest reduction, \$10.25 million, comes from a 2007 appropriation for higher education assistance grants to state veterans. Little of the money has been used because the federal government stepped in to fill gaps in the education assistance available through the G.I. Bill, which the state's program would have addressed.

No new money is allocated for Fiscal Year 2008. New allocations for Fiscal Year 2009 would include:

- \$3 million to meet veterans emergency financial needs through the State Soldiers Assistance Fund;
- \$2 million for a new livestock investment grant program;
- \$1 million for a new community-based case-work services program that could include in-home counseling; and
- \$250,000 for a study to explore alternative models for the Minneapolis veterans home and ways to partner for home-based services for veterans.

— L. SCHUTZ

### Small steps taken by conferees

Conferees working to hammer out an agreement on the projected \$935 million biennial budget shortfall have laid more of a foundation for their work.

After "many hours of discussion" between Rep. Lyndon Carlson (DFL-Crystal) and Sen. Richard Cohen (DFL-St. Paul), co-chairs of the Omnibus Supplemental Budget Bill Conference Committee, a list of pure policy provisions was developed. Conferees agreed April 21 to send these provisions to other conference committees. "Leadership in each body said there will be policy bills for items moved out," Cohen said.

Among items moved out were: a House plan to end state participation in the federal No Child Left Behind program; a provision from both bodies to give state employees paid time off for blood donation; and a House plan to prohibit the use of state funds for sex-selection

abortions or for health benefits that include sex-selection abortions.

HF1812 was loaded with policy provisions, while SF3813 was not.

Conferees also agreed April 23 on a few language items where the bodies had the same or similar language.

Finance-related provisions are to remain with the conference committee, although some members continue to insist that without monetary targets it would be hard for working groups to develop their proposals.

Finance Commissioner Tom Hanson met with conferees April 23 to discuss Gov. Tim Pawlenty's concerns and pledged to work with the legislators. "This is a starting point for discussions," he said.

Among Pawlenty's key concerns are:

- both plans avert from his proposal to use part of the Health Care Access Fund, and spend the fund to unsustainable future levels;
- changes to the tax treatment of corporations operating in designated tax havens would make the state less attractive to corporations that do business internationally;
- reductions in programs he believes increase academic rigor, such as Q-Comp; a reduction in state testing; and a program that provides students the opportunity to take exams for college credit; and
- Senate provisions that allow local governments to increase sales and use taxes, as well as mortgage and deed taxes. Pawlenty is concerned about additional burdens placed on taxpayers.

— M. COOK

### Environment, energy proposals

A joint House and Senate working group met to discuss differences in the omnibus supplemental budget bill's environment and energy provisions April 22, but took no action.

After comparing the House and Senate language of HF1812, members of the Omnibus Supplemental Budget Environment and Natural Resources and Energy Working Group identified several discrepancies.

Much of the discussion centered on a House proposal that would forbid the Pollution Control Agency from issuing a permit for a new solid waste landfill unless certain conditions are met. Under the provision, a special test would be required to determine whether contaminants could leach from the landfill into groundwater supplies. This comes from HF3997/SF3703, sponsored by Rep. Julie Bunn (DFL-Lake Elmo) and Sen. Kathy



Saltzman (DFL-Woodbury).

Jim Lungstrom, an engineer with the PCA's Solid Waste Permitting Unit, testified that while the test in question might prove useful when combined with other screening methods, the agency would rather find a more comprehensive approach to the issue. He added that the PCA plans on completing an internal review of its solid waste landfill policies this fall.

Another point of contention is a Senate proposal to cut \$3 million from the E85 Everywhere ethanol pump grant program. Working group co-chair Sen. Ellen Anderson (DFL-St. Paul) said that she and her Senate colleagues feel it would be "pretty safe" to reduce the program's funding because it has unspent money from previous years. Mike Bull, deputy director of the Office of Energy Security, disagreed.

"We're at a point now where consumers are facing \$4-a-gallon gasoline prices and we want to make sure consumers have every opportunity to make choices that benefit them," Bull said.

In regard to the bill's environment and energy fiscal provisions, Anderson said the House and Senate bills were overall quite similar, despite numerous individual differences.

"We were amazed at how close we really are," Anderson said.

The working group did not announce when or if it would meet again.

— N. BUSSE

the law states the certificate would be good for three years, a change from the previous process that required a yearly renewal.

There is an increase in the annual fee to practice as a CPA firm from \$35 to \$68, and the initial CPA permit fee will be \$100 for firms with one or more offices located in another state.

The law is effective April 18, 2008.

HF2811/SF2402\*/CH195

— C. GREEN

### Electronic document return OK'd

Signed  
by  
the  
governor

Described as a housekeeping bill for the Office of the Secretary of State relating to business services, a new law signed by Gov. Tim Pawlenty April 17 allows for documents to be returned by electronic methods and through facsimile transmission.

The law also addresses issues relating to foreign corporations, including modifications to the notice required for corporations that change their name, dissolve or merge. The corporation will no longer need to file the information with the secretary of state, but certify to the office that they possess documents relating to any change.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Patricia Torres Ray (DFL-Mpls), the law has various effective dates.

HF3543/SF3397\*/CH203

— L. SCHUTZ

list of acceptable accrediting agencies for debt management providers.

Signed into law April 21 by Gov. Tim Pawlenty, it is effective April 22, 2008.

Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Scheid (DFL-Brooklyn Park) are the sponsors.

HF3287/SF2930\*/CH210

— T. HAMMELL

## CRIME

### Protection for buying tickets online

The so-called "Hannah Montana" bill is closer to becoming law.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ron Latz (DFL-St. Louis Park), HF2911/SF3139\* would make it a gross misdemeanor to sell, distribute or use software to get around security and move to the front of an Internet ticket buyer line.

That's what happened last summer with the Miley Cyrus/Hannah Montana "Best of Both Worlds" tour, when parents went online to get tickets only to find that the concerts were already sold out. Tickets were subsequently resold for as much as 10 times the original price.

Approved as amended by the House 119-12 April 21 and re-approved by the Senate 63-0 April 23, it now awaits action by the governor.

When the Hannah Montana tickets went on sale, some using the ticket buying software bought all the tickets within a matter of seconds, leaving everyone else to buy tickets at inflated prices. "That is wrong. That is the 21st century version of bullying," Atkins said. "We wouldn't allow it at the bus stop or on the playground, and we ought not to allow it on the Internet."

The bill would not affect last year's law that repealed Minnesota ticket scalping statutes.

— C. GREEN

### Police representation at hearings

Signed  
by  
the  
governor

Up to now, when a police officer attended a disciplinary hearing to give a formal statement, he or she could choose to bring either an attorney or a union representative. They can soon have both.

A new law, sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Leo Foley (DFL-Coon Rapids), puts this in statute. Signed by Gov. Tim Pawlenty April 17, the law takes effect Aug. 1, 2008.

Jim Michaels, a labor attorney working with the Police Officers Federation of Minneapolis, told a House committee that since the Peace

## BUSINESS

### CPA, other accountancy changes

Signed  
by  
the  
governor

There will be a few adjustments to the Board of Accountancy, thanks to a new law signed by Gov. Tim Pawlenty April 17.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ann Rest (DFL-New Hope), the law changes the way the board operates and moves up opportunities for those wanting to become a certified public accountant.

The new law brings Minnesota statute in line with the Uniform Accountancy Act; requires that no fewer than two of the seven members of the Board of Accountancy be owners or employees of a qualifying certified public accountant firm; and eliminates the requirement for the board to have a judicially noticed seal.

It also allows anyone in their last semester of college to take the exam to qualify as a CPA.

Once a certificate of qualification is given,

## CONSUMERS

### More notification required

Signed  
by  
the  
governor

A largely technical new law updates work completed in 2007 on debt management plans and the regulation of debt management providers.

If a creditor is added or deleted from a debt service agreement at the request of the debtor or if the debtor voluntarily increases payment, the debtor must be provided an updated payment schedule within seven days.

If the payment amount to the creditor increases by \$10 or less and the total payment amount to all creditors increases by \$20 or less as a result the debtor providing incomplete or incorrect information regarding the amount of debt owed, the debt management service must notify the consumer of the increase within seven days.

The bill would also add the Bureau Veritas Certification North America, Inc. and BSI Management Systems America, Inc. to the

## STILL HAS HIS SWING



PHOTOS BY ANDREW VONBANK

**Former Minnesota Twins star Tony Oliva takes a practice swing of the gavel with House Speaker Margaret Anderson Kelliher while visiting the House Chamber April 17. The Cuban national, and 1964 and 1965 American League batting champion, was invited to the floor session to lend support to a resolution urging the president and Congress to end trade, financial and travel restrictions to Cuba.**

Officers Bill of Rights was enacted in 1991 there has been increased scrutiny in the conduct of police officers.

There are agencies that allow police officers to have an attorney and union representative at these hearings, Michaels said, but others force officers to choose. Because different situations require different representation, police officers should have all of the options available, he said.

"Police investigations can be very complex. They can be internal; they can be criminal; they can be civil," said John Delmonico, president of the Police Officers Federation of Minneapolis. He said the legislation would give cops "the option to have the best possible representation."

HF3483/SF3362\*/CH205

— C. GREEN

### No social networks for predators

Predatory offenders may have more places to stay away from.

HF3505, sponsored by Rep. Karla Bigham (DFL-Cottage Grove), would prohibit registered predatory offenders from accessing social networking Web sites, such as MySpace and Facebook.

Approved by the House Finance Committee April 18, the bill now moves to the House floor.

A companion, SF3172, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Judiciary Committee.

The bill would deny access to Web sites that are set up for the "purposes of friendship" and allow anyone under age 18 to become a member or have a personal Web page.

Deputy Attorney General David Voigt said similar bills have been introduced in other states, and New Jersey has passed a law prohibiting all Internet access for registered predators.

Concerns were raised by Rep. Bruce

Anderson (R-Buffer Township) about future constitutional challenges, and Rep. Tom Rukavina (DFL-Virginia) said the bill was taking too much discretion out of the hands of judges.

Rukavina said that although the state has made strides in getting people out the prison system, the state may have become overzealous. "When we put this stuff in statute we take away a judge's ability to be just. So we have no justice left in the system. And that's what's happening with some of these laws that we've been passing recently."

Bigham said the bill is a continuation of last year's legislative efforts to catch predators trying to take advantage of minors over the Internet.

— C. GREEN

## EDUCATION

### Tougher teacher background checks

A little asterisk could mean big problems for some teaching applicants.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Kathy Saltzman (DFL-Woodbury), HF2657/SF2597\* would require hiring authorities to check the Department of Education Web site for an asterisk, meaning that person has been disciplined for sexual misconduct with a student.

If an asterisk is found, the authority would have to check with the Board of Teaching to see what the substance of the discipline was before hiring that teacher.

Teachers could be hired before the check is completed, but could be terminated if past misconduct is found. Teachers could also be terminated for providing misinformation.

An amendment successfully added by Rep. Tom Emmer (R-Delano) would give schools an option that Duluth, St. Paul and

Minneapolis already have — the option to suspend a teacher without pay if they have been charged with a felony. This could only be done if the underlying conduct that led to the charge is grounds for immediate discharge.

"If it's good for Minneapolis, St. Paul and Duluth, it should be the same with all other school districts," Emmer said.

The teacher would be entitled to a hearing and the board would have to reimburse the teacher if the final decision does not result in a penalty or in suspension, termination or discharge of the teacher.

Rep. Mark Buesgens (R-Jordan) said the bill is unnecessary, but would vote for it based on the Emmer amendment.

"It fundamentally says that we, as a state, cannot trust the locally selected officials to do the right thing for their children," he said.

"I'm just hoping to have an added level of security and a consistent policy throughout the state," Bigham said.

It was approved 129-1 by the House April 21. The Senate refused to concur two days later, and a conference committee has been requested. The original bill was passed 66-0 by the Senate April 3.

— T. HAMMELL

### Consider a donation

As a loyal reader of Session Weekly, please consider giving a voluntary donation of \$20 to help defray the publication and mailing costs of bringing you this award-winning news magazine. You can be assured that your donation will go directly to support the magazine.

Mail your check, made payable to Minnesota House of Representatives, to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

## ELECTIONS

### Absentee voter modification

**Signed  
by  
the  
governor**

Legislation to make overseas voting easier for Minnesotans serving abroad received approval from Gov. Tim Pawlenty on April 17.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Sharon Erickson Ropes (DFL-Winona), the law allows electronic transmission of absentee ballots, in certain circumstances, as a way to reduce barriers facing military members and other Americans abroad who have not always succeeded in having their votes counted.

Kalin said the law is needed to make sure that those serving our country are guaranteed the right to vote, which he called a “cornerstone of democracy.”

The law is effective for elections held after June 1, 2008.

HF1259/SF1218\*/CH190

— B. HOGENSON

## EMPLOYMENT

### Labor contracts OK'd, salary cap gone

**Signed  
by  
the  
governor**

State labor agreements and compensation plans for employees in the executive branch were ratified with a stroke of a pen by Gov. Tim Pawlenty April 17.

The agreements and compensation plans were given interim approval by the joint legislative Subcommittee on Employee Relations.

The law, sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Senate President James Metzen (DFL-South St. Paul), ratifies labor agreements between the state and the following exclusive representatives of state employees: AFSCME Council 5, Minnesota Association of Professional Employees, State Residential School Education Association, Minnesota Government Engineers Council, Middle Management Association, Minnesota Law Enforcement Association and the Inter Faculty Organization. These are effective April 18, 2008.

Also effective that day are compensation plans for unrepresented and managerial state employees, the Minnesota State Board of Investment, employees and administrators in the Minnesota State Colleges and Universities system, and Office of Higher Education employees.

A provision limiting the salary of the Minnesota Zoological Garden administrator

to 130 percent of the governor's salary is also repealed, effective April 18, 2008.

The law also requires the legislative auditor to establish a compensation plan for employees of the auditor. This provision takes effect Jan. 1, 2009.

HF3138\*/SF2620/CH194

— B. HOGENSON

## ENERGY

### Cap-and-trade bill passed

The House passed a bill that would pave the way for adoption of a regional cap-and-trade system to reduce greenhouse gas emissions.

After several hours of debate on 19 proposed amendments, HF3195, sponsored by Rep. Kate Knuth (DFL-New Brighton), was approved 91-38 on April 23. Received April 24 by the Senate, it awaits action by the Senate Rules and Administration Committee. Sen. Ellen Anderson (DFL-St. Paul) is the Senate sponsor.

As described by Knuth, the bill represents “a step in the process” of implementing a regional cap-and-trade system currently being negotiated by Gov. Tim Pawlenty and several other Midwestern governors. Those negotiations are expected to produce a model rule by November.

“The governor has taken a very important step, and we appreciate him showing leadership,” Knuth said.

In a cap-and-trade system, a limit would be placed on carbon dioxide and other greenhouse gas emissions; power companies and other emitters would then be issued emission allowances that they could buy, sell or trade with one another.

The bill would give legislators a role in the process by requiring their approval of any regional agreement. It would also provide for a pair of studies — one on how to govern a cap-and-trade system and another examining the “economic, environmental, and public health costs and benefits” of cap-and-trade.

Several Republicans raised objections to the bill on the basis that man-made global warming — the problem the bill seeks to address — has not been scientifically proven to exist.

“Folks, just because you saw Al Gore's movie doesn't make you a global climatologist and an expert,” said Rep. Pat Garofalo (R-Farmington), alluding to the former vice president's climate change documentary, “An Inconvenient Truth.” Garofalo described concern over climate change as “a sad devotion to a false religion.”

Other members voiced concern that a cap-and-trade system would burden power

companies with regulations that would put Minnesota at a competitive disadvantage with its neighbors.

“If we're going to get the economy moving again, we can't set Minnesota apart,” said Rep. Kurt Zellers (R-Maple Grove).

Other members praised Knuth for her leadership on the issue, and said the bill represented a step forward on an issue that many Minnesotans consider important.

“Our priorities should be that we should pollute as little as possible, period,” said Rep. Dennis Ozment (R-Rosemount).

— N. BUSSE

### Energy omnibus bill passed

The House passed an omnibus energy policy bill April 23 with provisions designed to boost solar and wind power and tighten greenhouse gas regulations.

HF3661/SF3337\*, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), was approved 109-22. The Senate did not concur with the House amendments, and a conference committee has been requested. The Senate passed its version 52-14 on April 3.

The bill contains policy initiatives incorporated from other bills, including:

- requiring producers and purchasers of industrial and commercial gasses with a high “global warming potential” to report data on their sales and use in the state to the Pollution Control Agency;
- requiring the PCA and Commerce Department to report to the Legislature regularly on progress being made in meeting the state's greenhouse gas emissions reduction goals;
- authorizing the Commerce Department to coordinate and arrange bulk purchases of wind turbines and related equipment for individuals, community-based energy developers and public entities;
- requiring that one-eighth of 1 percent of the state's 25-percent-by-2025 renewable energy standard be generated by solar-electric power; and
- exempting wind and solar projects from having to obtain a certificate of need if the Public Utilities Commission deems them a “reasonable and prudent approach” to implementing the renewable energy standard.

Hilty amended the bill to remove a controversial provision that would have banned the sale of small containers of automotive air conditioner refrigerant.

Rep. Tom Hackbarth (R-Cedar) offered an amendment that would have lifted the moratorium on construction of new nuclear power plants in the state. It was defeated 52-79.



Hilty, who chairs the House Energy Finance and Policy Division, promised Hackbarth and other nuclear power supporters that his division would be holding hearings on the issue in the near future.

— N. BUSSE

## ENVIRONMENT

### Toxic chemical ban proposed

A toxic chemical used as a fire retardant would be phased out in Minnesota, under a proposal approved April 18 by a House committee.

HF934, sponsored by Rep. Karen Clark (DFL-Mpls), would ban the manufacture or sale of decabromodiphenyl ether, also known as “deca-BDE.” The compound is commonly used in televisions, computers, mattresses, cables and other consumer products to help prevent fires. A Pollution Control Agency report released in January identified several environmental and health concerns associated with the chemical.

The House Finance Committee approved the bill and referred it to the House Ways and Means Committee. A companion, SF651, sponsored by Sen. Sandy Pappas (DFL-St. Paul), was approved 47-16 April 21 by the Senate.

Under the bill’s provisions, the manufacture or sale of products containing more than one-tenth of 1 percent (by mass) of deca-BDE would be prohibited as of July 1, 2010. The restrictions would not apply to used products or products that are already in existence before that date.

Clark noted that Minnesota has already banned two other similar chemicals — penta-BDE and octa-BDE. She said local and national firefighters’ unions support the legislation, and added that several safer alternatives to the chemical exist.

“We’re not in any way trying to compromise our safety. In fact, we feel this makes it much safer from a public health standpoint,” she said.

Clark also said the European Union recently enacted a similar phase-out of the chemical that will take effect in June.

— N. BUSSE

### Shoreline troubles brewing

A simmering conflict between the Department of Natural Resources and lakefront property owners is creeping its way into the Legislature.

The DNR is updating statewide rules on shoreline development, with the goal of producing standards that will protect fish habitat and promote clean and unimpaired waters. The department hopes to address the

problem of degradation of natural shorelines by shoreline property owners who eradicate native aquatic plants to provide themselves easier swimming and boating access to the lakes, and to improve the view.

“From a habitat and water quality standpoint, the department believes that’s really problematic,” said Steve Hirsch, assistant director of the DNR’s Division of Ecological Resources.

Hirsch testified April 22 in opposition to HF4157, sponsored by Rep. Tim Faust (DFL-Mora), which would carve out a guaranteed percentage of shoreline area for each lakefront property owner to clear out aquatic plants and provide themselves access to the water. Faust said the bill represents a “very reasonable compromise” between property owners’ needs and those of the DNR. Several members of the House Environment and Natural Resources Committee disagreed.

## REFLECTING VISITOR



PHOTO BY ANDREW VONBANK

**Visitors to the State Capitol are reflected in the chrome hubcap of a 1955 Ford. More than 50 vintage cars lined the Capitol Mall April 22 as part of the Minnesota Street Rod Association’s annual Run to the Hill.**

“People think for some reason because they buy a fancy place on the lake that they own that section of the lake, and I’d just like to refute that theory,” said Rep. Tony Cornish (R-Good Thunder). He argued that property owners who eliminate aquatic plants for their own aesthetic purposes are doing so against the best interests of other Minnesotans who have a lawful right to enjoy the lake.

“The more weeds and things that you take out, the more it degrades the lake, the less fishing opportunity there is,” Cornish said.

But property owners like Bill Pool, who owns 125 feet of shoreline on Daggett Lake near Cross Lake, say the DNR’s decision-making process is arbitrary and often confusing.

“As a property owner, you’re really at a loss as to how to deal with the DNR,” Pool said.

Moreover, Pool and others say that invasive species like Eurasian water milfoil and curly-leaf pondweed are encroaching along

shorelines, and they want to eliminate them. "We don't care about the native species, but, in fact, our bay is being choked out by curly-leaf pondweed. And so, effectively, we just want a way to get our boat out of the bay," Pool said.

The hearing on Faust's bill was informational only; no action was taken. A companion, SF3433, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

### Star Lakes and Star Rivers

Lake associations that do a good job of managing the state's water bodies could have their lakes and rivers designated "Star Lakes" and "Star Rivers," if a bill sponsored by Rep. Frank Moe (DFL-Bemidji) becomes law.

HF3437 would permit the Board of Water and Soil Resources to grant the special designation to lakes and rivers that are governed by comprehensive, environmentally sound management plans. The House Finance Committee approved the bill April 22. It now awaits action by the full House.

Under the bill's provisions, lake associations whose water bodies meet necessary requirements could erect signs advertising the waters as "Star Lakes" or "Star Rivers." Moe said the bill would help lake associations market their lakes for real estate or tourism purposes while encouraging conservation.

To earn the designation, the associations' water management plans would have to fulfill a number of criteria, including:

- helping increase native vegetation presence along shorelines;
- preventing, reducing or eliminating invasive aquatic species;
- maintaining a diverse and healthy fish population;
- mitigating water pollution and impairment; and
- involving residents and local authorities in the planning process.

The lake associations themselves would also have to meet a number of requirements, including that they participate in the Pollution Control Agency's citizen water quality monitoring program and maintain a "membership or participation of at least 50 percent of the private shoreline owners."

Designations would have to be renewed after five years by submitting an updated water management plan. The "Star Lakes" and "Star Rivers" signs would be furnished by the Department of Transportation, but the lake associations would have to reimburse the department for the cost of the signs.

Moe noted that the House version of

the omnibus supplemental budget bill (HF1812) includes \$50,000 a year for BWSR to administer the program; however, the board has claimed that the true cost of the program could be more than three times the amount provided in the bill.

A companion, SF2943, sponsored by Sen. Mary Olson (DFL-Bemidji), awaits action by the Senate Finance Committee.

— N. BUSSE

## GOVERNMENT

### Paying out claims

**Signed  
by  
the  
governor**

State help is on the way for an Inver Grove Heights couple to resolve a problem they didn't create.

Theirs is one of four claims against the state totaling \$86,657 that will be paid out, under a law signed April 24 by Gov. Tim Pawlenty. It is effective April 25, 2008.

In 2004, construction on the home of John and Judy McEachran was quickly halted when debris containing asbestos was unearthed. The debris came from a bridge that was demolished by the Department of Transportation and legally dumped on the site.

Material removal cost approximately \$142,000. The Pollution Control Agency contributed \$60,000 and the city \$15,000. This law pays the remainder. "Payment of the claim is not an admission of liability on the part of the State of Minnesota for these costs," the law states.

Other claims in the law are:

- \$11,905 to Robert Burton for permanent injuries suffered while performing work as an inmate at the Moose Lake correctional facility;
- \$3,737 for sentence-to-service claims under \$500 each and other claims already paid by the Corrections Department;
- \$2,005 from the General Fund and \$1,000 from the petroleum tank release cleanup fund to reimburse a Roseville couple for costs related to a mistaken order to search for an unsealed well on their property; and
- \$1,005 to Minogheezhig Sandman-Shelifoe for loss of property caused by staff errors at the Rush City correctional facility.

Rep. Dennis Ozment (R-Rosemount) and Sen. Ron Latz (DFL-St. Louis Park) sponsor the law.

HF3360/SF3021\*/CH226

— M. COOK

### DOER transfer completed

**Signed  
by  
the  
governor**

The remaining loose ends resulting from last year's elimination of the Department of Employee Relations have been neatly tied up.

Rep. Gene Pelowski Jr. (DFL-Winona), who sponsors the law with Sen. Ann Rest (DFL-New Hope), said it clarifies the dissolution of DOER, transfers all of the titles to the Department of Finance and clarifies the duties of one deputy commissioner.

Signed April 17 by Gov. Tim Pawlenty, it takes effect Aug. 1, 2008.

In 2007 the Legislature passed a law abolishing DOER and transferring its duties to other state agencies. The law required the transfer to be completed by June 1, 2008.

HF3309/SF3202\*/CH204

— B. HOGENSON

### New transportation commissioner

Tom Sorel has been picked by Gov. Tim Pawlenty to be the state's new transportation commissioner, and it appears he will be confirmed by the Senate.

Sorel has been with the Federal Highway Administration for 30 years, most recently as head of the division office in Minnesota. His first day with the Transportation Department is scheduled to be April 28.

"With 30 years of transportation experience and a civil engineering background, Tom Sorel is the right person to lead MnDOT," Pawlenty said. "Tom Sorel will provide the leadership, as we continue to build a modern and efficient transportation system for Minnesota."

Sorel, who has a degree in civil engineering and a master of business administration, has served as a major project team leader in Washington, D.C., and director of planning and program development and chief of technology services in Albany, N.Y. He also led the effort to build infrastructure for the 2002 Olympics in Salt Lake City.

"I'm a servant leader with a passion for transportation and innovation," he said. "That's the philosophy that has served me well, and that's a philosophy that I hope to bring to the department."

Two of his goals are to rebuild the public trust and confidence with the department and to regenerate a "spirit of innovation and creativity" in the state. He is willing to look at all transportation options, including light rail.

Sen. Steve Murphy (DFL-Red Wing), chairman of the Senate Transportation Committee, said it is "likely" that Sorel would receive Senate confirmation.

Other finalists for the position were Robert Johns, director of the Center for Transportation

Studies at the University of Minnesota, and Assistant to the Commissioner Bob McFarlin, who has been leading the department since Lt. Gov. Carol Molnau failed to receive a confirmation vote from the Senate.

"Each brings different strengths to the table," Pawlenty said. "It was very close."

Pawlenty credited McFarlin for serving with "a great deal of effectiveness, and class, and dignity, and grace," since Molnau's Feb. 28 ouster.

"Bob has done a good job of setting the table, and now we just need to sit down and eat," Murphy said.

— M. Cook

## HEALTH & HUMAN SERVICES

### Smaller new mental health facility

A proposal for a psychiatric hospital in Woodbury has been scaled back.

Rep. Marsha Swails (DFL-Woodbury) sponsors HF3539 that would allow for the construction of a specialty psychiatric hospital in Woodbury. Initially the bill called for 144 new beds, but was scaled back to 66 beds before being approved by the House Health Care and Human Services Finance Division April 22.

The scope of patients to be served was also changed from adults and children to only those under age 21 on the date of admission. The facility would be subject to the Federal Emergency Medical Treatment and Active Labor Act and Centers for Medicaid and Medicare certification. The change is to address previous concerns about additional state costs that a larger facility would create.

Health care plans continually expand and provide high-profit margin services, but neglect those that bring in fewer dollars, like mental health, Swails said. She noted that hospitals in the Twin Cities metropolitan area have increased cardiac services capacity to about 160 percent of the national average. Because of fewer services, children in the state are continually transferred far from home or out of state for mental health services, she said.

The Department of Health believes the new facility would not be in the public's best interest. The interest review report says providing more hospital beds might not translate into better access or services, said James Golden, director of the Health Policy Division.

The supply and demand for beds results in 10 percent of adults and 10 percent of adolescents going to Greater Minnesota for help, said Rep. Julie Bunn (DFL-Lake Elmo). "Ten percent of our children and adolescents

going to outstate locations or even to another state for services is just unacceptable."

The bill now goes to the House Finance Committee.

A companion bill, SF3429, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), was tabled March 19 by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

### Children restraint procedures

A bill that would lay out guidelines to mental health providers on restraint procedures for children in day treatment facilities awaits gubernatorial action.

Sponsored by Rep. Neva Walker (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls), HF3377/SF3049\* would require each agency to have a plan for when restrictive procedures and seclusion might be used on children, and under what conditions procedures would be used, including the use of mechanical restraints.

Amended and passed 120-12 by the House April 17, the Senate concurred on a 61-1 vote April 21.

The bill also specifies the need for oversight by a treatment center mental health professional when restraining measures are used. Parental consent would be requested at the time of program enrollment for the use of restrictive measures, and immediate notification of a parent would be required if a procedure is used.

Unlike day treatment programs that are not covered by certain rules, the use of restraint in both inpatient hospital programs and residential treatment facilities is strictly regulated, Glenace Edwall, director of the Department of Human Services Children's Mental Health Division, told a House committee.

A successfully offered amendment from Rep. Diane Loeffler (DFL-Mpls) would create a working group to develop recommendations on how to meet the acute mental health needs of children and adults and to reduce the number of unnecessary patient days in acute care facilities.

"A greater focus on front end services and post-hospital recovery programs can offer more appropriate care to people with mental health challenges as well as reduce the demands on our scarce hospital beds," she said.

An amendment successfully offered by Rep. Bruce Anderson (R-Buffalo Township) would allow the human services commissioner to annually collect certain data from substance abuse treatment providers that receive appropriations from the Consolidated Chemical Dependency Treatment Fund.

The data would include the number of client readmissions six months after release from inpatient treatment and the cost of treatment per person.

— P. OSTBERG

### Medical reserve protections

Signed  
by  
the  
governor

Minnesota Responds Medical Reserve Corps will have workers' compensation and liability coverage when volunteering for disasters, under a new law signed April 17 by Gov. Tim Pawlenty.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Linda Higgins (DFL-Mpls), the law, funded by a federal grant, gives certain registered health professionals the coverage. If they are called to a disaster outside their jurisdiction by the health commissioner, they are also covered by state workers' compensation and liability policies.

The law is effective April 18, 2008.

According to a Health Department fact sheet: "Recent disasters have highlighted inconsistencies in volunteer protections leading to uncertainty among volunteers and local coordinators."

As of 2007 there are more than 7,000 volunteers in the program, and "people want to volunteer during a disaster, but recognize they need clear liability and workers compensation protections because of the inherent dangers in deployment during disasters," the fact sheet states.

Under the new law, when the corps participates under the Interstate Emergency Management Assistance Compact, a political subdivision or its officers and employees are not liable for any act or omission made in good faith for the maintenance or use of any equipment or supplies used in connection with the assistance.

The law also allows for health professionals from other states who are registered in the Emergency System for Advance Registration of Volunteer Health Professionals to practice in Minnesota while an emergency declaration is in effect.

Participating boards of health in the corps can enter into written aid agreements for deployment of paid employees and receive funding for emergency preparedness or pandemic influenza planning from the state or federal government, under the law.

HF3654/SF3135\*/CH202

— P. OSTBERG

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.



## Physical therapy changes

Signed  
by  
the  
governor

Licensed health care professionals and physical therapists will see definition and licensure changes, under a new law signed by Gov. Tim Pawlenty April 17.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law defines a licensed health care professional or licensed health care provider as "a person licensed in good standing in Minnesota to practice medicine, osteopathy, chiropractic, podiatry, dentistry, or advanced practice nursing."

The law is effective Aug 1, 2008.

Rep. Steve Gottwalt (R-St. Cloud) said the change allows "in a common sense way" physical therapy treatment to continue without having to go back to a primary care doctor and pay an additional co-pay.

Physical therapists will be licensed to treat a patient for an initial period of 90 days, an extension from the 30 days in current law. Physical therapists will also be able to continue to treat patients with a referral from certain advanced practice nurses made in collaboration with a physician, chiropractor, podiatrist or dentist. The 90-day limitation would not apply to prevention, wellness, education or exercise.

Physical therapists licensed less than one year will be prohibited from treating a patient without a referral, under the new law. They will also be required to practice one year with a physical therapist who has more than one year of experience, or under a physician's orders or referrals as verified by the board's records.

The Board of Physical Therapy is required to report to the Legislature by Jan. 15, 2010, any disciplinary actions taken against physical therapists whose conduct resulted in physical harm to a patient, but only if that conduct was a result of the changes made in this law.

The law repeals several provisions including definitions of "licensed health care professional" and "initiation of treatment."

HF1189/SF1018\*/CH199

— P. OSTBERG

## Steele County transfer

Steele County would be able to lease, sell or transfer a county nursing home to a nonprofit corporation, under a bill approved by the House Health Care and Human Services Finance Division April 22.

HF4014, sponsored by Rep. Patti Fritz (DFL-Faribault), now goes to the House Finance Committee.

County Commissioner Tom Shea said the county is one of seven in the state that still owns and operates a nursing home. Given

the current funding for nursing homes, they don't have a sustainable facility, he said. They are trying to develop a model for long-term care in the community and are proposing a community nonprofit to own and operate the home. The facility would be connected to a hospital and clinic services.

The bill would allow for a pilot program to license and certify up to 80 beds transferred from the 108-bed facility to a new site. The remaining 28 beds would be eliminated. The change would require local approval by the governing body of Steele County.

A companion bill, SF3715, sponsored by Sen. Dick Day (R-Owatonna), awaits action by the full Senate.

— P. OSTBERG

## Health conference committee

Differing health care inflation rates and how to spend General Fund dollars are keeping the Health Care Reform Conference Committee at odds.

Members reviewed HF3391, sponsored by Rep. Thomas Huntley (DFL-Duluth), and SF3099, sponsored by Sen. Linda Berglin (DFL-Mpls), April 24 and have yet to come to terms on provisions or how to fund the overall health care reform the bill proposes. Both bodies presented their policy provisions and funding mechanisms.

Each is based on differing inflation rates to account for increased state program enrollees and overall health care costs. The rates were provided by the Health and Human Services departments.

While the inflation rates differ, both proposals use health care home models to manage state program enrollees with chronic diseases.

Berglin noted the Senate had an agreement with Gov. Tim Pawlenty to not provide for additional qualifying enrollees in MinnesotaCare without first having cost-containment measures. Huntley responded that the House never had such an agreement. The House does include expansion by increasing MinnesotaCare enrollees who would qualify under federal poverty guidelines.

HF3391 would fund the changes through the Health Care Access Fund and shift costs to the General Fund in later years. Concerns have been raised about shifting costs that future Legislatures would then be tied to for allocating money. SF3099 would use Health Care Access Fund money to create a health improvement fund that would recapture saved funds for small-business health plans and health care homes.

Berglin said that if General Fund money is to be used to fund programs in future years,

the Senate has ideas on how it should be spent. "I don't think things like this are helping us get any closer together" on a compromise, she said.

Rep. Jim Abeler (R-Anoka) suggested that the departments work on the inflation numbers over the weekend, so the conference committee can iron out funding provisions next week.

— P. OSTBERG

## INDUSTRY

### 'Good faith' now law

Signed  
by  
the  
governor

An idea that almost killed last year's omnibus public safety finance law is now law.

During a May 3, 2007, floor debate, House Minority Leader Marty Seifert (R-Marshall) read a letter from Gov. Tim Pawlenty that said, "This bill will be vetoed swiftly because of the provision related to 'good faith' insurance." The provision was removed and the bill was signed.

A year later, the "good faith" provision is law.

Effective Aug. 1, 2008, the new law states that a policyholder can sue their insurance company for not settling a claim in "good faith," meaning they can prove that the insurance company did not have a reasonable basis for denying a claim. The insurance company must also have known that it had no reasonable claim, or acted with "reckless disregard" for the lack of reason.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Tarryl Clark (DFL-St. Cloud), it was signed by the governor April 18.

Removed by a conference committee was a requirement that said the law would be repealed if insurance rates increase more than 20 percent as a result of the law. It was presented as an amendment by Rep. Kurt Zellers (R-Maple Grove) on the House floor.

The conference committee also adjusted compensation limits. An award cap for the insured is now \$250,000, while reimbursement for attorneys' fees is capped at \$100,000. Before the conference committee met, the caps in the bill were \$100,000 and \$40,000, respectively.

HF3115/SF2822\*/CH208

— C. GREEN

To find out who represents  
you at the Capitol ...  
Call House Public Information  
Services at 651-296-2146  
or 800-657-3550

## LOCAL GOVERNMENT

### Riverfront nonprofit established

The City of Minneapolis may be able to establish a nonprofit corporation for riverfront revitalization.

Rep. Diane Loeffler (DFL-Mpls), who sponsors HF3692/SF3303\* with Sen. Linda Higgins (DFL-Mpls), said the bill would create a Minneapolis riverfront organization to coordinate planning, outreach and development opportunities along the Mississippi River.

The bill specifies that the initial board of directors must have between 10 and 24 members, including two representatives each from the City of Minneapolis and the Minneapolis Park and Recreation Board, with no more than half representing government entities.

The city would be authorized to provide office space, administrative support and funding to establish the corporation, and allow for gifts, donations, money, property and other assets to be transferred to the corporation. Additionally the bill allows political subdivisions to make gifts and grants to the corporation and declares that use of government resources is for a public purpose.

A report is required to the Legislature by Jan. 15, 2010.

Passed 99-33 by the House April 21, it was returned to the Senate, as amended, for concurrence. The amendment changed the date that compliance by the city and park board must be completed from Dec. 31, 2008, to July 1, 2008.

— B. HOGENSON

### Legal description corrected

Signed  
by  
the  
governor

Since the creation of the Spirit Mountain Recreational Area Authority in Duluth, it has been operating under faulty legal descriptions.

A new law, signed April 17 by Gov. Tim Pawlenty, resolves the legal confusion. It is effective April 18, 2008.

Sponsored by Rep. Mike Jaros (DFL-Duluth) and Sen. Yvonne Prettnier Solon (DFL-Duluth), the law amends the legal description of the boundaries of the land administered by the authority. It is incorrectly listed in the special legislation that created the authority.

Jaros said the law has no tax implications.  
HF3454/SF3084\*/CH198

— B. HOGENSON

### Conflict of interest clarifications

Signed  
by  
the  
governor

A new law is designed to attract and retain volunteers to serve on municipal economic development authorities.

It further defines actions to be considered a conflict of interest, and it establishes procedures to address such conflicts for authority members. The law makes the rules similar to those for members of a housing and redevelopment authority, whereby a member can declare a potential conflict of interest, abstain from discussion and abstain from voting.

The law, signed April 17 by Gov. Tim Pawlenty and effective the next day, stems from a case in Grand Rapids where what a board thought was standard operating procedure could have resulted in a gross misdemeanor for several members.

Instead of abstaining, a member had to resign because he owned a window store in

town. The EDA was assembling a loan fund to expedite some economic development, and there was a chance he could ultimately sell windows to a company that obtained an EDA loan.

Supporters said current rules make it hard to fill EDA seats, even if there are many people in the local business community who have the right skill-set and would like to participate.

Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Tom Saxhaug (DFL-Grand Rapids) sponsor the law.

HF3295/SF2806\*/CH197

— M. COOK

### Memorial Day observances

Signed  
by  
the  
governor

The county expenditure limit for Memorial Day observances has been increased.

Sponsored by Rep. Laura Brod (R-New Prague) and Sen. Jim Vickerman (DFL-Tracy), a

### MR. OTTER



PHOTO BY ANDREW VONBANK

"Mr. Otter," a.k.a. Patrick Moore, executive director of Clean Up the River Environment (CURE), shows his support for clean energy during an April 17 press conference regarding the Minnesota River.

new law will increase the amount a county board is authorized to spend on a Memorial Day observance to \$3,500. It is the first increase since the amount was increased from \$1,500 to \$2,000 in 1984.

The law also increases from \$100 to \$300 the amount a county board may appropriate to each post of a recognized military service organization or society to help pay for Memorial Day exercises — the first increase since 1979.

Signed April 17 by Gov. Tim Pawlenty, the law amends existing statutes dating back to 1911 and 1921, respectively. Prior to those statutes taking effect, counties were not authorized to appropriate funds for Memorial Day exercises.

The new law takes effect July 1, 2008.

HF2599\*/SF2463/CH192

— B. HOGENSON

### Annexation changes become law

**Signed  
by  
the  
governor**

Legislation born out of the work of the Municipal Boundary Adjustment Advisory Task Force is now law.

Sponsored by Rep. Paul Marquart (DFL-Dilworth) and Sen. Rick Olseen (DFL-Harris), the new law, in part, states that joint resolutions for orderly annexation, consolidations and mergers of towns and municipalities should be encouraged.

“Even though most of the recommended changes may be technical in nature, some of those changes do have substantive impacts on boundary adjustment processes, and, more important, they reflect an ongoing commitment by task force members to find common ground through a mutual exchange of ideas,” according to the group’s interim report.

The task force is expected to have its final work completed by Jan. 15, 2009. The group was originally established by law in 2006. That law was amended in 2007 to extend its life and the group met last interim.

The law, signed April 17 by Gov. Tim Pawlenty, is effective the next day.

HF3357\*/SF3208/CH196

— B. HOGENSON

### Appointed office in Rock County

**Signed  
by  
the  
governor**

The office of auditor-treasurer in Rock County is one step away from becoming an appointed position.

Signed April 21 by Gov. Tim Pawlenty, a new law allows Rock County to make the office an appointed position. Under current law, a county may make the office of auditor-treasurer appointive if approved by a referendum.

The law would become effective with an

80 percent vote of approval by the county board.

The decision will be subject to a reverse referendum, and the current officeholder will be allowed to serve the remainder of the current term.

Rep. Doug Magnus (R-Slayton) and Sen. Jim Vickerman (DFL-Tracy) sponsor the law.

HF3831/SF3474\*/CH209

— B. HOGENSON

### Law defines political subdivision

**Signed  
by  
the  
governor**

Political subdivisions are now more clearly defined to allow more consistency in the state auditor’s oversight role.

Gov. Tim Pawlenty signed a new law April 17 that, according to Rep. Debra Hilstrom (DFL-Brooklyn Center), removes archaic language in state law relating to the role of the state auditor.

Sponsored by Hilstrom and Sen. Claire Robling (R-Jordan), the law defines political subdivision to mean “a county, home rule charter or statutory city, town, school district, metropolitan or regional agency, public corporation, political subdivision or special district.”

It also removes from the political subdivision definition metropolitan or regional agencies audited by the legislative auditor, including the Metropolitan Airports Commission, Metropolitan Sports Facilities Commission and Metropolitan Mosquito Control Commission.

The law takes effect Aug. 1, 2008.

HF1309/SF1436\*/CH200

— B. HOGENSON

### Bids and drainage authority rules

**Signed  
by  
the  
governor**

Rules for contracting bids and drainage authorities are amended, under a new law signed by Gov. Tim Pawlenty on April 17.

Sponsored by Rep. Paul Marquart (DFL-Dilworth) and Sen. Rick Olseen (DFL-Harris), the law increases the threshold amounts for the various methods of entering into contracts under the Uniform Municipal Contracting Law and makes related changes to the statute governing drainage authorities.

The threshold amount for sealed bids under the UMCL increases from \$50,000 to \$100,000, and the maximum amount for using quotations or open market solicitations increases from \$10,000 to \$25,000.

The law removes the specific dollar amount under which advertising for bids is required for drainage authorities; removes the dollar

amount over which the drainage authorities may not levy an assessment for repairs or maintenance; and strikes the specific dollar amount threshold for bids and repair and reconstruction for drainage systems after a disaster. Each provision is tied to the updated UMCL regulations.

The law is effective Aug. 1, 2008.

HF3646/SF3622\*/CH207

— B. HOGENSON

### No park board purchases

**Vetoed  
by  
the  
governor**

A bill that would have allowed park district boards to purchase land within a city’s borders was vetoed April 17 by Gov. Tim Pawlenty.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Dan Larson (DFL-Bloomington), the bill would have allowed a park district board to buy land within a city’s boundaries without a city council resolution in support of the purchase, if the purchase is in accordance with the city’s adopted comprehensive plan.

In his veto message, Pawlenty noted his support of the existing law governing property purchases within a city.

“Existing law provides local governments an opportunity to review and vote on a park district board’s acquisition of real property within a city,” Pawlenty wrote. “This requirement maximizes local input over land issues that directly impact land within the city.”

HF3114\*/SF2820/CH193

— B. HOGENSON

## MILITARY

### Military reservist loans, benefits

A plan to help businesses financially impacted by someone called to active service, and another to help veterans struggling to find work received House approval.

Sponsored by Rep. Tom Rukavina (DFL-Virginia), HF3722 would establish a revolving loan account in the Department of Employment and Economic Development, and would permit the commissioner to make one-time, interest-free loans of up to \$20,000 to eligible businesses that “have sustained or are likely to sustain substantial economic injury” by the call to active service of at least 180 days by an essential employee.

It also adds to the definition of a dislocated worker a veteran who has been “discharged or released from active duty under honorable conditions within the last 36 months and is unemployed or is employed in a job which pays less than what the veteran could verifiably earn.”



Each program would be funded with \$500,000 in Fiscal Year 2009 from the General Fund. Rukavina said both provisions have been proposed by the governor.

Approved 130-0 by the House April 23, it now awaits action in the Senate, where Sen. David Tomassoni (DFL-Chisholm) is the sponsor.

"The dollars are in different parts of the budget bill (HF1812), but I'm just worried that, perhaps, if something happens, I wanted to be able to guarantee that these programs would be able to start," Rukavina said.

— M. Cook

## SAFETY

### Restrictions on dangerous dogs

When a dangerous dog bites someone, too often the victim is a child or someone unable to defend themselves.

Rep. Michael Paymar (DFL-St. Paul) said the real issue is dangerous owners of dogs, more often than the dogs themselves.

HF2906/SF2876\*, sponsored by Paymar and Sen. Ellen Anderson (DFL-St. Paul), would strengthen restrictions on dangerous dog owners. Approved as amended by the House April 21 130-0, the Senate did not concur and has requested a conference committee to work out the differences.

Paymar said the bill would give animal control authorities the tools to protect the public from dog attacks. Animal control professionals agree that most dangerous dogs are "created by irresponsible ownership," he said.

The bill would increase the surety bond required by an owner of a dangerous dog from \$50,000 to \$300,000, and prohibit dog ownership for anyone who has repeatedly been convicted of crimes involving dangerous dogs.

Owners would also have to notify animal control if the dog is moved to a new location, and all dangerous dogs would have to be sterilized.

Rep. John Lesch (DFL-St. Paul) proposed an amendment that would repeal a statute prohibiting municipalities from enacting ordinances to ban specific dog breeds. Lesch, who offered a similar provision in committee earlier this year, said that there is evidence that specific breeds cause more physical and emotional harm than other dogs, and that municipalities should have the ability to decide if and when these dogs are allowed in their communities.

Understanding the current opposition to the proposal, and the need for further discussion, Lesch withdrew his amendment.

But, he said, the idea will not go away. "As long as kids continue to be mauled and killed, it will come back."

— C. Green

### Protection order changes

An Order for Protection or restraining order could be issued for up to 50 years, under a bill awaiting action by a conference committee.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Tarryl Clark (DFL-St. Cloud), HF1625/SF3492\* would extend the duration of Orders for Protection and restraining orders after multiple violations or continued threats.

Prior to the 133-0 vote April 17, a technical amendment was successfully offered by Hosch to correct a cross-reference. The Senate refused to concur April 21, and a conference committee has been requested. The Senate passed the original bill 64-1 April 3.

To get the maximum issuance, the respondent would need to have had at least two previous OFPs or restraining orders, or if the previous orders were violated by the respondent. The original Hosch bill had a permanent protection order, but after a court decision the 50-year cap was implemented.

Hosch said the bill comes from a constituent who continues to deal with an abusive relationship that started 11 years earlier. "She was in the process of trying to issue her fourth harassment order against this individual," he said. "This individual continually stalked her, harassed her, abused her, and she was trying to issue this harassment order, but could not find him to serve him with this harassment order." Because he did not have a permanent address she essentially became a stalker in trying to serve the order.

"Because this individual violated previous harassment orders and Orders for Protection on 53 different occasions, it made sense to me that we have to have a process that allows for a harassment order or Order for Protection to be issued more a longer period of time if the judge deemed fit," Hosch said.

The bill would also:

- include e-mail and electronic messaging in no-contact provisions;
- allow a respondent to petition for a modification of an order after five years or original issuance; and
- require that a relief petitioner must state if there was a previous order filed against the respondent.

"This gets to the crux of the issue to make sure that we know if a particular individual has had previous orders against them," Hosch said.

— M. Cook

## TAXES

### Duluth district agreements

An issue flaring up in Duluth traveled south for an appearance at the House Taxes Committee April 17.

Testifiers came to talk about the Duluth School Board's Red Plan to build new schools and sell old ones. It's financed by a lease purchase authority, which does not require voter approval.

HF4127, sponsored by Rep. Mike Jaros (DFL-Duluth), would halt the plan by requiring that voters approve any plans for lease purchase financing for future building projects. The bill was laid over for possible inclusion in the committee's omnibus bill.

The controversy around the Red Plan stems partly from the large scope of the project. Property taxpayers were asked to shoulder nearly \$95 million in bonds without voter approval this year. But others question whether the district should use a lease purchasing authority, which is directed to finance projects "relating to a comprehensive plan for elimination of segregation," according to the Department of Revenue.

Nancy Nilsen, chairwoman of the Duluth School Board, said the plan was developed with community input. She said by the time the board approved it, a majority of the public supported the Red Plan.

School officials say new schools are badly needed because a declining student population and nearly century-old buildings have compounded into a drab learning environment.

"We have science labs that are frankly an embarrassment to our community. If I took you into them, I'd have to tell you they were science labs because you couldn't tell by walking into the room," Superintendent Keith Dixon said.

Jaros said the district is the third-poorest in the state, and cannot afford the project, which could top \$400 million. He said it was hard for him to introduce the bill, but he thought it was necessary.

"I was hoping we could work it out locally," he said. "The school district is closing some good schools, putting in new schools and some old ones that I think can be fixed."

Sen. Tom Bakk (DFL-Cook) sponsors the companion, SF3832, which awaits action by the Senate Taxes Committee.

— C. Blanchard

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

## MAC property tax authority

The Metropolitan Airports Commission could lose the ability to levy some property taxes.

Currently MAC can levy property taxes on the seven metropolitan area counties for debt, operations and maintenance, police and fire services, and parking and roadway maintenance. However, it hasn't used the authority since the 1980s, according to the Department of Revenue.

HF2467, sponsored by Rep. Paul Thissen (DFL-Mpls), would strip the MAC of some levy authority. The MAC could continue issuing revenue bonds and levy for taxes to pay for general obligation bonds issued before May 1, 2007.

Thissen said the Legislature should make some financing decisions that are currently made by the MAC. Even though the MAC hasn't levied property taxes in a long time, he said there is a possibility that they could in the future, especially given recent developments.

"The kind of final default are the taxpayers of Bloomington, Minneapolis and Hennepin County, and all the counties in the metro area," he said.

Steve Busch, director of finance for MAC, said the levy is actually repaid to the counties, and was created to be a "safety deposit box." It's a good idea for MAC to have that authority, he said "in the event of something that we needed to do to issue those bonds, whatever it be, a merger or a catastrophe."

The bill was laid over April 17 for possible inclusion in the House Taxes Committee's omnibus bill.

Sen. Dan Larson (DFL-Bloomington) sponsors the Senate companion, SF2277, which awaits action by the Senate Property Tax Division.

— C. BLANCHARD

## TECHNOLOGY

### New broadband expansion task force

**Signed  
by  
the  
governor**

Widespread broadband technology in Minnesota is closer to fruition with a new law signed by Gov. Tim Pawlenty April 18.

Sponsored by Rep. Sandra Masin (DFL-Eagan) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law establishes an Ultra High-Speed Broadband Task Force to develop a strategy for broadband development statewide.

Masin described the law as something that would bring Minnesota into the 21st century.

It calls for the governor to appoint 21 members to the task force, including representatives from wireless service providers, telephone companies, educational institutions, libraries, various state agencies and Internet users from both rural and urban areas. The task force expires March 1, 2010.

A report and recommendations would be due to the Legislature by Nov. 1, 2009, that:

- identifies a level of broadband service, including connection speeds, reasonably needed by 2015;
- describes a set of policies and actions needed to achieve that goal, and estimated costs of doing so;
- identifies areas in the state that lack infrastructure necessary to support broadband service; and
- evaluates strategies and financing mechanisms used elsewhere to support broadband development.

The law is effective April 18, 2008.

HF2107/SF1918\*/CH212

— L. SCHUTZ

## TOURISM

### Convention, event center study

Minnesota's two largest cities compete with each other for convention business, but each also knows the benefit visitors can have on the city, region and state.

Minneapolis and St. Paul may need to further work together to study convention and event facilities and their impact on the community.

Approved April 18 on a divided voice vote by the House Finance Committee, HF4189 awaits action by the House Taxes Committee.

"These facilities are key business and tourism venues that generate opportunities for businesses that act as vendors in these facilities and are key tourism attractions keeping Minnesota on the national, and even international, radar," said Rep. Jim Davnie (DFL-Mpls), the bill's sponsor. "Unfortunately insufficient state support and the lack of adequate planning and development in the establishment of these facilities has created a situation where they are increasingly a burden on the local communities, both their general fund and taxpayers."

"We also need to anticipate the future needs of these event centers and convention centers and the needs to maintain them as key resources for Minnesota's economy and place in the nation."

The bill would require the cities to provide a report to the 2009 Legislature that at least addresses:

- sources and revenues for the past decade;

- completed capital improvements, and those proposed in the next five years;
- projected revenues for the next five years;
- current and projected impact on each city's general fund; and
- the regional economic impact of the facilities.

The study is also to address recommendations regarding state or regional funding.

Minneapolis Finance Officer Pat Born said the cities have had discussions in recent years about working together to deal with "the financial responsibilities and stresses that we both have."

Ann Mulholland, St. Paul deputy mayor, said the Saint Paul RiverCentre operating revenue now goes toward paying down bonds issued for construction. "Our competitors around the country are able to put operating dollars into maintenance, marketing and into growing their districts."

A companion, SF3842, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Finance Committee.

— M. COOK

## TRANSPORTATION

### Transportation policy II gets approval

"The Sequel" has received a green light.

With the 2007 transportation policy bill awaiting gubernatorial action, the 2008 version received House approval April 24.

Sponsored by Rep. Frank Hornstein (DFL-Mpls), HF3800 includes changes related to



PHOTO BY TOM OLMSCHIED

Rep. Frank Hornstein presents an overview of the omnibus transportation policy bill April 24. The bill passed 82-44.

pupil transportation, vehicle registration, towed vehicle contents, graduated driver licensing, traffic regulations, use of wireless devices while driving, railroad walkway safety and regulations for movers of household goods. It contains close to 30 member provisions.

"There is a deep concern to safety issues in this bill," he said.

Following the 82-44 vote, the bill is Senate bound, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor. A conference committee is expected to work out differences between the bills.

One part of the bill takes aim at distracted drivers by restricting a person behind the wheel from using a wireless communications device to compose, read or send electronic messages while the vehicle is moving or part of the flow of traffic. Exceptions are provided if it is in a voice-activated or other hands-free mode; for obtaining emergency assistance; if the person believes their life or safety is in immediate danger; and in an authorized emergency vehicle while performing official duties. Hornstein sponsored this provision in HF3726.

Based off HF2628, sponsored by Rep. Kim Norton (DFL-Rochester), the bill places types of passenger and driving time restrictions on provisional license holders. Minnesota is one of four states without any such restrictions.

"This helps support parents who give their car keys and hope and pray their kids come home safe at the end of the night," she said. "This lets them get experience before heading out with a large number of kids."

The bill would require that during the first six months of a provisional license, the young person would be permitted to have one person under age 20 in the car with them, not counting immediate family. That would increase to three in the ensuing six months. Immediate family is defined as "permanent members of the same household who are related by blood, adoption, or marriage."

During the first six months of provisional licensure, the bill would also prohibit a person under age 18 from driving between midnight and 5 a.m. except when the driver is going between the person's home and job or school event where no transportation is provided, the driver is driving due to a job or the driver is accompanied by a licensed driver or state identification card holder who is at least 20.

Rep. Torrey Westrom (R-Elbow Lake) unsuccessfully tried to eliminate the restrictions, saying government shouldn't tell parents they don't know well enough to say when their child can drive. "It should be left up to the parent and the situation at hand, not a blanket provision or one-size-fits-all."

One of the more controversial measures considered on the House floor would allow those whose vehicle is impounded to retrieve some essential contents under certain circumstances without paying for vehicle retrieval.

The bill states that units of government or impound operators shall establish reasonable procedures for content retrieval. This comes from the original HF3800, sponsored by Hornstein. "It's a matter of simple compassion, and our belief of a broader good in the community," he said.

The content is limited to medicine and medical-related items and equipment; eyeglasses; clothing; educational materials; legal documents, including driver's license, identification and passports; insurance documents; and documents indicating eligibility for public benefit programs. It does not include things like stereo systems, athletic equipment or video games left in the vehicle.

Opponents, including Rep. Randy Demmer (R-Hayfield) and Rep. Tom Hackbarth (R-Cedar), are concerned that this would allow people to easily dump vehicles they no longer want without paying any sort of fee. "You're asking the towing company to be this mini-welfare program to tow the car for nothing, keep the car, have to go through a whole bunch of paperwork, strip the car down through a lot of work to get the car to the junkyard," Hackbarth said. "You're asking them to bite the bullet."

Towers are getting a high price for scrap metal from junked cars right now, countered Rep. Melissa Hortman (DFL-Brooklyn Park).

— M. Cook

### New Prague registrar office to move

**Signed  
by  
the  
governor**

New Prague residents can continue going to the same deputy registrar, albeit in a new location.

A new law will permit the State Bank of New Prague to continue hosting the service. The problem was that by relocating four blocks away, the bank crossed from Scott County into Le Sueur County. State law does not allow a deputy registrar office to move across a county line without a variance. The move must take place by Dec. 31, 2008.

Rep. Laura Brod (R-New Prague) and Sen. Kevin Dahle (DFL-Northfield) sponsor the law, which is effective April 18, 2008. Gov. Tim Pawlenty signed the law one day earlier.

HF3128/SF2755\*/CH206

— M. Cook

### UPA policy authorization sought

The funding is set and the plans are drawn. Policy legislation is now needed — and soon.

Sponsored by Rep. Frank Hornstein (DFL-Mpls), HF3725 would provide authority and make conforming changes related to the Urban Partnership Agreement, a federal program providing money to help reduce traffic congestion in parts of the Twin Cities metropolitan area.

Approved April 18 by the House Finance Committee, the bill awaits action by the House Ways and Means Committee. A companion, SF3058, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the full Senate.

Hornstein said the bill must be signed into law by May 12, or the state risks losing some of the \$133.3 million in federal money for the project, which is expected to help with congestion along Interstate 35W and Cedar Avenue between downtown Minneapolis and the southern suburbs. A quintet of regions was selected to receive federal funding as part of the program. Hornstein said New York failed to meet its deadline and lost "several hundred million dollars."

Bernie Arseneau, director of the Transportation Department's Office of Traffic, Safety and Operations, said the \$49 million state match has been identified. "It's in place through a couple of different means already through this session."

According to MnDOT, the plan includes:

- the use of priced dynamic shoulder lanes, similar to the Interstate 394 MnPASS, on I-35W from 46th Street to downtown Minneapolis;
- the addition of a high-occupancy toll lane from 66th Street to 46th Street;
- conversion of the high-occupancy vehicle lane to a high-occupancy toll lane on I-35W from 66th Street to Burnsville Parkway;
- Cedar Avenue Bus Rapid Transit between downtown Minneapolis and Lakeville built ahead of the current schedule; and
- additional park-and-ride lots and bus service along the I-35W corridor.

Arseneau said the shoulder lanes would provide maximum roadway usage during congestion periods. He said lane control signals would direct traffic. "This will be really the first corridor nationally and, frankly, internationally that includes the congestion pricing and these lane control signals."

— M. Cook



# Refurbishing the system

### Property tax plan proffered to base payment on income

BY COURTNEY BLANCHARD

**I**n an effort to outmaneuver rising property taxes, DFL lawmakers introduced a plan to overhaul the property tax refund system. The proposal would eliminate three property tax refund programs and pool the funds to form a new Homestead Credit State Refund based on ability to pay.

House Property Tax Relief and Local Sales Tax Division Chairman Rep. Paul Marquart (DFL-Dilworth) sponsors the proposal, HF1222. The division referred the bill to the House Taxes Committee, April 23, where it is expected to be incorporated into the upcoming omnibus tax bill. There is no direct Senate companion.

The bill doesn't bring new money into the refund system. Instead the proposal would phase out the homestead market value credit and repeal the property tax refund for homeowners and the property tax deduction for state income taxes.

The proposal would:

- direct a \$30 million increase in local government aid to cities, \$20 million to counties and \$3 million to townships, with the funds coming from a tax on foreign operating corporations passed this year;
- create a new homestead credit refund for homeowners that make up to \$200,000 per year and pay more than 2 percent of their income in property taxes;
- provide a tax credit for those who purchase a vacant home and fix it up;
- grant up to \$250,000 in aid to communities with a high number of foreclosures;

- allow assessors to consider the effect of nearby vacant houses on the value of a house;
- change how local government aid is distributed to communities, based on suggestions from a "unity plan" developed by local government officials across the state;
- change the Green Acres Program, which allows farm land near developing areas to get a property tax break;
- increase the eligibility for a property tax deferral program for senior citizens;
- create a deferral program for seasonal recreational property;
- allow new ways for homeowners to challenge assessments and involve the Department of Revenue;
- create a way to phase-in higher property taxes when a home is rebuilt due to a disaster;
- create tax credits on agricultural land and cattle herds in bovine tuberculosis management zones;
- increase the class rates on machinery owned by public utilities;
- prohibit local option sales taxes for three years, except for Clearwater, North Mankato and Winona, cities where voters have already approved a potential tax increase and are waiting on legislative approval for implementation; and
- commission a study on how nonprofit organizations are classified as a charity and issue a moratorium on assessors to act upon a recent court ruling, (*Under the Rainbow Child Care Center v. Goodhue County.*)

Supporters say the new homestead credit would provide refunds to homeowners with the highest property tax burden relative to their income, giving relief to those who are hurting the most.

"We have to make choices. We have to set priorities," Marquart said. "We're redirecting, restructuring those dollars to do the most good."

The governor didn't support a similar plan last year, partly because it called for bringing in new money. Marquart deemed this year's proposal "governor-friendly," because it provides direct relief to property taxpayers without increasing taxes or using new revenue.

Some Republicans were skeptical of the proposal. Rep. Morrie Lanning (R-Moorhead)



PHOTO BY TOM OLMSCHIED

Leesa Paalman, a University of Minnesota intern for Rep. Paul Marquart, updates a sign outside Marquart's office April 23 showing the increase in the state's property taxes since 2002. Marquart chairs the House Property Tax Relief and Local Sales Tax Division.

**Property taxes continued on page 23**

# Bill over troubled water

House and Senate stalled on building a bridge to survivor compensation

By BRIAN HOGENSON

**O**ne of the first issues addressed by the Legislature when session began was how to compensate those who were victimized by the collapse of the Interstate 35W bridge. Legislation sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Ron Latz (DFL-St. Louis Park), and supported by Gov. Tim Pawlenty, was passed by the House and Senate early in the session. It looked like compensation for the victims was running on a smooth track toward the finish line.

The legislation, however, has hit a series of potholes in conference committee, culminating with the House conferees leaving the April 14 meeting over what they viewed as a Senate proposal that offered no compromise on the major differences between the House and Senate bills.

"The speed with which the House and Senate generated their bills created anticipation that there would be meaningful legislative response to this disaster," said Jim Schwebel, one of the attorneys representing victims pro-bono. "It's surprising to me that it's gotten sidetracked."

Another attorney providing pro-bono representation for victims said the impasse is taking a toll on people who have already suffered substantially since the bridge over the Mississippi River collapsed on Aug. 1, 2007, killing 13 and injuring 85 others.

"They are more frustrated now than I think they have ever been," Chris Messerly said. "I get calls daily from victims expressing their frustration."

In addition to the inability to come to agreement on legislation, House and Senate conferees are unable to reach agreement on why the committee is stalled.

Latz said the ball is in the court of Winkler and the House. "If the House chooses not

to come back, the House is responsible for nothing being done," he said. "We have a very serious offer on the table that we believe meets the needs of survivors."

Winkler is confident the committee will get something done. He said being able to reach agreement on the total compensation fund appropriation could be a possible step in getting negotiations moving again. The Senate bill would appropriate \$25 million, while the House appropriation would be \$40 million. The governor has set aside \$40 million.

"There's disagreement as to what the best approach is," Winkler said. "We'll see who's willing to negotiate."

According to Winkler, the three biggest issues to be worked out are:

- whether to create a permanent statutory framework for catastrophe response that will leave a template in place for future legislatures;
- the total amount to be appropriated to the survivor compensation fund; and
- whether to remove the individual state liability cap for victims.

The Senate has remained firm both in its opposition to creating a permanent statutory framework and its unwillingness to waive the liability cap.

Compounding the disagreements are the different lenses the House and Senate are using to view the situation. According to Winkler, the House bill is part of an overall emergency framework, while the Senate is viewing it as a tort claim against the state, similar to what may arise from a car accident involving a state vehicle.

The Senate offer waives the \$1 million aggregate cap that sets a ceiling for what the state will pay out for a single incident, retroactively increases the individual cap to the current figure of \$400,000 and refuses to make payments to victims unless subrogation rights are waived by employers.

"We make sure that the money they get cannot be used to reduce payments from other benefit sources," Latz said.


The offer also waives three state requirements in order to give victims easier access to health benefits through the Minnesota Comprehensive Health Association.

Latz said that helping victims with long-term medical expenses is the most important goal that survivors and lawyers have expressed to him.

Messerly said the victims he is representing support the House side "because of the fact that the victims are unified in not wanting to hurt the most seriously harmed."

The Senate has done very little to compromise, according to Messerly, "most notably their stance on a hard and inflexible cap of \$400,000, which they are aware would hurt the most seriously harmed."

Schwebel said that it is not unusual for things to stall in conference committee, and he does not view the differences as insurmountable.

"It is unusual for the tactic of some to just walk out and stop negotiating," Schwebel said. "It would be a terrible reflection on the Legislature if they let this session wind to an end with no action being taken." 

# Regulating patient safety

Hospitals sometimes choose between more nurses or rationing care

By PATTY OSTBERG

**T**here's a famous "I Love Lucy" episode where Lucille Ball is working in a candy factory. Her job is to grab and wrap each candy piece as it goes by on a conveyor belt, but Lucy just can't keep up. The candies go by faster and faster, and she eats some, wraps some and drops some. This is what it's like on the job daily for hospital nurses, Linda Slattengren, president of the Minnesota Nurses Association, told the House Health and Human Services Committee April 22.

The conveyor belt has sped up to where nurses are just maintaining a level of productivity restricting their ability to have adequate staffing, she said. "I personally have not seen such deterioration of care as exists in our hospitals today," said Slattengren, who has more than three decades of nursing experience.

Rep. Erin Murphy (DFL-St. Paul) sponsors HF3042 that would require a specific number of nurses directly related to the number of patients in a hospital unit. "This bill will yield excellent care for patients in our hospitals in Minnesota," she said.

The committee hearing was informational, but Murphy plans to work on the issue for next session.

A companion bill, SF2742, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), was tabled March 5 by the Senate Health, Housing and Family Security Committee.

## Nurse to patient ratios

The bill would define assignment limits as "the maximum number of patients for whom one direct care registered nurse can be responsible during a shift." The number of nurses per unit would be reflective of patient acuity, the severity of patients' illnesses or medical conditions.

Carol Diemert, nursing practice specialist with the Minnesota Nurses Association, said if a nurse's patient load is four, adding one patient would increase the risk of death by 7 percent, and adding another would increase it by 14 percent.

Cairne Eytcheson, a registered nurse for the Fairmont Medical Center, said 2006 Minnesota Nurses Association records show that shifts in contract hospitals were not fully staffed 47 percent of the time. The problem arises when a unit is staffed at the beginning of a shift, but fails to add more nurses as more people are admitted, she said.

"It's a roulette if you're a patient in a hospital setting as to whether or not your acuity needs will be addressed on any particular shift on any given day," Slattengren said.

Allowing staffing levels to be decided by individual hospitals is a recipe for disaster, Slattengren said. Currently, when more nurses are needed, it often takes several phone calls to get through the bureaucracy and diversions that are used to discourage staffing additions, she said.

The Mayo Clinic uses a system that examines every shift and the needs to determine staffing, and it allows for nurses to call in assistance. "We staff exactly to what the patients' need and we do not want to enter into any type of discussion of an actual ratio number," said Diane Twedell, director of education and development at the clinic's Department of Nursing.

The Mayo Clinic and Mayo Health System oppose mandated nurse to patient ratios, Twedell said. Ratios have been enacted in California and there is no evidence of a relation between staffing ratios and improved patient outcomes, Twedell said. "Public policy must be guided by sound research evidence."


## It impacts all

Scott Parker of Minneapolis testified that while his wife was undergoing rehabilitation at Bethesda Hospital in St. Paul, she fell getting out of bed after no nurses showed up to help. He stayed in her room to ensure her safety, and time and again was left waiting when he would call for a night nurse. "I should not have to

sleep in my wife's room to ensure her safety. Isn't this the covenant as the hospital's primary responsibility?"

Rep. Maria Ruud (DFL-Minnetonka) said as a former nurse, she could empathize with the concerns expressed.

Because of demands, she said there were nights where she walked away thinking, "I hope I didn't kill anybody tonight." She, too, stayed every night at a hospital when her son had emergency surgery because of staffing issues. "It got to the point where the nursing staff would ask my husband, 'Is your wife on tonight?'"

"This is the start of a longer conversation," said Rep. Paul Thissen (DFL-Mpls), noting patient quality and safety have to be at the heart of the issue. 

---

***"I should not have to sleep in my wife's room to ensure her safety.***

***Isn't this the covenant as the hospital's primary responsibility?"***

— Scott Parker, Minneapolis

---



# A good day for cows and biofuels

Food versus fuel debate highlights ag and veterans affairs omnibus bill debate

By LEE ANN SCHUTZ

**A** provision viewed by supporters as another step along the state's road to increased biofuel production turned into a discussion about any connection between biofuels and the increasing cost of food.

HF3902/SF3683\*, the omnibus agriculture and veterans affairs policy bill, sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Jim Vickerman (DFL-Tracy), lays the groundwork for increasing the biodiesel mandate incrementally from the current 2 percent blend to 20 percent by 2015.

After passage by the Senate 60-0 April 21, the House language was attached to the Senate file through a delete-all amendment. Passed by the House 121-7 April 24, the bill now goes back to the Senate for concurrence.

An unlikely mix of provisions relating to pesticide use, biofuel mandates, industrialized hemp, livestock producer grants and veterans issues are contained in the bill. Funding for many of the programs is included in HF1812, the omnibus supplemental budget bill now in conference committee.

A food versus biofuel discussion ensued on the House floor, with a series of unsuccessful amendments offered by Rep. Ken Tschumper (DFL-La Crescent), who called the use of food products for biofuels a serious "big picture issue."

"We have to strike a new balance between addressing global warming and the food issue. It would be a mistake to implement the new mandate," he said.

Under the bill, the state's current 2 percent biofuel diesel blend mandate would increase to 5 percent beginning May 1, 2009, and 5 percent each of the next two years to cap at 20 percent by May 1, 2015. Once the new blend requirement is reached, it would be effective May through September only, with the minimum content for the remainder of the year set at 15 percent.

"We have soybean prices that are two, two

and a half times higher than a few years ago. ... this is going to create artificial demand and pull other lands (wetlands and rain forests) into production (for biofuels)," Tschumper said.

Rep. Tina Liebling (DFL-Rochester) called the discussion "extremely important."

"We're not saying that we should ban biofuels," she said. "Maybe we are not ready to mandate it, or increase the mandate. If the jury is still out on whether this is a good thing, maybe we should hold off on a mandate."



PHOTO BY TOM OLMSCHEID

**Rep. Al Juhnke watches a voting board in the House Chamber, as members vote on an amendment to the omnibus agriculture and veterans affairs bill April 24. The bill passed 121-7.**

## Looking for peace in the valley

A highly contentious debate in committee over whether an animal should need a referral from a veterinarian to receive chiropractic care spilled over on to the House floor.

The bill would give definition to the practice of animal chiropractic as well as course training and licensing requirements. The original language did not call for a referral, but only notification to the animal's veterinarian about any treatment. The Senate position, however, called for a referral.

To bring "peace in the valley," Rep. Lyle Koenen (DFL-Clara City) offered an amendment to the bill calling for a referral, and requiring that chiropractors provide a separate room in their facilities for treatment of animals.

Rep. Tim Faust (DFL-Mora) asked that the amendment be split as he opposed the referral requirement. "It still has a higher standard for animals than humans. I can go to a chiropractor without a doctor's approval. They should be at the same standard as humans or less," Faust said. After his motion to split the amendment was accepted, each part of the amendment was approved.

Rep. Torrey Westrom (R-Elbow Lake) suggested that if the bill goes to conference committee, a four- or five-year sunset date should be considered, so that the provisions' implications can be reviewed.

## Other provisions

The bill also calls for grants to eligible livestock producers wanting to invest in their operations. It piggybacks on provisions proposed for inclusion in the omnibus supplemental budget bill that would provide grants to producers up to \$50,000 for improvements to their operations.

Rep. Dean Urdahl (R-Grove City), who has tried for six years to get a dairy investment program enacted, called it "a good day for cows and livestock in Minnesota." Referring

**Agriculture continued on page 23**

# Back to Bemidji

Moe takes a break from politics to focus on life at home

By Nick Busse

There are things Rep. Frank Moe (DFL-Bemidji) will miss about being a lawmaker, and things that he won't. One thing he'll miss is serving with people who are so dedicated to public service that they're willing to spend every day of every week for five months a year away from their loved ones.

One thing he won't miss is spending so much time away from his own loved one.

"Many people know this is a very difficult job for us and our families," Moe said. "During the session, only to be home for a day or two on the weekends is very difficult, and very hard on our spouses."

Moe and his wife, Sherri, run a pair of businesses — a flower shop in Walker called Grey's Floral and a sled-dog operation called Moetown Kennels, where Moe gives rides and occasionally collects prize money from races. Managing a retail business and 22 dogs is work enough for two people; when the Legislature is in session, all that responsibility falls on Moe's wife. Moe said he wants to spend more time at home,

doing his share of the work — and at the District 4A DFL convention last weekend, he announced his intention not to run for re-election.

"I had the good fortune of serving the district and the state for four years," Moe said. "It was a lot to ask of my wife, and now it's time for me to go home and pull my own weight there."

Moe leaves in his wake some noteworthy achievements. He brought home tens of millions of bonding dollars for projects in his district — most recently, \$20 million for a Bemidji Regional Event Center.

He has also been a driving force in environmental legislation. He's particularly proud of a law he sponsored that will protect native wild rice species from genetically modified rice strains. In order to get it passed, Moe said he had to work with a variety of interests ranging from Native American groups to sportsmen. It was a challenge, but the end result was groundbreaking, nation-leading legislation.

"Environment and conservation policy has been the area in which I've really felt like I've

been a good voice not just for my district but for Minnesota," he said.

Although he's worked on some big policy issues, Moe said the most rewarding part of the job is helping constituents by solving smaller, more concrete problems — like helping adjust the local government aid formula so that Cass Lake didn't have to lay off a couple of police officers.

"I think if you do this job right, 90 percent of what you actually do is constituent services," Moe said.

Although he's not running for re-election, Moe said he plans to stay active in the community and the DFL, and may run for office again someday — maybe.

"Who knows? I'm not closing the door on anything," he said.

After session, he plans to focus on school. He recently received a fellowship from the Bush Foundation, which he will use to complete his doctorate in education from the University of Minnesota.

"I don't know at the end of next year when I'm done with the degree what it will mean," Moe said.

One thing Moe is certain of is his newfound respect for members on both sides of the aisle — and for the sacrifices they make to serve in the House.

"My favorite aspect of being a legislator is working with a truly remarkable crowd of people. Oftentimes we disagree, and maybe vehemently, but I look around this chamber and I see 134 people who are also not with their families today — or maybe this week if they're Greater Minnesota reps — and so they all have that same commitment to service that I have. Sometimes I think some members are way off base, but then I remember that ... they're willing to be away from their home and their family and their business to be here," Moe said.



PHOTO BY TOM OLMSCHIED

Beach balls were flying in the House Commerce and Labor Committee Feb. 26 when Rep. Frank Moe, center, members of the Congress of Minnesota Resorts, along with staff and committee members pose for pictures. Earlier the resort owners testified seeking legislation that would stem the decline of resorts in Minnesota.

## STEPPING DOWN

Rep. Frank Moe

DFL

District 4A — Bemidji

Terms: 2 (elected 2004)

Advice to successor: "Listen to the people you represent and do what they ask you to do."

## Monday, April 21

### HF4204-Lenczewski (DFL)

#### Taxes

Housing and redevelopment authorities maximum levy increased.

### HF4205-Sailer (DFL)

#### Finance

Pollution Control Agency charges prohibited for services regarding voluntary response actions on contaminated land.

### HF4206-Dean (R)

#### Biosciences & Emerging Technology

State stem cell research policy established.

### HF4207-Atkins (DFL)

#### Commerce & Labor

Agreements between the state and airline companies required full enforcement.

## Wednesday, April 23

### HF4208-Zellers (R)

#### Taxes

International economic development zone provisions modified and corporate franchise tax repealed.

### HF4209-Davnie (DFL)

#### Taxes

School district judgments tax levy expanded.

### HF4210-Davnie (DFL)

#### Taxes

Minneapolis; homeless TIF district area increased.

### HF4211-Kahn (DFL)

#### Housing Policy & Finance &

#### Public Health Finance Division

Heating facilities in rental property required and penalties provided.

## Thursday, April 24

### HF4212-Gottwalt (R)

#### E-12 Education

Charter school students allowed to participate in extracurricular activities in their resident school district.


## Property taxes continued from page 18

said he agrees with the concept that property taxes should be based more upon the ability to pay, but that such an overhaul could be confusing to taxpayers. He successfully introduced an amendment to extend the

phase-out of the market value credit.

Rep. Ron Erhardt (R-Edina) pointed out that high-income homeowners would lose their state property tax refunds.

"You're hitting up the high-income, the high-valued homeowners, to satisfy and equalize here. Before, at least you were

transparent. You came at it and said you were going to raise the fourth bracket and buy down everybody at their expense. I think you're doing the same thing now, but you're not being as open about it." 

## Agriculture continued from page 21

to the state's declining dairy industry, he thanked Juhnke for his efforts to avoid "disaster in the pasture."


The bill also calls for several study groups to explore more efficient delivery of veterans services, including:

- a veterans health care advisory group to

provide the Department of Veterans Affairs with advice and recommendations on providing veterans with quality long-term care;

- a study group to conduct strategic planning for existing and future state veterans homes, including the Minneapolis veterans home;

- a county veterans service group to review the 2008 report from the Office of Legislative Auditor on the county veterans services offices; and a

- study of issues related to veterans employment within state government. 

## Minnesota's U.S. Representatives in Washington, D.C.

### First District Tim Walz (DFL)

1529 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-2472  
Fax: 202-225-3433

### Second District John Kline (R)

1429 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-2271  
Fax: 202-225-2595

### Third District Jim Ramstad (R)

103 Cannon  
House Office Building  
Washington, D.C. 20515  
202-225-2871  
Fax: 202-225-6351

### Fourth District Betty McCollum (DFL)

1714 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-6631  
Fax: 202-225-1968

### Fifth District Keith Ellison (DFL)

1130 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-4755  
Fax: 202-225-4886

### Sixth District Michele Bachmann (R)

412 Cannon  
House Office Building  
Washington, D.C. 20515  
202-225-2331  
Fax: 202-225-6475

### Seventh District Collin Peterson (DFL)

2211 Rayburn  
House Office Building  
Washington, D.C. 20515  
202-225-2165  
Fax: 202-225-1593

### Eighth District James L. Oberstar (DFL)

2365 Rayburn  
House Office Building  
Washington, D.C. 20515  
202-225-6211  
Fax: 202-225-0699



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

SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER

MAJORITY LEADER: ANTHONY "TONY" SERTICH

MINORITY LEADER: MARTY SEIFERT

## MINNESOTA INDEX

### Minnesota nonprofits

Nonprofit organizations in state in 2006 .....	32,023
In 1996 .....	25,429
Percent of 2006 total that are charitable organizations .....	60.9
Percent that are private foundations .....	6.1
Percent that are other non-501(c)(3) exempt organizations .....	33
Nonprofit employers in Minnesota in 2006 .....	3,614
Employment locations operated by these employers .....	5,316
Percent increase in number of locations from 2005 .....	3
Employers and locations in 2002 .....	3,419; 4,641
In 1997 .....	3,258; 4,027
Percent of nonprofit employment locations in seven-county Twin Cities metropolitan area in 2006 .....	52
Percent in southeast Minnesota .....	17
Number of nonprofit jobs in Minnesota in 2006 .....	269,160
Approximate percent of the state's workforce .....	10
Percent of state workforce in 2001 that worked for a nonprofit .....	9
Percent in 1998 .....	8
Percent annual increase in nonprofit workforce during last decade .....	3
Overall growth in employment in state during same time, as percent .....	1
Approximate percent of nonprofit sector jobs in the health care industry .....	67
Percent employed by social assistance industry .....	10
Wages paid, in billions, by state nonprofit employers in 2006 .....	10.8
Percent of all wages in state .....	10
Percent increase since 2005, adjusted for inflation .....	4
Average weekly wage in 2006 for nonprofit employees .....	\$769
For government employees .....	\$795
For for-profit employees .....	\$820
For nonprofit health care industry .....	\$864
For nonprofit social assistance industry .....	\$408
For nonprofit education industry .....	\$650
For nonprofit arts, entertainment and recreation industry .....	\$443
Percent of revenues that nonprofits spent on program services in 2006 .....	87
Percent on management and fundraising .....	12
Revenues reported by nonprofit health organizations in 2006, in billions .....	\$20.1
Billions for human service organizations .....	\$3.5
Of the state 501(c)(3) and (4) organizations required to file returns with the IRS, Billions in revenues in fiscal year 2006 .....	\$28
Billions in expenditures .....	\$26

— C. BLANCHARD

Source: 2007 Minnesota Nonprofit Economy Report, Minnesota Council of Nonprofits, October 2007; National Center for Charitable Statistics.

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to: House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 12 • MAY 2, 2008

THE NUCLEAR OPTION  
A POLITICAL REFUGE  
AIRLINE PROMISES  
Gov's ULTIMATE BUDGET TOOL

HF4213 - HF4229





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Thomas Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Business • 5	Environment • 7	Local Government • 12
Consumers • 5	Gambling • 8	Military • 13
Crime • 5	Government • 8	Safety • 13
Elections • 6	Health & Human Services • 9	Taxes • 13
Employment • 6	Housing • 11	Transportation • 14
Energy • 7	Insurance • 12	

### BILL INTRODUCTIONS (HF4213-HF4229) • 23

### FEATURES

- FIRST READING:** Nuclear power is given a second look • 3
- AT ISSUE:** Merger talk has legislators asking Northwest Airlines to live up to its word • 15
- AT ISSUE:** Unallotment — a little-used tool in budget-balancing toolbox • 16-17
- AT ISSUE:** Conferees hope to quickly complete work on E-12 education bill • 18
- AT ISSUE:** An office to raise awareness of early learning • 19
- PEOPLE:** Paulsen leaving House with hopes of moving to a new one • 20
- FEATURE:** Legislators find political refuge in fellowship • 21
- FEATURE:** Minnesota celebrating 150 years of statehood • 23
- MINNESOTA INDEX:** Elder Minnesotans • 24

**On the cover:** Surrounded by feathered costumes, Neftali Flores wears a torques mask as dancers from KetzalCoatlucue of South Minneapolis wait to perform during a rally on the front lawn of the Capitol May 1. The rally encouraged the redressing of the law pertaining to the rights of workers and immigrants in the United States.

— Photo by: Tom Olmscheid



# The nuclear option

Once the bane of environmentalists, nuclear power is being given a second look

By Nick Busse

**W**hen Minnesotans think of nuclear power, any number of things might come to mind. They might think of a nuclear-powered aircraft carrier patrolling the Persian Gulf, or the incidents at Three Mile Island and Chernobyl. Others might conjure images of doughnut crumbs spilling from Homer Simpson's mouth onto the reactor control panel at the Springfield Nuclear Power Plant.

But as concern over the impact of climate change moves to the forefront of energy policy, advocates for nuclear energy hope to convey an entirely different picture of the technology: one that paints it green rather than glowing green.

"If you believe that greenhouse gasses are causing global climate change, nuclear is a great option," said Rep. Joyce Peppin (R-Rogers).

In the past, proposals to expand nuclear power in the state have faced an uphill battle — and they still do. But the tide may be slowly turning.

Although heavily criticized by environmentalists for the radioactive waste it creates, nuclear power produces zero greenhouse gas emissions. Peppin is one of a growing number of legislators who see nuclear energy as a potential compromise between those concerned about global warming and those who worry that regulating greenhouse gasses will hamstring the state's ability to supply electricity. In fact, Peppin doesn't see very many other options.

"Some might argue that we should be consuming less, but in reality we're not. So we need to meet our needs, and there's only

so many options. And nuclear is certainly a viable and safe alternative," she said.

Peppin, a consistent and vocal supporter of nuclear power, isn't sure whether she actually believes that greenhouse gas emissions cause climate change — and until recently, her arguments might've been ignored by those who do. But as the Legislature tries to grapple with the issue of global warming, all options are being put back on the table, including nuclear power.

On April 17, members of two House committees held a joint hearing on new nuclear plant designs and safety technologies. It was the first in what is expected to be an extensive series of discussions in coming years about the future of nuclear power in Minnesota. Although it wasn't brought up directly at the meeting, the underlying issue was whether to lift the state's 12-year-old moratorium on constructing any new nuclear plants.

"I think the movement to remove this ban is clearly gaining ground," Peppin said.

Ed Garvey, director of the Office of Energy

**First Reading continued on page 4**



PHOTO ILLUSTRATION BY ANDREW VONBANK

**Legislators are beginning to reconsider nuclear power as a possible means of meeting energy needs without producing greenhouse gasses.**

Security, recently came out on behalf of Gov. Tim Pawlenty in support of lifting the moratorium. The Minnesota Climate Change Advisory Group recommended that the state consider adding more nuclear power to its energy portfolio to help reach its carbon reduction goals. The issue has also come up several times in recent floor debates, and key DFL committee chairs in the House have pledged their commitment to hold hearings on the issue.

While even supporters acknowledge that it could be decades before a new nuclear plant would be built in the state — even if the moratorium were lifted tomorrow — it's clear that the issue isn't going away anytime soon.

### Baseload worries

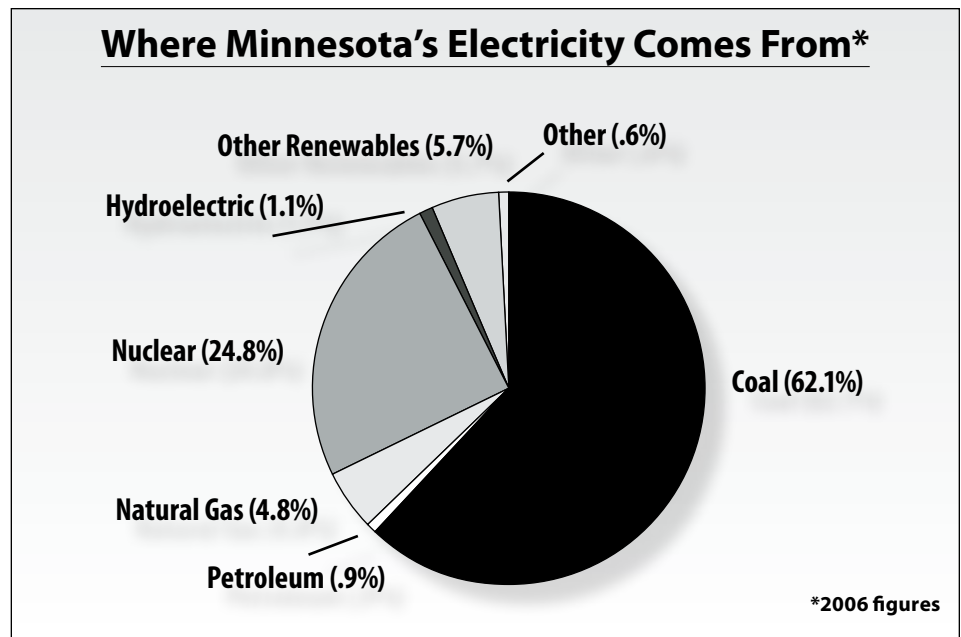
When it comes to mitigating climate change, renewable energy technologies like solar and wind power are usually the preferred option; however, these technologies have a major drawback: they aren't very good at supplying what's called "baseload capacity."

The term "baseload capacity" refers to the ability to supply electricity constantly, without interruption and regardless of external conditions. Since the sun doesn't always shine and the wind doesn't always blow, solar and wind power don't provide much baseload generation. As a result, most of our energy comes from coal power, which spews an enormous amount of carbon dioxide into the atmosphere. In contrast, nuclear plants can generate electricity virtually free of emissions — and unlike most renewable sources, they do provide reliable baseload capacity.

There are currently 104 nuclear power plants operating in the United States. Minnesota has two: one in Monticello and one at Prairie Island, both of them built in the early-1970s and operated by Xcel Energy. Construction of nuclear plants declined rapidly in the 1980s, largely due to safety concerns and still-unresolved problem of what to do with the radioactive waste they produce. As a result, the country has an aging nuclear power industry. Unless more plants are built, nuclear generation in the United States is projected to begin dropping around 2030 and will virtually cease to exist by 2050.

While some might consider that a blessing, it does raise the question of how the United States will meet its growing need for baseload capacity — or even maintain its present levels.

"Baseload is essentially nuclear, hydro or coal. Hydro is tapped out. It's very difficult



Source: U.S. Energy Information Administration

to build a coal plant now in any of the states because of concerns over carbon emissions. So what you're left with, really, is nuclear," said Richard Reister, the program manager for the U.S. Department of Energy's "Nuclear Power 2010" initiative.

### Big plans, big problems

At the April 17 hearing, Reister and other testifiers described a new generation of nuclear plants that are cleaner, safer, and more efficient than previous power plants. New plant designs were showcased that minimize safety concerns while maximizing power output. But Rep. Phyllis Kahn (DFL-Mpls), an 18-term House member who has been around for many of the previous battles over nuclear energy in the Legislature, isn't buying it.

"There are no greenhouse gas emissions from nuclear power — that's completely true. But the question is, 'Is it better than conservation?' We haven't gone to the lengths of what we can do with conservation, so I'm not even interested in looking at that argument until we've dealt with the arguments that I've said need to be answered up front."

The arguments against nuclear power, according to Kahn, are many. Above all is the issue of the waste. A plan to open a

national spent fuel repository underneath Yucca Mountain in Nevada has been stalled for decades by political controversy and legal challenges, leaving the waste to be stored in various locations around the country. This has raised fears of catastrophic terrorist attacks or other disasters at waste storage sites.

"We never should've authorized the first plant until we were sure we could solve the waste problem," Kahn said.

Moreover, the challenge of disposing of the waste may actually pale in comparison to the financial problems associated with nuclear power. One of the reasons that so few new nuclear plants have been proposed is simply that they're incredibly expensive to build, and seen as risky investments.

Even with generous federal subsidies and government loans, the capital costs associated with nuclear power are astronomical compared with other energy technologies. Nuclear construction projects are notorious for cost overruns and for not being completed on time. On top of that, no one is certain how much it

will cost to decommission and maintain the current generation of nuclear plants once their operational lives expire.

"The whole process from beginning to end really does have to be analyzed to ensure that we understand what all of the costs are, including

all the externalities," said Rep. Bill Hilty (DFL-Finlayson).

***"The whole process from beginning to end really does have to be analyzed to ensure that we understand what all of the costs are, including all the externalities,"***

— Rep. Bill Hilty

**Nuclear Option continued on page 22**

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held April 24-May 1. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill version considered by the House or the bill language signed by the governor.

## BUSINESS

### Business law technical changes

**Signed  
by  
the  
governor**

A new law will help eliminate ambiguities in state business laws.

Sponsored by Rep. Leon Lillie (DFL-North St. Paul) and Sen.

Linda Scheid (DFL-Brooklyn Park), changes are made to three laws: the Business Corporations Act, Limited Liability Company Act and the Uniform Limited Partnership Act of 2001.

Additionally, a section of the new law will allow for the formation of nonprofit limited liability companies. Minnesota is currently one of only a handful of states that do not allow nonprofit LLCs.

Lillie said the changes were brought forward by the Minnesota State Bar Association and are intended to clarify laws that have raised questions for attorneys practicing business law in the state.

Signed April 25 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2008, with the exception of the provisions relating to nonprofit LLCs; that portion of the law takes effect Jan. 1, 2009.

HF3500\*/SF2575/CH233

— N. BUSSE

### Better mortgage lending practices

**Signed  
by  
the  
governor**

A new law will help bring clarity to a 2007 law that forces mortgage lenders to make sure their borrowers can pay before they sign off on the loans.

Sponsored by Rep. Leon Lillie (DFL-North St. Paul) and Sen. Linda Scheid (DFL-Brooklyn Park), the law piggybacks on another passed last year that forbids mortgage originators from providing loans without first analyzing the borrower's ability to pay. The new law specifies some considerations that such an analysis may take into account, including the borrower's income, cash flow, net worth, financial obligations, property

taxes, insurance, assessments on the property, employment status, credit history, debt-to-income ratio, credit scores, tax returns, pension statements and employment payment records.

Lillie said the law is supported by mortgage brokers as well as advocates for low-income Minnesotans.

Signed April 25 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2008.

HF3839/SF3154\*/CH241

— N. BUSSE

## CONSUMERS

### Internet ticket sales protected

**Signed  
by  
the  
governor**

When tickets for the Miley Cyrus/Hannah Montana "Best of Both Worlds" tour went on sale last year, some people using a ticket buying software bought all the tickets within a matter of seconds, leaving everyone else to buy tickets for as much as 10 times the original price.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ron Latz (DFL-St. Louis Park), the so-called "Hannah Montana" law was signed by Gov. Tim Pawlenty April 28. It takes effect Aug. 1, 2008.

The new law makes it a gross misdemeanor to sell, distribute or use software to get around security and move to the front of an Internet ticket buyer line.

It does not impact last year's law that repealed Minnesota ticket scalping statutes.

HF2911/SF3139\*/CH245

— C. GREEN

### Law drops some title exceptions

**Signed  
by  
the  
governor**

When buying a vehicle, you might now have a better idea of what types of experiences it has been through.

A law signed by the governor April 24 removes exemptions of title branding requirements for vehicles that are at least six years old. These branding requirements let consumers know if a car has been in a flood, for example.

Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Rick Olseen (DFL-Harris) sponsor the law. It takes effect Aug. 1, 2008.

HF2940/SF3082\*/CH216

— T. HAMMILL

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.

### Tinting vehicle windows

**Signed  
by  
the  
governor**

Consumers will need a doctor's prescription from within the last two years to have certain vehicle windows tinted, under a new law signed April 25 by Gov. Tim Pawlenty.

The prescription or statement must specifically state the minimum percentage that light transmittance may be reduced to satisfy the person's medical needs. Current law states, in part, that a windshield cannot be tinted, nor can material that has a highly reflective or mirrored appearance be used on other windows.

Sponsored by Rep. Tony Cornish (R-Good Thunder) and Sen. Leo Foley (DFL-Coon Rapids), the law exempts the rear and side windows of a police vehicle.

Cornish said police dogs need protection from the heat and victims need privacy in identifying suspects sometimes from the backseat of police vehicles.

Car dealers will also be prohibited from selling or leasing vehicles that do not meet the window tinting requirements.

The law takes effect Aug. 1, 2008.

HF3204/SF3336\*/CH235

— P. OSTBERG

## CRIME

### Fingerprint changes; e-charge terms

**Signed  
by  
the  
governor**

When someone is brought into custody and booked on suspicion of a crime, they are to be fingerprinted.

A new law adds that if the procedure is not done at the time of booking, it must be completed before the person is allowed to leave custody. Further, it states that if the prints are not received by the Bureau of Criminal Apprehension prior to acceptance of a plea, a court may order the person back into custody for no more than eight hours so that the prints can be taken.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Leo Foley (DFL-Coon Rapids), the bill was signed by Gov. Tim Pawlenty April 25. It takes effect Aug. 1, 2008.

The law also defines terms related to e-charging regarding use by law enforcement officers, notaries public and the Bureau of Criminal Apprehension. It also provides a framework for when and to whom this information may be disclosed.

HF3683/SF3342\*/CH242

— L. SCHUTZ



## Tougher nuisance law

**Signed  
by  
the  
governor**

What it takes to call a problem a nuisance will get easier.

Under current statute, a public nuisance exists if there are two or more separate instances of various incidents such as gambling and the unlawful sale of alcohol. Effective Aug. 1, 2008, that law will be modified to make it a nuisance if there is only one instance of prostitution, unlawful drug sale or possession, or illegal use or possession of a dangerous weapon.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Linda Higgins (DFL-Mpls), the new law was signed by Gov. Tim Pawlenty April 24.

Mark Wiegel, vice president of the Minnesota Police & Peace Officers Association, said the change provides a tool for municipalities and property owners to better deal with problem activities.

The law also changes the definition of "firearm" to "dangerous weapon" to account for objects such as knives and machetes, or any other object capable of causing serious bodily harm or death.

When the bill was introduced in committee, it was proposed that the standard of evidentiary proof be lowered from "clear and convincing" evidence to "preponderance of" evidence. The change is not in the law.

HF2627/SF2399\*/CH218

— C. GREEN

## Safe at Home modified

**Signed  
by  
the  
governor**

For victims of domestic abuse, sometimes the best security is knowing their abuser doesn't know where they are.

Signed into law in 2006, the Safe at Home program gives victims of domestic violence, sexual assault and stalking some sense of comfort.

Rep. Steve Simon (DFL-St. Louis Park) described it as a witness protection program for victims. Run by the Office of the Secretary of State, the program provides a postal address victims can use for correspondence other than their actual address, which is known only by the secretary of state. The mail is then received by the secretary's office and forwarded.

A new law, sponsored by Simon and Sen. Mee Moua (DFL-St. Paul) makes modifications to the program. The changes include allowing a participant in the program to consent to the release of their information to someone else; a new definition of "mail" to exclude junk mail; and an allowance for participants to use their Safe at Home address on a driver's license or a state identification card.

There is also a required report from the

secretary of state to the Legislature detailing how many participants are in the program.

Signed by Gov. Tim Pawlenty April 24, the law is effective June 1, 2008.

HF2991/SF2642\*/CH227

— C. GREEN

## No trespassing in tunnels

**Signed  
by  
the  
governor**

There are approximately 600 miles of underground tunnels and sewers in St. Paul. Until now, there was no statute making it illegal to trespass, specifically into those tunnels housing utilities or technological equipment.

Signed by Gov. Tim Pawlenty April 24, a new law makes entering an underground structure with utility lines without permission a gross misdemeanor. The law applies whether the structure has any type of posted warning.

Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Mee Moua (DFL-St. Paul), the new law is effective Aug. 1, 2008.

Mark Mullen, a senior security consultant for Xcel Energy, said there have been instances where people have entered into the underground tunnels attempting to steal wiring. In one instance, the attempted theft led to a power outage in a local hospital that required the evacuation of an entire floor.

This is not only a public safety issue, Paymar said. It is critical for the state's utility and technological infrastructure.

HF3228/SF2828\*/CH217

— C. GREEN

## ELECTIONS

### Elections provisions modifications

**Signed  
by  
the  
governor**

When voters go to the polls in November, elections will be operating under streamlined processes.

Signed April 25 by Gov. Tim Pawlenty, and sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Linda Higgins (DFL-Mpls), the law, among other things:

- permits registering voters who are unable to sign their name to sign by making a mark;
- requires that affidavits of candidacy and nominating petitions be filed with the county auditor for county elections, the secretary of state for federal elections and either for state elections;
- prohibits lingering at the polling place;
- introduces new regulations for discretionary recounts; and
- specifies the number of signatures required

for a federal or state office nominating petition, to be the lesser of 1 percent of the total number of individuals voting in the last general election or 2,000.

A provision requiring filing officers to restrict public access to the address of any individual who has made a contribution that exceeds \$100 for the purposes of their safety is effective April 26, 2008, and applies to contributions made after Dec. 31, 2007.

Regulations dealing with voter registrations being incomplete due to a failure to match the last four digits of the voter's Social Security number are effective retroactively to Nov. 29, 2007.

All other sections of the law are effective June 1, 2008.

HF1110/SF1298\*/CH244

— B. HOGENSON

## EMPLOYMENT

### Correcting duty disabilities language

**Signed  
by  
the  
governor**

A law passed in 2007 tightened language relating to the definition of duty disability for firefighters and peace officers. It had two unintended consequences that are addressed

in a new law.

The Public Safety Officers Benefit Panel, which is to sunset on July 1, 2008, currently determines who qualifies for the disability. A new law, signed by Gov. Tim Pawlenty on April 25, assigns that duty to the Public Employees Retirement Association.

"If we don't do this by July 1, there would be no one to determine if they qualify for duty disability," said Rep. Mike Nelson (DFL-Brooklyn Park), who sponsors the law with Sen. Don Betzold (DFL-Fridley).

The law also corrects an untended "quirk," that, according to Nelson, denied health benefits to these same injured workers if they were between the ages of 50 and 55. The new law allows for them to maintain their health care coverage.

HF3503/SF2403\*/CH243

— L. SCHUTZ

### Minimum wage increase

The state minimum wage could go up.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Ellen Anderson (DFL-St. Paul), HF456/SF875\* would raise the hourly minimum wage for large employers (companies with annual sales of \$625,000 or more) to \$6.90 as of July 24, 2008, and another dollar one year later.

For small employers (companies with annual sales less than \$625,000), the hourly

minimum wage would be \$5.75 as of July 24, 2008, and bump to \$6.75 on July 24, 2009.

According to the U.S. Department of Labor, "Under the Fair Labor Standards Act, the federal minimum wage for covered nonexempt employees is \$5.85 per hour effective July 24, 2007; \$6.55 per hour effective July 24, 2008; and \$7.25 per hour effective July 24, 2009."

Passed as amended by the House 82-45 on May 1, the bill returns to the Senate where it was previously approved 40-23 on April 23, 2007.

An amendment from Rep. Jeremy Kalin (DFL-North Branch) reinstated language allowing a "training wage" which allows employers to pay a lower minimum wage — \$5.25 an hour — to employees under 20 years of age.

— C. GREEN

## ENERGY

### Algae-to-biodiesel projects OK'd

A bill that would expand the state's definition of renewable energy sources to include biofuels made from algae and similar technologies is on its way to the governor's desk.

HF2903/SF2996\*, sponsored by Rep. Paul Gardner (DFL-Shoreview) and Sen. Sandy Rummel (DFL-White Bear Lake), was passed 130-0 by the House on April 28. The Senate passed it 66-0 on April 3.

The bill would expand the statutory definition of renewable energy sources to include "the predominantly organic components of wastewater effluent, sludge, or related byproducts from publicly owned treatment works, but not including incineration of wastewater sludge to produce electricity."

In layman's terms, it would pave the way for the use of biodiesel produced from algae — a technology being developed at the University of Minnesota, among other places. Researchers hope to find a cost-effective way to use wastewater from municipal sewage treatment plants, which is rich in phosphorus and other effluents, to grow algae that could then be used as biomass to produce fuel.

Gardner said that although algal biofuel projects provided the impetus for the bill, it is conceivable that other energy-related uses could be found for wastewater.

"Just the algae was what it's intended for, but if something else comes along, we certainly could look at it," he said.

Rep. Jean Wagenius (DFL-Mpls) called algal biofuels "an exciting prospect" and noted that the U.S. Department of Defense is sponsoring projects to develop jet fuel from algae.

— N. BUSSE

### Energy efficient buildings bill passed

New building codes that will save the state money and lower its carbon footprint are the goal of a bill passed 109-20 by the House on April 30.

HF3401/SF2706\*, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), would require the Commerce Department to contract with the University of Minnesota's Center for Sustainable Building Research to develop cost-effective energy efficiency standards for all new and substantially reconstructed commercial, industrial and institutional buildings.

The bill would lay the groundwork for the development of the building codes only; it would not actually implement them. The codes would also have the goal of reducing per-square-foot carbon emissions by 60 percent in 2010, 70 percent in 2015, 80 percent in 2020 and 90 percent in 2025. Reductions would be measured against 2003 average levels.

In addition, the bill would require the Commerce and Administration departments to work together to develop new sustainable building guidelines by Feb. 1, 2009, for all major renovations of state buildings. "Major renovations" would include only those involving a minimum 10,000 square feet of space. The goal is to exceed the state energy code by 30 percent.

Hilty said the Minnesota Climate Change Advisory Group recommended the building code changes as the single largest energy- and cost-saving measure the state could take.

The bill now goes back to the Senate, where a different version passed 47-13 on March 31.

— N. BUSSE

### County C-BED bill passed

Cities and schools can already invest in Community-Based Energy Development projects, and counties could get in on the action.

HF3585, sponsored by Rep. Lyle Koenen (DFL-Clara City), would allow counties to enter into long-term power purchase agreements for electricity generated by C-BED projects and also own and operate C-BED projects of their own. The bill was passed 95-35 by the House April 30 and now goes to the Senate, where Sen. Gary Kubly (DFL-Granite Falls) is the sponsor.

C-BED projects consist primarily of wind turbines. Koenen said the bill's language is the product of negotiations between rural and metro-area counties and the state's major power companies.

Several members voiced concern that the bill would put county governments in

competition with private investors. Rep. Torrey Westrom (R-Elbow Lake) said the bill "removes the small investor from the equation" because counties have access to a large pool of taxpayer money with which private investors can't compete.

"The concern is, where are we going to draw the line on having government get involved in private investment?" he said.

Koenen responded that the bill is meant to encourage more private investment by allowing counties to lend a helping hand in C-BED projects that otherwise wouldn't have enough financial backing to go forward.

— N. BUSSE

### Peak oil resolution passed

The House approved a resolution April 30 recognizing the "unprecedented challenge" posed by peak oil and asking Gov. Tim Pawlenty to prepare a response plan.

The term "peak oil" refers to the point in time at which global oil production reaches its maximum capacity and then begins an irreversible period of decline. Many experts say peak oil either has already happened or will occur sometime in the next few years.

HF995, sponsored by Rep. Bill Hilty (DFL-Finlayson), would memorialize the governor to direct state agencies to examine the potential impacts of peak oil on the state and prepare for the consequences of oil scarcity and high prices. It also expresses support for a global agreement that would "provide transparency in oil markets, control price swings, address issues of equity in access to remaining oil resources, and provide a framework of predictability."

"This is a situation that we really have to deal with. Currently for every barrel of oil we discover, we are using six barrels," Hilty said.

House Minority Leader Marty Seifert (R-Marshall) said that while he didn't necessarily have a problem with the resolution's intent, he considered it "a waste of time."

"I don't know why we don't just type up a memo and take it to the governor instead of wasting floor time," he said.

The House passed it 81-7, with numerous members abstaining from the vote. It now goes to the Senate, where Sen. Jim Carlson (DFL-Eagan) is the sponsor.

— N. BUSSE

## ENVIRONMENT

### 'Clean Car' bill drives ahead

The bill that would adopt California's 'Clean Car' vehicle emission standards for Minnesota narrowly passed the House Finance

Committee April 29 after it was amended to address concerns about its potential impact on the ethanol industry.

HF863, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), would tighten restrictions on the amount of greenhouse gasses and smog-forming pollutants that can be emitted from new vehicles model 2012 and later. Approved by the committee on a 20-18 roll-call vote, it now goes to the House Ways and Means Committee.

An amendment successfully offered by Rep. Al Juhnke (DFL-Willmar) would delay the bill's effective date by one year and require a study on the potential negative impacts of the legislation on auto dealers and ethanol producers. Juhnke said it would give lawmakers time to examine the legislation more closely in the next legislative session.

"We want to make darn certain that anything we do doesn't affect that industry or these products," he said, adding that it would also give legislators a chance to see how the next federal administration will deal with clean air standards.

Doug Peterson, president of the Minnesota Farmers Union, testified that Juhnke's amendment represented compromise language worked out between Hortman and ethanol supporters; however, some committee members said it was too much of a compromise.

"I think the studies have been done," said Rep. Carlos Mariani (DFL-St. Paul), who voiced concern that the amendment would weaken the Legislature's commitment to adopting the standards.

Other committee members said the study should be completed first — before the standards are adopted.

"I've never seen an instance where we adopt legislation and then do a study on it," said Rep. Paul Kohls (R-Victoria).

A second amendment, offered successfully by Hortman, would require the Pollution Control Agency to monitor statistics on the use and availability of E85 in the state and submit annual reports to the Legislature, governor, and Agriculture and Commerce departments.

A companion, SF481, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Business, Industry and Jobs Committee.

— N. BUSSE

### Paint recycling bill passed

A pilot program designed to make it easier for Minnesotans to recycle their old and unused paint is still being stirred to get the proper mix.

HF4051/SF3775\*, sponsored by Rep. Brita

Sailer (DFL-Park Rapids) and Sen. John Doll (DFL-Burnsville), would establish a program whereby manufacturers would be responsible for recycling discarded architectural paint. The bill was passed 73-54 by the House on April 24. The Senate, which passed a different version 63-1 on April 10, refused to concur with the House changes April 28. A conference committee is expected to work out the differences.

Because of the environmental impacts associated with the chemicals used in household paint, state law prohibits dumping paint in the normal municipal solid waste stream. Currently the responsibility for recycling the paint falls largely on counties, which pass the recycling costs on to their taxpayers.

"Managing paint through the Household Hazardous Waste Program ... costs Minnesotans about \$5 million right now. It is the intent of this pilot project to figure out a way to basically cut down significantly on the tax dollars that need to be spent to manage household paint," Sailer said.

The bill would establish a non-governmental paint stewardship organization funded by a fee of no more than 30 cents per every gallon of paint sold to consumers in the state. Consumers could then drop off unwanted paint at their local retailer, where it would be collected and recycled by the organization. The program would expire in January 2011.

"This is a pilot project, so they're trying out various things to find out what is going to work the best," Sailer explained.

Opponents called the bill a "handyman tax" that put undue burden on consumers.

"You're whitewashing a tax, Rep. Sailer. This is a tax on paint," said Rep. Kurt Zellers (R-Maple Grove). "When we're in a down economy, people want to sell their house. It's hard enough to sell your house the way it is now. Now, you want to go out and paint your house ... and we're going to tax you for a gallon of paint you buy."

Supporters like Rep. Kent Eken (DFL-Twin Valley) characterized it as a user fee. He said it would help take the burden off of the counties.

"I think that this is exactly the kind of thing that we want to encourage — for industry to step forward and work on ways to dispose of these things efficiently and safely," Eken said.

— N. BUSSE

To find out who represents you at the Capitol ...  
Call House Public Information Services at  
651-296-2146 or 800-657-3550

## GAMBLING

### Simulcast racing opens up

Signed  
by  
the  
governor

A new racing facility in Anoka County, Running Aces Harness Park, may now televise on its video screens races other than those being run on its race track.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Ann Rest (DFL-New Hope), the new law allows a race track in the Twin Cities seven-county metropolitan area to simulcast racing of all horse breeds, not just the breed racing at that track.

It also requires a contribution to the purse set-aside account of other race tracks in Minnesota, and to the breeders' fund.

The law is effective April 26, 2008, one day after it was signed by Gov. Tim Pawlenty.

HF2964/SF2500\*/CH249

— C. GREEN

## GOVERNMENT

### Disaster recovery plans

Signed  
by  
the  
governor

The state now has a guideline for agencies to use in responding to a natural disaster.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Ann Rest (DFL-New Hope), the new framework provides procedures for state agencies to assist communities included in a presidential declaration of a major disaster during recovery efforts.

According to Pelowski, throughout Minnesota's 150 years of statehood, a statutory framework or policy for responding to natural disasters has been lacking, leading to a piece-by-piece response. "What we have done, frankly with the best of intentions, has been less than adequate."

Appropriations to implement the framework must be made in law after a disaster has been declared. The law specifies that state assistance is not for disaster-related costs that are eligible for federal aid, private insurance coverage or other reimbursement.

Signed into law by Gov. Tim Pawlenty on April 28, the law takes effect Aug. 1, 2008.

HF2904\*/SF2607/CH247

— B. HOGENSON

### Removing abolished office

Signed  
by  
the  
governor

Abolished in 1999, the Office of Health Care Consumer Assistance, Advocacy and Information will be removed from a statute, under a new law



signed April 24 by Gov. Tim Pawlenty.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. John Doll (DFL-Burnsville), the new law removes the office's reference in procedures for filing a complaint with a health plan company.

Complaints are now handled by the Minnesota Health Information Clearinghouse, which "assists consumers in understanding their rights as health plan company enrollees," according to a department fact sheet.

The law is effective Aug. 1, 2008.

HF3649/SF3286\*/CH221

— P. OSTBERG

### Retaining paper records

**Signed  
by  
the  
governor**

The state's Office of the Ombudsman for Mental Health and Developmental Disabilities will be permitted to retain paper copies of records, under a new law signed April 24 by

Gov. Tim Pawlenty.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley) and Sen. Don Betzold (DFL-Fridley), the office's information gathering will be allowed to include paper and electronic forms.

For 20 years the office has monitored state government health systems and investigated complaints by the public, Ombudsman Roberta Opheim told a House committee.

Concerns had been raised by the Human Services Department that office staff could lose patient's private records when driving to and from various locations. Opheim said that when investigating complaints, health records are not always available in electronic format and paper copies are needed. She said the office has never lost or misplaced personal files. The office and department have worked together to come up with an electronic solution, but have yet to reach consensus, she said.

The law also:

- allows the Medical Review Subcommittee to have access to private data collected by the ombudsman in order to review deaths and serious injuries to clients;
- defines "gather" in the law as "access to information or data for purposes of inspection and to receive copies of information or data"; and
- clients will further be defined as "a now deceased person who had been served by an agency, facility, or program."

The law is effective Aug. 1, 2008.

HF3576/SF3225\*/CH219

— P. OSTBERG

### Cuba resolution 'not appropriate'

**Vetoed  
by  
the  
governor**

The Legislature believes that the federal government should allow more travel and trade between the United States and Cuba. The governor does not.

A resolution asking the president and Congress to end trade, financial and trade restrictions to the small country 90 miles off the coast of Florida was vetoed by Gov. Tim Pawlenty April 25.

Noting Cuba's improved oil output and its developing pharmaceutical industry, the resolution said with an ease in restrictions, Minnesota could receive \$45 million in new annual exports, add \$92 million to the state's economy and create 900 new jobs.

Rep. Phyllis Kahn (DFL-Mpls), who sponsors the resolution with Sen. Jim Vickerman (DFL-Tracy), said that with passage, Minnesota is sending the message that it wants to open up "economic, intellectual and social" communications with Cuba.

In his veto letter, Pawlenty wrote that while he understands the agriculture community's desire to increase trade with Cuba, "this nonbinding resolution is not appropriate and would not further that goal."

"Our federal government should address foreign policy matters, not state legislatures," he said. "Forwarding this resolution to the federal government would have Minnesota promoting a position that is contradictory to the long-standing policy of the United States."

Pawlenty said that with Cuba's poor human rights record, significant changes need to be made before the United States should establish full diplomatic relations.

"We are hopeful that someday the Cuban government will make the changes necessary to join other democracies and avail itself of the opportunity to import even more Minnesota grown products."

HF828/SF599\*/R1

— C. GREEN

## HEALTH & HUMAN SERVICES

### Child care changes

Family care providers would have to comply with a few new regulations, under a bill passed 104-27 by the House April 28.

HF3376, sponsored by Rep. Neva Walker (DFL-Mpls), would remove a program loophole that allows families to receive paid assistance for caring for their own children in a child care setting.

Other changes in the bill include:

- creating a Child Care Advisory Task Force to make recommendations to the

Legislature on removing barriers facing families applying for and receiving child care assistance;

- requiring participants in the Minnesota Family Investment Program to maintain eligibility by developing either an employment plan or family stabilization services plan;
- consolidating state laws with federal laws in regard to MFIP and Temporary Assistance for Needy Families;
- modifying the Basic Sliding Fee allocation formula to distribute funds to counties for unmet family needs; and
- requiring counties and American Indian tribes to not impose residency requirements on families, except under state residency requirements.

A successful amendment offered by House Minority Leader Marty Seifert (R-Marshall) would prohibit MFIP enrollees from using monthly cash assistance payments to purchase tobacco, lottery tickets or alcoholic beverages.

"The cash portion of MFIP can be used for almost anything," Seifert said. Grocers from his district told him they've seen MFIP recipients using the state issued ATM/debit card for those items, he said.

Walker said while you can't go to the cash register and purchase the items directly with the card, people could use the small portion of cash funds. "Yes, there's gonna be some waste, but can you imagine spending your amount of money that you barely have ... on alcohol," she said. The odds are, most individuals are not doing this, she said.

The bill now goes to the Senate, where Sen. Patricia Torres Ray (DFL-Mpls) is the sponsor.

— P. OSTBERG

### Basic life support requirement

**Signed  
by  
the  
governor**

An increase from one to two emergency medical technicians will be required for staffing basic life support ambulances, except in rural Minnesota, under a new law signed April 24

by Gov. Tim Pawlenty.

Sponsored by Rep. Dave Olin (DFL-Thief River Falls) and Sen. Tony Lourey (DFL-Kerrick), the law allows for one EMT and one first responder in emergency situations in rural Minnesota. Those areas include primary service areas outside the seven-county Twin Cities metropolitan area, those outside the cities of Duluth, Mankato, Moorhead, Rochester and St. Cloud, or an ambulance based in a community with a population of less than 1,000 persons.

"This covers the examples in rural

Minnesota where it is not practical to have two paramedics,” Olin said.

An ambulance service that can provide evidence of hardship for the requirement of two EMTs can apply to the Minnesota Emergency Medical Services Board for a variance.

The law takes effect Aug. 1, 2008.  
HF2591/SF2377\*/CH222

— P. OSTBERG

### Children’s restraint procedures

**Signed  
by  
the  
governor**

Mental health providers will have guidelines on restraint procedures for children in certain facilities, under a new law signed April 25 by Gov. Tim Pawlenty.

Sponsored by Rep. Neva Walker (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls), the law requires providers of emergency services, family community support services, day treatment services, therapeutic support of foster care, professional home-based family treatment and mental health crisis services to have a plan for when and under what conditions restrictive procedures and seclusion might be used on children.

Unless otherwise noted, the law is effective Aug. 1, 2008.

Restrictive procedures allowed under the law include physical escort, physical holding, seclusion and the limited use of mechanical restraints in emergency situations.

The law also specifies the need for oversight by a treatment center mental health professional when restraining measures are used. Parental consent will be requested at the time of program enrollment and reviewed quarterly. Immediate notification of a parent will be required if a procedure is used.

Staff who use restrictive procedures will be required to complete training in the needs and behaviors of children, including: relationship building, alternative restrictive procedures, de-escalation methods and avoiding power struggles.

A working group is created under the new law to develop recommendations on how to meet the acute mental health needs of children and adults and to reduce the number of unnecessary patient days in acute care facilities. A report is due to the Legislature by Jan. 16, 2009.

Also, the human services commissioner is to annually collect certain data from substance abuse treatment providers that receive appropriations from the Consolidated Chemical Dependency Treatment Fund. The data will include the number of client readmissions six months after release from inpatient treatment and the cost of treatment per person. This

portion is effective Jan. 1, 2009.  
HF3377/SF3049\*/CH234

— P. OSTBERG

### Medical Assistance qualification

**Signed  
by  
the  
governor**

All employees of state-operated day training habilitation programs will qualify for Medical Assistance for Employed Persons with Disabilities, under a new law

signed April 24 by Gov. Tim Pawlenty.

Under current law, a person must be a state employee to qualify for the benefit. The technical change “clarifies that clients who benefit from treatment and habilitation programs can work in these programs and do not have to be considered state employees,” said Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Tony Lourey (DFL-Kerrick).

The law takes effect Aug. 1, 2008.  
HF3264/SF3571\*/CH223

— P. OSTBERG

### Electronic records transfer

**Signed  
by  
the  
governor**

Hospital records can be transferred to electronic form, under a new law signed April 24 by Gov. Tim Pawlenty.

Sponsored by Rep. Julie Bunn (DFL-Lake Elmo) and Sen. Yvonne Prettner Solon (DFL-Duluth), the new law will allow for “electronic image or other state-of-the-art electronic preservation technology” to be used in preserving medical records.

“This is a bill to assist in lowering the cost of health care,” Bunn said. St. Luke’s Hospital in Duluth estimates it would save more than \$100,000 annually, and Saint Mary’s Hospital in Rochester would save nearly \$500,000 annually, Bunn said. This portion is effective April 25, 2008.

Also under the new law, individuals with an advanced directive are authorized to define the type of vehicle they would like their body to be transferred in to their final resting place. The change was requested from local fire and police departments so specialty vehicles could be used in funeral proceedings.

This portion takes effect Aug. 1, 2008.  
HF3710/SF3263\*/CH228

— P. OSTBERG

### Recertification extensions

**Signed  
by  
the  
governor**

Families of children with disabilities are given a three-month period to make recertification appointments to continue medical assistance. Many say the timeframe is too

short, and a new law signed by Gov. Tim Pawlenty April 24 extends it an additional three months.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Senate Minority Leader David Senjem (R-Rochester), the law directs county agencies to send a notice of disability review to the enrollee six months prior to the date recertification is due.

Norton said it often takes three or four months to get an appointment with a doctor for certification. As a result families were being disqualified from assistance for not meeting the time frame, she said.

The law is effective Aug. 1, 2008.  
HF2426/SF2024\*/CH220

— P. OSTBERG

### Nursing home exceptions

**Signed  
by  
the  
governor**

Nursing home and certified boarding care homes will have 150 days instead of 90 days to submit proposals for projects, under a new law signed April 24 by Gov. Tim Pawlenty.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Betsy Wergin (R-Princeton), the law allows for the extension and provides other technical changes requested by the Health Department.

A fact sheet provided by the department said the extension is needed because “approved projects have not been able to go forward because of difficulties with securing financing, permits or encountering unexpected problems with construction.” Having a longer time to prepare will increase the success of projects, the department states.

Other changes include:

- requiring nursing homes that serve patients with Alzheimer’s disease or related disorders to have trained staff in dementia care;
- defining addition, phased project, and renovation;
- authorizing a second review for the moratorium review process if there are enough remaining funds; and
- allowing the commissioner to not penalize a facility if they correct a violation.

The law takes effect Aug. 1, 2008.  
HF3648/SF3227\*/CH230

— P. OSTBERG

### Small employer health insurance

**Signed  
by  
the  
governor**

State health insurers will be required to provide information on flexible benefit plans to employers with 50 employees or less, under a new law signed April 24 by Gov. Tim Pawlenty.

Sponsored by Rep. Denise Ditttrich (DFL-

Champlin) and Sen. Kathy Saltzman (DFL-Woodbury), the law will require health carriers to display the health plans on the carriers' Web sites. Also, the information is to be delivered to each employer currently insured by the carrier at the time of the employer's renewal.

"This bill is just one small step that we can take in helping small businesses finding more affordable health insurance," Dittrich said.

The change comes from health care reform packages passed by the 2005 Legislature that were given to small employers, Dittrich said. The problem is insurance companies are not offering or marketing those plans, she said.

The law is effective Aug. 1, 2008.  
HF3721/SF3446\*/CH231

— P. OSTBERG

### TANF shift for reimbursement

**Signed  
by  
the  
governor**

Federal guidelines for state reimbursement of certain programs allow for the shifting of targets.

Under a new law signed by Gov. Tim Pawlenty April 25, \$8.8 million from the state's Temporary Assistance for Needy Families is shifted to the General Fund for that purpose.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls), the law allows the human services commissioner to:

- claim an amount necessary to meet maintenance of effort requirements for TANF;
- provide any additional amount to meet federal requirements to avoid penalties;
- reduce TANF work participation rates through excess Minnesota Family Investment Program Maintenance of Effort claims; and
- supplement maintenance of effort claims with working family credit expenditures.

According to the Finance Department, federal rule allows states to reduce their work participation rate by claiming more than the minimum required state funds for the TANF program. Under the provision, states can receive an additional reduction to the work participation rate by committing extra MOE funds to the state TANF program.

Huntley said the law will allow for the federal government to give monetary credit to the state for past efforts.

The department needs to amend the federal reports before the end of April to get the credit, said Steve Nelson, budget director for children and family services in the Human Services Department.

Last summer the federal government allowed states to claim more than the minimal required amount of maintenance of effort to get additional credit by reducing the work

participation rate targets and avoid penalty on the TANF program, said Nelson.

The law is effective April 26, 2008.  
HF3253/SF2564\*/CH232

— P. OSTBERG

### Studying Iron Range miners health

**Signed  
by  
the  
governor**

With funding issues resolved, some Iron Range health answers could be found.

Signed April 28 by Gov. Tim Pawlenty, a new law allocates \$4.9 million to study why nearly 60 miners from the Iron Range have died from mesothelioma, and if future deaths can be prevented. The rare, fatal form of cancer comes primarily from asbestos fiber, which is naturally occurring in some Iron Range areas. It can take decades to develop following exposure.

The plan was nearly scrapped because of a funding source.

The law calls for the money to come from an assigned risk plan in the Department of Commerce.

When approved April 10 by the House, the law would have used dollars from the Workers' Compensation Special Fund, Republicans and Pawlenty thought the money should have come from the Taconite Area Environmental Protection Fund, which is paid for by taconite production taxes collected from mining companies. They argued that it isn't fair to use a fund that all state businesses pay into.

The Senate amended the funding source before giving its approval, and the House concurred.

"I'm pleased we were able to work with the Legislature to reach a compromise that ensured these important studies will move forward," Pawlenty said. "We're hopeful the answers they reveal will help protect current and future mineworkers and bring some measure of closure to the families of those whose lives were taken by this disease."

The University of Minnesota is to lead the study of workers' health, including lung health. It will include comparing the effects of different exposure levels, and a comparison of current and former miners on their health status versus how long they worked in the mines. Other family members may also be tested because they were exposed to dust from taconite operations. The university will work on the study with the Health Department, Natural Resources Research Institute at the university's Duluth campus and other private and public organizations and affected groups. Work must be completed by 2013.

Rep. Tom Rukavina (DFL-Virginia) and Sen. David Tomassoni (DFL-Chisholm) sponsor the law.

HF3569\*/SF3300/CH248

— M. COOK

### Radiation moratorium

**Signed  
by  
the  
governor**

Minnesota's radiation facility moratorium will be extended to Aug. 1, 2011, under a new law signed April 24 by Gov. Tim Pawlenty.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls), the new law takes effect Aug. 1, 2008.

Originally set to expire Aug. 1, 2009, the change is based on a study that reported there wasn't a need for additional centers in the state until at least 2015, said Thissen. The year 2011 is a compromise for all parties involved, he said.

"We have to get government out of playing God in the role of health care," said Rep. Torrey Westrom (R-Elbow Lake). The moratorium is a barrier to a free market and more choice for consumers, he said.

HF3265/SF2667\*/CH213

— P. OSTBERG

## HOUSING

### Cities notified of disconnections

A bill that would require utility companies to notify local authorities when they shut off gas or electric service to a customer's house is on its way to the governor's desk.

HF3229/SF2775\*, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Leo Foley (DFL-Coon Rapids), is designed to prevent structural damage that can occur when a house no longer has heat in the winter but the water has not been turned off. The House passed the bill 123-3 on April 24 and the Senate passed it 62-0 on April 28.

Nelson said the bill would help prevent damage to houses that have been temporarily vacated because of foreclosures.

"They think this is going to help to try and preserve these assets in our cities, preserve the cities' tax bases, and make these homes so that when the economy turns around people can move back into them and they won't be damaged beyond repair," he said.

Under the bill's provisions, cities can request that utilities provide them a report on Oct. 15 and Nov. 1 of each year on which properties within city limits have been disconnected. Between Oct. 15 and April 15, daily reports must be made available to cities on any newly disconnected properties.

In addition, the bill provides that cities receiving this information must provide it to their local fire and police departments.

— N. BUSSE



## Getting the foreclosure numbers

**Signed  
by  
the  
governor**

Meeting during the interim, the Foreclosure Data Group discovered that it's very difficult to find accurate data on properties in foreclosure. A new law, sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Ann Rest (DFL-New Hope), puts two of the group's recommendations into statute.

Signed by Gov. Tim Pawlenty April 25, the new law requires additional data be shown on sales notices, including the complete address of the property, the name of the lender, whether the property is privately owned or owned by an investor, and whether the property is registered with the Mortgage Electronic Registration Systems.

The law, effective Aug. 1, 2008, also establishes the Electronic Real Estate Recording Commission to begin moving the state toward an electronic recording system and away from the current paper-focused system of foreclosure data collection and reporting. A report is due the Legislature by Feb. 15, 2009.

HF3516\*/SF2914/CH238

— C. GREEN

## Discrimination damage cap raised

**Signed  
by  
the  
governor**

During the interim, a Remedies Working Group discussed issues related to the current foreclosure crisis. According to the group's report, they explored whether additional criminal or civil legislation to protect homeowners from discriminatory practices was possible. They discovered that punitive damages under the state's Human Rights Act were capped at \$8,500. A new law raises the cap to \$25,000.

"The group could identify no rationale for limiting the amount of punitive damages for discriminatory practices to such an arbitrarily low amount," the report said.

Sponsored by Rep. Neil W. Peterson (R-Bloomington) and Sen. Mee Moua (DFL-St. Paul), the increase was signed into law by Gov. Tim Pawlenty April 24.

The law, effective Aug. 1, 2008, also clarifies that any sentence imposed under new mortgage fraud statute does not limit the state from prosecuting for conduct that may be a crime under other statutes.

HF3478/SF2915\*/CH215

— C. GREEN

### Moving?

Please help save postage costs by keeping us informed of address changes. Call 651-296-2146 or 800-657-3550.

## Mortgage loan record retention

**Signed  
by  
the  
governor**

Clarifying language relating to the Minnesota Residential Mortgage Originator and Servicer Licensing Act is the intent of a new law.

Signed by Gov. Tim Pawlenty April 25, the law, sponsored by Rep. A. Willie Dominguez (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), takes effect Aug. 1, 2008.

It extends the timeframe from 26 to 60 months that a residential mortgage originator must keep and maintain records of all trust funds. It also extends from 26 to 60 months the time that a licensee must keep business records, including advertisements, regarding residential mortgage loan applications, originated or serviced in the course of its business.

HF3774/SF3214\*/CH240

— L. SCHUTZ

## INSURANCE

### No ambulance-chasing for profit

**Signed  
by  
the  
governor**

A new law, signed by Gov. Tim Pawlenty April 24, prohibits health care professionals from contacting a recent auto incident victim, either in person, by phone or e-mail. More specifically, they cannot contact a victim with the "purpose of influencing that person to receive treatment or to purchase any good or item." They are also prohibited from sending a "runner" or someone sent on their behalf.

Sponsored by Rep. A. Willie Dominguez (DFL-Mpls) and Sen. Dan Sparks (DFL-Austin), the new law takes effect Aug. 1, 2008.

As the result of an amendment from Rep. Terry Morrow (DFL-St. Peter), the law allows for contact from a doctor if there was a prior relationship. For instance, if someone ends up in the hospital after an accident and the hospital contacts the patient's primary physician, that doctor can initiate contact. Also exempt are operators of ambulances who come upon an accident.

HF2721/SF2765\*/CH214

— C. GREEN

## LOCAL GOVERNMENT

### Interstate assistance clarifications

**Signed  
by  
the  
governor**

Interstate assistance by local governments will be authorized, after Gov. Tim Pawlenty signed a new law April 24.

Sponsored by Rep. Ken Tschumper (DFL-La Crescent) and Sen. Rick Olseen (DFL-Harris), the

new law permits political subdivisions to provide interstate assistance under the Interstate Emergency Management Assistance Compact.

The compact is a mutual aid agreement that provides a mechanism for states to share personnel, equipment and resources during emergencies and disasters.

For the purpose of the Tort Claims Act, the law states that employees of political subdivisions are deemed to be "employees of the state" when providing assistance.

The law also provides that when providing assistance, the political subdivision, its officers and employees are not liable for acts or omissions made in good faith or for maintenance or use of equipment or supplies. Defined by the new law, "good faith" does not include willful misconduct, gross negligence or recklessness.

The law is effective Aug 1, 2008.

HF3456/SF3119\*/CH229

— B. HOGENSEN

### Law changes plat requirements

**Signed  
by  
the  
governor**

A new law makes some technical changes to land registration and plat requirements.

Signed by Gov. Tim Pawlenty April 24, water boundaries must now be shown on plat maps with a dashed line instead of a solid line.

The law also requires that all plat monuments be set within a year of recording the coordinates, allows decimals of a foot to be used when surveying and modifies the size, medium and content requirements for filling out a land survey.

The law, sponsored by Rep. Paul Marquart (DFL-Dilworth) and Sen. Yvonne Prettner Solon (DFL-Duluth), takes effect Aug. 1, 2008.

HF3129/SF2936\*/CH225

— T. HAMMELL

### Referendum requirement eliminated

**Signed  
by  
the  
governor**

With the removal of a statutory speed bump, construction of war veterans' memorials has been put on the fast track.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Dan Larson (DFL-Bloomington), a new law removes the requirement that a city hold a referendum before building, equipping or maintaining a memorial for war veterans.

The estimated cost, as determined by the governing body of the monument, parks or building must be stated in the minutes of the meeting in which the ordinance is adopted. The law states that no sum shall be expended

that is more than 10 percent in excess of the amount stated in the minutes.

The law, signed April 25 by Gov. Tim Pawlenty, is effective Aug. 1, 2008.

HF2896\*/SF2583/CH236

— B. HOGENSON

### Dollars to nonprofits

**Vetoed  
by  
the  
governor**

Authority for political subdivisions to contribute to nonprofits has been axed.

Gov. Tim Pawlenty used his veto pen to put a stop to the bill April 25.

Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Jim Vickerman (DFL-Tracy), the bill would have authorized political subdivisions to give money or make in-kind gifts to nonprofit organizations classified as 501(c) (3) groups. Such groups are restricted from lobbying or supporting political parties. The bill specified that gifts would have needed to be for a public purpose that supports educational, social service, health or charitable purposes and be presented and voted on at a regularly scheduled meeting of the subdivision's governing body.

"Existing law already allows political subdivisions to make grants to nonprofit organizations pursuant to specific appropriations or statutory authority," Pawlenty wrote in his veto message. "At a time when many political subdivisions are raising property taxes and requesting additional local government aid, granting political subdivisions authority to use taxpayer money to make unlimited charitable contributions or initiate new grant programs is simply not warranted."

Pawlenty said local governments should focus on lowering property taxes, which would leave more money in the pockets of Minnesotans. Residents could then decide for themselves which organization, if any, to donate funds.

HF3220\*/SF2929/CH237

— B. HOGENSON

## MILITARY

### Korean War Armistice Day

Awaiting action by Gov. Tim Pawlenty is a bill that would designate July 27 as Korean War Armistice Day to commemorate the 1953 signing of the Military Armistice Agreement, ending the three-year Korean conflict.

Rep. Dan Severson (R-Sauk Rapids) and Sen. Paul Koering (DFL-Fort Ripley) sponsor HF3672/SF3443\* that would assign the day of honor.

"The Korean War is often called the

forgotten war, because it came so quickly after World War II, and it wasn't resolved in a way that showed a decisive victory," Severson said. "In fact, there was an armistice, and there is still occupation today. ... People did get forgotten. Our soldiers would come home, and people would ask, 'Where have you been for the last nine months or year?'"

The bill passed the House 130-0 on April 28 after passing the Senate 61-0 on March 17.

Severson said the established "Veterans Day" honors all veterans, but this "would honor the day of the truce, July 27, and as the day we began to bring our warriors back."

— L. SCHUTZ

## SAFETY

### No radio permit for responders

**Signed  
by  
the  
governor**

Anyone using radio equipment capable of receiving police emergency frequencies must have a permit. This includes emergency responders, such as volunteer firefighters, who may have emergency radio equipment in their personal vehicle.

A new law, sponsored by Rep. Julie Bunn (DFL-Lake Elmo) and Sen. Pat Pariseau (R-Farmington), states that if an emergency responder is a member of a public safety agency that has an FCC license for the radio equipment, the responders do not need to have an individual permit.

Signed by Gov. Tim Pawlenty April 24, the law takes effect Aug. 1, 2008.

HF3374/SF3647\*/CH224

— C. GREEN

## TAXES

### Light rail sales tax exemption

Hope dimmed for supporters of the Central Corridor Light Rail Transit project after the governor deleted state funding from the bonding law earlier this session. But some lawmakers want the project to keep chugging along, and one attempt would exempt construction materials from the state sales taxes.

HF3395, sponsored by Rep. Tom Tillberry (DFL-Fridley), would allow the sales tax exemption for the Central Corridor, proposed to run between Minneapolis and St. Paul, and the Northstar Corridor Rail line, which will run between Minneapolis and Big Lake.

The exemption would cost nearly \$9 million between 2009 and 2011, according to a Department of Revenue analysis. Currently, the Hiawatha Light Rail Transit

line and Metro Transit buses are granted the sales tax exemption. Tillberry said the state should extend the same tax policy to every mass transit project.

"I think that the way the policy is set up, that this is something that should be included in whatever we come up with," Tillberry said.

Rep. Chris DeLaForest (R-Andover) said taxpayers should not be asked to keep the project viable, especially in a deficit year.

On April 28, the bill was incorporated into the omnibus tax bill, HF3149, sponsored by House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington). The bill awaits action by the House. The provision is also included in the Senate tax bill, SF2869, sponsored by Sen. Tom Bakk (DFL-Cook). That bill was passed by the Senate on April 3.

— C. BLANCHARD

### Omnibus tax bill headed to floor

The omnibus tax bill awaits action by the full House, likely May 5.

House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) said the bill contains a number of provisions introduced as individual bills and repackaged in HF3149. The committee approved the bill April 29 and the House Ways and Means Committee did the same one day later.

Major provisions include:

- a new Homestead Credit State Refund that restructures three existing property tax refund programs and divvies out the refunds based on ability to pay;
- increased local government aid to cities, counties and townships;
- subjecting some development projects in tax increment financing districts to pay a corporate franchise tax;
- preventing new businesses from entering the Job Opportunity Building Zones (JOBZ) program and creating new penalties for those that breach the requirements of the program;
- a new border city capital investment credit;
- increasing taxes on machinery at utility companies;
- changes to the Green Acres program;
- subjecting the Minneapolis-St. Paul International Airport and Holman Field in St. Paul to state property taxes;
- a property tax credit for cabins leased on government-owned land;
- changes to the "rural vacant land" classification;
- increasing the eligibility for a senior property tax deferral program;
- exempting Central Corridor Light Rail Transit line and Northstar Corridor Rail construction materials from sales tax;

- a moratorium on local sales tax referendums for three-and-a-half years;
- increasing collection on June accelerated sales taxes for alcohol and tobacco; and
- imposing a mortgage and deed tax to create an environmental response fund for Anoka, Dakota, St. Louis, Hennepin and Ramsey counties.

Amendments added in the tax committee include:

- a tax credit for investment in a research and development company, paid for by using some funds from the current R and D credit program;
- a provision to allow counties to buy into and invest in wind energy projects, called Community-Based Energy Development;
- a program to preserve aggregate deposits from development until the land is mined; and
- a sales tax exemption for construction materials used for low-income housing projects.

The Senate passed and tabled its tax bill, SF2869, sponsored by Sen. Tom Bakk (DFL-Cook), April 3.

Because the Senate bill is different, the two bodies are expected to go to conference committee, where lawmakers will have to compromise on at least one issue — the Mall of America expansion. The Senate version contains a provision to subsidize the expansion, but the House excludes it. Both bills freeze JOBZ so that new businesses wouldn't be able to enter the program, but the governor and several members from both parties are strong advocates for expanding the program.

— C. BLANCHARD

## TRANSPORTATION

### Construction awareness assistance

What its House sponsor termed "a real good bill for small business" is on its way to the governor.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley) and Sen. Patricia Torres Ray (DFL-Mpls), HF4055/SF3669\* would require the Transportation Department to develop a standard operating plan for getting information to small businesses that could be impacted by transportation construction projects.

It was approved 111-19 by the House April 30. Senate approval was given April 3 on a 66-0 vote.

To be developed in consultation with the Metropolitan Council, counties and cities, the plan would address the best way to communicate this information to small

businesses; what should be included in an information packet, such as potential changes in parking, traffic and public access in the area; and recommendations for opportunities to provide further assistance to small businesses.

"This came to me from a couple of business groups that were disappointed that there were projects going on in front of their buildings, and they were not informed of ways to work with their local government to be sure their business impact was minimal," Madore said.

A fiscal note indicates a \$43,000 cost.

Rep. Paul Kohls (R-Victoria) questioned why any money should be spent for this at a time when money is tight. "MnDOT does a pretty good job, and the public generally knows when there's going to be bulldozers coming down the street, widening the street, adding a turn lane, putting in a new project, whatever the case may be."

Rep. Ken Tschumper (DFL-La Crescent) said a recent example in his hometown shows the need.

He said MnDOT put up barriers April 21 to complete a project that began last year. He said city officials and local businesses were not informed, and that the district engineer admitted he maybe should have informed the locals. "Just this morning we got MnDOT to agree to a better diversion or rerouting of traffic," he said. "They did no consultation. It caused one local businessman to lose \$70,000 a day in revenue from his filling station."

— M. COOK

### REAL I.D. squashes policy bill

**Vetoed  
by  
the  
governor**

The positives did not outweigh one negative for Gov. Tim Pawlenty.

The governor vetoed the omnibus 2007 transportation policy bill April 25 because, according to his veto message, it contained "problematic language relating to the implementation of more secure driver's licenses under the federal REAL I.D. Act."

The act's goal is to make documents harder to forge, reduce identity fraud and help reduce illegal immigration. States have called it an unfunded mandate, and others have questioned the security associated with the plan and have expressed concern about data privacy issues.

Pawlenty warned that if state licenses are not in federal compliance by the end of 2009, Minnesotans would be unable to use their driver's license or state identification card for air travel or to enter federal buildings.

Vetoed language said that if federal dollars would pay at least 95 percent of state costs,

Minnesota could comply with the act. It also sought to ensure adequate security of resident data to prevent unauthorized access.

Initial language would have prohibited the Department of Public Safety from taking any steps toward complying with federal requirements. But conferees moved toward the governor's position.

"The federal government's response is not complete or finalized," Pawlenty wrote. "Until it is, we should be careful not to unduly restrict our ability to at least begin preparations for implementing REAL I.D. or to undertake state initiatives to improve our Minnesota driver's licenses."

Pawlenty is also concerned about costs and privacy, but said the bill's provisions are "flawed."

"A clear description of the items or activities we expect the federal government to fund should be included in the bill. Many of the costs of REAL I.D. will overlap with security features Minnesota will pursue for its driver's licenses independently of REAL I.D. It is unrealistic for the federal government to pay for implementing those state features." Pawlenty indicated that program funding would be provided on a reimbursement basis, as is the case with many other federal programs.

HF1351\*/SF1971/CH239

— M. COOK

### Temporary golfer permits

**Signed  
by  
the  
governor**

When the world's best female golfers come to the state for the 2008 U.S. Women's Open, their courtesy cars will have temporary permits.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley) and Sen. Geoff Michel (R-Edina), a new law requires the Driver and Vehicle Services Division of the Public Safety Department to issue at least 250 special permits. A \$10 fee is associated with each special permit to make the law revenue-neutral.

The same thing occurred when Hazeltine National Golf Club in Chaska welcomed the 1991 U.S. Open.

The tournament committee will be liable for any parking violations connected to a vehicle with a special permit, unless special information on the driver and employer are provided within 15 days after the committee becomes aware of the violation.

Signed April 30 by Gov. Tim Pawlenty, the law is effective May 1, 2008.

HF3558/SF3069\*/CH251

— M. COOK



# A promise is a promise

With a merger with Delta in the future, legislators want Northwest Airlines to live up to its word

By CRAIG GREEN

**W**hen Northwest Airlines was in financial trouble, the Metropolitan Airports Commission and the state helped the airline make it through. The airline kept going; the state got a promise of jobs.

But now that the airline is close to a merger — a deal that would dramatically change its presence in the state — everything is not so clear.

## The bonds and covenants

In 1992, the MAC issued \$270 million in general obligation bonds so Northwest could buy property and equipment. The airline agreed to make bond payments and committed to keep its corporate headquarters in the Twin Cities metropolitan area, keep its hub in Minnesota and maintain a specific employment level.

In 2005, NWA entered Chapter 11 bankruptcy. Two years later, the terminal lease agreement with the MAC was renegotiated to include rent reductions and revenue-sharing concessions. These adjustments were tied to continued compliance with the headquarters and hub covenants.

Approximately \$245 million remains on the MAC loan, and \$200 million would be available due to the concessions extending through 2020.

If the merger between Northwest and Delta airlines goes through, leadership of the two airlines have indicated that its corporate headquarters would be in Atlanta, breaching one of the covenants. Therefore, payment would be due on the remaining bond obligations and the reductions and concessions would discontinue.

And these are sticking points: Will the

new airline honor the contract and pay the remaining bond obligations? Will it pay for consequential damages arising from Northwest pulling out of the deal early, and if not, what will be its responsibility?

## Getting paid

Two bills have been introduced to make sure the MAC does everything in its power to get repaid.

HF4207, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), would require the state to enforce any agreement that is breached, and that the state seek “all incidental, consequential, liquidated, or other damages available under the agreement with the state or otherwise.”

Atkins, who chairs the House Commerce and Labor Committee, calls the potential acquisition “the single largest economic event in Minnesota’s history,” adding that Northwest and Delta should be held accountable for the consequences of their actions, just like any other business operating in Minnesota.

Approved April 29 by the committee and by the House Local Government and

Metropolitan Affairs Committee May 1, it is headed for the House Rules and Legislative Administration Committee. A companion, SF3853, sponsored by Sen. Jim Carlson (DFL-Eagan), is scheduled to be heard May 5 by the Senate Business, Industry and Jobs Committee.

Rep. Frank Hornstein (DFL-Mpls) sponsors



PHOTO BY TOM OLMSCHIED

**Ben Hirst, senior vice president - corporate affairs and general counsel for Northwest Airlines, listens to a question from a member of the House Commerce and Labor Committee April 25 about the proposed sale of NWA to Delta airlines.**

HF4015, which also directs the MAC to adhere to all agreements, but it does not address consequential damages. Approved April 29 and by the House Local Government and Metropolitan Affairs Committee May 1, its next stop is the House Rules and Legislative Administration Committee.

Presenting the bill on behalf of Hornstein, Rep. Michael Paymar (DFL-St. Paul) said, “I believe our constituents expect nothing short of insisting that Northwest be held accountable for abiding by these contracts.”

**Transportation continued on page 22**

# A little-used tool in the toolbox

Governor can use unallotment to balance state's budget if legislators do not

By BRENDA VAN DYCK

**C**onfronted with a projected \$935 million biennial budget deficit projected from the February Economic Forecast, legislative leaders and the governor are trying to work out a budget solution. But the governor doesn't have to wait for the Legislature to solve the deficit; he can use a little-used tool called unallotment to balance the budget.

The state constitution requires that the budget be balanced at the end of the fiscal biennium. In the last 30 years, governors have only unallotted three times: Gov. Al Quie unallotted \$195.1 million in 1980, Gov. Rudy Perpich unallotted \$109.8 million in 1986, and most recently, Gov. Tim Pawlenty unallotted \$281 million in 2003.

"In recent history, the unallotments occurred when there was a budget deficit in the biennium for which appropriations had already been made and the Legislature and governor could not reach an agreement on how to make reductions," said Bill Marx, House chief fiscal analyst.

## Pre-unallotment planning

Before unallotment can occur, the finance commissioner must determine that receipts in the General Fund will be less than anticipated and that revenues will be less than what is needed for the rest of the biennium.

Although the law doesn't specify how the commissioner determines there will be a budget deficit, recent commissioners have generally used the revenue forecasts the Department of Finance issues in November and February. "It would have to be a forecast that it's based on because that's where all the numbers come together," said Marx.

The commissioner implements the unallotments, but the action must first be approved by the governor and the commissioner must consult with the Legislative Advisory Commission, which is made up of six



PHOTOS BY TOM OLMSCHEID

Although a tool not commonly used to balance the state's budget, three governors in recent history have unallotted: Gov. Al Quie, *left*, cut \$195.1 million in 1980; Gov. Rudy Perpich, *center*, trimmed \$109.89 million in 1986; and Gov. Tim Pawlenty, *right*, unallotted \$281 million in 2003.

high-ranking legislators. The LAC has no power to stop the unallotment; but it must be notified 15 days before the action occurs.

Timing of unallotments

The law doesn't address when unallotment can occur.

"It's been common practice to wait for the Legislature to act before unallotting," said Mark Shepard, legislative analyst in the nonpartisan House Research Department. "That's the way the executive branch acknowledges that this is an extraordinary power."

But a governor can't wait too long to unallot. "The reason the governor would have to do it early in a fiscal year is that the money would be spent if he waited until June 29," Shepard said. June 30 is the end of the state's fiscal year. When Pawlenty unallotted \$281 million in 2003, he did so nearly five months before the end of the fiscal year.

"The timing is more of an issue if you're cutting appropriations in a biennium when there is time to absorb it," Marx said. For instance, he notes that if an agency's allotment is reduced, it may have to layoff employees and pay severance. The state's current biennium ends June 30, 2009.

Court challenges

Some unallotments have faced controversy, and even court challenges.

A national economic crisis filtered down to Minnesota in the late-1970s and early-1980s, creating budget headaches for state leaders. After the Department of Finance forecasted a \$198.8 million shortfall for the 1980-81 biennium, Quie unallotted \$195.1 million in August 1980, including an \$89.5 million cut to district aids. State agencies were cut by \$49.4 million, higher education institutions by \$35 million, and local government aid by \$20.9 million. At the time, Quie said that he had three options to deal with the deficit: call the Legislature into special session to raise taxes, restrain state spending and hope for an upturn in the economy, or unallot.

Shortly after Quie unallotted, the Minnesota Federation of Teachers challenged the constitutionality of the school aid cuts in Ramsey County District Court. In February 1981, the Legislature restored the

\$89.5 million in school cuts and removed the governor's future authority to unallot aid to schools.

Two weeks after the governor signed the bill into law, the court ruled that the governor had acted within his power in cutting school aids. Later that year, in a third special session, the law to limit the governor's unallotment power was repealed.

Pawlenty's 2003 unallotment of \$49 million from the Minnesota Minerals 21st Century Fund resulted in a lawsuit brought by Iron Range legislators and others. They challenged the constitutionality of the cut on grounds of separation of powers. The Minnesota Court of Appeals upheld the governor's action in 2004, and the Minnesota Supreme Court denied a review of the case.

Tool in negotiation

While unallotments might be the tool of last resort, sometimes legislators have relied on the governor to use his unallotment power.

In 1986, the state faced a \$734 million budget deficit. In an unprecedented move, the House adjourned in late-March without a budget agreement in place. Three days later the Senate adjourned.

The budget issues were partially resolved in a one-day special session in early-April, but a \$109.8 million budget shortfall remained. Budget negotiators left this amount for Perpich to unallot. Nearly half of the gubernatorial cuts were to state agencies (\$50.8 million); the largest cut to a single agency was \$20 million to the Department of Energy and Economic Development. Health and human services also took a substantial cut of \$42.6 million.

Facing an expected deficit in 1993, Gov. Arne Carlson sought a provision that would enable him to cut spending if revenues dropped. He wanted to be able to unallot before the state spent all its budget reserves. As part of a budget deal, the governor was given limited authority to trim spending. The Legislature passed a law stipulating that the governor could cut 1 percent of the total state budget if the budget reserve fell below \$400 million. One percent of the budget amounted to about \$165 million. As it turned out, when the November forecast was released,

Unallotment law

The unallotment law has been on the books since 1939. It was part of a major government reorganization that created the Department of Administration. That act, called the Government Reorganization Act of 1939, brought the state national recognition partly because it created a state business manager in the commissioner of administration.

In Gov. Harold Stassen's 1939 budget address, he advocated for simplifying state government and implementing a central system of managing the budget. Stassen proposed abolishing what was known as "The Big Three," a three-member commission representing all aspects of administration and finance, taxes and social welfare, and transferring their duties to four new state departments: Administration, Public Examiner, Social Security and Taxation. "With your cooperation in working out and placing into effect a sound, businesslike plan of the administration by grouping together related functions under single administrative heads, we can provide for the direct responsibility and efficient action that is so obviously needed in the state government today," Stassen said.

Stassen also saw the need for the state government to be able to unallot. "It should also be mandatory to reduce allotments if revenues decrease and to make regular reports to the public of the condition of the state finances," he said. He saw this as a way that the state could avoid recurring deficits.

There were no changes to the unallotment law until 1973, when the Department of Finance was created and the unallotment duties were transferred to the commissioner of finance.

— B. VAN DYCK

the state actually had a surplus, so there was no need to unallot.

— Brenda van Dyck is the editor/publications manager in the nonpartisan House Research Department

Frequently called numbers

Area code 651

House Public Information Services

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

Committee Schedule Hotline

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

Chief Clerk of the House

211 Capitol .....296-2314

House Index

211 Capitol .....296-6646

Senate Information

231 Capitol .....296-0504

Secretary of the Senate

231 Capitol .....296-2344

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

Senate Index

110 Capitol .....296-2887

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



# Trying to earn a passing grade

Conferees hope to quickly complete work on E-12 education bill

By THOMAS HAMMELL

**M**uch like many students in a classroom, legislators are hurrying to get their work done before the term expires.

The E-12 Education Conference Committee began its work April 30, with a goal of finishing by May 5.

"We have 126 hours and 10 minutes to reach an agreement, and we will," said Sen. Chuck Wiger (DFL-Maplewood), who sponsors HF3316/SF3001\* with Rep. Carlos Mariani (DFL-St. Paul). "It's my intent that we try to reach an agreement that does become law."

Conferees spent most of the first meeting approving 29 common provisions, and trying to obtain a better understanding why the other side has certain provisions in their bill. Members were likely to reconvene May 1.

The group approved House language expanding the role of the P-16 partnership, which has the role of providing a seamless transition between grades from preschool to college. The partnership would be renamed P-20 and would include graduate school.

Among the issues agreed upon were statewide academic standards, rules for the Minnesota Board of Teaching, the establishment of a Charter School Advisory Council, a provision allowing teachers to request a leave of absence to teach in a charter school and the formation of a committee to establish American Indian education programs for Minnesota schools.

Both chairs said after the meeting that they were pleased the P-20 and other legislation was agreed upon, but both agreed that not everything the committee will be negotiating will go so smoothly.

"We want to have a discussion about those dissimilars, and hopefully we'll have the ability to put offers on the table," Mariani said.

## House provisions

After three-dozen amendments, and more than six hours of debate, the House approved the bill 85-45 April 28. The Senate passed its version 47-17 April 17.

Many of the more controversial issues included in the final version were introduced as amendments, among them a plan to get out of the federal No Child Left Behind. The Senate has no such provision.

The House language would revoke the plan Minnesota submitted to the federal government, but only if the state realized a net financial benefit. The bill would also require the education and finance commissioners to jointly petition the federal Department of Education to allow Minnesota to receive funds.

Rep. Bud Heidgerken (R-Freeport) said the amendment does not go far enough, because the financial benefit language essentially forces the state to remain involved.

Rep. Neva Walker (DFL-Mpls) successfully amended the bill to establish curricula for "Responsible Family Life and Sexuality Education Programs." It is not in the Senate bill. "I want to give parental options and make sure all of our kids have a chance to get out of high school," Walker said.

The amendment passed, 79-53 but not before drawing the ire of many Republican members.

Rep. Sondra Erickson (R-Princeton) successfully attached an amendment to add language about respecting marriage.

An amendment successfully offered by Rep. Laura Brod (R-New Prague) would allow charter school students to participate in public

school sports teams in the district they live in at no extra cost. "What we're trying to do is just give them access to playing sports with friends."

Rep. Kim Norton (DFL-Rochester), a former school board chair, said it's not fair for an enrolled student to have to give up a roster spot for a student who is not part of the district.

The Senate version also includes a number of provisions that the House version does not, including language dealing with a reading instruction assessment to measure the knowledge and skill of prekindergarten and elementary reading teachers.

The Senate version includes language dealing with habitual truancy, teacher and support personnel qualifications and a reading instruction assessment to measure the knowledge and skill of pre-kindergarten and elementary reading teachers.

Several portions of the House bill removed on the floor could come back during the conference committee process, including:

- a bill sponsored by Rep. Frank Moe (DFL-Bemidji) that would allow schools to appeal rulings on adequate yearly progress required under the No Child Left Behind Act;
- a bill sponsored by Rep. Linda Slocum (DFL-Richfield) that would allow students a transitional three-year period in which high school seniors who failed the Graduation-Required Assessments for Diploma would be able to appeal and possibly still graduate; and
- a bill sponsored by Rep. John Benson (DFL-Minnetonka) that would require the Department of Education to submit a report to the Legislature that points out duplicative reporting requirements within the department and recommendations for removing them.

These bills are going through the committee process in HF4018, a technical bill dealing with financial reporting for school districts, sponsored by Rep. Mindy Greiling (DFL-Roseville).

# Opening the door to early learning

Office of Early Learning could raise school readiness

By THOMAS HAMMELL

**I**t's hard to disagree that it's a good thing to have children ready to learn when they start kindergarten. The question is how to get all children ready, when economic factors, types of child care and early childhood learning opportunities vary so greatly.

Researchers, including Art Rolnick, senior vice president and director of research at the Federal Reserve Bank of Minneapolis, see positive results from early childhood education. But it wasn't until bank staff crunched the numbers that anyone had looked at this as an economic investment. By Rolnick's calculations, the return would be equivalent to 16 percent annually on a \$22,000 investment.

More focus on early childhood learning by establishing an Office of Early Learning might just help boost the bottom line, supporters say. The office would gather employees of the Health and Human Services departments who oversee day care programs and Department of Education employees who deal with programs like Head Start.

Rep. Sandra Peterson (DFL-New Hope) sponsors HF2983, which would create the office and appoint a director to coordinate childhood systems between the two organizations.

The House bill is tabled because Peterson did not want it added to the omnibus K-12 education bill with the state facing a projected \$935 million biennial deficit based off the February Economic Forecast. A companion, SF3153, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Education Committee.

However, Peterson successfully added an amendment to the omnibus education policy bill (HF2475), which would add six members

to the Early Childhood Family Education Advisory Council.

The council, established under the federal Improving Head Start for School Readiness Act of 2007, is charged with studying early childhood education in the state. New members would equally represent the House, Senate and parents. Council duties would be expanded, under the bill, to include recommending efficient and effective ways to leverage state and federal money for early childhood programs; recommend ways to coordinate these programs through an Office of Early Learning; and recommend to the governor and Legislature how to most effectively create a high quality early childhood system so that all children are school-ready by 2020.

The program's \$25,000 cost would be equally split between federal child care and development funds and pre-kindergarten exploratory project administrative funds.

These programs were once consolidated in the Department of Children, Families and Learning. During the 2003 budget cuts, strictly educational programs became part of the re-constituted Department of Education, and the rest of the programs became part of the Department of Human Services.

A new office, Peterson said, would be more like the current Office of Higher Education.

For the last few years, Rep. Nora Slawik (DFL-Maplewood) has carried a bill to create a similar council.

"The first thing was to get that and then to do the office," she said. With a DFL-controlled House, the idea has more chance of success this year, she said.

Rep. Lynn Wardlow (R-Eagan), who co-chairs the bipartisan Early Childhood Caucus with Peterson, would not like to see added bureaucracy, but supports the office because the state is under-investing in early childhood education.

However, others in his caucus do not favor adding the office, including Rep. Sondra Erickson (R-Princeton), lead Republican on the House E-12 Education Committee.


"I think we have to be careful of growing government if it's not necessary," she said. Plus, she believes the office could have the effect of separating the Department of Education from early childhood programs.

Karen Carlson, early learning services director for the Department of Education, has worked under both systems. The departments work together now, but she said it was easier to get things done when both were under one roof.

Both departments have the goal of creating well-prepared youth, but they have different interests in attaining that objective.

"Child care is a private business and they have worries and concerns that school teachers don't have to worry about," Carlson said. There are early childhood indicators of progress, which are guidelines that align with the K-12 standards. "I think the goal of this office is to get all the kids sort of at the same level of standards and attention given them."

Chuck Johnson, assistant commissioner for children and family services at DHS, said the department does not have an official position, but is concerned about the way the office would be structured.

Two agencies working together with different organizational styles can make things more complicated, he said. "But I think you get the value of having the two different perspectives in that discussion." 

# Seizing an unexpected opportunity

Paulsen leaving state House to run for the U.S. House

By BRIAN HOGENSON

When U.S. Rep. Jim Ramstad (R-Minn.) announced he would not seek reelection in 2008, leaving the race to represent Minnesota's third congressional district wide open for the first time in nearly two decades, Rep. Erik Paulsen (R-Eden Prairie) was not chomping at the bit to run for the seat.

"I had no interest at all the first couple of days," said Paulsen, a former Ramstad aide. "But the more people talked to me, I realized it was an opportunity I should not pass up."

Confident that he would do a good job, Paulsen said that serving in the U.S. House would be an "exciting opportunity to represent my district."

Something he hopes take with him to Washington D.C. is an ability to build relationships with members of the opposing party.

During his four years as House majority leader, Paulsen said it was important to get his caucus moving in the same direction, but also found it important to build relationships across the aisle.

That is one of the most important things he

offers as advice to his successor.

"Be true to your constituents always. Remember that they were the ones that elected you," Paulsen said. "Be a good listener to all points of view and build relationships with your colleagues." He credits his ability to get legislation passed while in the minority to having good ideas and because of the relationships he has forged by reaching across the aisle.

Paulsen adds that it is also important to maintain balance and stay rooted with your family in order to keep everything in perspective.

According to Paulsen, the people of Minnesota don't want legislators to compromise their principles, but they do want them to be pragmatic and solution-oriented to facilitate getting things done.

Reflecting on his 14 years in the House, Paulsen says that in addition to keeping up with all the new faces, a change he has noticed is the expanding scope and vision of legislation. "When I got here it was about making Minnesota competitive with our neighboring states. Now it has shifted to global competition.

"Making Minnesota competitive in a global economy is an important issue for me. I've tried to have a long-term and international vision."

Paulsen said that, unfortunately, with two-year election cycles, members tend to look for short-term solutions and "govern by sound bites."

Two of the international initiatives Paulsen is proud of are his work in bringing an India Center to the University of Minnesota and an initiative to introduce the Mandarin Chinese language to Minnesota students.

Other legislative accomplishments that Paulsen looks to fondly are legislation to give organ donors an income tax exemption to cover the expenses that go along with their life-saving act and bringing more fairness to suburban school funding.

The latter earned him an award as a "Friend of Public Education," something Paulsen said typically would not be associated with being a Republican.

One thing that Paulsen has not been able to completely wind through the legislative process is bringing ballot referendums and initiatives to Minnesota. Paulsen introduced the legislation during his first term and has carried the legislation ever since. It has passed the House several times but never made it any further.

Paulsen hopes it will someday come to fruition, as it will give "voters more of a say in the democratic process."



PHOTO BY SARAH STACKE

Surrounded by his wife and children, Rep. Erik Paulsen is running to represent the 3rd congressional district.

## STEPPING DOWN

Rep. Erik Paulsen  
Republican  
District 42B – Eden Prairie  
Terms: 7 (elected 1994)  
Advice to successor: "Be true to your constituents always. Remember that they were the ones that elected you. Be a good listener to all points of view and build relationships with your colleagues."



# Leap of faith

Legislators find political refuge in fellowship

By BRIAN HOGENSON

**O**n any given Wednesday morning you can find a group of legislators conducting a vigorous discussion of the issues they find important and closely listening to one another's innermost thoughts and ideas.

If this picture of serenity and civility, with doughnuts and juice served on the side, sounds nothing like the full-throated debate and political game of chess often witnessed during a House committee hearing or floor session, that is because you would be witnessing a fellowship meeting of legislators. Led by Rep. Mark Buesgens (R-Jordan) and Aaron Dogotch, state director for Capitol Ministries Minnesota, the 7 a.m. gatherings consist of prayer, Bible study, and even the occasional song.

Faith and religion are deeply personal, Buesgens said, and each person is able to take away something different from the fellowship experience.

"It allows me to speak to the core of who I am and learn through peers. It helps to create an inner peace and to be humbled," Buesgens said. "We legislators tend to suffer from what the Greeks called 'hubris.' This allows us to regain our humility and grounding."

Rep. Sondra Erickson (R-Princeton) said that sharing her faith with the group is important, and that being able to pray with her colleagues helps her understand where others are coming from.

"I do read my Bible daily, but I find it valuable to hear others comment on how a scripture text or several scripture texts influence their lives," Erickson said.

Buesgens said it is a pleasure serving in a leadership capacity for the group, usually consisting of 12-15 members, while striving to offer nonpartisan leadership and support through fellowship and Bible studies.

"We may not share (political) philosophies or positions, but it allows us to help transcend



PHOTO BY ANDREW VONBANK

**Wednesday morning gatherings consist of doughnuts, prayer and fellowship.**

the issues," Buesgens said. "At the end of the day, who we are as a person is more important than pressing the red or green button."

The Rev. Richard Buller, the House chaplain, says that meeting with others to discuss their faith is important for legislators during the session, as many members spend the majority of session away from their homes. "They need to be spiritually nourished somehow."

Buller said that faith of all forms is valued in the state constitution. He views his role in

---

***"It allows me to speak to the core of who I am and learn through peers. It helps to create an inner peace and to be humbled."***

— Rep. Mark Buesgens

---

the House as being the spiritual leader for a congregation of 134 members with a variety of faiths.

"Working together, recognizing all beliefs and coming together as a body is what I'm called to do," Buller said. "We have a lot more in common than what separates us as God's people."

The fellowship meetings have taken place for more than a decade, led by former Rep. Arlon Lindner (R-Corcoran) before Buesgens began serving in his leadership role. Dogotch leads the Bible study portion of the fellowship meetings and leads similar groups for House staff and Capitol lobbyists. According to its Web site, staff Bible studies occur Tuesdays at noon in 346 State Capitol.

Having observed legislators on several occasions lamenting the loss of a collegial relationship because of a divisive political issue, Dogotch said that legislators and staff who attend the fellowship meetings seem to truly desire friendship in spite of the occasional disagreement over political issues.

"These groups act as a political refuge of sorts," Dogotch said. "No one is lobbying or castigating the opposition. They are open to all regardless of political affiliation."

According to Buesgens, all faiths are welcome. In the past, when Jewish members were present at the gatherings, the Bible study and lesson would focus on passages from the Old Testament.

A person's faith can be a window into their soul. According to Dogotch, one's concept of God affects everything about how one thinks and lives.


In agreement with that is Buesgens, who says that faith is a huge part of who he is and how he makes decisions. "Issues are filtered through the human mind based on your faith. My faith and upbringing form that filter. It is not possible to separate that from your person." 



PHOTO BY TOM OLMSCHIED

**An NWA flight departs from the field at the Minneapolis/St. Paul International Airport April 29.**

### Transportation continued from page 15

A companion, SF3746, sponsored by Sen. D. Scott Dibble (DFL-Mpls), is scheduled to be heard May 5 by the Senate Business, Industry and Jobs Committee.

### Fallout from the deal

Myles Shaver, professor and department chair of Strategic Management and Organization at the University of Minnesota's Carlson School of Management, said the greatest impact from a potential merger would be on the Northwest headquarters, not on the hub. Jobs affected will more likely be executives, marketing and accounting, with administrative positions moving south, he said.

The hub, however, should fare better. Shaver said that with Northwest's ability to offer non-stop flights to so many destinations, and with the Twin Cities being the 16th largest metropolitan area in the country, the demand for the hub is not going to change. "I am skeptical of hub disappearing, but I'm also skeptical that the hub would get bigger."

Dan McElroy, commissioner of the

Department of Employment and Economic Development, said that the CEOs of Delta and Northwest have indicated that approximately 1,000 jobs could be lost. Most of these jobs, McElroy said, pay \$70,000 to \$80,000 a year, meaning that upwards of \$80 million could be lost from the local economy. The consequential loss could be as high as \$300 million to \$400 million, he said.

### Corporate and labor

"The primary beneficiary of the merger will be the frontline employees and the communities we serve," said Ben Hirst, senior vice president of corporate affairs and general counsel for Northwest Airlines. He said that with the price of fuel weighing so heavily on the airline industry, the deal was the best way to put the company on solid footing.

Calling it addition and not subtraction, Hirst said there will be approximately \$1 billion in savings when the two airlines merge. "No hubs will be closed. The domestic and international networks of Northwest and Delta are end-to-end, so the two carriers compete only on a minimal extent today."

Stephen Gordon, president and directing general chair of the International Association of Machinists and Aerospace Workers, District Lodge 143, disagreed.

"If the merger between Delta and Northwest Airlines is permitted to go forward, it will inevitably result in massive job loss, dislocation, consolidation and closures which will have a devastating effect on airline employees, their families and their communities here in Minnesota and throughout the Northwest system."

Gordon said that with Delta's Atlanta hub and Northwest's Memphis hub only 400 miles away, something would be cut. "Do they really expect us to believe that Memphis and Cincinnati will not be closed, that no service will be eliminated, and no employees will be terminated, yet they will save billions of dollars in efficiencies through this merger?"

No Delta representatives attended the April 29 meeting, but after threatening to use subpoena power, Atkins received word April 30 that Edward Bastian, Delta president and CFO, would be available to meet with the committee on May 5. 🏢

### Nuclear option continued from page 4

Hilty, who chairs the House Energy Finance and Policy Division, is committed to holding a series of legislative discussions on nuclear power in coming years. He remains skeptical, however, about the perceived benefits of nuclear energy, and even questions whether it helps reduce greenhouse gasses once you figure in emissions from uranium drilling and construction of the actual plants.

He also doubts the motives of some of nuclear energy's supporters. He mentions one particularly vocal group called the Heartland Institute.

"They pretty consistently are publishing articles by people that are skeptical of the existence of, or at least human involvement in, climate change — and at the same time, that they're promoting nuclear power based on the assumption that we need to curtail carbon emissions. It seems like there might be kind of a logical contradiction," Hilty said.

James Taylor, a senior fellow at the Heartland Institute, was among the testifiers at the April 17 hearing. He expressed particular enthusiasm about a new reactor design by the Westinghouse Electric Corporation, and Hilty noted that Taylor "sounded more like he was a

representative from Westinghouse than from the Heartland Institute."

"It didn't sound too much different for me than selling a used car," Hilty added.

In any case, Hilty said a thorough and earnest debate on the issue is needed before any action could be taken by the Legislature. He expects the Legislative Electric Energy Task Force and various House and Senate committees to discuss the issue more over the interim as well as future legislative sessions.

"I think it's an issue that needs to be thoroughly vetted," he said. 🏢

## Monday, April 28

### HF4213-Hornstein (DFL)

#### Energy Finance & Policy Division

Prairie Island nuclear waste storage expansion certificate of need prohibited.

### HF4214-Loeffler (DFL)

#### Health & Human Services

Medical Assistance asset limit increased for elderly individuals who own and occupy a homestead.

### HF4215-Peppin (R)

#### Health & Human Services

Abortion medical records retention regulated.

### HF4216-Bigham (DFL)

#### Public Safety & Civil Justice

Uniform traffic ticket required to contain notice of criminal and traffic surcharge.

### HF4217-Mariani (DFL)

#### Finance

School finance system modified and education funding framework established.

## Wednesday, April 30

### HF4218-Dean (R)

#### Health & Human Services

Health care reform goals set, insurance reform provided, savings accounts established, targets set, MinnesotaCare CMF established, tax procedures, treatment and credit provisions modified, liability claims limited and money appropriated.

### HF4219-Heidgerken (R)

#### Finance

School district capital account transfers provided.

### HF4220-Heidgerken (R)

#### Finance

Workers' Compensation Advisory Council; distribution of surplus money provided in assigned risk plans.

### HF4221-Paulsen (R)

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

Congress memorialized to create a path toward lawful permanent resident status for Liberians with temporary protected status to extend temporary protected status until a permanent solution is enacted.

### HF4222-Urdahl (R)

#### Finance

Litchfield, Willmar; Public Facilities Authority loans provided for certain wastewater treatment projects.

### HF4223-Hilstrom (DFL)

#### Local Government & Metropolitan Affairs

Hennepin County; alternative transfer procedure for certain drainage system management authorized.

### HF4224-Anzelc (DFL)

#### Finance

Enhanced driver's license and enhanced identification card created, application, issuance, and appearance of card provided, and commissioner of public safety directed to seek approval of card by Homeland Security secretary.

### HF4225-Urdahl (R)

#### Finance

School district capital account transfers provided.

### HF4226-Ruth (R)

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

Notary public fees modified, commissions and notarial stamps and seals regulated, clarifications provided and accommodations of physical limitations provided.

### HF4227-Hansen (DFL)

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

Public official definition expanded in the campaign finance and public disclosure law.

## Thursday, May 1

### HF4228-Lenczewski (DFL)

#### Taxes

Additional tax-exempt bonding authority allocated, and application of certain rent restrictions clarified.

### HF4229-Paulsen (R)

#### Health & Human Services

Health care reform goals set, insurance reform provided, savings accounts established, spending targets set, MinnesotaCare CMF established, tax procedures, treatments, and credits modified, liability claims limited and money appropriated.

## Celebrate our state's 150th anniversary

When the sesquicentennial wagon train pulls up to the State Capitol on May 11 for Statehood Day, it will be part of the official kick-off to a year-long celebration of Minnesota's 150th anniversary of becoming the 32nd state.

The Statehood Commemoration Ceremony begins at 1 p.m. and events planned at the State Capitol that day include:

- 1 p.m. to 4 p.m.: Open house at the State Capitol and the Minnesota History Center.
- 3 p.m.: Group picture of former state officials and their descendants on the Capitol steps.
- 3:30 p.m.: Wagon train arrives from Summit Avenue.
- 3:45 p.m.: Presentation of colors by First Minnesota Regiment, playing of national anthem and "Hail Minnesota!"
- 4 p.m.: Dignitaries make brief remarks

and introduce statehood essay contest winners.

- 4:15 p.m.: Contest winners read their essays on "What Statehood Means Today and Into the Future."
- 4:30 p.m.: Church bells ring as the sesquicentennial convoy leaves the Capitol to begin an Honorary Capitals for a Day tour from May 12-16.

What planners are calling Statehood Week, May 11-18, will highlight several events focusing on our state's roots with celebrations in communities designated as Honorary Capitals for a Day — Bemidji, Thief River Falls, Detroit Lakes, New Ulm and Winona.

**A May 17-18 Statehood Weekend Festival is planned on the Capitol Mall.**

### May 17 highlights:

- 11 a.m.: Food vendors, sesquicentennial and exhibitor tents, entertainment in

front of the Capitol.

- 12:30 p.m.: 26 vintage aircraft flyover.
- 1 p.m.: The First Day Issue ceremony for the Minnesota Sesquicentennial Commemorative U.S. Postage Stamp, which will be available for sale following the ceremony along with poster-size reproductions signed by the artist, Richard Hamilton Smith of Park Rapids.

### May 18 highlights

- 4 p.m.: Food vendors and music.
- 6:58 p.m.: (18:58 Military Time) National Guard flyover.
- 7 p.m.: Statehood Ceremony "Honoring Those Who Serve."
- 8:45 p.m.: Fireworks over the Capitol.

Information: 651-296-1870 or [www.mn150years.org](http://www.mn150years.org).

— L. SCHUTZ



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

**SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER**

**MAJORITY LEADER: ANTHONY "TONY" SERTICH**

**MINORITY LEADER: MARTY SEIFERT**

## MINNESOTA INDEX

### Elder Minnesotans

Estimated number of Minnesotans over age 65 in 2005 .....	620,000
Millions estimated in 2030 .....	1.3
Minnesotans at least age 85 in 2005, as estimate.....	95,000
Projected in 2050.....	324,000
Year when Minnesota is expected to have more retirees than school-age children .....	2020
Percent of the state's population increase between 2030 and 2040 projected to be age 50 and older.....	75
Estimated number of Minnesotans over age 65 who need some kind of long-term care assistance with basic activities .....	95,000
Percent of care for older Minnesotans that is provided by family caregivers.....	92
Percent of those caregivers who work.....	60
Estimated annual cost to the state for every 1 percent decline in family caregiving, in millions.....	30
In Fiscal Year 2007, recipients served by the state's Elderly Waiver program that provides home- and community-based services for people age 65 and older who are eligible for Medical Assistance and require the level of care provided in a nursing home, but choose to reside in the community.....	22,808
Amount spent, in millions .....	\$244.9
Average monthly client population in Fiscal Year 2007 .....	17,824
Average monthly cost per recipient.....	\$2,336
Average per person monthly cost of Medicaid-certified skilled nursing facilities and certified board-and-care homes.....	\$4,402
People served in Fiscal Year 2007 by the state's Alternative Care program, a state-funded, cost-sharing program that supports home- and community-based services for eligible Minnesotans age 65 and older.....	5,158
Total spent, in millions.....	\$25.7
Average monthly cost per enrollee .....	\$698
Percent of Minnesotans born between 1936 and 1964 who are at very high risk of having inadequate retirement income and unable to afford health and long-term care costs .....	29
Percent at moderate to high risk.....	17
Estimated percent of Minnesotans who work for an employer offering a retirement plan .....	50
Percent of eligible workers who take part in the plans.....	67.6
National percentage rate .....	56.6
Percent of Minnesotans age 65 or older who volunteer .....	40.9
State rank.....	3
Year that President Carter proclaimed National Grandparents Day would be celebrated every year on the first Sunday after Labor Day.....	1978

**Sources: Minnesota Board on Aging, Department of Health, Department of Human Services, including A Blueprint for 2010, Preparing Minnesota for the Age Wave; National Grandparents Day Council.**

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560



# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 13 • MAY 9, 2008

CONFLICTING TAX VISIONS  
A MIX OF BIOFUEL, VETS AND LIVESTOCK  
BETTER ENERGY, BIT BY BIT  
REENTRY, RETRAINING  
TRACKING YOUR REP'S VOTES

HF4230 - HF4238





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Thomas Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



# CONTENTS

## HIGHLIGHTS

Agriculture • 5	Elections • 7	Housing • 13
Budget • 5	Employment • 7	Local Government • 13
Business • 5	Energy • 8	Military • 13
Consumers • 6	Gambling • 9	Safety • 14
Crime • 6	Game & Fish • 9	Technology • 15
Development • 6	Government • 9	Transportation • 15
Education • 7	Health & Human Services • 10	

## BILL INTRODUCTIONS (HF4230-HF4238) • 23

## FEATURES

**FIRST READING:** Lenczewski and Simpson offer conflicting visions to attain best tax policy • 3

**AT ISSUE:** Biofuel, veterans and livestock make for a memorable bill • 16

**AT ISSUE:** Omnibus energy policy bill aims for small changes, big impacts • 17

**AT ISSUE:** A variety of topics offered in the higher education bill • 18

**AT ISSUE:** Omnibus public safety policy bill puts focus on future workers • 19

**AT ISSUE:** Safety-first provisions highlight transportation omnibus bill • 20

**RESOURCES:** What you should know first about your legislator's vote • 21

**MINNESOTA INDEX:** Gardening in Minnesota • 24

**On the cover:** State Capitol site guide Michael Salzberg portrays Dr. John Murphy, a delegate to the 1857 Minnesota Constitution Convention. Such portrayals in period costume are done as part of Minnesota Statehood Week. Minnesota gained statehood on May 11, 1858.

— Photo by: Andrew VonBank



# Different paths to the same outcome

Lenczewski, Simpson offer conflicting visions to attain best tax policy

BY COURTNEY BLANCHARD

**T**he leaders of the House Taxes Committee are a display of opposites. Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) stands tall with a sonorous voice, a passion for the minutia of tax policy and a tenacity that resonates from her years as a suburban city council member. The lead Republican, Rep. Dean Simpson (R-Perham), usually sits quietly, several chairs down the committee table from his counterpart. When he speaks, he's succinct and poignant, and often cites his experience as a rural grocery store owner and mayor. Their leadership style is complementary, despite sometimes antithetical views on tax policy.

For example, the two stand far apart when it comes to using tax incentives to create jobs. Earlier this session, Lenczewski introduced HF4103, a bill to end all state corporate subsidies, many of which were granted with an intention to create jobs.

She says she doesn't buy it.

"There's something in our psychology

that has happened in Minnesota over the last 10 years that if you've created a job, you don't pay taxes. I just don't understand that," Lenczewski said at a March 28 meeting of the House Property Tax Relief and Local Sales Tax Division. "You are a beneficiary of creating that job as well, or else you wouldn't be doing it."

Lenczewski describes herself as a "purist"

## What's in the bill:

The following are selected bills that have been incorporated, in part or in whole, in the omnibus tax bill:

HF1113 — Wollschlaeger  
HF1204 — Davnie  
HF1222 — Marquart  
HF2412 — Brod  
HF2990 — Kohls  
HF3395 — Tillberry  
HF3967 — Simpson  
HF4103 — Lenczewski  
HF4136 — Olin  
HF4155 — Loeffler  
HF4160 — Koenen

when it comes to business taxation and said she'd rather eliminate every subsidy than choose which ones to keep. Her bill would have freed up money to spend on what she calls government's core services, like education, health care and infrastructure. To Lenczewski, business subsidies don't make the cut.

Simpson said he doesn't buy that.

"To be pure is a wonderful thing, but I guess the things that I see in this whole bill is how is this going to set us apart from other states?" he said at the March 18 meeting of the taxes committee. His view is that the government can form tax policy that creates and retains jobs. That's necessary when nearby states offer competition in the form of tax incentives, he said.

"In a perfect world, we wouldn't have to have job credits or tax credits," he said. "But we're not in a perfect world. We have Wisconsin that sits next to us... We have all these players around us that are out there trying to steal our job base and steal our business base."

## Tax bill debate

These views collided as the House passed its omnibus tax bill 80-52 May 5. Sponsored by Lenczewski, HF3149 conspicuously omits an



PHOTO BY TOM OLMSCHEID

Rep. Ann Lenczewski, chairwoman of the House Taxes Committee, *left*, and Rep. Paul Marquart, chairman of the House Property Tax Relief and Local Sales Tax Division, listen to a question during the May 5 debate of the omnibus tax bill.

First Reading continued on page 4



PHOTO BY TOM OLMSCHIED

**Rep. Dean Simpson asks a question of House Taxes Committee Chairwoman Rep. Ann Lenczewski during May 5 debate of the omnibus tax bill.**

expansion to the governor's Job Opportunity Building Zones program or a subsidy to fund Phase II of the Mall of America. Such "job-creating" legislation has been touted by members from both parties.

Rep. Torrey Westrom (R-Elbow Lake) introduced, and later withdrew, an amendment that would fund the mall expansion using tax

increment financing districts. His plan differs from HF2237, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park), which would exempt the mall from paying into a fiscal disparities pool. That provision is included in the Senate tax bill, and should be negotiated by the conference committee.

Nelson said Westrom's proposal wouldn't produce enough money to make the project a reality. Others, like Rep. Bob Gunther (R-Fairmont), said the investment would be worth it if it could plant the seeds to a project expected to create 7,000 construction jobs and lure new tourists to the state.

Lenczewski, who represents the area of Bloomington that includes the mall, remains opposed to the project. She also stood her ground on the JOBZ program when Simpson unsuccessfully tried to tack an expansion of the program onto the bill.

JOBZ came under heavy fire after a report by the nonpartisan Office of the Legislative Auditor found the program to be misused or unnecessary in some cases. Simpson introduced two amendments that included provisions to address the auditor's critiques. He and other legislators argued that when the program works, it's worth it.

Rep. Bud Nornes (R-Fergus Falls) said the program has shuffled millions of dollars of investment to his community, created around 80 jobs and attracted a Fortune 500 company to Fergus Falls that originally had its sights on locating in India. "Now with the program either dying, or hopefully expanding, that'll determine whether we have another chapter of success," he said.

### Now until the end of session

The Senate rejected the House language on May 7 and inserted the language of SF2869, sponsored by Senate Taxes Committee


Chairman Sen. Tom Bakk (DFL-Cook). Even before the House refused to concur with the Senate, conferees had met informally to talk about the two bills.

The discussion will now go beyond whether jobs can be created with tax policy. One of the biggest issues to sort out is whether the Senate will agree to the House's property tax proposal.

It would restructure existing property tax refund programs so that those who pay more than 2 percent of their income toward property taxes would get the most relief. People who make up to \$200,000 per year would be eligible.

To address some of the governor's criticisms that the proposal could hurt more homeowners than it helps, Lenczewski successfully introduced an amendment during the House debate that includes levy limits for local governments, a move pushed for by the governor who favors property tax caps. It also scaled down how far the Market Value Homestead Credit would be reduced to pay for the proposal. The proposal would keep 60 percent of the market value credit intact and eliminate two other programs to restructure the refund system.

During the debate, Simpson said Lenczewski's amendment took the bill to a better direction, but he voted against it because it didn't include JOBZ. And even with the changes like levy limits, Revenue Commissioner Ward Einess said at an informal conference committee May 6 that the governor doesn't support a proposal to scrap the property tax deduction on state income taxes.

The Taxes Conference Committee will work to reach an agreement before the Legislature adjourns for the last time this session, which could be as late as May 19. 

## State celebrates 150<sup>th</sup> anniversary

When the sesquicentennial wagon train pulls up to the State Capitol on May 11 for Statehood Day, it will be part of the official kick-off to a year-long celebration of Minnesota's 150th anniversary of becoming the 32nd state. Several events are planned beginning at 1 p.m. at the State Capitol. The celebration will continue during Statehood Week, May 11-18, in communities designated as Honorary Capitals for a Day — Bemidji, Thief River Falls, Detroit Lakes, New Ulm and Winona.

A May 17-18 Statehood Weekend Festival is planned on the Capitol Mall.

### May 17 highlights:

- 11 a.m.: Food vendors, sesquicentennial and



exhibitor tents, entertainment in front of the Capitol.

- 12:30 p.m.: 26 vintage aircraft flyover.
- 1 p.m.: The First Day Issue ceremony for the Minnesota Sesquicentennial Commemorative U.S. Postage Stamp, which will be available for

sale following the ceremony along with poster-size reproductions signed by the artist, Richard Hamilton Smith of Park Rapids.

### May 18 highlights

- 4 p.m.: Food vendors and music.
- 6:58 p.m.: (18:58 Military Time) National Guard flyover.
- 7 p.m.: Statehood Ceremony "Honoring Those Who Serve."
- 8:45 p.m.: Fireworks over the Capitol.

For more information about Statehood events, call 651-296-1870 or visit [www.mn150years.org](http://www.mn150years.org).

Logo courtesy of the Minnesota Sesquicentennial Commission

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held May 1-8. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill version considered by the House or the bill language signed by the governor.

## AGRICULTURE

### Money to help fight bovine TB

Signed  
by  
the  
governor

Cattle ranchers in the northwestern part of the state fighting to contain an outbreak of bovine tuberculosis will see some help from the state.

A new law signed May 5 by Gov. Tim Pawlenty, and effective the next day, provides more than \$6 million this biennium to help fund a buyout of cattle herds from ranchers who volunteer to depopulate their livestock. With four new cases of the disease detected since fall, the federal government downgraded the state's bovine TB status, effectively stopping cattle shipments out of the state unless the animals are certified as being disease-free.

"This is having a huge impact to the cattle industry," said Rep. Dave Olin (DFL-Thief River Falls), who sponsors the law with Sen. Rod Skoe (DFL-Clearbrook).

Cattle owners in the zone will have until July 15, 2008, to decide whether to participate in the buyout program. Those who do would be paid market-value plus \$500 per head by the state and an annual payment of \$75 for each animal slaughtered until the area receives a TB-free status and the owner is authorized by the Board of Animal Health to have cattle located in the zone. A cattle owner receiving payment must sign a contract with the board agreeing to:

- slaughter, by Jan. 31, 2009, all cattle that are at least 1-year-old;
- move from the zone or slaughter all cattle that are less than 1-year-old; and
- refrain from owning or allowing any livestock on the land in the management zone, unless authorized by the board.

Before payment is issued, the board will need verification that the cattle have been slaughtered.

Ranchers choosing to keep their herds intact will be subject to several testing and control requirements, including adequate fencing of their herd and grazing areas to limit access of deer or elk, which are also carriers of

the disease. The state will provide a cost-share payment of up to \$75,000 or 90 percent of the cost of an approved fence.

Under the law, the board is given authority to control tuberculosis and the movement of cattle, bison, goats and farmed cervidae in the state.

The Department of Natural Resources commissioner is given authority to remove, upon request, deceased deer and elk within the zone, and make a "good faith effort to inform the state's residents to this requirement, and how a person may make a deer or elk removal request."

HF4075\*/SF3728/CH274

— L. SCHUTZ

## BUDGET

### Legislative recommendations devised

The Omnibus Supplemental Budget Bill Conference Committee finished its work May 6, but did not rule out meeting again.

Rep. Lyndon Carlson (DFL-Crystal) and Sen. Richard Cohen (DFL-St. Paul), the committee co-chairs, met with Finance Commissioner Tom Hanson earlier in the day, telling him conferees were planning to adopt the report for HF1812\*/SF3813. It is an agreed upon position of the House and Senate for dealing with a projected \$935 million budget shortfall, based on the February forecast. Since then, some legislative actions,

such as passage of a bonding law and creation of a compensation fund for victims of the Interstate 35W bridge collapse, have pushed that number to about \$1 billion.

However, the report may not to be signed by conferees depending on how negotiations fare between legislative leaders and Gov. Tim Pawlenty.

"As long as negotiations go on, we'll hang on to this," said Carlson, noting future changes could be made if necessary. "As long as we haven't signed the report, if there were an agreement on certain provisions with the governor's office we could reopen it."

According to an April 29 document, House target principles include using \$350 million from the cash flow account, \$200 million from the budget reserve and gaining \$109 million by closing a foreign operating corporation tax loophole.

— M. COOK

## BUSINESS

### Delta president promises jobs

Addressing the House Commerce and Labor Committee May 5, Edward Bastian, the president and CFO of Delta Air Lines, said with increasing fuel costs, the merger of Delta and Northwest airlines will create a premier global company that can compete in an increasingly competitive global marketplace.

Bastian said both companies are committed



PHOTO BY TOM OLMSCHIED

Delta Air Lines President and CFO Edward Bastian, *left*, tells the House Commerce and Labor Committee May 5 that Atlanta would be the headquarters if a merger of Delta and Northwest Airlines occurs. Ben Hirst, *right*, senior vice president-corporate affairs and general counsel of Northwest Air Lines listens.



to preserving jobs, especially in Minnesota; that no hubs would be closed; and pension plans would continue for current employees and retirees.

Referring to NWA's agreement to keep its headquarters, hub and a specific number of jobs in Minnesota, Committee Chairman Rep. Joe Atkins (DFL-Inver Grove Heights) asked if Delta plans to honor those agreements if the deal goes through.

Bastian said that although the corporate headquarters will be in Atlanta, Delta will maintain a "vibrant presence" in Minneapolis-St. Paul, and that there is a commitment to "no loss of jobs of an involuntary nature for any of our frontline employees." Bastian said Delta looks forward to discussing the terms of the covenants with the governor and the state, but it's too early to get into specifics.

Atkins asked if there is any way to convince Delta to move its headquarters north. "No, there's not," Bastian said.

Members asked if Delta would remain neutral in any future discussions with its employees and labor unions. Currently, pilots are the only unionized Delta employees. Bastian said the airline would "support the process," and "respect the employees' voice."

Bastian agreed to be available for additional questions, if needed.

— C. GREEN

### Securities act changes enacted

**Signed  
by  
the  
governor**

A modified name is about the most significant change made by a new law signed May 1 by Gov. Tim Pawlenty.

Sponsored by Rep. Tom Tillberry (DFL-Fridley) and Sen. Dan Sparks (DFL-Austin), the law changes the statutory citation of the Uniform Securities Act to the "Minnesota Securities Act." It also corrects numerous typos and incorrect cross-references in the law.

Tillberry said the Department of Commerce asked for the changes to the act, which he said provides a framework for regulating the securities industry in Minnesota. The changes are effective May 2, 2008.

HF3306/SF3174\*/CH256

— N. BUSSE

## CONSUMERS

### Beer kegs are not scrap metal

**Signed  
by  
the  
governor**

Recycling is good, but there are rules.

Signed by Gov. Tim Pawlenty May 1, a new law prohibits a scrap metal dealer from buying or receiving a refillable metal

beer keg, except from the manufacturer or the brewer.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Senate President James Metzen (DFL-South St. Paul), the law is effective Aug. 1, 2008.

HF4007/SF3455\*/CH259

— C. GREEN

## CRIME

### Commitment modifications on hold

**Vetoed  
by  
the  
governor**

Under current statute, anyone subject to a petition for civil commitment as a Sexually Dangerous Person or as a Sexually Psychopathic Personality can request to have a hearing on the petition within 15 days. If they are not given a hearing within that time, the petition would be discharged, and they would be released.

A new proposal, sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Don Betzold (DFL-Fridley), would have exempted petitions from the 15-day provision, while keeping a provision to provide a hearing within 90 to 120 days from the filing date.

Yet, as it was drafted, the bill went a step too far.

In his veto letter, Gov. Tim Pawlenty wrote, "Unfortunately, the bill mistakenly exempts SDP and SPP petitioners from all of the trial timeframes in statute, rather than just the 15 day trial by demand provision."

Pawlenty said the bill's sponsors asked him to veto the bill, and that the corrected language would be included in the omnibus public safety bill, HF2996, sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Linda Higgins (DFL-Mpls).

With the corrected language in place, the bill was approved by a conference committee May 5 and passed by the full House and Senate May 7.

HF3396/SF2919\*/CH255

— C. GREEN

## DEVELOPMENT

### Policy provisions get approval

A number of provisions aimed at helping increase economic development in the state are heading to the governor's office.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. David Tomassoni (DFL-Chisholm), HF3722\*/SF3471 deals with a variety of subjects, including: unemployment insurance; military programs; construction debris; a vacation rental lodging study; and a

number of provisions relating to the Minnesota Boxing Commission, including changing its name to the Minnesota Combative Sports Commission to better reflect the events it regulates.

"I don't think there's anything too controversial in this bill," Rukavina said before the House gave its approval May 7 on a 122-10 vote. Senate approval was gained 57-6 later that evening.

The bill permits the Department of Employment and Economic Development to make one-time, interest-free loans of up to \$20,000 to eligible businesses that have sustained or likely will sustain substantial economic loss when an essential employee is

### What's in the bill

The following are selected bills that have been incorporated, in part or in whole, in the omnibus jobs and economic development policy bill:

HF611 — Anzelc  
HF3163 — Atkins  
HF3356 — Moe  
HF3364 — Moe  
HF3427 — Dettmer  
HF3913 — Gunther

called to active service for at least 180 days. This was endorsed by Gov. Tim Pawlenty.

Concern was raised by Rep. Mark Buesgens (R-Jordan) about a clause that state statute "shall not prohibit a collective bargaining unit from including provisions related to workplace communication."

"It seems to me the inclusion of this language into statute would only be necessary if the communications within the workplace was currently not considered to be an inherent managerial right," Buesgens said. "Are we fundamentally changing the rules of negotiation?"

Rep. Tom Anzelc (DFL-Balsam Township) said the initial proposal was about getting a policy so allegations of political or union activity or any other communication would not be an issue. "This simply is a statement of intent that in the public sector this issue of workplace communication should be considered by both workers and employers in the future absent of a policy or absent of rules." Private employers would not be affected.

Other provisions include:

- additional unemployment benefits would be available in counties where the unemployment rate is nearly double the state average during a 12-month calendar period;
- construction debris or residuals

from processed construction debris containing gypsum cannot be managed as cover material at disposal facilities, except under certain conditions;

- a trade policy advisory group would be established to help advise the governor and Legislature regarding government procurement agreements of federal trade agreements; and
- a credit enhanced bond program would be established to provide loans to governmental units through the purchase of general obligation bonds of governmental units issued to finance project costs.

Rep. Tom Emmer (R-Delano) said the bill doesn't do enough to create jobs and stimulate the economy.

"It's important to take care of our labor force, to take care of our families and our workers," he said. "The thing that we're missing is some policy that is going to not only convince the private sector employers to stay in the state of Minnesota, but attract new private businesses to the state of Minnesota and expand our private sector so we can put more of our workers back to work."

— M. Cook

## EDUCATION

### Background checks required

**Signed  
by  
the  
governor**

Teachers have to undergo a background check before being hired, but coaches and directors of extracurricular activities previously did not.

A law signed May 8 by Gov. Tim Pawlenty changes that.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Ann Rest (DFL-New Hope), it takes effect Sept. 1, 2008.

The cost of the Bureau of Criminal Apprehension background check will be the responsibility of the individual, and would not depend on the individual being paid by the school.

The school hiring authority may also request a background check for anyone who seeks to enter school grounds as a volunteer, work as an independent contractor or school employee. The cost is also the responsibility of the individual.

Coaches and those providing extracurricular services could be exempt if the results of their criminal background check were already on file or otherwise accessible. Enrolled student volunteers are also exempt from this requirement.

Each year, the school district must notify parents of the requirement.

HF2782/SF2369\*/CH275

— T. HAMMELL

### Early childhood teacher requirements

**Signed  
by  
the  
governor**

Small communities could have an easier time filling early childhood teaching positions.

Sponsored by Rep. David Bly (DFL-Northfield) and Sen. Tom Saxhaug (DFL-Grand Rapids),

a new law removes the requirement that early childhood teachers be licensed in early childhood education. Teachers only need to be licensed, and the Board of Teaching may also grant a variance from this requirement.

The law is effective May 6, 2008, one day after gubernatorial action.

In an effort to improve the quality of Early Childhood Family Education programs throughout the state, the 2007 Legislature passed a law requiring licensed teachers for these programs. The new law's purpose is to fix an unexpected outcome of that legislation. Supporters said it can be hard to find teachers with the required certification in rural areas.

HF2617/SF2796\*/CH266

— T. HAMMELL

### Bill waits for final House approval

Hockey could become Minnesota's official state sport, physical education classes would once again be required in high school and school technology standards could be established. But this all hinges on the House passing the omnibus education policy bill and the governor deciding it should become law.

The conferred HF3316/SF3001\* was approved by the Senate 45-20 on May 7 and sent to the House. As of this magazine's press time May 8, it was awaiting action.

The bill, sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Chuck Wiger (DFL-Maplewood), would make hockey the state sport and add information about academic performance relative to the state growth norm and student engagement to the school's academic report card.

Many of the controversial aspects of the bill were removed by the conference committee. Among them:

- a proposal for Responsible Family Life and Sexuality Education programs for high school students;
  - an appeals process for schools not meeting Adequate Yearly Progress under the federal No Child Left Behind Act; and
  - a three-year window in which high school students not passing the Graduation-Required Assessments for Diploma could appeal and possibly graduate on time.
- Items in the bill include:
- allowing parents or guardians to designate another adult to participate in school conferences involving their child, and that person would have access to the same kind

of information as a parent.

- providing teachers with instruction in American Indian education including information about teaching history and culture to all students; and
- requiring high school students to take half a credit of physical education, though students who demonstrated mastery of the subject matter or were participating in sports would not have to take the class.

—T. HAMMELL

## ELECTIONS

### Caucus date choices

Political parties can now choose the date of their precinct caucuses.

Signed May 1 by Gov. Tim Pawlenty, the law, sponsored by Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. Ann Rest (DFL-New Hope), allows each political party to establish the date of their precinct caucus and eliminates the requirement that caucuses be held on the first Tuesday in March. It is effective Aug. 1, 2008.

The state executive committee of each party will be responsible for determining the date of each party's caucus and notify the secretary of state at least 90 days prior to the caucus.

Also included in the law is the authority for each party to postpone a caucus due to severe weather, with consultation of the secretary of state.

HF3066\*/SF3238/CH263

— B. HOGENSON

## EMPLOYMENT

### Final offer off the table

**Signed  
by  
the  
governor**

A couple of years ago, an arbitration system was adopted for settlements involving firefighters and municipalities. The arbitrator would have to choose either one proposal or the other, with no combining of proposals or looking for compromise.

A new law, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Dan Larson (DFL-Bloomington), repeals the statute, allowing arbitrators and the parties involved more flexibility.

The law was put in place with the belief that it would lead to a drop in arbitration cases. But, Atkins said, that hasn't been the case. Getting rid of the statute "gives the power to the cities and the firefighters and allows them to do what they want to do, rather than what

we told them to do," he said.

Signed by Gov. Tim Pawlenty May 5, the law is effective the following day.

HF3365/SF2948\*/CH267

— C. GREEN

## ENERGY

### Biomass definition extended

**Signed  
by  
the  
governor**

A new law will help pave the way for the development of biodiesel fuel produced from algae.

Signed May 1 by Gov. Tim Pawlenty, the law expands the state's definition of renewable energy sources to include "the predominantly organic components of wastewater effluent, sludge, or related byproducts from publicly owned treatment works."

In practical terms, the law will enable the use of algal biofuels to help meet the state's renewable energy standard.

The technology, which is currently being developed at the University of Minnesota and other institutions, uses the nutrient-rich wastewater from municipal sewage treatment plants to grow algae that can be harvested as biomass, which can then be turned into fuel.

Rep. Paul Gardner (DFL-Shoreview), who sponsors the law with Sen. Sandy Rummel (DFL-White Bear Lake), said the law is intended primarily for algal biofuels, but may also enable other similar technologies in the future.

The law, which is effective May 2, 2008, also specifies that any process that involves burning wastewater sludge to produce energy does not qualify as an eligible renewable energy technology.

HF2903/SF2996\*/CH253

— N. BUSSE

### Energy efficiency for government

House members voted 103-28 May 7 to approve a program that would allow the state and local units of government to finance energy efficiency projects with tax-exempt lease purchase agreements.

The bill, HF3669/SF3096\*, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. D. Scott Dibble (DFL-Mpls), is designed to help state agencies and local governments improve the energy efficiency of buildings and public facilities. A different version was passed 55-7 by the Senate on April 28. A conference committee has been appointed to work out the differences.

Under the bill's provisions, state agencies could enter into financing agreements with the Department of Administration and

private financial institutions for either energy efficiency improvement projects or renewable energy projects for state buildings and facilities. Local governments would be allowed to enter into similar contracts with the Commerce Department for energy efficiency projects. To fund the local government efficiency program, the commerce commissioner could transfer up to \$1 million from the state's petroleum violation escrow fund.

The bill also includes a provision that would ask the Office of Energy Security and the Pollution Control Agency to submit a report to the Legislature on how to extend the state's "Green Star" award program to cities and communities that take action to reduce greenhouse gas emissions.

Kalin said the bill could help reduce property taxes by allowing local governments to cut administrative spending, but some members questioned whether the program was necessary, and also expressed concern about its funding source.

"We have Johnson Controls and Honeywell doing the same thing. They back up and guarantee their work. Why do we need this?" asked Rep. Bob Gunther (R-Fairmont). He unsuccessfully offered an amendment that would have delayed implementation of the program until the Department of Finance determined that private capital was insufficient to fund local energy efficiency projects.

— N. BUSSE

### Energy efficient buildings

**Signed  
by  
the  
governor**

New building codes that will save the state money and lower its carbon footprint are the goal of a new law signed May 8 by Gov. Tim Pawlenty.

Sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law requires the Commerce Department to contract with the University of Minnesota's Center for Sustainable Building Research to develop cost-effective energy efficiency standards for all new and substantially reconstructed commercial, industrial and institutional buildings.

The law, effective May 9, 2008, lays the groundwork for the development of new energy-efficient building codes; however, it does not actually implement them. The codes that will be developed will also have the goal of reducing per-square-foot carbon emissions by 60 percent in 2010, 70 percent in 2015, 80 percent in 2020 and 90 percent in 2025. Reductions are to be measured against 2003 average levels.

Additionally, the Commerce and Administration departments must work together to develop new sustainable building guidelines by Feb. 1, 2009, for all major renovations of state buildings. "Major renovations" are to include only those involving a minimum 10,000 square feet of

## JUDICIAL ADDRESS



PHOTO BY TOM OLMSCHIED

Rep. Steve Simon and Sen. Ann Rest welcome former Supreme Court Justice Sandra Day O'Connor, center, to the old Supreme Court Chamber consultation room in the State Capitol for a May 2 gathering of legislators. O'Connor was in the state to address the Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota on the growing partisan and political nature of judicial elections.



space. The goal is to exceed the state energy code by 30 percent.

Hilty said the Minnesota Climate Change Advisory Group recommended the building code changes as the single largest energy- and cost-saving measure the state could take.

HF3401/SF2706\*/CH278

— N. BUSSE

## GAMBLING

### Allowances for charitable gambling

**Signed  
by  
the  
governor**

With difficult economic times, even charitable organizations are struggling. Rep. Joe Atkins (DFL-Inver Grove Heights) said for some of these organizations, it's a matter of staying alive or going out of business.

Signed by Gov. Tim Pawlenty May 1, a new law offers a bit of financial relief.

Sponsored by Atkins and Sen. Tony Lourey (DFL-Kerrick), the omnibus lawful gambling law permits charitable organizations to increase their allowable expense by 5 percent from July 1, 2008, to June 30, 2009, an increase from 70 percent to 75 percent of gross profits from bingo, and from 60 percent to 65 percent of other forms of lawful gambling.

Effective May 2, 2008, the law mandates additional training requirements for gambling management, and requires the Gambling Control Board to present a report to the Legislature on operational and regulatory procedures, tax structure and recent trends in lawful gambling by Jan. 15, 2009.

It also removes the current annual \$48,000 prize award cap for progressive bingo game prizes, removes annual limits on raffle prizes, and places a \$50,000 cap on any one raffle prize.

HF3397/SF3098\*/CH260

— C. GREEN

## GAME & FISH

### Game and fish bill passed

Fishing with two lines, hunting at younger ages and the creation of a new Outdoor Heritage Council are just a few of the changes proposed in the omnibus game, fish and lands policy bill passed by the House 130-4 on May 8.

HF3280/SF2651\*, sponsored by Rep. David Dill (DFL-Crane Lake) and Sen. Satveer Chaudhary (DFL-Fridley), contains dozens of hunting and fishing policy initiatives, as well as the Department of Natural Resources' annual land acquisitions bill. It now returns to the Senate, where a different version passed 64-0 on April 30.

The bill's many game and fish provisions include:

- creating a "conservation angling license" that would cost two-thirds the price of a regular license, allow license-holders to take up to one-half of the normal fish possession limits, and be valid for 14 consecutive days;
- allowing anglers to fish with two lines simultaneously;
- allowing residents ages 10 and 11 to hunt big game provided that they are within immediate reach of a parent or guardian;
- creating a \$52 all-firearm season deer hunting license allowing hunters to take two deer, only one of which may be a buck;
- allowing youth who will turn 12 years old within the calendar year to obtain a license to hunt big game; and
- increasing the cock pheasant bag limit to three per day after the 16th day of the pheasant season.

The bill would also establish a 12-member Outdoor Heritage Council to be responsible for making recommendations to the Legislature on how to use money from the outdoor heritage fund, which would be established if voters approve a proposed constitutional amendment that would dedicate new sales tax money for the environment and the arts. The proposal will be on the ballot in this fall's general election.

Rep. Tom Hackbarth (R-Cedar) offered an amendment that would have established the Lake Vermilion State Park by appropriating nearly \$23 million from a dedicated fund that is normally used for projects approved by the Legislative-Citizen Commission on Minnesota Resources.

"Boy, have I got a deal for you," Hackbarth announced before explaining the amendment, which he said would break the current stalemate between legislative leaders and the governor, who have been negotiating the terms of the proposed park acquisition for months.

"This buys the new state park. It takes care of the issue. It doesn't cost us any General Fund money. ... Plain and simple, this takes care of the problem, and we'll have a new state park," Hackbarth said.

Most of his colleagues did not agree, and the amendment was defeated 35-98.

— N. BUSSE

## GOVERNMENT

### Council could set legislators' pay

Legislators currently set their own salary. That could change if voters approve a

constitutional amendment putting the task in the hands of an independent citizen-only compensation council.

Rep. Kent Eken (DFL-Twin Valley) sponsors HF3796 to address the current method of determining legislator salaries, which he calls a "conflict of interest." The bill would ask voters at November general election to amend the state constitution removing legislators' ability to set their own salaries and establish a citizen-only compensation council to make pay recommendations. The council would be appointed by the chief justice of the Supreme Court and the governor.

Approved by the House Rules and Legislative Administration Committee May 6, it awaits action by the full House.

The annual legislative salary of \$31,140 has not been increased since 1999. Legislators are eligible to receive a per diem, which is a daily payment available when they are engaged in official business. Members raised the per diem payment in 2007 to \$77 a day for the House members and \$96 for senators. They are also reimbursed for housing, travel and other expenses.

Some members are concerned that the low pay and extended hours prohibit the average person from serving, especially those with a young family.

"We really need to embrace people, to keep people in the Legislature that are people who are not wealthy. Frankly I don't know of many people in my district who could afford to be in the Legislature," said Rep. David Dill (DFL-Crane Lake).

The stress on family life and career is a major concern to at least one first-term House member, Rep. Ryan Winkler (DFL-Golden Valley). He said the time commitment and "the black hole into which we disappear when we come over here" make it difficult to maintain career obligations. He suggested the rules by which the House operates should be reevaluated, so that House members can expect better use of their time.

A companion bill, SF3793, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), was amended and recommended to pass May 8 by the Senate Rules and Administration Committee.

— L. SCHUTZ

### Correcting erroneous changes

**Signed  
by  
the  
governor**

Inadvertent changes that were made by 2007 laws have been reversed under legislation signed by the governor April 30.

Sponsored by Rep. Gene

Pelowski Jr. (DFL-Winona) and Sen. Ann Rest (DFL-New Hope), the new legislation reverses two changes that were made in a 2007 housekeeping bill that terminated and modified various boards and advisory groups throughout the state.

The new law:

- reinstates authorization for the Minnesota Racing Commission to establish an advisory committee to handle the distribution of breeder's fund money;
- clarifies that the Health Care Peer Review Committee established by the corrections commissioner is exempt from the expiration date for advisory groups; and
- provides additional authorization for the continued operation of the Health Care Peer Review Committee.

The law is effective May 1, 2008, except for the racing commission language, which is retroactive to Aug. 1, 2007.

HF3689/SF2511\*/CH252

— B. HOGENSON

## HEALTH & HUMAN SERVICES

### Community consortium project

A demonstration project that would allow three community consortiums serving older adults to pool health care funds for long-term care purposes was passed 132-0 by the House May 1.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF3955 would allow the human services, health and housing finance commissioners to develop a three-year demonstration project by July 1, 2009.

The bill was passed by the full Senate May 8. Sen. Tony Lourey (DFL-Kerrick) is the Senate sponsor.

The consortiums would create a joint decision-making process with a goal to pool funds and provide flexibility in the distribution of health care money. An evaluation report would be due to the Legislature by Jan. 15, 2013, on the project's performance.

Each project would be designed to:

- ensure consumer access to a continuum of older care services;
- create an adequate supply of affordable home-based alternatives to care for those in nursing facilities, or those needing a facility in the future;
- establish and achieve measurable performance targets for care delivery; and
- support management of chronic and complex conditions through greater coordination of all services needed by older adults.

Consortiums would be given priority for technology-related grants, projects designed

to create or preserve affordable housing options for older adults and transportation-related funds to create transportation options for older adults.

Funding would come, in part, from appropriations to the nursing home moratorium exceptions process for the biennium ending June 30, 2011. According to a Department of Finance fiscal note, the Legislature appropriated \$3 million for nursing home moratorium projects during the 2008-09 biennium. The health commissioner could reserve 10 percent of these funds for project distribution.

A successful amendment by Rep. Jim Abeler (R-Anoka) would create a community-based consortium to analyze waiver program practices and make recommendations for improvements to the counties and health commissioner.

— P. OSTBERG

### Naturopathic doctor registration

Naturopathic practitioners with degrees from accredited medical programs recognized by the Council on Naturopathic Medical Education would be able to call themselves "naturopathic doctors," under a bill passed 90-42 by the House May 7.

Sponsored by Rep. Neva Walker (DFL-Mpls), HF1724 would allow about 25 individuals to register themselves as a "registered naturopathic doctor," "naturopathic doctor" or "doctor of naturopathic medicine." Only those practitioners with the medical degrees could use the titles and could display them in their place of practice.

The bill would create a Registered Naturopathic Doctor Advisory Council to oversee standards for registered doctors, distribute information regarding the standards, review applications, recommend granting or denying registrations and investigate complaints.

"There's many individuals that think that the only practice of medicine should be in the medical community and scientific based without acceptance of what is going on in other countries," said Walker, adding there is a difference between a person who has gone to medical school and one educated through experience. Registering those individuals in the state could bridge the gap between western medicine and the alternative healing community, she said.

The bill defines the registration requirements and states that individuals without naturopathic medical degrees are able to continue practicing without use of the three titles.

Allowing those individuals to register as doctors would give them "an exceptional or exclusionary practice to an exclusive clientele,"

said Rep. Dan Severson (R-Sauk Rapids). The changes would put them at an advantage over other practitioners without medical degrees, he said.

"All this will do is recognize and raise the bar for a group of folks who have the credentials and additional education to be called registered naturopathic doctors," said Rep. Laura Brod (R-New Prague).

Received May 8 from the House, the bill awaits action by the Senate Finance Committee. Sen. Patricia Torres Ray (DFL-Mpls) is the Senate sponsor.

— P. OSTBERG

### Optometry changes

Signed  
by  
the  
governor

Optometry definitions first written in 1915 will be updated, under a new law signed May 1 by Gov. Tim Pawlenty.

Under the new law, an optometrist is defined as any person who shall in any way "prescribe or administer legend drugs to aid in the diagnosis, cure, mitigation, prevention, treatment, or management of disease, deficiency, deformity, or abnormality of the human eye and adnexa included in the curricula of accredited schools or colleges of optometry."

The law also changes practice and licensing requirements for optometrists. For example, it prohibits optometrists from:

- administering legend drugs intravenously, intramuscularly or by injection except for the treatment of anaphylaxis;
- performing invasive surgery, including the use of lasers;
- administering or prescribing schedule II and III oral legend drugs and oral steroids;
- administering or prescribing oral antivirals for more than 10 days; or
- administering or prescribing oral carbonic anhydrase inhibitors to be prescribed or administered more than seven days.

The term "reciprocity" will be changed to "endorsement" to clarify the process for those coming from other states to practice optometry in Minnesota. An application fee of \$87 would be required for those seeking a state license.

Applicants who apply for state endorsement will be required to provide evidence of:

- having obtained a clinical doctorate degree from a board-approved school or college of optometry;
- successful completion of written and practical examinations for licensure in the applicant's original state of licensure;
- successful completion of an examination of Minnesota state optometry laws;
- compliance with the requirements for

- board certification;
- compliance with all continuing education required for license renewal in every state in which the applicant currently holds an active license to practice; and
- being in good standing with every state board from which a license has been issued.

Optometrists licensed in the state prior to Aug. 1, 2007, will have to meet the board certification requirements by Aug. 1, 2010, to renew their license.

Rep. Cy Thao (DFL-St. Paul) and Sen. Tony Lourey (DFL-Kerrick) sponsor the law.

HF2837\*/SF3258/CH262

— P. OSTBERG

### Health policy provisions

Health care policy provisions and sexual offender program regulations were approved May 5 by a health and human services policy conference committee.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls), HF3222\*/SF3168 would make several changes regarding health care; sexual offender program regulations; the definition of “work activity” as it relates to a participant’s qualification for Minnesota Family Investment Program; managed care contracts; and disclosure of adoption information.

Health care provisions include:

- allowing a licensed physician, advanced practice nurse or licensed psychologist to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder;
- requiring hospitals, clinics and medical facilities to have in place by Jan. 15, 2009, a policy for informing a woman of available options for fetal disposition when the woman experiences or is expecting a miscarriage;
- granting a limited license to practice dentistry to a graduate of a non-accredited dental program who successfully completes the clinical licensure examination and meets other requirements of the Board of Dentistry.
- authorizing the human services commissioner to join and participate in a legal entity developing and operating a statewide health information exchange; and
- technical language deletions and additions to the treatment of income for a institutionalized spouse.

Changes to the sex offender program would include establishing Minnesota State Industries at any sex offender program facility and allowing patients to build, manufacture or process goods for business or industry. A working group would develop standards

### STANDING OVATION



PHOTOS BY TOM OLMSCHEID

**Members gave former Chief Clerk Ed Burdick, inset photo, a standing ovation while he watched proceedings from the House Gallery May 5. Burdick worked for the House from 1941-2005, including 38 years as the chief clerk. He is the only living person to have a bust of himself in the Capitol.**

and guidelines to establish criteria for a sex offender treatment advisory board and ensure health, dental and mental care for patients.

Under the bill, adopted people age 19 or older could request a noncertified copy of their original birth record, unless there is an affidavit of nondisclosure on file at the state registrar. Birth parents could rescind an affidavit of disclosure or nondisclosure at any time. If a birth parent is deceased, a noncertified copy of the original birth record would be released to the adopted person making the request.

— P. OSTBERG

### New mental health facility

A new specialty psychiatric hospital to treat people under age 21 would be built in Woodbury, under a bill passed 125-8 by the House May 7.

Sponsored by Rep. Marsha Swails (DFL-Woodbury), HF3539 would allow for construction of the 66-bed facility. Children and adolescents with mental illness would have 44 beds with the additional 22 beds for adolescents with mental illness and chemical dependency.

Health care plans continually expand and provide high-margin services, but neglect those that bring in fewer dollars, like mental health, Swails said. Because of fewer services, children in the state are continually transferred far from home or out of state for mental health services.

“Ten percent of our children and adolescents going to outstate locations or even to another state for services is just unacceptable,” said Rep. Julie Bunn (DFL-Lake Elmo).

“We are sending kids into facilities where those kids are treated worse than livestock,” said Rep. Mary Liz Holberg (R-Lakeville). She said people are in desperate need for care and are sometimes forced to put their child into facilities where it can make bad situations worse.

The Department of Health released a report that said the new facility would not be in the public’s best interest. The report notes providing more hospital beds might not translate into better access or services.

Rep. Diane Loeffler (DFL-Mpls) voted no. She said the issue is more complicated than just adding beds, and that expanding preventative and early response care is needed instead.

Received May 7 from the House, it awaits action by the Senate Health, Housing and Family Security Committee. Sen. Kathy Saltzman (DFL-Woodbury) is the Senate sponsor.

— P. OSTBERG

### Health services technical changes

**Signed  
by  
the  
governor**

Clarifying definitions and technical changes to health and human services statutes regarding children’s mental health and other care services are in a new law signed May 8 by the governor.



Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Linda Higgins (DFL-Mpls), the changes include:

- clarifying definitions of “direct service time” and “skills training;”
- clarifying that providers of children’s therapeutic services must be certified and that therapeutic preschool programs are eligible programs;
- clarifying content, timing and responsibility for an individual treatment plan and responsibilities of a clinical supervisor;
- updating clinical supervision standards to include mental health behavioral aid services;
- clarifying legal responsibility for a licensed mental health professional for the actions of the behavioral aid, and clarifying that a behavioral aid may implement the child’s behavior and treatment plans;
- clarifying that children’s mental health day treatment must be available three hours per day, five days a week and 12 months of each calendar year;
- permitting a therapeutic preschool program to provide fewer than the minimum two-hour time block at least one day per week if a child is transitioning into, or out of, the program; and
- requiring that mental health behavioral aid services must be medically necessary and focused on treatment.

Changes to health care and continuing health care include:

- clarifying that the human services commissioner in conjunction with law enforcement and county human services agency officials will be responsible for detection and prevention of criminal activities in state programs;
- replacing “family” with “legal representative or other authorized representative” in relation to support grants;
- extending the authority of the American Indian Advisory Council four years to June 20, 2012; and
- extending the authority of the Citizens Advisory Council for chemical dependency treatment and prevention four years to June 30, 2012.

The law has various effective dates with the majority taking effect Aug. 1, 2008.

HF3435/SF3213\*/CH286

— P. OSTBERG

### License requirement exception

**Signed  
by  
the  
governor**

Day training and habilitation programs that serve people with developmental and other disabilities that are located next to the central operation facility for their

## RUBBER DUCKY



PHOTO BY TOM OLMSCHIED

**During a May 6 news conference, Rachel Bartleson, holds her 6-month-old daughter, Aggie, as she and a group of legislators and members of Healthy Legacy stand outside the State Capitol with a giant rubber duck to urge passage of a bill that would phase out hormone disrupting chemical phthalates from products designed for children under age 3.**

program would be exempt from having separate licenses for each facility, under a new law signed May 5.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids) and Sen. Dan Skogen (DFL-Hewitt), the law also exempts satellite day training programs that are part of a central operation but in a separate nonadjacent building and in the same county as the central operation.

Sailer said that licensing each building “is just extra paperwork.”

Jerry Mueller, executive director for the Minnesota Developmental Achievement Center Association, said his program has a thrift store several blocks down the street, and it costs an additional \$200 for licensing. The change would help similar programs save a little money, he said.

The law takes effect Aug. 1, 2008.

HF3559/SF3256\*/CH268

— P. OSTBERG

### Potential state stem cell policy

A bill to potentially further stem cell research in the state was approved 71-62 by the House May 7.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Richard Cohen (DFL-St. Paul), HF34/SF100\* returns to the Senate as amended.

According to the bill, “The policy of the state of Minnesota is that research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source, including somatic cell nuclear transplantation,

shall be permitted and that full consideration of the ethical and medical implications of this research be given.” Research would be reviewed by an institutional review board. It also allows the University of Minnesota to spend state-appropriated funds on stem cell research.

Kahn said stem cell research could help people with debilitating ailments, such as Parkinson’s or Alzheimer’s diseases. Supporters previously said that it’s not enough to work just on blood cells because they don’t work with all diseases.

“The cost of treatment and lost productivity constitute hundreds of billions of dollars every year,” Kahn said. “Estimates of the economic costs of these diseases and conditions do not account for the associated extreme human loss and suffering. Stem cell research offers immense promise for developing new medical therapies for these debilitating diseases and conditions, and a critical means to explore fundamental questions of biology.”

Kahn also said the biomedical industry is a “critical and growing component” of Minnesota’s economy, and that would be diminished with stem cell research limitations.

Health care providers treating patients for infertility would be required to provide information to patients about options for the disposition of human embryos after fertility treatment. The bill allows for donation of fetal tissue for research purposes with written consent. Cloning would be prohibited.

Rep. Matt Dean (R-Dellwood) offered an amendment that would have limited

embryonic and adult stem cell research at the university up to the destruction of the embryo. It failed 65-69.

"People across the world have drawn this line, and they said this is the moral line that shouldn't be crossed," he said. Dean said a similar provision has passed the U.S. Senate.

"We don't have to destroy a human embryo; we can conduct this research and enjoy the benefits of bioscience in Minnesota," Rep. Steve Gottwalt (R-St. Cloud) said. "The jobs, the investment, the medical advances can all be ours with this amendment without destroying the embryo."

The Senate passed the bill 38-26 on April 27, 2007.

— M. COOK

## HOUSING

### Manufactured home protection

**Signed  
by  
the  
governor**

According to a 2000 U.S. Census report, approximately 4 percent of Minnesota residents live in manufactured homes. These homes are not considered real property, but rather personal property. Because of this, owners are not given the same protections as owners of single-family homes provided under Minnesota predatory lending laws passed in 2007.

A new law, sponsored by Rep. Paul Gardner (DFL-Shoreview) and Sen. John Marty (DFL-Roseville), provides some of that protection.

Signed into law May 4 by Gov. Tim Pawlenty, the law increases from 30 to 60 the days an owner of a manufactured home has to catch up on missed loan payments. The law also prohibits certain predatory lending practices such as churning, which is arranging for a manufactured home loan for a borrower when the loan "does not provide a reasonable, tangible net benefit to the borrower."

The notice of default must also include contact information for local foreclosure prevention organizations. The law is effective Aug. 1, 2008.

HF3477\*/SF2917/CH273

— C. GREEN

### Cities notified of disconnections

**Signed  
by  
the  
governor**

In an effort to prevent damage to temporarily vacant houses, utility companies will now have to notify local authorities whenever they disconnect gas or electric service from a residence during winter months.

Signed May 1 by Gov. Tim Pawlenty, a new law requires the notice be provided to local governments so that officials can shut off

municipal water service in time to prevent a house's pipes from freezing, thereby risking serious structural damage to the building.

Under the provisions, cities can request that utilities provide them a report on Oct. 15 and Nov. 1 of each year on which properties within city limits have been disconnected. Between Oct. 15 and April 15, daily reports must be made available to cities on any newly disconnected properties.

In addition, the law provides that cities receiving this information must share it with their local fire and police departments.

Sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Leo Foley (DFL-Coon Rapids), the law is effective Aug. 1, 2008.

Nelson said the bill would help prevent damage to houses that have been temporarily vacated because of foreclosures.

"They think this is going to help to try and preserve these assets in our cities, preserve the cities' tax bases, and make these homes so that when the economy turns around people can move back into them and they won't be damaged beyond repair," he said.

HF3229/SF2775\*/CH253

— N. BUSSE

## LOCAL GOVERNMENT

### Managing Carver County libraries

**Signed  
by  
the  
governor**

The Carver County Board has been granted more responsibilities in managing the county library system.

Signed by Gov. Tim Pawlenty May 1, the law allows the board to control financing and administration of the system, except for duties that are specific to the library board.

In part, the library board is responsible for policies and rules, review of the annual operating budget, creation of a five-year capital plan, and it has sole authority and discretion in dealing with collections and meeting room use.

Similar authority was granted to Washington County in 2005.

Rep. Joe Hoppe (R-Chaska) and Sen. Julianne Ortman (R-Chanhassen) sponsor the law, which takes effect upon local approval.

HF3657\*/SF3451/CH261

— B. HOGENSEN

### Park land condemnation proceeds

**Signed  
by  
the  
governor**

The new Interstate 35W bridge being built over the Mississippi River in Minneapolis has a larger footprint than the bridge that collapsed on Aug. 1, 2007. A new law addresses the

loss of park lands as a result of the new construction.

Signed May 1 by Gov. Tim Pawlenty, the law, sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), authorizes the Minneapolis Park and Recreation Board to retain proceeds from the condemnation of park lands or its interest in land necessary for the reconstruction and expansion of the bridge site. It is effective May 2, 2008.

The proceeds are required to be allocated into a park land acquisition account controlled by the park board. Account funds are to be invested and used solely for acquiring land adjacent to the Mississippi River for park purposes. Acquired lands must be included in the metropolitan regional recreational open space system.

Also in the law is a report requirement from the park board to be filed with the commissioner of finance and the Metropolitan Council regional administrator that outlines the use of the funds in the park land acquisition account, until the funds are expended.

HF3723/SF3331\*/CH257

— B. HOGENSEN

## MILITARY

### Korean War Armistice Day

**Signed  
by  
the  
governor**

As a means of helping remember those who served in what is sometimes called the forgotten war, July 27 is now designated as Korean War Armistice Day. Signed by Gov.

Tim Pawlenty May 4, the law commemorates the 1953 signing of the Military Armistice Agreement, ending the three-year conflict.

Rep. Dan Severson (R-Sauk Rapids) and Sen. Paul Koering (R-Fort Ripley) sponsor the law, which takes effect July 27, 2008.

"The Korean War is often called the forgotten war, because it came so quickly after World War II, and it wasn't resolved in a way that showed a decisive victory," Severson said. "In fact, there was an armistice, and there is still occupation today. ... People did get forgotten. Our soldiers would come home, and people would ask, 'Where have you been for the last nine months or year?'"

Severson said the established "Veterans Day" honors all veterans, but this "would honor the day of the truce, July 27, and as the day we began to bring our warriors back."

HF3672/SF3443\*/CH265

— L. SCHUTZ

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

### Safer school bus drivers

**Signed  
by  
the  
governor**

Putting safer drivers behind the wheel of school buses is the goal of a new law signed May 1 by Gov. Tim Pawlenty.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Rick Olseen (DFL-Harris), the law applies to "type III buses," which are vehicles such as vans, cars, station wagons and small-sized buses with a capacity of 10 or fewer passengers and a gross weight of 10,000 pounds or less.

The law places a number of new restrictions on drivers of type III vehicles, including:

- banning the use of cell phones for personal calls while driving;
- prohibiting drivers from having any level of alcohol in their bloodstream while driving;
- requiring that drivers pass a background check, physical examination, and drug and alcohol testing;
- banning individuals convicted of second-, third- or fourth-degree driving-while-impaired offenses within the last five years from operating a type III vehicle;
- disqualifying anyone convicted of a felony, controlled-substance charges, or any of a variety of sexual-related crimes from driving a type III vehicle; and
- prohibiting drivers with four or more moving violations within the space of three years from operating type III vehicles for one year from the date of the last offense.

Bigham said the proposal was inspired by a report from the Office of the Legislative Auditor on school district student transportation.

The law takes effect Sept. 1, 2008.

HF3575/SF2988\*/CH271

— N. BUSSE

### Compensation plan signed into law

**Signed  
by  
the  
governor**

Relief is on the way for survivors and victims of the Interstate 35W bridge collapse with the May 8 signing of a \$38 million compensation plan.

A product of lengthy negotiations between the House and Senate, the plan removes the state's aggregate cap of \$1 million per incident, preserves the existing individual tort liability caps and provides additional aid to survivors with extraordinary medical expenses or wage losses.

The bridge over the Mississippi River in Minneapolis collapsed Aug. 1, 2007, killing 13 people and injuring 85 others.

Acknowledging that the bridge collapse



PHOTO BY TOM OLMSCHIED

**Family members and victims of the Interstate 35W bridge collapse watch from the House Gallery May 5 as the House votes 127-5 for a conference committee report to compensate victims of tragedy. Seated in the first row, from left, Betsy Sather, who lost her husband, Scott; Jennifer Holmes, who lost her husband, Patrick; Ron Engebretsen, who lost his wife, Sherry; Lindsay Petterson, who was on the bridge when it collapsed and Chris Messerly, a lawyer working pro bono for many bridge victims.**

was an incident of historic and catastrophic proportions, Gov. Tim Pawlenty said the compensation plan is "one step in what has been a long and difficult process" for survivors of the tragedy and those who have lost loved ones.

Included in the package is:

- \$24 million to be distributed within the existing liability cap structure that limits individual payments to \$400,000;
- \$12.64 million to compensate those who have uncompensated medical expenses and wage loss in excess of \$400,000;
- \$750,000 set aside for administrative purposes; and
- a \$610,000 grant to Pillsbury United Communities that will allow Waite House in Minneapolis to provide services to youth and families of youth who were in a school bus on the bridge when it collapsed.

"This is in the best tradition of Minnesota's unique community spirit," said Rep. Ryan Winkler (DFL-Golden Valley), who sponsors the law with Sen. Ron Latz (DFL-St. Louis Park). According to Latz, the law "fulfills the moral obligation of Minnesotans to help the survivors and the families of those who died on the bridge."

In return for accepting compensation,

survivors will release the state from further liability. If they choose not to accept compensation, they can pursue a lawsuit against the state that would be subject to all existing statutory terms and conditions.

"This reinforces our belief in the state of Minnesota to do the right thing," said Ron Engebretsen, speaking on behalf of the survivors and families. He lost his wife, Sherry, in the collapse.

HF2553\*/SF2824/CH288

— B. HOGENSEN

### Enforcement of disability parking

**Signed  
by  
the  
governor**

Statutes laying out criteria for enforcement of disability parking areas have been amended by a new law.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley) and Sen. John Doll (DFL-Burnsville), the law provides minimum requirements if a statutory or home rule charter city wants to enact an ordinance establishing a permit program for long-term disability parking. Ordinances can already be established for long-term parking.

According to the new law, signed by Gov. Tim Pawlenty May 5 and effective Aug. 1, 2008, if a city enacts the ordinance, a permit program for long-term disability parking must have at a minimum:

- a limitation on disability parking of a maximum of four hours during the hours of enforcement, on one-hour, 90-minute and two-hour parking meters;
- a requirement for city parking lots and ramps to provide a 50 percent discount on monthly fees for contracted parkers with disabilities or a 50 percent reduction in the hourly rate; and
- the issuance of a special needs permit to an employed person with severe disability for an all-day, on-street parking permit that will accommodate the person's access needs.

HF3727/SF3372\*/CH272

— B. HOGENSEN

### Fake police, fire calls a crime

**Signed  
by  
the  
governor**

It's already a misdemeanor to make a call for emergency medical or ambulance service when the caller knows that no emergency exists. Police and fire emergencies are now added

to the list, thanks to a new law signed by Gov. Tim Pawlenty May 5.

Effective Aug. 1, 2008, the law is sponsored by Rep. Ron Shimanski (R-Silver Lake) and Sen. Steve Dille (R-Dassel).

HF3217/SF2576\*/CH270

— C. GREEN



## TECHNOLOGY

### New options for phone companies

**Signed  
by  
the  
governor**

With changing demands and markets, telephone companies are looking for new ways to be competitive.

A telephone company may now elect to be regulated under an existing alternative regulation plan of another telephone company, if the company is larger or an affiliated company, thanks to a new law signed by Gov. Tim Pawlenty May 1. It is effective the next day.

Sponsored by Rep. Mike Beard (R-Shakopee) and Sen. John Doll (DFL-Burnsville), the law allows a telephone company to make this change, if it agrees to operate under the plan for three years or the original term of the plan, whichever is longer.

The company must also cap rates for its services for three years at the levels in effect when the change is made.

HF3327/SF2939\*/CH254

— C. GREEN

area. It was signed by the governor one day earlier.

Previous law had the Transportation Department responsible for operation of commuter rail lines; however, based on the Met Council's experience with the Hiawatha light rail line, it was suggested the council oversee all commuter rail lines located in whole or in part of the seven-county metropolitan area. The Northstar line is planned to extend into Sherburne County.

Supporters said the law is needed because Northstar stations will tie into other Metro Transit services; thereby making it easier for people to connect from Northstar to other places in the Twin Cities.

It also extends the jurisdictional authority of the Metropolitan Transit Police so it will have powers along the line, similar to current bus and rail lines.

Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Don Betzold (DFL-Fridley) sponsor the law.

HF3792/SF3137\*/CH269

— M. COOK

increase from 20 cents per gallon to 22 cents. Additionally, the tax rate on alternative fuels was proportionally increased by 10 percent.

A 10 percent tax rate increase on compressed natural gas would have increased it from \$1.739 per thousand cubic feet to \$1.913. However, the veto override had an extra numeral after the decimal point, listing the new rate as \$1.1913 per thousand cubic feet.

In his May 5 veto letter, Pawlenty said he opposed the tax increase before and continues to do so.

HF3868/SF3564\*/CH264

— M. COOK

### License reinstatement fee uniformity

**Signed  
by  
the  
governor**

A monetary break for some offenders is no more.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Ron Latz (DFL-St. Louis Park), a new law

establishes driver's license reinstatement requirements for a person whose license was revoked for violating certain laws involving sale or possession of controlled substances while operating a motor vehicle.

Effective Aug. 1, 2008, a person seeking a new license must pass a knowledge and road test and pay a \$30 reinstatement fee.

The fee is placed on many other revoked license reinstatements and is expected to bring in about \$51,000 annually to the Driver and Vehicle Services Division of the Department of Public Safety.

Gov. Tim Pawlenty signed the law May 8.

HF3490/SF3189\*/CH283

— M. COOK

## TRANSPORTATION

### Commuter rail control clarified

**Signed  
by  
the  
governor**

Running the Northstar commuter rail line will be in the hands of the Metropolitan Council.

Effective May 6, 2008, a new law gives the council responsibility for the operation of all commuter rail lines serving the Twin Cities metropolitan

### Numeric oops stays in law

**Vetoed  
by  
the  
governor**

An attempt to fix a one-digit error was rejected by Gov. Tim Pawlenty.

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Steve Murphy (DFL-Red Wing), the bill would have corrected a typo in the transportation finance law that was overridden early this year.

That law provides for transition tax rates on motor fuels, including a 10 percent gas tax rate

## KEEPING IN TOUCH



PHOTO BY TOM OLMSCHIED

During a May 7 recess, Rep. Larry Hosch stays connected to his 8-month-old son, Garrett, via a two-way computer video connection from the House Chamber to his home in St. Joseph.

## An unlikely mix

Biofuel, veterans and livestock make for a 'memorable' bill

By LEE ANN SCHUTZ

**L**awmakers in every state will be talking about Minnesota's biodiesel initiative, and "we will be viewed as a model." That's the prognostication from Rep. Al Juhnke (DFL-Willmar) about a provision contained in the omnibus agriculture and veterans affairs bill now on its way to the governor.

The conferred bill, HF3902/SF3683\*, sponsored by Juhnke and Sen. Jim Vickerman (DFL-Tracy), passed the House May 7 123-9 after being passed 64-0 by the Senate a couple of hours earlier.

The bill contains an unlikely mix of provisions relating to pesticide use, livestock producer grants and veterans issues. But it is the proposed incremental increase to the state's biodiesel mandate that will make the bill memorable, Juhnke said. "You all can be proud to continue to lead in this field. ... This is a very good bill going out and even a better bill coming in," he said.

Rep. Ken Tschumper (DFL-La Crescent) tried to rekindle an earlier floor debate concerning the use of food crops for fuels. "I believe we are going in the wrong direction regarding biodiesel. ... The whole world is recognizing that biofuels are contributing to the dramatic rise in food prices, and we're probably going to be back here next year rescinding this mandate."

The bill lays the groundwork for increasing the state's biodiesel mandate incrementally from the current 2 percent blend to 20 percent by 2015. Once the new blend requirement is reached, it would be effective May through September only, with the minimum content for the remainder of the year set at 15 percent.

When the original bill left the House, it contained a provision that would lay out policy for industrial hemp production in the state. Although Juhnke insisted it was noncontroversial and the crop would not be allowed at this time, it did not make it past

the conference committee.

Those hoping to improve their livestock operations would see help from the bill. The language allows for competitive grants to eligible livestock producers wanting to invest in their operations.

Juhnke said the language would only act as a "placeholder" in statute for the grant program. Implementation hinges on provisions in HF1812, the omnibus supplemental budget bill, which would provide up to \$50,000 for improvements to the operations.

### What's in the bill

The following are selected bills that have been incorporated, in part or in whole, in the omnibus agriculture and veterans affairs bill:

HF1813 — Ozment  
HF2573 — Hansen  
HF2942 — Juhnke  
HF2987 — Juhnke  
HF3507 — Otremba  
HF3584 — Koenen  
HF3686 — Tinglestad  
HF3763 — Juhnke  
HF3877 — Haws  
HF4027 — Sailer  
HF4104 — Shimanski  
SF3756 — Dettmer

Other agriculture-related provisions include:

- eliminating the ethanol deficiency payment to any entity that quits producing ethanol on a commercial scale at the qualifying location;
- a definition for animal chiropractic, its scope of practice and educational criteria

**Agriculture continued on page 22**



PHOTO BY TOM OLMSCHIED

**Although the Minneapolis Veterans Home request for funding to remodel the main nursing care building is yet to be resolved, legislators are calling for a strategic study of the delivery of veterans services and recommendations for capital improvements, including building of new homes.**

## Better energy, bit by bit

Omnibus energy policy bill aims for small changes, big impacts

By Nick Busse

**I**t may not be as high-profile as cap-and-trade or as controversial as the California "Clean Car" vehicle emissions bill, but the session's single biggest energy policy package is on its way to the governor's desk.

HF3661/SF3337\*, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), contains provisions designed to boost renewable energy development and help push the state toward meeting its greenhouse gas reduction goals. The House passed the bill 110-22 on May 7, after the Senate passed it 51-13 just a few hours earlier. According to Hilty, most of the bill's language is considered noncontroversial.

### Global warming

One provision asks the Commerce Department and Pollution Control Agency to submit joint biennial reports to the Legislature on the state's progress toward meeting necessary greenhouse gas reduction goals, while another section requires the same agencies to report annually on proposed legislation to help achieve the reductions.

The bill also addresses the issue of "superwarmers" — greenhouse gasses whose potential contribution to global warming is exponentially higher than that of carbon dioxide. Such gasses include industrial chemicals like hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride, which are used in everything from fire extinguishers to air conditioners. Manufacturers of these gasses would be required to report data on the total amount produced and sold annually in Minnesota. Also, any entity that purchases more than 500 metric tons per year of the gas must report not only how much gas was purchased but also how it was used.

The bill would also require auto



PHOTO BY PAUL BATTAGLIA

**The University of Minnesota-Morris is looking to add a second wind turbine to supplement its current one, pictured above. Demand for wind power has grown so dramatically that many turbine manufacturers will only fill bulk orders, and a provision in the omnibus energy policy bill would allow the Commerce Department to aggregate orders from the university and other entities to arrange bulk purchases.**

manufacturers to disclose the leakage rates, for all new vehicles, of a certain refrigerant used in mobile air conditioners. The PCA and Office of the Attorney General would be required to post the information on their Web sites.

### What's in the bill

The following are selected bills that have been incorporated, in part or in whole, in the omnibus energy policy bill:

HF446 — Kahn  
HF2351 — Johnson  
HF2959 — Johnson  
HF3366 — Eken  
HF3517 — Davnie  
HF3545 — Atkins  
HF3729 — Hilty  
HF3857 — Sailer  
HF3977 — Brynaert

### Renewable energy

The demand for wind power has grown so high that many wind turbine manufacturers will only sell their products in bulk, and a section of the bill would authorize the Commerce Department to coordinate and arrange bulk purchases of turbines for individuals, community-based energy developers, school districts and various other public entities.

The provision, which comes from a bill sponsored by Rep. Al Juhnke (DFL-Willmar), would allow the department to serve as a "clearinghouse to coordinate and arrange umbrella sales arrangements" so that small-volume purchases could be aggregated into single large orders to be placed with manufacturers.

In the area of solar energy, a provision adopted from a bill sponsored by Rep. Brita Sailer (DFL-Park Rapids) would allow certain solar projects to be incorporated into the state's conservation improvement program.

One solar-related provision that did not survive the conference committee was a measure that would have dedicated a small portion of the state's 25 percent by 2025 renewable energy standard to solar power (from HF3843, sponsored by Rep. Kathy Brynaert (DFL-Mankato)).

### State government

The conference committee added a section to the bill that would abolish the Legislative Electric Energy Task Force and reorganize it as the Legislative Energy Commission.

**Energy continued on page 22**



## Labor, teeth and parents

Variety of provisions offered in higher education policy bill

By MIKE COOK

**M**ore labor members could sit on a college board, more oral health practitioners could be practicing in the state, and parents may be informed when their son or daughter gets in trouble at college.

Each is included in HF3349/SF2942\*, the omnibus higher education policy bill sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Sandy Pappas (DFL-St. Paul). It was passed 132-0 by the House and 64-0 by the Senate, both May 7.

Financial provisions affecting the University of Minnesota, Minnesota State Colleges and Universities system and student financial aid are in HF1812, an omnibus supplemental budget bill approved May 6 by a conference committee. It is being held over depending on negotiations between legislative leaders and Gov. Tim Pawlenty to resolve the state's projected deficit for the biennium.

### MnSCU board members

An idea proffered by Rukavina would assist labor in having representation on the 15-member MnSCU Board of Trustees. Under current law, each member is appointed by the governor with the advice and consent of the Senate.

"It's important to have some type of, as we do on the (University of Minnesota) Board of Regents, labor representation. We've always had that tradition," he said. "Furthermore, given the makeup of the Board of Trustees now, it seems to be lacking working class folks who send their kids to our public institutions."

The conference committee agreed that one board member must be appointed from labor organizations. The state AFL-CIO must recommend four to six candidates to the governor beginning in 2010 and every six years thereafter. However, the governor is not bound by the recommendations.

Conferees also agreed that the three student board members must be enrolled at least half time at a MnSCU institution when appointed to the board.

### Oral health practitioner

To meet the routine preventive care dental needs of some Minnesotans, the bill would allow for the creation of an oral health practitioner profession. It also would create a working group to establish the education and regulation of such professionals.

"There is a need to create a mid-level

### What's in the bill

The following are selected bills that have been incorporated, in part or in whole, in the omnibus higher education policy bill:

HF1457 — Rukavina

HF1780 — Marquart

HF2524 — Ward

HF2647 — Bly

HF3014 — Hosch

practitioner. There is a desire in health care reform to enable practitioners to practice at the top of their license. This is a step to move us in that direction," said Sen. Ann Lynch (DFL-Rochester), who sponsored this in SF2895. She said MnSCU and the university support the language. The Board of Dentistry has not taken an official position. The first graduates would be practicing in 2011.

A practitioner would need to be a graduate of an accredited education program and pass a comprehensive, competency-based examination administered independently of the institution.

To practice, the practitioner must agree to serve low-income, uninsured and underserved patients or in a dental health professional

**Higher education continued on page 22**



PHOTO BY TOM OLMSCHIED

**Normandale Community College in Bloomington is hoping to complete the second phase of a two-phase project designed to address classroom improvement for academic programs including health, exercise physiology, customized training and physical education, and provide for an improved fitness center.**

# Offering a way out

Omnibus public safety policy bill aims to help future workers

By CRAIG GREEN

**A** plan that will serve as a framework for future reentry work is on the way to the governor. Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Linda Higgins (DFL-Mpls), HF2996 began the session as the reentry omnibus bill. It initially proposed deferring prosecution for certain first-time drug offenders, a tax credit for employers hiring ex-felons, a study of reentry facilities and the creation of a reentry court working group.

What survived, the omnibus public safety policy bill, was passed by the House 132-0 May 7 and 61-2 by the Senate a short time later.

- In its latest form, the bill:
- requires the Department of Corrections to develop a marketing plan with the Department of Employment and Economic Development to attract private businesses to employ inmate services through MINN-COR Industries;
  - requires inmates who do not have a primary address to notify local authorities where they will be going at least three days before they leave a correctional facility;
  - adjust the timing of petitions for civil commitment hearings dealing with those who may be deemed a sexually dangerous person or have a sexually psychopathic personality;
  - requires registration as a predatory offender for anyone convicted of a comparable offense in another state;
  - requires a court to ask if a convicted defendant is a member or a veteran of the armed forces, whether he or she has been diagnosed with mental illness, and if so, consider appropriate treatment;
  - calls for a study group to consider the impact on presumption joint physical custody of children after divorce; and
  - establishes a working group to discuss the state's controlled substance laws. A report

would be due to the Legislature by Jan. 15, 2009.

"If the working group comes back with some sound recommendations to the Legislature, I think we will be in a position to reform some of our drug laws and, hopefully, find ways to incarcerate fewer drug offenders, and get them into treatment," Paymar said.

## Not included

Certain provisions were pulled during conference committee discussions due to a veto concern. One involved the use of nonconviction records by private employers.

Proposed by Sen. Mee Moua (DFL-St. Paul), SF3035 would prohibit an employer from using records of an arrest or pending criminal proceeding against a potential employee.

Dave Dederichs, manager of fiscal and labor/management policy at the Minnesota Chamber of Commerce, said that although most employers look at past arrests and focus on convictions, there are employers who may want to look at the full history of potential future hires.

Also removed was a provision from HF3503, sponsored by Rep. Karla Bigham (DFL-Cottage Grove), which would prohibit registered sexual offenders from accessing social networking Web sites that permit minors to have a personal Web page, and a provision from Rep. Tom

## What's in the bill

The following are selected bills that have been incorporated, in part or in whole, in the omnibus public safety policy bill:

HF1262 — Mahoney  
HF2996 — Paymar  
HF3000 — Hilstrom  
HF3257 — Loeffler  
HF3342 — Bigham  
HF3396 — Simon  
HF3670 — Mullery  
HF3683 — Hilstrom  
HF3690 — Kalin  
SF3035 — Moua


Hackbarth (R-Cedar) that would increase the lawful amount of explosives allowed in certain fireworks.

## No good conduct

A lynchpin of the original bill was the establishment of a certificate of good conduct. Following certain restrictions, someone with a conviction could apply for a certificate stating they have been rehabilitated. The idea being that the certificate, which "creates a presumption of rehabilitation," allows them an easier path to housing and employment. It was not included in the final draft because of objections raised by the governor's office.

When first introduced, a fiscal note that said the program could cost approximately \$1.5 million, but the Senate came up with a plan to pay for the program through fees assessed to applicants. "We had the money to do it," Paymar said, "we ran into a road block with the governor's office."

Harley Nelson, deputy corrections commissioner, told a May 2 conference committee that the concept is good, but the proposal specifics still need to be worked out. Nelson raised concerns about who would verify information provided by applicants, and questioned the definition of "law abiding."

Higgins was disturbed that concerns were being brought forth so late, and said that the certificate could help many of the 7,000 inmates annually coming out of incarceration and facing difficult barriers. "We know that getting them on path to a good job and a decent place to live makes it more likely that they will be law abiding," she said. 

## Two out of three

Pair of safety provisions highlight transportation policy plan

By MIKE COOK

**I**f a parent is teaching their son or daughter how to use a manual transmission, they should be buckled up so as to not lunge forward if the vehicle is stalled in a jerky fashion during an attempted gear shift.

With all the starting and stopping of a transportation policy conference committee, it may be appropriate that one of the bill's of the highlights is seat belt usage.

House debate had just begun May 8 when this magazine went to press. If approved by the House, and by the Senate, as expected, HF3800\*/SF3223 would speed to the governor's office in hopes of getting a green light after conferees worked around a couple of roadblocks put up by the state's top official.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Steve Murphy (DFL-Red Wing), the final agreement contains a pair of provisions aimed at saving the lives of Minnesotans — mandatory seat belts and

graduated driver's licenses — but a booster seat requirement was reluctantly removed.

"We've put together a package that'll save lives in the state of Minnesota," Murphy said. "Next year when our traffic fatalities come in at 460 or 465, instead of 503, we're all going to feel better."

The centerpiece is making failure to wear a seatbelt a primary offense. The proposal would also require all vehicle occupants to be buckled up. Currently, people ages 11 and up can ride in a back seat unbuckled. A motorist must now be stopped for another offense to be issued a citation for failing to wear a seatbelt.

It is estimated that 85 percent of Minnesotans

buckle up, but the provision is aimed at the other 15 percent. According to the Office of Traffic Safety, of the 14 state traffic deaths from April 17-29, a dozen victims were unbuckled. Eight of those people were ejected from the vehicle. Murphy estimates the change would save 40 lives in the first year.

Passing a primary law could also net the state upward of \$25 million in federal funding that could be used for safety improvements, including education, enforcement, providing child safety seats for low-income families or installing signs and markers on roadways.

A primary seatbelt law has traditionally had no problem receiving Senate approval, but has struggled to get through the House. Conversely, increasing from 5 mph to 10 mph in a 60 mph zone, the speed over the limit where a violation would not be recorded on a driver's record, has traditionally had House support, but not the Senate. Both are in the final product.

"We'll need the primary seatbelt even more with Dimler," said Rep. Ron Erhardt (R-Edina). Enacted in 1986, the "Dimler amendment," named for its sponsor, former Rep. Chuck Dimler, governs which speeding violations are recorded on a driving record.

"It's difficult to pass primary seatbelt in the state of Minnesota. It's as much Iron Rangers and the DFL Party as it is because of Republicans," said Rep. Melissa Hortman (DFL-Brooklyn Park), the lead House negotiator.

The bill also allows for graduated driver's license restrictions.

During the first six months of provisional

### What's in the bill

The following are selected bills that have been incorporated, in part or in whole, in the omnibus transportation policy bill:

HF105 — Hortman

HF106 — Thissen

HF2408 — Carlson

HF2600 — Kelliher

HF2628 — Norton

HF2970 — Drazkowski

HF3089 — Ruth

HF3726 — Hornstein

HF3910 — Morrow



PHOTO BY ANDREW VONBANK

Included in the omnibus transportation policy bill is creation of an Office of Pupil Transportation Safety under the State Patrol. Among the office responsibilities would be development of a consistent record-keeping system to document school bus inspections, out-of-service vehicles and driver files.

Transportation continued on page 23



# Tallying the votes

What you should know first about how your legislator votes

By Nick Busse

**H**ardly a day goes by without a member of the public asking a legislative staffer some variant of the following question: “How do I find out how my legislator voted on a bill?”

It’s an important question, and one that’s relatively easy to answer once you know where to find the information — but there are a few things you should know first.

Although there are only two ways that a House or Senate member can vote on a bill — “yes” or “no” — the decision-making process that goes into that vote is often as complicated as the bill itself. This is especially true of large omnibus bills, which can run hundreds of pages and comprise many individual pieces of legislation.

Rep. Mark Olson (IR-Big Lake) speaks frequently on the House floor about his concern with omnibus bills. He said such bills present a dilemma to lawmakers: how many good or bad provisions does a bill have to contain before you vote one way or the other?

“Each member has a different strike zone,” Olson said. “Is the bill 90 percent good? Or is it 60 percent good? ... Think about it like this: it sounds really good that you’re voting for a bill that’s 90 percent good, but if the bill is appropriating \$10 billion, you’ve just wasted a billion dollars.”

Sometimes, even a single controversial provision will compel a House member to oppose a bill. On March 6, for example, Rep. Terry Morrow (DFL-St. Peter) cast the lone vote in the House against an omnibus tax bill. Even though he generally supports the legislation, Morrow was upset that a local option sales tax provision that he sponsored had been removed to make it more acceptable to Gov. Tim Pawlenty.

“Members, there are good things in this bill. ... It pains me to do this, but on this one I feel I have to take a stand for the people of North Mankato,” Morrow said.



PHOTO BY TOM OLMSCHIED

**Omnibus bills are subject to amendments, like this stack waiting to be considered for the omnibus tax bill. Amendments can further complicate a member’s vote.**

A legislator might have any number of reasons for voting a certain way; just because they vote against a bill doesn’t necessarily mean they oppose the issue it seeks to address, and vice versa. Sometimes lawmakers vote against a bill simply because they think it hasn’t gone through the proper legislative process.

Olson said people often take House members’ votes out of context, and encourages people to contact their legislator and ask them why they voted a certain way on a bill.

## Who represents you?

The first step in learning how your legislator voted on a certain bill is to find out who represents you at the Legislature. The easiest way to do this is to access the House Web site ([www.house.mn](http://www.house.mn)); however, for those who do not have Internet access, or who would rather speak to someone in person anyway, you can always call House Public Information Services at 651-296-2146 or 800-657-3550. During business hours, a staff member will be on hand to assist you.

If you do have Internet access, go to [www.house.mn](http://www.house.mn) and click “Who represents you?” on the left side of the screen. Click on “District Finder” and type in your home address, and then click “Search.” You should see a screen that provides the name of your state representative, state senator, U.S. representative and your two U.S. senators.

## How did they vote?

If you want to know how your House member voted on a bill, you have several options. One is to simply call them directly. This method has the advantage of allowing you to let your legislator know — politely, if at all possible — how you feel about their vote.

All recorded floor votes are also on the House Web site. On the main page, click on “Recorded Votes” in the middle-right column. From there, you can sort votes by either date or bill number. When you click on an individual bill, you will be taken to a list of all recorded roll-call votes on the bill, with the most recent vote being listed at the bottom.

Another way to view floor votes on key legislation is to click on the “Hotlist” link on the main page. This will take you to a list of “well known” bills that have been heard within the last biennium.

With regard to votes taken by House members in committee, the committee staff is not required to record how individual committee members vote on a bill unless a roll-call vote has specifically been requested. If roll-call votes were taken by a committee on a specific bill, you can view them in the committee meeting minutes, which are accessible through the House main page via the “Committee Information” hyperlink.



## Agriculture continued from page 15

- for licensure;
- a requirement for pesticide collection, including annual disposal opportunities to be made available in each county;
- a definition of vending machine to mean a self-service device that not only accepts coins and tokens, but credit cards;
- providing for pumps used to blend gasoline and ethanol to be clearly labeled "Flex-Fuel Vehicles only;" and
- encouraging Greater Minnesota counties adopting or updating comprehensive plans to consider open space goals.

## Veterans provisions


After several reports highlighted safety concerns at the Minneapolis Veterans Home, the Legislature began to address the issue by moving responsibility for the facility to the

Department of Veterans Affairs. This bill supports the governor-established Veterans Health Care Advisory Council and its duties to develop a new vision for the veterans homes and more efficient delivery of veterans services. It also lays out a focus for the department's Strategic Planning Group to review and make capital, maintenance and operation recommendations to the Legislature. The group would look at alternative operational models and additional state veterans home locations. A report would be due to the Legislature by Jan. 15, 2009, on the status of the project priority list, which could include recommendations for new veterans homes.

With the available federal funds for a new veterans cemetery near Duluth, a study is called for to evaluate the actual need for veterans cemeteries, including locating one in the southern part of the state. The bill also expands the framework for operating state-

run veterans cemeteries. It is specific that no new staff be hired for a new cemetery without explicit legislative approval.

The state keeps no comprehensive listing of those with Minnesota ties who have died in combat, but that would change through the bill. The department would be asked to maintain the list that would be made available at the discretion of the commissioner for ceremonial and honorary purposes.

Other veterans provisions include protection for reservist-owned business from civil court proceedings for a minimum of 60 days, while the person is deployed; and preventing employers from discriminating against the family of service members when requesting unpaid leave to attend deployment, reintegration and other eligible military events. 

---

## Energy continued from page 16

The purpose is to expand the group's role to include energy issues beyond just electric generation. The language is similar to HF3729, sponsored by Hilty, which was passed 106-24 by the House on April 30. Also included is an amendment originally offered by Rep. Mark Olson (IR-Big Lake) that requires the commission to evaluate new and existing technologies for nuclear power.

## Miscellaneous


Another section added by the conference

committee is part of an outdoor light pollution bill originally sponsored by Rep. Phyllis Kahn (DFL-Mpls). It would require that any outdoor lighting fixtures installed or replaced with state funds to use special "cutoff luminaires" that conserve energy and minimize light pollution.

Other provisions include language pulled from HF3366, sponsored by Rep. Kent Eken (DFL-Twin Valley), which is designed to help homeowners who use PVC piping in their home heating oil systems. The provisions would use the state's petroleum tank release

cleanup fund to provide up to \$250 per homeowner to help replace the PVC piping with metal piping that is less likely to break and release heating oil into the environment.

## Non-energy provisions

A pair of bills sponsored by Rep. Sheldon Johnson (DFL-St. Paul) are also included: a study on the potential costs and benefits of statewide video franchising and a statewide broadband service mapping project. 

---

## Higher Education continued from page 18

shortage area as determined by the health commissioner. Examples include rural parts of the state and the inner cities.

"This only works under the supervision of a Minnesota-licensed dentist, and only in conjunction with a written collaborative agreement between that dentist and this newly created mid-level practitioner," Lynch said.

## Parental notification


For students who misbehave, the bill adds to the exceptions in state data practices law that maintains postsecondary data as private by incorporating expanded disclosure allowed by the Federal Family Educational Rights Privacy Act.

Under the act, information that can be disclosed includes the final results of disciplinary proceedings resulting from a violent crime or nonforcible sex offense;

information provided to the institution concerning registered sex offenders on campus as that information is disclosed to other parts of society; and disclosure to a parent or guardian of a violation of law and institutional rules on drug or alcohol use by a student under age 21 if the institution has a form signed by the student authorizing disclosure. The school must notify parents and students about the availability and purpose of such a form, including distribution of the form at parent and student orientation meetings.

"This is a reasonable request. It is something that parents have been seeking, as well as it's a good safety item for students and institutions to be helping them," said Rep. Jeanne Poppe (DFL-Austin). "We want our students to mature well and we want them to make a decision and we need to be able to help them along that way. This will help face that future maturity need by thinking about alcohol and making good decisions."

## Other provisions

- a veteran's spouse or dependent is classified as a resident student for state grant purposes, if the veteran is a state resident;
- a report is required on the number of waivers sought, and requests granted, from 2007 legislation requiring MnSCU to set the maximum number of semester credits for a baccalaureate degree and an associate of arts degree at 120 or 60 credits or their equivalent;
- as part of a final report due on the state grant program, the Office of Higher Education is to study and evaluate the enrollment patterns of students from low-income families in higher education, and identify potential changes to increase participation; and
- requirements of a student loan forgiveness program for health professionals would be clarified for mid-level practitioners, nurses and other health care technicians who teach. 

## Transportation continued from page 20

licensure, a licensee could not operate a vehicle carrying more than one passenger under age 20 who is not a member of their immediate family. That increases to three passengers the following six months.

Also during the first six months of provisional licensure, a person under age 18 would be prohibited from driving between midnight and 5 a.m., except when the driver is going between the person's home and job or school event where no transportation was provided, the driver is driving due to a job or the driver is accompanied by a licensed driver or state identification card holder who is at least age 20.

Supporters call it a safety issue; opponents say it is government putting its nose into something that should be decided between parents and their child. Pawlenty wanted a parental opt-out, which conferees and law enforcement officials are against.

Despite support from conferees, a clause to require a child passenger restraint system be used for every child under age 8, or under 4-foot-9, instead of the current age 4, is absent from the final product in the spirit of compromise.

Murphy said the provision more than likely would have saved a single-digit number of

lives, but supporters said it would prevent many other injuries.

"Small children with an adult-sized seatbelt really get ripped up inside in a car accident," Hortman said. "While we're saving some lives, we're preventing dozens of serious injuries."

Conferees hoped to finish the bill May 5, but Murphy said he was told by a governor's representative that Pawlenty would accept two of three safety provisions.

After Public Safety Commissioner Michael Campion said the next day that there was no such prerequisite, conferees approved the report with all three safety clauses, only to get a letter from Pawlenty hours before a potential May 7 floor vote. It expressed concern about the lack of bipartisan support for the bill and left unanswered questions in the booster seat language.

"For example, if a grandma were picking up her 7-year-old granddaughter and three friends from a soccer game, in a response to a last minute request from a parent, would the grandma be required to have booster seats for all four children? I hope you see my point about legislative overreach," Pawlenty wrote.

Continuing the safety theme, an Office of Pupil Transportation Safety would be created as a section under the State Patrol. Included in its duties would be development of a consistent

recordkeeping system to document school bus inspections, out-of-service vehicles and driver files. Audits of selected school districts would be conducted to check on compliance with statutory requirements. The director would be a state trooper.

Other provisions given the green light include:

- making it illegal to text message when the vehicle is in motion or a part of traffic;
- making sesquicentennial license plates available for purchase;
- a person who can document homelessness or eligibility for certain need-based relief that has their vehicle impounded could get back some essential contents, under certain circumstances, without paying for vehicle retrieval;
- drivers would be required to move to a lane over when passing freeway service patrol, road maintenance and construction vehicles parked or stopped on roadway;
- the Department of Transportation is to develop a comprehensive statewide freight and passenger rail plan; and
- a second set of disability plates could be issued to a vehicle owner if issuance is approved by the state Council on Disability.



## BILL INTRODUCTIONS

May 5 - 8, 2008

HOUSE FILES 4230 - 4238

### Monday, May 5

#### HF4230-Slawik (DFL)

##### Health & Human Services

Violence against mental health care workers task force established.

### Wednesday, May 7

#### HF4231-Ozment (R)

##### Public Safety & Civil Justice

Board of Firefighter Standards and Training duties added, rulemaking authorized, licensing standards created.

#### HF4232-Beard (R)

##### Environment & Natural Resources

Minnesota River Basin Commission established with taxing authority.

#### HF4233-Swails (DFL)

##### Finance

Woodbury veterans memorial funding provided.

#### HF4234-Mullery (DFL)

##### Public Safety & Civil Justice

Record retention required of mortgage loans, periodic reports to the commissioner of commerce required and mortgage foreclosure delay provided for sales under certain circumstances.

### Thursday, May 8

#### HF4235-Murphy, E. (DFL)

##### Finance

Public health improvement account created.

#### HF4236-Atkins (DFL)

##### Environment & Natural Resources

Lessard-Heritage Enhancement Council created and appointments provided.

#### HF4237-Thissen (DFL)

##### Environment & Natural Resources

Development and regulation of consumer product advisory council created; framework established for consumer products that protect, support, enhance human health, the environment and economic development; and appointments provided.

#### HF4238-Dean (R)

##### Environment & Natural Resources

Horse trail pass eliminated.



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

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

## MINNESOTA INDEX

### Gardening in Minnesota

Earliest average frost-out date in Minnesota .....	May 19
Latest average frost-out date.....	June 10
Earliest average frost-in date in Minnesota .....	Aug. 31
Latest average frost-in date .....	Sept. 24
Number of different species of plants native to Minnesota.....	2,400
Minnesota plants listed as endangered, threatened or of special concern.....	191
Aquatic plants native to Minnesota.....	24
Wildflowers native to Minnesota .....	98
Trees and shrubs native to Minnesota .....	52
Public rose gardens in Minnesota.....	7
Public arboretums in Minnesota.....	5
Public Japanese gardens in Minnesota .....	4
Historic gardens in Minnesota .....	16
Number of growing zones that help determine plant hardiness.....	11
Degrees, in Fahrenheit, temperature can dip to in zone 1, which includes Fairbanks, Ala.....	-50
Degrees temperature can dip in zone 11, which includes Hawaii.....	40
Degrees temperature can dip in zone 4a, which includes the Twin Cities.....	-30
Year the Master Gardener Program was created in Minnesota .....	1977
Active master gardeners in Minnesota.....	2,200
Average number of days in Minnesota's growing season .....	137
Average growing degree days in Minnesota.....	2,350
Year the red pine was named Minnesota's state tree .....	1945
Year the pink and white ladyslipper was named Minnesota's state flower.....	1893
Number of rose varieties in Minnesota's Centennial Rose Garden, located at the State Capitol .....	11
Year the "Centennial Rose," created to be the centerpiece of the garden, was introduced.....	2005

— B. HOGENSON

Sources: The United States National Arboretum, University of Minnesota, University of Minnesota Extension, Department of Natural Resources, National Climate Data Center, Victory Seed Company, 50states.com, Session Weekly.

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribe.asp](http://www.house.mn/hinfo/subscribe.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 14 • MAY 16, 2008

PRODUCT STEWARDSHIP — THE NEXT STEP

LAWS ARE A WINDOW TO HISTORY

MINNESOTA'S GREAT OUTDOORS

VETO REACTIONS

HF4239 - HF4246





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Thomas Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



# CONTENTS

## HIGHLIGHTS

Agriculture • 5	Environment • 11	Law • 16
Consumers • 5	Gambling • 11	Local Government • 16
Crime • 5	Game & Fish • 12	Retirement • 16
Development • 7	Government • 12	Safety • 17
Education • 8	Health & Human Services • 13	Technology • 17
Elections • 9	Higher Education • 14	Tourism • 17
Employment • 9	Housing • 15	Transportation • 17
Energy • 10	Insurance • 15	

## BILL INTRODUCTIONS (HF4239-HF4246) • 23

## FEATURES

**FIRST READING:** Product stewardship for a cleaner environment, with less government • 3

**AT ISSUE:** Education policy bill veto puzzles House sponsor • 19

**AT ISSUE:** Despite veto, supporters remain optimistic about reform • 20

**PEOPLE:** Berns steps down to focus on his family • 21

**RESOURCES:** Laws provide a window to history • 22

**MINNESOTA INDEX:** Experiencing Minnesota's outdoors • 24

**On the cover:** Veronica Kremer, a seventh grader at Skyview Community Middle School in Oakdale, looks at the light-filled east wing of the Capitol after participating in Project Citizen Minnesota "Learning Law and Democracy" May 14. The school won a blue ribbon for its project "Lights, Camera, Action," a proposal for an auditorium to be shared between the middle and elementary buildings at Skyview Community School.

— Photo by: Tom Olmscheid



# From hazardous waste, good business

Product stewardship concept offers hope of a cleaner environment with less government

By Nick Busse

**S**pring is typically a busy time of year for employees at Bay West, Inc. The company's St. Paul headquarters, located just a few blocks northeast of the Capitol, serves as Ramsey County's public drop-off site for household hazardous waste. According to Household Hazardous Waste Team Manager Janice Noggle, springtime means spring cleaning — which means people are dropping off a lot of old paint.

Liquid paint is considered a hazardous waste, which means it can't be legally dumped in the normal trash. Currently, the responsibility for recycling it falls largely on counties, which contract with companies like Bay West, passing the recycling costs on to property taxpayers, to the tune of \$5 million per year. Those costs are steadily growing — a trend that has alarmed officials like Ramsey County Commissioner Victoria Reinhardt.

"Even if we wanted to, the cost is getting more and more and more," Reinhardt said. "We simply have other priorities. We can't continue to do this."

Some think there might be a better way. A bill sponsored by Rep. Brita Sailer (DFL-Park Rapids) would establish a first-in-the-nation pilot program that asks paint manufacturers to recycle their own product. If successful, the program could create a national model that would take the burden of waste paint off the backs of taxpayers and into the hands of private industry.

If it sounds like big government interfering with the free market, think again: the idea behind the project came from the paint manufacturers themselves. Reinhardt said the reason is simple: instead of trying to navigate 50 different sets of environmental laws in 50 different states, the paint industry wants to take the initiative and come up with its own uniform system.

"Their argument to us — and it made sense

— was, 'We know our industry and you don't. Why don't you let us design it and we'll take responsibility for it,'" Reinhardt said.

The bill would authorize establishment of a paint stewardship organization funded by a fee of no more than 40 cents per every container of paint sold to consumers in the state. Consumers could drop off unwanted paint cans at participating retailer locations, where they would be collected and recycled by the organization. The program would expire June 30, 2010, with an evaluative report due from the Pollution Control Agency to the Legislature by Jan. 15 of that year.

For now, however, the program will have to wait. Gov. Tim Pawlenty vetoed the bill May 15.

In his veto message, Pawlenty said that the bill provided "little assurance that taxpayers will see any relief" if it were to become law. He further stated that Minnesotans already support paint recycling through their taxes, and the bill would essentially impose a second government-mandated payment for the same purpose.

Sailer said she is disappointed by the governor's decision, and plans to try again next year; however, she worries that by then it might be too late, and the manufacturers might decide to try their luck with another state.

"The crux of the matter is, will they choose Minnesota again, or will they say, 'Let's go to

another state?' I mean, has Minnesota lost that opportunity?" she said.

## A new approach

The basis for the paint recycling pilot program is part of a larger concept called "product stewardship." The basic idea is that all parties involved in the life of a product — designer, producer, retailer and consumer — should share in the responsibility of that product's environmental impacts.

"With product stewardship, it becomes something that's more direct, not only with the people that produce it — the manufacturers — but also with the people that buy the product, the people that deal with the product," Sailer said. "Whereas, if you put it on the tax base, everybody's paying for it — people that may or may not ever use that product, whether it's computers or paint or pesticides."

The paint recycling initiative wouldn't be the first time a product stewardship approach has been used in Minnesota — although, as supporters note, it's the first time that the industry brought the proposal forward itself.

Sailer actually sponsored a similar measure last year that required electronics manufacturers to recycle an amount of consumer electronics equal to 80 percent of the volume sold during the previous year. In contrast to the paint program, the e-waste law, as it became known, was accepted somewhat grudgingly by the state's business community.

Rep. Dennis Ozment (R-Rosemount), who has been a vocal advocate for product stewardship, said that having an industry advocate so vocally for a manufacturer's responsibility approach to recycling is unprecedented.

"I really hope the manufacturers get a pat on the back for what they're doing. They're really stepping up to the plate," Ozment said.

**First Reading continued on page 4**



PHOTO BY ANDREW VONBANK

According to the Pollution Control Agency, 10 percent of the 13 million gallons of paint sold every year in Minnesota — 1.3 million gallons — is never actually used. A bill sponsored by Rep. Brita Sailer is designed to make it easier for consumers to recycle unwanted paint by having the manufacturers collect it at retail locations. Gov. Tim Pawlenty vetoed it May 15, in part because it would have established a paint stewardship fee.

### First Reading continued from page 3

There is always the possibility that the pilot program would fail; however, if it did succeed, it would likely spawn similar legislation for other types of products. Reinhardt hopes that the paint stewardship model could be exported to other hazardous waste-producing industries like pharmaceuticals.

“Each model, depending on the industry, is going to be a little bit different. But I think the product stewardship approach in general, and manufacturer responsibility—we can take that to the things that are most troublesome either in our facilities or landfills,” Reinhardt said.

### Skeptics cry foul

Not everyone is excited about this new approach to recycling paint.

During a pair of sometimes heated debates on the House floor April 24 and May 8, several members expressed concerns about the potential impact of the program on taxpayers. Some said the paint stewardship fee amounted to a “handyman’s tax” — one that forced residents who were already paying for county recycling programs to pay a second

time. Rep. Chris DeLaForest (R-Andover) called it “unjust in the extreme.”

“There will be taxpayers out there in Minnesota who will pay through their property taxes for the recycling of paint, and they’ll also pay at the retail level. It’s double taxation,” DeLaForest said. Pawlenty echoed these sentiments in his veto message.

Along similar lines, Rep. Kurt Zellers (R-Maple Grove) wondered aloud whether Sailer’s bill would set up a system that would merely allow paint producers to bilk consumers out of their money.

“I think I’m seeing a little bit more and more now why the manufacturers are in favor of this. We’re going to charge the consumer, the manufacturers are going to collect their product, bring it back in and then sell it again,” Zellers said.

Reinhardt rejects the “double-taxation” thesis, arguing that the whole point of the paint stewardship program is to save taxpayers’ money; however, she also admits that residents may not see any immediate, direct reduction in their property taxes.

“Whatever the county is paying for waste paint right now, we would no longer have

to pay, period. Now does that mean that it’s automatically a reduction of that amount off of property taxes or off of the waste programs? Not necessarily. It depends on what other costs are going up.”

In regard to arguments that paint manufacturers might somehow abuse the program, Ozment said the PCA will oversee the paint stewardship organization’s finances, and notes that the bill forbids the manufacturers from setting the stewardship fee higher than it needs to be to cover the program’s costs.

More importantly, Ozment said the product stewardship approach is likely to be more effective than the current government programs because it would simply be easier for people to recycle their unwanted paint.

“It’s nice to know that when I go to buy my next gallon of paint, I can take the old stuff with me and turn it over. It’s not going to cost me anything at that point. ... If it’s not made easy and low-cost, then I’ll try to figure out, ‘Well, how can I get rid of this stuff?’ And I may pick some choices that are not the best for the environment. The bottom line is we’re really trying to protect the environment,” he said.



**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held May 8-15. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill version considered by the House or the bill language signed by the governor.

## AGRICULTURE

### 'Success story of the session'

**Signed  
by  
the  
governor**

Minnesota will set the national standard for biodiesel mandates say supporters of a provision contained in a new law signed by Gov. Tim Pawlenty May 12.

"This will be one of the success stories of the session," Pawlenty said about the omnibus agriculture and veterans affairs policy law, which contains various effective dates.

The state's biodiesel mandate will increase incrementally from the current 2 percent blend to 20 percent by 2015. Once the new blend requirement is reached, it would be effective May through September only, with the minimum content for the remainder of the year set at 15 percent.

Rep. Al Juhnke (DFL-Willmar), who sponsors the law with Sen. Jim Vickerman (DFL-Tracy), expects the new law to be a catalyst to increased research and development of biofuels moving food crops away from being the primary source for the blend. He highlighted University of Minnesota research on use of algae for biofuels. "We suspect you will see a huge movement toward these fuels, through R & D efforts."

The law contains an unlikely mix of policy provisions including grants to livestock producers; pesticide disposal requirements; "Support Our Troops" license plates for motorcycles; and several provisions to help address needs of returning veterans.

Juhnke, whose son is being deployed soon to Iraq, said he may be looking at the law's veterans provisions with some self-interest.

"We're laying the groundwork for delivering vets services county by county across the state. We're going to make sure when my son comes back, that we're here for them, and ready to take care of their needs."

The bill calls for a review of how veterans services are delivered in the state, including whether new veterans homes are needed and where they should be located.

Other veterans provisions include protection for reservist-owned business from civil court

proceedings for a minimum of 60 days, while the person is deployed; and employers will be prevented from discriminating against the family of service members when the employee requests unpaid leave to attend deployment, reintegration and other eligible military events.

HF3902/SF3683\*/CH297

— L. SCHUTZ

## CONSUMERS

### Bars can briefly be open later

**Signed  
by  
the  
governor**

During the upcoming Republican National Convention bars can be open later for those wanting a drink.

As part of this year's omnibus liquor law, signed by Gov. Tim Pawlenty May 15, any licensing organization fully or partially within the seven-county Twin Cities metropolitan area can issue special permits allowing establishments to serve alcohol until 4 a.m. from Aug. 31 to Sept. 5.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Dan Skogen (DFL-Hewitt), the law allows local authorities to charge up to \$2,500 for the permits, available only to holders of an existing on-sale liquor license or a 3.2 malt liquor license. The section is effective May 16, 2008.

Also effective May 16, 2008, farm wineries are permitted to manufacture and sell up to 5,000 gallons of distilled spirits per year, and passengers in a vehicle that is operated for commercial purposes in a manner similar to a bicycle would be permitted to consume alcohol.

HF3829/SF3672\*/CH311

— C. GREEN

### Octane as advertised

**Signed  
by  
the  
governor**

If everything turns out as planned, there will be no confusion for consumers as to whether they are really getting the amount of octane advertised on the gas pump.

A new law, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Debbie Johnson (R-Ham Lake), requires that if a number is used to advertise or identify the grade of gasoline, the number cannot exceed the octane of the gasoline. The law also updates ASTM specifications of motor fuels for purposes of regulation by the Weights and Measures Division of the Department of Commerce.

## What's left to finish — or not

As of 7 p.m. May 15, these are some of the issues yet to be resolved before the Legislature must constitutionally finish its work May 19:

- Resolving the state's projected \$935 million budget deficit (talks are ongoing between legislative leaders and Gov. Tim Pawlenty).
- A property tax cap on local governments (one-year levy limit included in May 12 taxes conference committee report, but the governor wants a stricter cap).
- Agreement on property tax rates imposed on public utilities (tax bill).
- Health care reform (HF3391 was vetoed, but its House sponsor hopes to reach a compromise on some reform).
- Lake Vermilion State Park, Minneapolis Veterans Home, Central Corridor (could be part of budget negotiations, resulting in a new bonding bill).
- How to finance a Mall of America expansion, if at all (tax bill).
- Omnibus transportation policy bill (conference committee approved it May 15 minus primary seat belt provision).
- Omnibus game and fish policy bill (conference committee scheduled May 16).
- Omnibus K-12 education finance bill (bill passed May 13 by both bodies, governor yet to act).
- A proposal to adopt California's "Clean Car" vehicle emissions standards (currently awaiting action by the full House. It was defeated 10-7 by a Senate committee May 15).

— M. COOK

The law, signed by Gov. Tim Pawlenty May 8, takes effect Aug. 1, 2008.

HF3411\*/SF3464/CH281

— B. HOGENSON

## CRIME

### No touching peace officer gear

**Signed  
by  
the  
governor**

Peace officers are often in difficult situations, trying to defend others or protect themselves. Having someone take their equipment is not something they should have to worry about.



A new law, sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Ann Lynch (DFL-Rochester), clarifies that it is illegal to take from a peace officer any defensive device issued for their protection, including a firearm, tear gas, Taser or baton. Violation is a felony with a possible five-year sentence and \$10,000 fine.

Signed by Gov. Tim Pawlenty May 13, the law is effective Aug. 1, 2008.

Rep. Mark Buesgens (R-Jordan) unsuccessfully proposed changing the title of a section of the new law to "Keep Your Hands Off the Cop's Stuff."

HF2877\*/SF2647/CH304

— C. GREEN

### Advocates not compelled to talk

**Signed  
by  
the  
governor**

Attorneys, physicians, psychologists, sexual assault counselors and clergy are not now required to disclose information about their clients or members without consent. A new law signed by Gov. Tim Pawlenty May 12 gives domestic abuse advocates the same protection.

Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Mee Moua (DFL-St. Paul), the law defines a domestic abuse advocate as an employee or supervised volunteer of a community-based battered women's shelter or domestic abuse program. These advocates cannot be compelled to provide any opinion about or information from the victim unless ordered by the court.

Paymar said that when victims of abuse share intimate relationship details or future plans with an advocate, they need to know that the information will stay confidential.

The law is effective Aug. 1, 2008.

HF3850/SF3441\*/CH302

— C. GREEN

### Longer orders for protection

**Signed  
by  
the  
governor**

An Order for Protection is a tool that victims of abuse have to protect themselves from harassment and their abusers. A new law, signed by Gov. Tim Pawlenty May 15, allows a court to issue an order for up to 50 years.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Tarryl Clark (DFL-St.

Cloud), the new law provides the option for a longer term if the respondent has violated a previous order on two or more occasions, or if there have been two or more orders issued against the respondent.

The order prohibits any acts of violence and any contact, be it in person, by mail or electronic means.

Effective July 1, 2008, the law also allows the person named in the order to request the order be vacated or modified if it has been in effect for five years and not been violated.

HF1625/SF3492\*/CH316

— C. GREEN

### Public safety provisions now law

**Signed  
by  
the  
governor**

Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Linda Higgins (DFL-Mpls), this year's omnibus public safety policy law was signed by Gov. Tim Pawlenty

May 12.

With language from 10 different bills, and initially drafted as a reentry omnibus bill, the new law:

## MONDAY — FOCUS ON POLICY



PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher clues in members of the Capitol Press Corps who set up camp outside the governor's office waiting for word from legislative leaders on budget negotiations. After a weekend of talks and letter exchanges, Monday's session focused on policy bills steering clear of the budget. A continued sticking point for the governor is putting a cap on local property taxes.

- requires the Department of Corrections to develop a marketing plan with the Department of Employment and Economic Development to attract private businesses to employ inmate services through MINN-COR Industries;
- requires inmates who do not have a primary address to notify local authorities where they will be going at least three days before they leave a correctional facility;
- adjusts the timing of petitions for civil commitment hearings dealing with those who may be deemed a sexually dangerous person or have a sexually psychopathic personality;
- requires registration as a predatory offender for anyone convicted of a comparable offense in another state;
- requires a court to ask if a convicted defendant is a member or a veteran of the armed forces, whether he or she has been diagnosed with mental illness, and if so,

consider appropriate treatment;

- calls for a study group to consider the impact on presumption of joint physical custody of children after divorce; and
- establishes a working group to discuss the state's controlled substance laws, with a report due to the Legislature by Jan. 15, 2009.

Several provisions were pulled from the bill before delivery to the governor, including: prohibiting employers from using records of an arrest or pending criminal proceeding against a potential employee; prohibiting registered sexual offenders from accessing social networking Web sites that permit minors to have a personal Web page; and establishing a certificate of good conduct, which would allow someone with a criminal conviction to apply for a state-issued certificate stating they have been rehabilitated.

The law has various effective dates.

HF2996\*/SF2790/CH299

— C. GREEN

## TUESDAY — NO DEAL PROMPTS BILL PASSAGE



PHOTO BY TOM OLSCHIED

**Flanked by Senate Minority Leader David Senjem and Sen. Betsy Wergin, House Minority Leader Marty Seifert talks with the press about the negotiation process. Earlier in the day, House debate halted on an omnibus education policy bill after Gov. Tim Pawlenty called House Speaker Margaret Anderson Kelliher. Both the DFL and Pawlenty were close to a deal until a \$50 million use of a health care reserve fund derailed negotiations. The House and Senate later passed the education bill and adjourned until Thursday.**

## DEVELOPMENT

### Helping workers and the economy

**Signed  
by  
the  
governor**

One-time, interest-free loans of up to \$20,000 are now available through the Department of Employment and Economic Development to eligible businesses that have sustained or likely will sustain substantial economic loss when an essential employee is called to active service for at least 180 days.

Also, a veteran discharged or released from active duty under honorable conditions within the last 36 months and who is unemployed or under employed is now added to the definition of a dislocated worker. This makes them eligible for state help with employment transition services, such as developing readjustment plans; job or career counseling; short-term training to help enhance their current skills in a similar occupation or industry; and long-term training in a new occupation or industry.

These are two of 52 sections in the omnibus jobs and economic development law, signed May 12 by Gov. Tim Pawlenty. All sections are effective May 13, 2008, unless noted otherwise.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. David Tomassoni (DFL-Chisholm), the law deals with a variety of subjects, including: unemployment insurance; military programs; a vacation rental lodging study; and a number of provisions relating to the Minnesota Combative Sports Commission, formerly known as the Minnesota Boxing Commission.

One of the more controversial provisions



debated on the House floor provides that state statute “shall not prohibit a collective bargaining unit from including provisions related to workplace communication.” Supporters said this ensures that workplace communication in the public sector should be considered by both workers and employers in the future absent of a policy or absent of rules. Critics said management should be able to set its own policies, and this could change the rules of negotiation.

Other provisions in the law include:

- retroactive to Jan. 1, 2008, additional unemployment benefits will be available in counties where the unemployment rate is nearly double the state average during a 12-month calendar period;
- the Minnesota Unemployment Insurance Advisory Council is to provide recommendations to the Legislature on modifications to the additional unemployment insurance benefits to better meet the needs of the state’s workforce;
- effective Aug. 1, 2008, any bioscience or biotechnology project financed with public resources must document its benefit to consumers in the form of more affordable

pricing of the products or services being publicly subsidized;

- a trade policy advisory group will be established, effective July 1, 2008, to help advise the governor and Legislature regarding government procurement agreements of federal trade agreements;
- Explore Minnesota Tourism is to conduct a vacation rental lodging study and report to the Legislature by Jan. 15, 2009, and recommended regulations or legislation changes to promote tourism; and
- a credit-enhanced bond program will be established, effective Aug. 1, 2008, to provide loans to governmental units through the purchase of general obligation bonds of governmental units issued to finance project costs.  
HF3722\*/SF3471/CH300

— M. Cook

## EDUCATION

### Education finance bill passes

As budget negotiations broke down May 13, the House and Senate passed a standalone

omnibus E-12 education finance bill, which Gov. Tim Pawlenty’s office came out quickly and strongly against.

Rep. Mindy Greiling (DFL-Roseville), who sponsors the bill with Sen. Terri Bonoff (DFL-Minnetonka), said HF6\*/SF352 would increase the amount of money for school milk, include a task force on special education and provide additional funding for school districts in the form of a one-time \$51 per pupil allocation.

“I would say that every district in the state and every student will be happy to get what they can squeeze out of this Legislature in the time of the deficit,” she said.

House Minority Leader Marty Seifert (R-Marshall) questioned the source of the funding, a freezing of the Quality Compensation for Teachers program, commonly known as Q Comp. He also questioned the date chosen to stop accepting applications for the program, one which allowed the Roseville School District to receive funding under the program.

In part, the bill would:

- add legislators to the State Advisory Council on Early Childhood Education and Care.

## WEDNESDAY — UNTIL THE MIDNIGHT HOUR



PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher and Senate Majority Leader Larry Pogemiller head to the governor’s office for a new round of negotiations, which continued until nearly midnight. Among several sticking points is a cap on property taxes.



The council would be given the additional task of finding federal funding for early childhood and child care programs;

- rework the language on the referendum ballot to say that “By voting yes on this ballot question, you are voting to renew an existing property tax referendum that is scheduled to expire”;
- repeal the annual general education offset in the Permanent School Trust Fund beginning in 2010. That money would be available directly to meet the technology needs of school districts; and
- appropriate \$50,000 for costs to examine education achievement and \$188,000 for the administration of the school report card.

The House began discussing the conference committee report late morning on May 13 and recessed after House Speaker Margaret Anderson Kelliher (DFL-Mpls) received a call, reportedly from Pawlenty, asking the bill not be taken up until a global agreement on the budget is reached. However, after negotiations broke down later in the day, the House reconvened and passed the bill, and the Senate quickly followed suit.

Seifert unsuccessfully brought a motion to send the bill back to the conference committee, questioning the timing of the legislation.

“Members, this is very disappointing, when we are in the midst of a global negotiation in which we can get a balanced budget, we can get a K-12 bill, a tax bill and a bonding bill and finish up by the deadline,” he said.

“We’re on the drop-dead date, actually, to pass the education bill,” Greiling countered, adding that the bill would help the agreement or at least serve as a safety valve if there wasn’t any agreement.

That night, the governor’s office issued a statement calling the decision to pass the bill “unfortunate.”

A statement from the governor’s Director of Communications Brian McClung said, “Tonight the DFL walked away from negotiations. Instead they charged ahead to do what they do best — raise taxes, irresponsibly increase government spending, and throw out accountability measures.”

The bill, the statement continues, would stop nation-leading programs that pay teachers for performance and it would revoke other accountability measures.

— T. HAMMELL

## ELECTIONS

### New elections provisions

**Signed  
by  
the  
governor**

A wide variety of elections provisions are included in a new law signed May 8 by Gov. Tim Pawlenty.

- Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Ann Rest (DFL-New Hope), the law includes provisions that, among other things:
- require the governor to call for a special election within five days after a legislative vacancy occurs, with a special election to be held no more than 35 days thereafter;
  - provide that a candidate must file no later than 14 days before a special primary;
  - provide that standard recount laws apply to a special primary or election;
  - permit existing voter registration applications to be used, without alteration, until they are gone;
  - give school boards permission to decide whether to hold a primary election;
  - modify the deadline for candidates to file for school board elections; and
  - allow school district elections to be conducted via an approved electronic voting system.

The majority of the provisions are effective June 1, 2008.

HF3172\*/SF2574/CH295

— B. HOGENSON

## EMPLOYMENT

### Sick leave eligibility increase

Current law allows an employee to use employer-provided sick leave when they are sick or when they need to care for a minor child who is ill.

It could be expanded to include an adult son or daughter, spouse, sibling, parent, grandparent or stepparent who is ill or injured.

Sponsored by Rep. Neva Walker (DFL-Mpls) and Sen. Sharon Erickson Ropes (DFL-Winona), HF219/SF1128\* would apply to employers with 21 or more employees at a single site that already have a sick leave policy. To be eligible, an employee must be employed at least half-time, or the equivalent, by the employer for 12 consecutive months.

Passed by the Senate 48-12 May 12, it was passed by the House 88-45 later that day. It now awaits action by the governor.

Employers could continue to provide greater sick leave benefits, and the bill doesn’t

### THURSDAY — ANOTHER BRIEF BRIEFING



PHOTO BY TOM OLMSCHIED

House Majority Leader Tony Sertich briefs some of the Capitol Press Corps on the progress of budget talks with Gov. Tim Pawlenty as Speaker Margaret Anderson Kelliher is escorted from Pawlenty’s office by House Legislative Director to the Speaker Sean Rahn and Senate Executive Director Rules and Administration Committee, Michele Kelm-Helgen May 15.

To find out who represents you at the Capitol . . .  
Call House Public Information Services at  
651-296-2146 or 800-657-3550

alter an existing policy or labor agreement that allows the use of sick leave for the care of a child, spouse, sibling, parent, grandparent or stepparent.

Supporters say this will help families that, for example, have an adult child with a disability and it will help with an aging population, especially as baby boomers reach retirement. They also believe it is important that employees can use their sick leave how they best see fit.

Opponents called this an unfunded mandate on some businesses.

— M. COOK

### Employee act resolution vetoed

**Vetoed  
by  
the  
governor**

A resolution memorializing Congress to support the Employee Free Choice Act related to workers' rights to form and join unions was vetoed by Gov. Tim Pawlenty

May 8.

Sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. David Tomassoni (DFL-Chisholm), the resolution recognizes how the Employee Free Choice Act would:

- safeguard workers' ability to make their own decision on joining a union without coercion, provide for first contract mediation and arbitration, and establish meaningful penalties when employers violate workers' rights;
- authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them;
- provide for first contract mediation and arbitration of a first contract; and
- establish meaningful penalties for violations of a worker's freedom to choose a union.

"Collective bargaining and unions are still one of the better ways to help people move up from poverty and into the middle class," Nelson said.

In his veto message, Gov. Tim Pawlenty said the bill would only address federal labor law without having any impact on Minnesota.

Pawlenty wrote the act's primary flaws include the elimination of employee elections. "Elections provide process for employees to choose whether they want union representation through a secret ballot. Neither the union nor the employer knows how an employee votes. This is an important protection for employees which the bill would eliminate."

Another flaw is forcing contract terms on employers, he said. "The National Labor Relations Board will be authorized to force an employer to implement a collective bargaining

agreement imposed by an arbitrator rather than through agreement between the employer and employees," Pawlenty wrote. He said adding the change would be an "unprecedented governing intrusion on the right to bargain freely."

HF554/SF543\*/R2

— P. OSTBERG

## ENERGY

### Do-or-die for cap-and-trade

Legislators want a larger role for themselves in negotiations for a regional greenhouse gas cap-and-trade system, and Gov. Tim Pawlenty will now get to decide whether they get it.

Sponsored by Rep. Kate Knuth (DFL-New Brighton) and Sen. Ellen Anderson (DFL-St. Paul), HF3195 would provide for economic, environmental and governance studies on a possible regional cap-and-trade deal, and would also require legislative approval of any such deal. The conference report was passed 96-36 by the House May 13 and 41-22 by the Senate May 15. It is now on its way to the governor's desk.

The bill would establish a six-member Legislative Greenhouse Gas Accord Advisory Group that would advise members of the governor's staff participating in negotiations for a regional cap-and-trade system. It would also provide for studies by the Commerce Department and the Pollution Control Agency on various potential impacts — both positive and negative — of cap-and-trade.

Knuth said the bill "sets up some legislative oversight" in the regional negotiation process, and described the conference report as "very similar" to the version passed by the House 91-38 April 23. The only substantive difference, she said, was that a House provision stating the bill's legislative intent was removed.

Rep. John Berns (R-Wayzata) encouraged his fellow Republicans to support the bill, noting that removal of the legislative intent language might alleviate some of their concerns.

"I think from the position of many members, the intent was something you were concerned about, because it put into law that the intent of the state is to adopt cap-and-trade. And that's gone now," Berns said, adding that the bill would provide the state with a "good and thorough" study on the issue.

Rep. Mark Buesgens (R-Jordan) had a less optimistic view of the bill, calling it a "jobs program for whacko scientists."

— N. BUSSE

### C-BED allowed for counties

**Signed  
by  
the  
governor**

Beginning Aug. 1, 2008, counties will join cities and school districts in being able to invest in Community-Based Energy Development projects.

A new law signed May 13 by Gov. Tim Pawlenty will allow counties to enter into long-term power purchase agreements for electricity generated by C-BED projects and also own and operate C-BED projects of their own. Rep. Lyle Koenen (DFL-Clara City) and Sen. Gary Kubly (DFL-Granite Falls) are the sponsors.

C-BED projects, which are mostly wind energy conversion systems (wind turbines), are designed to maximize the local economic benefits of renewable energy development by utilizing local investors, banks, labor and other resources.

Koenen said that allowing counties to invest in C-BED projects will not only boost C-BED development in the state, but also provide counties with the ability to stabilize their energy costs by entering into long-term agreements to purchase electricity at a fixed rate. He added that the new law is the product of several years' worth of negotiations between rural and metro-area counties and the state's major power companies.

Under the law's provisions, power purchase agreements may be of a length between one and 20 years. Counties may enter into purchase and sale agreements with utilities for the electricity produced from their C-BED projects, but are not allowed to sell the electrical energy themselves at retail.

HF3585\*/SF3160/CH303

— N. BUSSE

### Energy policy changes

**Signed  
by  
the  
governor**

Supporters of clean energy continued their winning streak at the Capitol on May 12, when Gov. Tim Pawlenty signed off on a package of energy policy reforms.

Sponsored by Rep. Bill Hilty (DFL-

### Consider a donation

As a loyal reader of Session Weekly, please consider giving a voluntary donation of \$20 to help defray the publication and mailing costs of bringing you this award-winning news magazine. You can be assured that your donation will go directly to support the magazine. Mail your check, made payable to Minnesota House of Representatives, to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

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

Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), the new law contains provisions designed to boost renewable energy development and help the state meet its greenhouse gas reduction goals. Unless otherwise noted, it takes effect Aug. 1, 2008.

At the core of the law is a set of policy initiatives aimed at addressing global warming. One provision requires producers and purchasers of industrial and commercial gasses with a high “global warming potential” to report data on their sales and use in the state to the Pollution Control Agency. Also, the PCA and Commerce Department are required to report to the Legislature regularly on progress being made in meeting the state’s greenhouse gas emissions reduction goals, and make policy recommendations to that end.

Some other changes made by the law include:

- effective May 13, 2008, the Commerce Department may serve as a clearinghouse for wind energy projects by aggregating wind turbine purchases into bulk orders for individuals, community-based energy developers and various other public entities;
- certain solar energy projects may be incorporated into the state’s conservation improvement program;
- effective Jan. 3, 2009, the Legislative Electric Energy Task Force is abolished and reorganized as the Legislative Energy Commission, with its purview expanded to include not only electric generation but also all other energy-related issues;
- any outdoor lighting fixtures installed or replaced with state funds must use special “cutoff luminaires” that conserve energy and minimize light pollution; and
- up to \$250 per residence may be reimbursed from the state’s petroleum tank release cleanup fund to homeowners to replace PVC piping in home heating oil systems with metal piping.

The new law also includes a pair of non-energy related provisions: a study on the potential costs and benefits of statewide video franchising and a statewide broadband service mapping project, both of which are effective May 13, 2008.

HF3661/SF3337\*/CH296

— N. BUSSE

## ENVIRONMENT

### DNR spending questioned

Officials from the Department of Natural Resources faced tough questions from House and Senate members May 9 about a report that state funds were used — possibly inappropriately — to finance a conservation

officer conference in St. Paul last year.

On May 5, the Minneapolis Star Tribune reported that DNR officials authorized \$383,000 in state resources to help organize a national conference of the North American Wildlife Enforcement Officers Association. According to the newspaper, the association netted a \$76,600 profit from the event, which was organized in part by state employees who allegedly solicited money for the event on state time.

Members of the House Environment and Natural Resources Finance Division and the Senate Environment, Energy and Natural Resources Budget Division grilled several DNR officials on the report.

“I just don’t understand how the state came on the hook for hundreds of thousands of dollars for this,” said Sen. Ellen Anderson (DFL-St. Paul). “Why on earth if they were profiting would we be paying?”

DNR Commissioner Mark Holsten described the allegations as “very serious,” and said the department has launched an internal investigation into the matter.

“We’re trying to put a paper trail together of 200-some-odd employees over a two-year period of time,” Holsten said, adding that the department would cooperate fully with a forthcoming audit by the Office of the Legislative Auditor.

Col. Mike Hamm, the department’s director of enforcement, defended the conference as providing valuable training for the state’s conservation officers. Responding to Rep. Jean Wagenius (DFL-Mpls), who questioned Hamm’s decision to order all of the state’s 204 conservation officers to attend the conference — thus leaving no officers in the field anywhere in the state for three days — Hamm replied, “That was a difficult decision for me to make.”

Anderson said the hearing was “not the last discussion” that legislators would have on the issue.

— N. BUSSE

### Chemical bans vetoed

**Vetoed  
by  
the  
governor**

A proposal to ban two chemicals — a flame retardant and a plastic additive used in children’s toys — was vetoed May 12 by Gov. Tim Pawlenty.

In his veto message, Pawlenty said the bill’s legislative mandate “overreaches and goes beyond current scientific research.”

Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. John Marty (DFL-Roseville), the bill would have phased out the sale of products containing decabromodiphenyl ether (also known as deca-BDE) beginning July 1, 2010. The chemical, which is used as a flame retardant in televisions, mattresses and a variety of other products, has been linked to developmental

problems in animals and children. A Pollution Control Agency report released in January identified several environmental and health concerns associated with it.

Additionally, the bill would have banned children’s products that contain phthalates — a family of chemicals used to make plastic toys more flexible, among other things. Some studies have linked phthalates to a variety of adverse health effects in children.

In regard to deca-BDE, Pawlenty said that no safer alternatives have been proven to exist, and he expressed concern that banning the use of the chemical in children’s clothing may increase the risk of burn injuries to children.

“Banning an effective flame retardant without assurances that safe and reasonable alternatives are in place is unwise public policy,” Pawlenty wrote.

In regard to the phthalates ban, Pawlenty emphasized that “no peer reviewed studies have concluded that these products pose a significant risk to human health.”

Another section of the bill would have required that licensed health care professionals providing prenatal care to pregnant women must provide them with information on all methods of pain relief, “including evidence-based nonpharmacological methods.”

HF934/SF651\*/CH301

— N. BUSSE

## GAMBLING

### Law defines gambling machines

**Signed  
by  
the  
governor**

A new law signed May 12 by Gov. Tim Pawlenty changes the definition of a gambling device and repeals a statute relating to gambling machines.

Rep. Tom Tillberry (DFL-Fridley), who sponsors the law with Sen. Ann Rest (DFL-New Hope), said this law was brought to him by the Department of Public Safety to avoid the potential legal loophole of someone saying an illegal machine had not been played, therefore was legal.

As defined in statute, a gambling device is “a contrivance the purpose of which is that for a consideration a player is afforded an opportunity to obtain something of value, other than free plays, automatically from the machine or otherwise, the award of which is determined principally by chance.” This also includes video machines.

The law also repeals a section of statute that allows the manufacture of components and devices for use in other states.

The law is effective May 13, 2008.

HF3378/SF2533\*/CH294

— T. HAMMELL



## GAME & FISH

### Preventing the spread of VHS

**Signed  
by  
the  
governor**

Experts are warning that a potentially devastating fish-killing virus could soon enter Minnesota waters, and a new law is designed to prevent it from happening.

Signed May 15 by Gov. Tim Pawlenty, the law includes a package of measures designed to prevent the spread of the deadly viral hemorrhagic septicemia virus — a fatal and highly contagious pathogen that causes internal hemorrhaging in fish.

The Department of Natural Resources asked lawmakers to approve the measures in order to help protect the state from VHS, which has been found throughout the Great Lakes and in inland lakes in Michigan and Wisconsin.

Provisions of the law are designed to restrict the movement of potentially contaminated fish and fishing equipment, and to allow the DNR to track the movement of fish that are potential carriers of the virus.

Some of the new restrictions include:

- new certification and licensing requirements for those who import, stock or farm fish susceptible to VHS;
- a ban on fishing equipment used in VHS-infected waters from being used in non-infected waters;
- a requirement that minnow farmers have their minnows tested for diseases; and
- a ban on using bait from VHS-infected waters.

The law takes effect May 16, 2008. Rep. Rick Hansen (DFL-South St. Paul) and Sen. Ann Rest (DFL-New Hope) are the sponsors.

HF3550/SF3576\*/CH307

— N. BUSSE

sell ungraded dimension lumber for use in construction regulated by the code.

Another provision permits the Duluth Entertainment and Convention Center Authority to enter into contracts to design, construct, furnish, equip and improve the Duluth Entertainment and Convention Center.

Unless otherwise noted, the law is effective May 16, 2008.

HF3574\*/SF3291/CH322

— B. HOGENSON

### Fixing some technical errors

**Signed  
by  
the  
governor**

Laws can work like well-oiled machines but sometimes during the course of the legislative session new laws end up missing a few parts.

A law signed by Gov. Tim Pawlenty on May 8 should fix some omissions currently in statute and add correct references.

Dealing with everything from dead animal disposal to vehicle forfeiture for driving while impaired, the so-called revisor's law is sponsored by Rep. Dave Olin (DFL-Thief River Falls) and Sen. Mee Moua (DFL-St. Paul).

Effective Aug. 1, 2008, the law:

- removes two obsolete provisions dealing with disposal of deceased animals;
- renders people incarcerated for less than 12 months ineligible for medical assistance while in jail;
- clarifies language about what offenses can lead to a teacher losing their license;
- changes the name of the water pollution control revolving fund to clean water revolving fund; and
- corrects language relating to child care and long-term homelessness.

HF3928/SF3674\*/CH277

— T. HAMMELL

(DFL-St. Joseph), the council would also consider the amount of per diem payments. Per diem is a daily payment available when legislators are engaged in official business.

The annual compensation rate of \$31,140 for legislators has not been increased since 1999. Members raised the per diem payment in 2007 to \$77 a day for House members and \$96 for senators. They are also reimbursed for housing and travel expenses.

Rep. Paul Kohls (R-Victoria) said it is the obligation of legislators to stand up and vote on how to spend taxpayers' dollars. He tried unsuccessfully to amend the bill so that any recommendation put forward by the council would need legislative approval. "The arrogance of this bill is we are going to hide behind some new council to make the tough decision for us. This amendment would give us the opportunity to vote it up or vote it down."

Eken countered, "I think it is arrogance for us to think that we should set our own salaries. I think it is arrogant for us to say that we know best what our salary should be."

— L. SCHUTZ

### Disaster relief law modified

**Signed  
by  
the  
governor**

Flood relief legislation for the Southeast Minnesota floods passed during a 2007 special session is modified by a new law signed by the governor May 12.

The law, sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Sharon Erickson Ropes (DFL-Winona), adds a requirement that any local government or state agency that receives federal money for a project that was funded by the state must repay the state for any amount that is over the FEMA payment and the state match for the project.

It takes effect Aug. 1, 2008.

HF3493\*/SF3294/CH289

— B. HOGENSON

## GOVERNMENT

### Enforcing building code

**Signed  
by  
the  
governor**

The means of determining whether a municipality must administer and enforce the State Building Code within its jurisdictions was signed by Gov. Tim Pawlenty May 15.

Sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Tom Bakk (DFL-Cook), the law requires code enforcement of any municipality having an ordinance adopting the code in effect as of Jan. 1, 2008. An exception is made for municipalities with populations under 2,500 that are located outside the seven-county Twin Cities metropolitan area.

The law also permits lumber mills to

### Council could set legislators' pay

Is the current method of legislators setting their own salaries a conflict of interest, or is it a matter of remaining accountable to voters?

In the end, the House voted 91-43 May 12 to put before voters at the November election a question to amend the state constitution to remove legislators' ability to set their own salaries, and establish a citizen-only compensation council to make pay recommendations. It awaits action by the full Senate.

Rep. Kent Eken (DFL-Twin Valley), who sponsors HF3796\*/SF3793 with Sen. Tarryl Clark (DFL-St. Cloud), calls the current method of salary determination a "conflict of interest."

Successfully amended by Rep. Larry Hosch

### Time off for giving blood

**Signed  
by  
the  
governor**

What entered the legislative process as a small bill requiring that state employees be granted paid leave to donate blood arrived at the governor's desk as the omnibus state government policy bill.

The new law that resulted, sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Ann Rest (DFL-New Hope), was signed by Gov. Tim Pawlenty May 13. The law is effective May 14, 2008, unless otherwise noted.

Included in the new law are provisions that:

- permit paid leave for state employees to donate blood, effective Aug. 1, 2008;

- form a subcommittee on government accountability;
- require performance measures to be used to increase funding in the state budget;
- put in statute the proper procedure for the sale of surplus state lands;
- require the convening of a working group for Minnesota Milestones process and indicators; and
- define “gambling device.”  
HF3494\*/SF3190/CH318

— B. HOGENSON

## HEALTH & HUMAN SERVICES

### Adoption records

A pregnant unwed mother in the 1950s couldn’t have foreseen that in 2009 her child given up for adoption would possibly contact her because of having direct access to their original birth certificate. With no affidavits to protect the mother’s identity at that time, many just thought their secret would remain silent.

Sponsored by Rep. Kathy Tingelstad (R-Andover) and Sen. Ann Rest (DFL-New Hope), HF3371/SF3193\* would allow adults age 19 and older to get a copy of their original birth certificate, if there is no affidavit of disclosure on file. The change would honor affidavits dating to 1981.

Presented to the governor May 13, the bill was passed 78-52 the House May 12, and 53-13 the next day by the Senate.

The Health Department now has more than 11,000 affidavits of disclosure on file. Of those, about 1,200 are affidavits of nondisclosure, Tingelstad said. The department would be required to provide information and educational materials to birth parents, if the changes take effect.

“Some of these children were the product of rape or incest. Some of these birth parents do not want to be contacted,” said Rep. Mary Liz Holberg (R-Lakeville), who added that current law allows adoption agencies to work with adopted persons to find birth parents and act as an intermediary.

“I think that it is so wrong that we would expose birth parents that made those decisions in those different times and did it with an expectation of privacy,” Holberg said. “Sometimes the risk of harm to one individual is not worth the ability to satisfy a need or want of another.”

“Think of the joy of the daughter showing up on the birth mother’s doorstep and the happiness on the other side of the coin,” countered Rep. Ron Erhardt (R-Edina). Perhaps there are mothers now who are willing to accept contact, he said.

— P. OSTBERG

### County purchasing health care

Health care public assistance enrollees in several southeast Minnesota counties would automatically default to a specific health plan, under a bill passed 107-25 by the House May 8.

Sponsored by Rep. Tina Liebling (DFL-Rochester), HF3380 would apply to Olmsted, Winona, Houston, Fillmore and Mower counties. People who have not chosen a plan through public assistance would automatically default to the county’s plan, if health care needs arise. They would have the option to choose another plan after one year.

There would be no cost to the state because counties operate the plans. The counties involved have come forward with the \$4 million needed to get the plan started.

The change could have a negative financial impact on private health plans because the county would be the favored competition by automatic default, said Rep. Steve Gottwalt (R-St. Cloud). “What we need is more competition, we need at least one other plan option.”

It’s not automatic enrollment when it’s only the people who haven’t chosen a plan in the first place, Liebling said.

Currently, the Health Department rotates health plans when they assign them to uninsured people, said Brian Osberg, assistant human services commissioner. Because county-based purchasing is currently a health care option, he said the bill isn’t really needed.

Liebling said the bill is an experiment, but it should be given the chance to save money.

The bill now awaits action by the full Senate. Sen. Ann Lynch (DFL-Rochester) is the sponsor.

— P. OSTBERG

### Newborn screening bill

Newborns in Minnesota are screened for 53 rare and serious medical conditions.

A plan to clarify what testing can be done, what options the parents have and other changes to newborn screening laws may soon become law.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Ann Lynch (DFL-Rochester), HF3438/SF3138\* would require that prior to a blood sample being taken from a newborn, parents or the legal guardian would be told that the sample could be used to test for hereditary and congenital disorders, held at the Health Department for at least two years and possibly used for research.

When a conference committee report was presented on the House floor May 15, there was an additional provision requiring the person who performs the test to document that the parents or legal guardians have received the information and had an opportunity to ask questions.

Already passed by the Senate earlier in the day 51-12, the bill was approved by the House 103-29. It now awaits action by the governor.

Under the bill, parents would be told the benefits and consequences of declining the tests, and given the option to refuse either testing, storage, research or all. Additionally, the department would have to provide a report to the Legislature on the newborn screening process by Jan. 15, 2009.

The proposal came about because of a recent statute requiring written consent for all genetic material collection. One can opt into the program only with written consent. Under the newborn screening proposal, testing would be done unless the parents opt-out.

— C. GREEN

### Federal health centers

**Signed  
by  
the  
governor**

A technical change to when the state disperses subsidies to federally qualified health centers is the subject of a new law signed May 11 by Gov. Tim Pawlenty.

Sponsored by Rep. Diane Loeffler (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), the law changes the dispersing of funds to “the most recent” calendar year, rather than a specific year.

Loeffler said the change prevents the Legislature from having to annually come back to change a simple statute.

The law takes effect Aug. 1, 2008.

HF3412/SF3323\*/CH292

— P. OSTBERG

### Medical privacy protection

**Vetoed  
by  
the  
governor**

Gov. Tim Pawlenty put the axe to a bill May 8 that would have prohibited health care providers from disclosing an individual patient’s financial or medical debt information to another entity.

Sponsored by Rep. Diane Loeffler (DFL-Mpls) and Sen. Linda Scheid (DFL-Brooklyn Park), the bill would have also prohibited health care providers from obtaining or using financial or medical debt information until after health care services have been provided to a patient.

Health care providers could have shared debt information with the patient and patient’s insurer or authorized third-party debt management services provider.

In his veto message, the governor wrote the bill doesn’t define “financial information,” or “medically necessary,” and that without the definitions there would be confusion that would likely result in “significant unintended consequences.” Further, “this bill could force significant changes in the

delivery of routine medical services in Minnesota and unnecessarily impact the costs to Minnesotans,” he wrote.

About one-third of Americans have problems with medical debt and seek medical assistance because they have to, said Assistant Attorney General Jeffrey Harrington. The change would prevent health care providers from rationing care to those with debt, he said.

HF3610/SF3132\*/CH279

— P. OSTBERG

## HIGHER EDUCATION

### Omnibus policy bill is now law

Signed  
by  
the  
governor

Higher education policy changes relating to board makeup, data practices and Office of Higher Education responsibilities are now law.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Sandy Pappas (DFL-St. Paul), the omnibus higher education policy law also establishes an oral

practitioner education program. Signed May 12 by Gov. Tim Pawlenty, the law is effective Aug. 1, 2008, unless otherwise noted.

Financial changes to support programs in the new law are included in HF1812, the omnibus supplemental budget bill.

The law adds to the exceptions in state data practices law that maintains postsecondary data as private by incorporating expanded disclosure allowed by the Federal Family Educational Rights and Privacy Act. For example, schools will be able to disclose to a parent or guardian a violation of law and institutional rules on drug or alcohol use by a student under age 21, if the institution has a form signed by the student authorizing disclosure. The form will be made available at parent and student orientation meetings.

The idea behind the oral practitioner language is to serve the basic dental needs of some Minnesotans who cannot afford to see a dentist. It is anticipated the first graduates of the program would be in 2011. Effective May 13, 2008, a working group will develop recommendations on education requirements and practitioner regulation. A report is due to

the Legislature by Jan. 15, 2009.

As part of the program, the practitioner must agree to practice in settings serving low-income, uninsured and underserved patients or in a dental health professional shortage area as determined by the health commissioner. The program would only work under the supervision of, and in conjunction with, a licensed dentist. This section is effective July 1, 2009.

Other provisions in the law include:

- effective May 13, 2008, the three Minnesota State Colleges and Universities Board student members must be enrolled at least half-time when appointed, and at least one other board appointee must represent labor;
- the Office of Higher Education and Education Department can, effective May 13, 2008, share educational data to analyze and improve instruction consistent with federal law;
- the office must evaluate the enrollment patterns of students from low-income families in higher education, and identify potential changes to increase participation;
- a spouse and dependent of resident vet-

## SESQUICENTENNIAL NATIONAL ANTHEM



PHOTO BY TOM OLMSCHEID

Associate Justice Paul H. Anderson of the Supreme Court portrays former Justice Loren W. Collins while he and a caravan of covered wagons, buggies and riders paused during the playing of the National Anthem. The wagon train was part of the May 11 sesquicentennial festivities at the state's 150th birthday celebration in front of the Capitol. More events, including fireworks, are planned at the Capitol May 17-18. For information, go to [www.mn150years.com](http://www.mn150years.com).



erans will be eligible for the state grant program;

- making permanent that extra money in the state grant program must be used to increase the living and miscellaneous expense allowance above state law; and
- requirements of a student loan forgiveness program for health professionals are clarified for midlevel practitioners, nurses and other health care technicians who teach.

HF3349/SF2942\*/CH298

— M. COOK

## HOUSING

### Contract for deed limit increased

**Signed  
by  
the  
governor**

The limits allowed for one type of home loan will increase under a largely technical law signed May 8 by Gov. Tim Pawlenty.

The law raises the allowable "contract for deed" mortgage from \$100,000 to \$300,000. When a house is purchased under this system, the buyer gets the deed to the property only after the loan is paid off.

The law also provides penalties and remedies

for a broker's failure to comply with regulations. This section is effective May 9, 2008.

This new limit takes effect Jan. 1, 2009. The law is sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Scheid (DFL-Brooklyn Park).

HF3236/SF2881\*/CH276

— T. HAMMELL

### Utility bill payments

**Signed  
by  
the  
governor**

Tenants can restore utility service by paying outstanding utility charges that would otherwise be the responsibility of the landlord, as a result of a law signed by the governor

May 15.

According to Rep. Bob Gunther (R-Fairmont), who sponsors the law with Sen. Rick Olseen (DFL-Harris), the law was put in place to solve the problem of landlords leaving their tenants without heat or electricity. Gunther said the problem has predominantly been in the Twin Cities metropolitan area.

If a residential building has less than five units, the law allows tenants to become the customer of record and the responsible bill payer for the utility account. If the residential building is single metered, other tenants in

the building may contribute payments to the utility company or municipality on the landlord's account or the account of a tenant who is the customer of record.

The law takes effect Aug. 1, 2008.

HF3428/SF2909\*/CH313

— B. HOGENSEN

## INSURANCE

### No stiffing the auto shop

**Signed  
by  
the  
governor**

A new law is designed to prevent insurance companies from denying payment to auto body shops for repairs made under an insurance claim.

Signed May 8 by Gov. Tim Pawlenty, the law specifies that insurers cannot "unilaterally and arbitrarily disregard" the cost of auto repairs made under an insurance claim if the auto service provider used an estimating system recognized by the insurance industry.

Rep. A. Willie Dominguez (DFL-Mpls) and Sen. Mary Olson (DFL-Bemidji) sponsor the law it takes effect Aug. 1, 2008.

HF3822/SF3508\*/CH284

— N. BUSSE

## SESQUICENTENNIAL AMERICAN INDIAN PROTEST



PHOTO BY TOM OLMSCHIED

Clyde H. Bellecourt, executive director of the Elaine M. Stately Peacemaker Center, protests a passing caravan of covered wagons, buggy and riders as members and supporters of the American Indian Movement parade a gallows with 38 nooses in remembrance of the 38 Dakota men executed on presidential orders in Mankato in 1862. The marchers offered a sober protest May 11 to acknowledge the oppression of American Indians in the founding of Minnesota.

## Flood insurance not automatic

Signed  
by  
the  
governor

Many southeast Minnesotans were caught off guard when the flooding swamped parts of the area last August. Hundreds of homes were destroyed, seven counties were designated federal disaster areas, and property damage was estimated to be close to \$67 million.

Many were also surprised when they learned they didn't have flood insurance.

Gov. Tim Pawlenty signed a new law May 12 that requires insurance companies to annually notify customers that their policy does not include flood coverage.

The law is sponsored by Rep. Ken Tschumper (DFL-La Crescent) and Sen. Kevin Dahle (DFL-Northfield). It takes effective Aug. 1, 2008.

The law also requires the notice to inform policyholders that if they live in an area covered by the National Flood Insurance Program, they may be eligible for flood insurance.

"This is a common-sense solution that will eliminate some confusion surrounding flood insurance," Tschumper said. "It will give Minnesotans the opportunity to prepare for floods before they happen."

HF3582/SF2980\*/CH293

— C. GREEN

## LAW

### Data practices penalties, info sharing

Chapter 13 of Minnesota Statute, the "Minnesota Government Data Practices Act," dictates how certain data is gathered and maintained throughout the state.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Mary Olson (DFL-Bemidji), this year's omnibus data practices law (HF3553/SF3235\*) is mostly technical, with varying effective dates.

It passed the House and Senate in April. The conferred bill was passed May 7 60-0 by the Senate and a day later by the House in a 134-0 vote. The bill now awaits action by the governor.

Some of the changes effective Aug. 1, 2008, include:

- willful violation of the Data Practices Act by a government entity carries a penalty between \$1,000 and \$15,000, an increase from the current range of \$100 to \$10,000;
- data from customers using parking facilities at the Minneapolis-St. Paul International Airport is restricted;
- government entities are prohibited from mailing any items with Social Security numbers displayed, and are prohibited from requiring

Social Security numbers be written on the outside of submitted correspondence;

- once an individual is appointed to a public body, a person's residential address and either a telephone number or e-mail address must be made public; and
- marriage dissolution documents dealing with child support or spousal maintenance must include Social Security numbers on a separate non-public document.

Effective May 16, 2008, Hennepin County Medical Center may share data between its clinics and practitioners.

— C. GREEN

## LOCAL GOVERNMENT

### Nonprofit riverfront revitalization

Signed  
by  
the  
governor

The City of Minneapolis can establish a nonprofit corporation for riverfront revitalization.

Sponsored by Rep. Diane Loeffler (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), a

new law creates the organization to "facilitate and support coordinated revitalization of the Mississippi riverfront within the city."

Gov. Tim Pawlenty signed the law May 15. It is effective the day after the city and the Minneapolis Park and Recreation Board comply with relevant state statutes. However, compliance must occur by Aug. 1, 2008, or the act is deemed to be disapproved.

The law establishes a board of directors with between 10 and 24 members, including two representatives each from the city and the park board, with no more than half representing government entities.

A report is required to the Legislature by Jan. 15, 2010.

HF3692/SF3303\*/CH314

— B. HOGENSON

### Nursing home asset transfer

Signed  
by  
the  
governor

Steele County is free to sell, lease or transfer a nursing home to a nonprofit corporation, with the signing of a new law by Gov. Tim Pawlenty on May 8.

The law, sponsored by Rep. Patti Fritz (DFL-Faribault) and Sen. Dick Day (R-Owatonna), allows Steele County, one of the few remaining counties that owns and operates a nursing home, to make the transfer in order to develop a long-term sustainable facility that will be connected to local medical service providers.

The Steele County Board has the right to appoint and remove one or more members of the governing board of the corporation. Also, the law states that the corporation is subject to

the open meeting law and Data Practices Act.

The law is effective the day after the governing body of Steele County and its chief clerical officer complete compliance with local approval and filing requirements.

HF4014/SF3715\*/CH285

— B. HOGENSON

## RETIREMENT

### State pension plans modified

The omnibus pensions bill, a product of the Legislative Commission on Pensions and Retirement, passed the House 108-20 on May 12.

However, because the Senate passed its version, SF2720, 50-16 May 13, a conference committee is expected to work out the differences.

"This bill provides more security for every member of every public pension plan in the state," said Rep. Mary Murphy (DFL-Hermantown), sponsor of HF3082. Sen. Don Betzold (DFL-Fridley) sponsors the Senate version.

The bill makes changes to the postretirement fund by allowing for it to be combined with active funds of each of the statewide retirement systems, if it falls below a certain threshold. The bill provides that the investment-based component of the fund would only be paid if inflation is more than 2.5 percent. Also, if the postretirement fund is more than 90 percent funded and the increase in the Consumer Price Index is less than 2.5 percent, any excess earnings can be used to pay an increase based on lost purchasing power from prior years.

Also included in the bill are changes that allow a phased retirement or phased return on retirement benefit for teachers.

According to Murphy, the bill ensures the actuarial evaluations are based on realistic expectations to give a better picture of the financial needs of the state's major public pension plans. It also brings the state's pension system in compliance with recently enacted federal regulations.

The bill increases the membership of the commission from five to seven members of each legislative body, with no more than five members from the majority caucus.

An amendment successfully offered Rep. Paul Thissen (DFL-Mpls) provides that if someone retires before the normal retirement age and has more than 30 years of state service, the minimum age requirement does not apply, and reductions and increases in benefits will apply to age 62 rather than the normal retirement age.

— B. HOGENSON



## SAFETY

### Abigail Taylor Pool Safety Act

House members hope a bill they passed 133-0 May 12 will prevent a tragedy like what happened to the girl for whom the act is named.

The Abigail Taylor Pool Safety Act is named for the 6-year-old Edina girl whose injuries ultimately took her life after a 2007 pool incident in which her intestines were sucked out of her body after sitting on a pool drain.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Geoff Michel (R-Edina), HF3812/SF2833\* would require all public pool construction plans submitted for review after Jan. 1, 2009, to be certified by a registered engineer with the state, and it creates new regulations for drains and suction outlets.

"The bill is intended to broaden the application of our pool safety regulations to more of our public pools and to strengthen them," Thissen said.

Thissen added an amendment that would require the commissioner of health to report to the Legislature by Jan. 15, 2009, the number of public pools and spas under license in the state, the type of ownership of public pools, the type of drains at all licensed public pools and spas as reported by owners and licensees, and the number of pools and spas that require drain modification due to this act. The report should also include the estimated economic impact and costs of installation of a second main drain and cover for pools.

As amended, the bill returns to the Senate, where it initially passed 64-0 April 28.

Under the bill, a pool operator would be required to conduct a physical inspection of the drain covers and grates on a daily basis and record the inspection. If an outlet cover or grate is missing, broken or loose, the pool must be closed immediately.

Public pools less than 4 feet would be required, beginning Jan. 1, 2009, to have an unblockable suction outlet or drain; at least two suction outlets, connected in parallel with suction outlet covers that meet certain standards; or a gravity outlet or drain.

— P. OSTBERG

### Trying the REAL ID Act again

Legislators are stubborn in their opposition to the REAL ID Act.

Because of previous language regarding the proposed federal identification card, an omnibus transportation policy bill was vetoed April 25. Both bodies approved different anti-act wording May 13.

The one sentence bill states: "The commissioner of public safety is prohibited

from taking any action to implement or to plan for the implementation by this state of those sections of Public Law 109-13 known as the Real ID Act." Eighteen other states have passed similar legislation.

The sentence was amended onto HF3807\*/SF3494, sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Mee Moua (DFL-St. Paul). When first passed by the House May 1, the bill provided additional whistleblower protection for state executive branch employees.

As amended, the bill was passed 50-16 by the Senate and 103-30 by the House. If the votes hold, this would be enough to potentially override a veto.

The act's goal is to make documents such as driver's licenses and state identification cards harder to forge, thereby reducing identity fraud and tightening immigration standards. States have called it an unfunded mandate, and others have questioned the security associated with the plan and have expressed concern about data privacy issues.

"The most conservative figure we've been given by our Department of Public Safety is that over the course of the next three years, REAL ID will cost us \$31.4 million over and above what we're currently spending on driver's licenses and state identification production, verification and issuance," Mariani said. Because the federal government has yet to pass funding for the plan, he said, "It's going to come out of your constituent's pockets sooner or later."

Rep. Mary Liz Holberg (R-Lakeville) said this approach isn't smart given department hopes to implement a new computer system. It would make sense, she continued, for the state to prepare for this act while designing the system.

Gov. Tim Pawlenty has warned that if state licenses are not in federal compliance by the end of 2009, Minnesotans would be unable to use their driver's license or state identification card for air travel or to enter federal buildings. Eventually, all Americans would have a government-approved card to enter a federal facility or board a plane.

— M. COOK

## TECHNOLOGY

### Name change enacted

Signed  
by  
the  
governor

What's in a name?

Quite a bit, it would seem, to Minnesota Technology, Inc.

A technical law changes that nonprofit corporation to Enterprise Minnesota, Inc.

Rep. Tim Mahoney (DFL-St. Paul), who

sponsors the law with Sen. David Tomassoni (DFL-Chisholm), said that the organization was getting confused with the Minnesota High Tech Association.

Formed by the Legislature in 1991, the purpose of the corporation is to "foster long-term economic growth and job creation by stimulating innovation and the development of new products, services and production processes through energy conservation, technology application and utilization and financial assistance."

Signed May 12 by Gov. Tim Pawlenty, it is effective May 13, 2008.

HF2972/SF2468\*/CH290

— T. HAMMELL

## TOURISM

### Cabin controversy soon to be studied

Signed  
by  
the  
governor

A study will determine if some cabin owners are breaking the law.

Rep. Frank Moe (DFL-Bemidji), who sponsors the law with Sen.

Dan Skogen (DFL-Hewitt) said

that real estate companies are often renting large blocks of cabins, which may then compete with resort owners who are more heavily regulated.

"Explore Minnesota Tourism wants to look into that," Moe said.

The law requires Explore Minnesota Tourism to conduct a study of vacation rental lodging in the state and report back to the Legislature the recommendations needed to protect consumers, ensure tax compliance, promote safe rentals and promote tourism in Minnesota. Then Explore Minnesota will work with stakeholders to recommend legislation and promote vacation rental lodging.

The law is effective May 13, 2008, the day after it was signed by the governor.

This study is also in the omnibus jobs and economic development policy law (HF3722\*/SF3471/CH300) that was signed May 12 by the governor.

HF3356/SF3158\*/CH291

— T. HAMMELL

## TRANSPORTATION

### Professional engineer atop MnDOT

The prerequisite to be one of the top Department of Transportation officials could be changing.

House approval was given May 12 to a bill that would require the transportation commissioner or a deputy commissioner to be licensed as a professional engineer and serve as a chief engineer.



"This reflects a final agreement we reached with the department," said Rep. Terry Morrow (DFL-St. Peter), who sponsors HF3090\*/SF2925 with Sen. Kathy Saltzman (DFL-Woodbury). It now awaits action by the full Senate.

One of those voting no during the 104-26 vote was Rep. Mark Buesgens (R-Jordan), who said it would put "undue restrictions" on the executive branch. "We don't mandate that the commissioner of education must have an education license. We don't require that the commissioner of health or a deputy commissioner be licensed in some health arena."

"All other 49 states have a chief engineer and/or professional engineer within the upper management," countered Morrow, who previously said the goal was not to change the commissioner's role, but ensure an engineer is in the department's upper echelon. Eleven states require their transportation commissioner be an engineer.

Tom Sorel, who was named transportation commissioner by Gov. Tim Pawlenty April 21, has a degree in civil engineering.

— M. Cook

## 2007 plan becomes law in 2008

Signed  
by  
the  
governor

A bill awaiting legislative action when the final gavel fell in 2007 is now law, sans an objectionable provision.

The 2007 omnibus transportation policy signed law, by Gov. Tim Pawlenty May 8, is sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Steve Murphy (DFL-Red Wing). It addresses, in part, traffic regulations, vehicle registration, Transportation Department planning reports, towing authority, Metropolitan Council planning, railway safety and truck weight restrictions. The law is effective Aug. 1, 2008, unless otherwise noted.

The bill changed slightly since 2007, including shifting effective dates from 2007 to 2008; removing obsolete or duplicative provisions, such as things included in the transportation finance law passed earlier this year; and updating some verbiage.

The final product does not include language about the state's refusal to comply with federal REAL I.D. Act language, which is designed to enhance homeland security, reduce identity fraud and help with illegal immigration issues. States have called it an unfunded mandate, and others have questioned the security associated with the plan and have expressed concern about data privacy issues.

A previous attempt (HF1351\*/SF1971/CH239) vetoed April 25 by Gov. Tim Pawlenty, said that if federal dollars would pay at least 95 percent of state costs, Minnesota could

comply with the act. Pawlenty said just because the federal government's response is "not complete or finalized" doesn't mean the state shouldn't begin preparations to implement the change.

If state licenses are not in federal compliance by the end of 2009, Minnesotans would be unable to use their driver's license or state identification card for air travel or to enter federal buildings.

Other provisions in the bill include:

- MnDOT is to report to the Legislature by Nov. 1, 2009, on the state's long-term transportation needs and strategies to meet them;
- MnDOT is to submit a report on Jan. 15 of each year on the status of major highway projects — at least a \$25 million price tag in the Twin Cities metropolitan area or \$10 million in Greater Minnesota — under construction or planned during the current and ensuing 15 years;
- the reopening of the Culkin Rest Area on Interstate 35 between Hinckley and Duluth, effective May 9, 2008;
- Interstate 94 in the state is designated the "Purple Heart Trail," Highway 210 between Staples and Motley is designated the "Dallas Sams Memorial Highway," part of Highway 53 in Duluth is designated "Walter F. Mondale Drive" and the causeway over Pokegama Lake on Highway 169 is designated the "Jim Oberstar Causeway";
- effective May 9, 2008, a commercial motor vehicle operator subject to federal hours of service can park continuously for up to 10 hours at any MnDOT rest area or travel information center that has parking stalls designed to accommodate a commercial motor vehicle;
- a Public Safety Department report on Internet-based driver education for the instruction permit component is due the Legislature by Feb. 15, 2009; and
- by Feb. 1, 2009, the Public Safety Department is to submit a proposal that would allow deputy registrars and driver's license agents to accept credit and debit card payments of vehicle registration taxes, title transactions and driver's license and identification card fees.

HF3486\*/SF3314/CH287

— M. Cook

## Construction awareness assistance

Signed  
by  
the  
governor

Small businesses impacted by transportation construction projects should more easily get information about what is happening outside their front door.

A new law, signed May 15 by the governor, requires the Transportation Department to

develop a standard operating plan for getting out such information. The report is due to the Legislature by Feb. 15, 2009.

The report is to be developed in consultation with the Department of Employment and Economic Development, Metropolitan Council, counties, cities and community organizations. It is to address the best ways to get information to small businesses; what should be included in an information packet, such as potential changes in parking, traffic and public access in the area; contact information for progress and timing questions; and a listing of area business development organizations that can assist with financing, marketing and technical counseling during the construction period.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley) and Sen. Patricia Torres Ray (DFL-Mpls), the law is effective Aug. 1, 2008.

HF4055/SF3669\*/CH308

— M. Cook

## Governor signs UPA policy language

Signed  
by  
the  
governor

With the signing of his name May 11, Gov. Tim Pawlenty has ensured \$133.3 million in federal money for a project expected to help with traffic congestion between downtown

Minneapolis and the southern suburbs.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Ann Rest (DFL-New Hope), the policy law provides authority and makes conforming changes related to the Urban Partnership Agreement, a federal program providing money to help reduce traffic congestion in parts of the Twin Cities metropolitan area.

For example, the law, effective May 12, 2008, allows user fees on high-occupancy vehicle lanes similar to those now available on Interstate 394, modifies shoulder use by busses and requires an annual legislative report.

According to the Department of Transportation, the plan includes:

- the use of priced dynamic shoulder lanes on Interstate 35W from 46th Street to downtown Minneapolis;
- the addition of a high-occupancy toll lane from 66th Street to 46th Street;
- conversion of the high-occupancy vehicle lane to a high-occupancy toll lane on I-35W from 66th Street to Burnsville Parkway; and
- expanding Cedar Avenue Bus Rapid Transit between downtown Minneapolis and Lakeville ahead of the current schedule.

The \$49 million state match comes from a couple of different means already passed this session. Minnesota would have risked losing the federal dollars had the law not been signed by May 12.

HF3725/SF3058\*/CH306

— M. Cook

# No controversy found to be controversial

Education policy bill veto puzzling to House sponsor

By THOMAS HAMMELL

**C**onference committee members worked to keep controversial elements out of the omnibus education policy bill, but those changes were not enough for Gov. Tim Pawlenty. He vetoed the bill May 13, which would have done everything from adding new reporting measures for schools to making hockey the state sport.

Rep. Carlos Mariani (DFL-St. Paul), who chairs the House E-12 Education Committee and sponsors the bill along with Sen. Chuck Wiger (DFL-Maplewood), said he was puzzled by the reasons the governor gave for the veto.

"There were a lot of polarizing and dynamic issues that we kept out of the bill," he said, including sex-ed and a provision to opt out of the federal No Child Left Behind mandate. "Quite frankly I think the governor was just looking for excuses to veto a good bill," Mariani said.

People are not as concerned about the politics as much as they are that good minds are working on legislation that benefits children, he said. "Our policy bill was a very strong yes to that," he said.

The governor called the bill a step backward for education accountability. In his veto letter, he cited unfunded mandates and a lack of bipartisan support for the bill as reasons for the veto.

HF3316/SF3001\* included two growth-based reporting measures, which would have been added to the school report cards mandated by the federal No Child Left Behind Act.

Pawlenty wrote that he would like to see growth models measured against "world class achievement" standards; adding that growth-based models could mask underperforming schools and these reporting measures would be confusing.

Mariani said the bill was a sound one, addressing overweight young people and the growing race-based gap. "We pretend it's not there, but it's there," he said.

One part of the bill, which was a combination of House and Senate language, would have kept students in school from the time they were in first grade until they were 18. Currently, children under age 7 are exempted from attendance requirements and students can drop out of school at age 16.

Pawlenty wrote that this was a good idea, but said the bill did not account for unintended consequences, such as "additional space and material needs, added truancy enforcement, and additional per-pupil funding."

Pawlenty was supportive of reading and literacy language in the bill, which was included as part of the Senate language.

However, he cited a section that called for the Education Department to adopt state and district technology standards, a provision requiring the department to encourage schools and districts to submit individual plans to close the achievement gap and a number of task forces and reporting requirements as unfunded mandates.

Other provisions in the bill include:

- parents or guardians could designate someone else to participate in school conferences involving their child, and that person would have access to the same information that a parent would have;
- teachers would have been required to

## What was in the bill:

The following are selected bills that have been incorporated, in part or in whole, in the omnibus education policy bill:

HF420 — Ward  
HF744 — Mullery  
HF2783 — Swails  
HF3263 — Clark  
HF3329 — Brynaert  
HF3470 — Winkler  
HF3472 — Mariani  
HF3633 — Swails  
HF4005 — Bly  
HF4053 — Wardlow

receive instruction in American Indian education relating to teaching information about history and culture as well as practices for successfully teaching American Indian students;

- before being granted a license, teaching students would have had to successfully complete an assessment of reading instruction;
- the current P-16 partnership would have expanded to a P-20 partnership that would have provided a seamless transition from pre-school through graduate school, rather than college; and
- high school students would have been required to take half a credit of physical education, though students who demonstrated mastery of the subject or participate in another athletic opportunity, including sports, would not have had to participate.

The governor was silent on whether to make hockey the state sport, which created controversy when the bill was considered on the House floor.

Rep. Bud Heidgerken (R-Freeport) took offense to the designation, saying this would be a problem for coaches of other sports,

Education continued on page 22

# Health reform still in play

Governor nixes months of work; supporters remain optimistic

By PATTY OSTBERG

**A**fter nearly a year of task force and commission meetings on health reform proposals, a bill was finally presented to the governor, but was quickly met with a veto.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls), HF3391\*/SF3099, would have created a statewide health improvement program, established criteria for health care homes and care coordination fees, allowed providers to offer one-price “baskets of care” for chronic diseases in hopes of saving money and raised the percentage of federal poverty guidelines for some services to qualify an additional 39,000 people for state-assisted medical care. The changes were projected to cost \$11.9 million in Health Care Access Fund money this biennium, increasing to \$180.7 million in the 2010-11 biennium.

The House passed the measure 85-50 on May 12, and the Senate passed it 53-13 the same evening.

It was vetoed by Gov. Tim Pawlenty the following day.

“A tremendous amount of work went into this with a whole lot of people, we need to get it done,” Huntley said.

He is working on a compromise and is optimistic that some form of health reform will happen yet this session, calling it a “70-30” chance. “It will involve some expansion of MinnesotaCare and it will involve some payment reform that will result in lower premiums for everybody that has insurance,” he said.

Pawlenty believes the poverty guideline set in the bill is too high. “A family of four with income up to \$84,800 would be eligible under this legislation. This is above the Minnesota median family income for a family of four of \$81,477,” he wrote.

Rather than adding more money to the mix, the governor said in his veto message that

fundamental changes were needed and the “goal should be to encourage more individuals to participate in the private sector, not make it easier for those currently in private coverage to transfer to public coverage.”

As far as raising the federal poverty guidelines, Huntley said, “We need some expansion and I think he’ll end up going for that, particularly for adults without children, because the standard is way too low.”



PHOTO BY TOM OLMSCHEID

**Rep. Thomas Huntley presents an overview of the health reform bill May 12. It was vetoed by the governor May 13.**

Health care homes would have been a centerpiece in the bill to guide patients through the decision-making process of medical needs by providing comprehensive, coordinated care by physicians, advanced practice nurses, physician assistants as personal clinicians and specialists.

Huntley said 80 percent of health care costs are for people with chronic illnesses. The point of health care homes is to keep people out of hospitals by maintaining their health through continuous care, he said.


The medical homes would be paid to focus on delivering high-quality, efficient and effective health care services, while enhancing the experience of continuous care for patients by providing ongoing contact with a personal clinician.

The health commissioner would develop definitions for “baskets of care” and consider specifically, “coronary artery and heart disease, diabetes, asthma, and depression.” Health care providers could then establish package pricing for baskets of care, and the commissioner would publish comparative prices and information on those “in a manner that is easily accessible and understandable to the public.”

While the governor agreed the concept of medical homes were progress, he questioned the additional duties that would be assigned to the health commissioner. “The bill allocates less than half the needed funding to implement these responsibilities,” Pawlenty wrote.

The bill called for a 10-member Health Care Reform Review Council to develop and implement the certification, process and quality standards for health care homes, the implementation of payment reform and develop a plan and recommendation for providing subsidies to qualifying employees of employer-subsidized health coverage.

The bill also called for a statewide health improvement program, whereby grants would have been made available to communities for strategies to reduce the number who are obese or use tobacco.

The health commissioner would have had to develop measures to access quality care resulting in the monetary reward, and consider risk adjustments to reflect the differences in the health and demographics of patient populations, as well as the types of services needed. The commissioner would annually publish the information on providers’ cost and quality. 



# Reassessing priorities

After years of public service, Berns steps down to focus on his family

By Nick Busse

Just before Rep. John Berns (R-Wayzata) was elected state representative in 2006, his wife, Beth, gave birth to their third child. Although he's been proud of his service in the House, Berns has found the grueling pace of the legislative session and the normal demands of his family life to be a tough act to balance.

"Most people would say it's a little bit more challenging for legislators with young families," Berns said. "By no means would I say that it's worse for me than for anybody else here. ... But it's just my wife and I have had many, many discussions about this, and about what our long-term plans are."

Those plans, for the time being, do not include his serving another term as state representative. In an e-mail to constituents May 12, Berns announced he would not seek reelection.

"It's a very, very difficult decision for me — but I have to make my family a priority, and that means finding something else to do," he said.

Although Berns is only in his first term, he has worked in public service for virtually his

entire adult life. He has been a prosecutor, a city council member, a conservation district board member — and until his election to the House, a top lawyer on Gov. Tim Pawlenty's staff. Although he's proud of his long and varied record of public service, he concedes that it has its downsides.

"One of the sacrifices of public service is a lot of time away from your family — and you don't make as much in income. And, you know, I have three kids to send to college," Berns said.

Less than two years ago, Berns was one of a handful of Republicans to join the House as freshmen amid an electoral wave that swept DFLers into power with an overwhelming legislative majority. Berns said he has helped his fellow Republicans play an important role at the Capitol.

"Overall, I think we've done a good job for the people of Minnesota in holding the line on spending and trying to keep their taxes at a reasonable rate — and I was one small part of that," he said.

Berns points to many bipartisan achievements as well. He is particularly proud of environment and energy legislation

he helped to pass. Among other things, Berns was the sole Republican conference committee member for last year's Next Generation Energy Act and this year's greenhouse gas cap-and-trade bill.

"People are really cognizant of how important it is to be good stewards of our environment, and that's something I feel really strongly about. And I'm very happy to play a very small role and help

move those issues forward in a balanced way," he said.

Balance, according to Berns, is often lacking at the Capitol. He points to debates on environmental legislation as an example.

"Some people say it's the environmentalists on one end and the business community on the other. I don't think that's fair. I think in both groups there's reasonable people, and they want to come to a compromise to protect the environment and also to make sure that we have a good, strong economy," Berns said, adding that it's important for lawmakers to work together to find a middle ground.

Berns isn't quite sure yet what he'll do after he leaves the Legislature. He plans on working in the private sector, but he hasn't really started looking for jobs — and probably won't until session ends.

He isn't completely leaving the public sector, though; Berns has been a volunteer firefighter for several years, and will continue to serve with his local department.

"I will at least get my fix of public service when my fire pager goes off," Berns said.



PHOTO BY SARAH STACKE

Rep. John Berns is stepping down after two years in the House to spend more time with his family, including his 2-year-old daughter, Katie, and 4-year-old son, Lincoln.

## STEPPING DOWN

Rep. John Berns  
Republican  
District 33B — Wayzata  
Terms: 1 (elected 2006)

Advice to successor: "It's the same advice I got from my predecessor: listen. There's no way a legislator can know the answers on all the issues. You have to immediately rely on experts — people who understand the myriad of issues. But more importantly, just hear people out. Even if you disagree with them, just take the time to listen to them and let them know you care."

## Monday, May 12

**HF4239-Otremba (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Dog food incidence fee changed.

**HF4240-Berns (R)**  
**Public Safety & Civil Justice**  
Disarming a peace officer crime established and criminal penalties provided.

**HF4241-Huntley (DFL)**  
**Rules & Legislative Administration**  
Health care provider tax proceeds dedicated to MinnesotaCare and health care access, and constitutional amendment proposed.

## Tuesday, May 13

**HF4242-Ruud (DFL)**  
**Commerce & Labor**  
Disclosures required for direct-to-consumer genetic testing and report required.

**HF4243-Dettmer (R)**  
**Environment & Natural Resources**  
Watershed districts and water management organizations required to submit information to counties.

**HF4244-Dean (R)**  
**Environment & Natural Resources**  
Private sale of certain tax-forfeited land authorized.

## Thursday, May 15

**HF4245-Kahn (DFL)**  
**Transportation Finance Division**  
Bicycle operation requirements amended concerning stop signs or traffic control signals.

**HF4246-Slawik (DFL)**  
**Health & Human Services**  
Required behavioral health coverage specified for children and young adults who have autism spectrum disorder.

## New Web access to laws provides a window to history

Did you know that a law forbidding installation of a television screen in a motor vehicle "at any point forward of the driver's seat" was passed as early as 1949?

Our state laws are a window to history. And now laws enacted back to the territorial days of 1849 can be accessed online, thanks to a recently completed project by the Minnesota Office of the Revisor of Statutes.

"I am delighted that technological advances and broad legislative support made it possible for the Revisor's office to improve public access to the historical session laws in this sesquicentennial year," said Michele Timmons, revisor of statutes.

Sometimes called "session laws" or "Laws of Minnesota," these are important because they provide the basis for state statutes and

may play a critical role in the interpretation of a statute's meaning. Some session laws are never codified because their effect is limited in time (such as budget bills) or scope (such as special laws which apply just to one county or city), Timmons said.

The laws can be found at [www.revisor.leg.state.mn.us/laws](http://www.revisor.leg.state.mn.us/laws). Prior to the project, laws passed before 1994 were only in print, and few libraries had a complete set.

An online search function makes it easy to find laws on interesting topics. For instance, searching "grasshoppers" brings up many laws from the 1800s that helped citizens harmed by plagues of those insects.

Timmons said the process of adding Web access to the older laws was complex. The laws from 1983 to 1993 were in

a customized format on an outdated mainframe computer. As part of a larger project to develop a more modern bill-drafting and publishing system, these laws were converted to HTML format for Web access.

Pre-1983 laws were converted from print.

"First, the original book bindings were carefully removed by staff at the University of Minnesota. The often-crumbling book pages were scanned and the results were subjected to optical character recognition technology," Timmons said. Office programmers, along with consultants, transferred the data to the Web in over 40,000 searchable PDF documents, while university staff carefully rebound the original books for archiving.

## Education continued from page 19

especially in small schools. "It's a slap in the face for hockey to be the official sport."

Rep. Dean Urdahl (R-Grove City) didn't see it that way.

"What we're saying is that hockey is unique to Minnesota. This is the birthplace of American hockey."


Many items the governor had voiced concern about were removed by a conference committee, including an appeal process for Adequate Yearly Progress mandated under No

Child Left Behind; creation of a transitional three-year period in which high school seniors who fail the Graduation-Required Assessments for Diploma would be able to appeal and possibly still graduate; and a proposal to opt out of the federal No Child Left Behind Act.

One item that garnered intense debate on the House floor was addressed by Sen. Sandy Pappas (DFL-St. Paul) during conference committee. She told conferees that she was "deeply disappointed" that the Responsible Family Life and Sexuality Education Programs

language sponsored by Rep. Neva Walker (DFL-Mpls) wasn't included in the bill. It would have required school districts to offer responsible family life and sexuality education that is age-appropriate and medically accurate for grades seven through 12.

She said this was the first year that this issue had passed the House and Senate by significant margins.

"Members, this issue isn't going to go away," she said. 

## CAPITOL CAKE



PHOTO BY SARAH STACKE

Lina and Predrag Vuleta, the owners of State Street Bistro in Waseca and bakers of a cake in the shape of the Capitol, watch as their creation is wheeled toward of the House Chamber May 15 as part of sesquicentennial celebration, commemorating Minnesota's 150th anniversary of statehood. Lobbyist Tom Lehman inspects the cake on its way to the Chamber.

## Constitutional Officers

### Governor

#### **TIM PAWLENTY (R)**

Room 130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
651-296-3391  
800-658-3717  
Fax: 651-296-2089  
Web site: [www.governor.state.mn.us](http://www.governor.state.mn.us)  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

### Lieutenant Governor

#### **CAROL MOLNAU (R)**

Room 130 State Capitol  
St. Paul, MN 55155  
651-296-3391  
Fax: 651-296-3587  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

### Attorney General

#### **LORI SWANSON (DFL)**

Executive Offices  
Room 102 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
651-296-6196  
800-657-3787  
Web site: [www.ag.state.mn.us](http://www.ag.state.mn.us)  
E-mail: [attorney.general@state.mn.us](mailto:attorney.general@state.mn.us)  
Consumer Division  
1400 Bremer Tower  
445 Minnesota St.  
St. Paul, MN 55101  
651-296-3353  
800-657-3787  
TTY 651-297-7206  
TTY 800-366-4812

### Secretary of State

#### **MARK RITCHIE (DFL)**

Election Center  
Room 180 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
651-215-1440  
877-600-8683  
Business Services  
Suite 100  
60 Empire Drive  
St. Paul, MN 55103  
651-296-2803  
877-551-6767  
Web site: [www.sos.state.mn.us](http://www.sos.state.mn.us)  
E-mail: [secretary.state@state.mn.us](mailto:secretary.state@state.mn.us)

### State Auditor

#### **REBECCA OTTO (DFL)**

525 Park St.  
Suite 500  
St. Paul, MN 55103  
651-296-2551  
TTY 800-627-3529  
Web site: [www.osa.state.mn.us](http://www.osa.state.mn.us)  
E-mail: [state.auditor@state.mn.us](mailto:state.auditor@state.mn.us)



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

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

## MINNESOTA INDEX

### Experiencing Minnesota's outdoors

Minnesota's ranking in the sale of fishing licenses per capita.....	1
Resident individual angling licenses sold in 2007 .....	477,040
In 2006 .....	471,457
In 2005 .....	457,063
In 2004 .....	451,736
In 2003 .....	454,145
Millions of acres of fishing waters in Minnesota .....	3.8
Fishable lakes .....	5,493
Miles of fishable streams .....	5,000
Miles of trout streams .....	1,900
Annual sport fishing expenditures in Minnesota, in billions.....	\$1.58
Minnesota's ranking in the number of recreational watercraft per capita .....	1
Number of watercraft registrations in 2002.....	834,974
Number of watercraft operator's permits issued (1975-2002) .....	132,600
Miles of canoeing routes in Minnesota .....	3,353
Number of state parks and recreation areas in Minnesota .....	72
Number of visitors to state parks in 2006, in millions .....	8.43
Visitors to Fort Snelling State Park.....	644,076
Visitors to Gooseberry Falls State Park.....	567,133
Visitors to Itasca State Park .....	502,184
Visitors to Tettegouche State Park.....	423,152
Visitors to Interstate State Park.....	316,095
Percentage of Minnesotans who visit a state park each year .....	30
Number of campers who camped at state parks in 2006 .....	866,000
Wildlife management areas in Minnesota .....	1,355
Millions of acres of wildlife management areas in Minnesota.....	1.1
Number of game species in Minnesota .....	110
Resident deer firearm licenses sold in Minnesota in 2007 .....	299,336
In 2006 .....	303,211
In 2005 .....	301,603
In 2004 .....	309,462
In 2003 .....	340,190
Resident small game licenses sold in Minnesota in 2007 .....	88,029
In 2006 .....	90,564
In 2005 .....	76,666
Resident regular trapping licenses sold in Minnesota in 2007 .....	5,756

— B. HOGENSON

Source: Minnesota Department of Natural Resources

### FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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

Senate Information  
651-296-0504 or 888-234-1112

Senate Index  
651-296-5560

# SESSION WEEKLY

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 25, NUMBER 15 • JUNE 3, 2008

THE GRAND FINALE

DEFICIT ERASED, BUT CONCERNS REMAIN

FOUR NEW PROJECTS ON 'TO DO' LIST

TAXES: IT'S ALL ABOUT COMPROMISE

TAMING THE 'WILD WEST'

GOVERNOR'S ACTIONS

SESSION  
WRAP-UP  
2008

HF4247 - HF4256





## 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298  
651-296-2146 or 800-657-3550 or the  
Minnesota Relay service at 711 or  
800-627-3529 (TTY)  
[www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp)

### Director

Barry LaGrave

### Editor/Assistant Director

Lee Ann Schutz

### Assistant Editor

Mike Cook

### Art & Production Coordinator

Paul Battaglia

### Writers

Nick Busse, Patty Ostberg,  
Courtney Blanchard, Craig Green,  
Thomas Hammell, Brian Hogenson

### Chief Photographer

Tom Olmscheid

### Photographers

Andrew VonBank, Sarah Stacke

### Staff Assistants

Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



# CONTENTS

## HIGHLIGHTS

Education • 6

Government • 6

Transportation • 7

## NEW LAWS

Consumers • 8

Crime • 9

Education • 9

Elections • 10

Employment • 10

Energy • 10

Environment • 10

Government • 12

Health &

Human Services • 12

Housing • 13

Industry • 14

Law • 14

Local Government • 15

Retirement • 16

Safety • 16

Transportation • 16

## VETOES

Education • 18

Employment • 18

Energy • 18

Government • 19

Health &

Human Services • 19

Housing • 21

Local Government • 22

Metro Affairs • 22

Safety • 22

## BILL INTRODUCTIONS (HF4247-HF4256) • 49

## FEATURES

**FIRST READING:** Session 2008 — all sides declare victory • 3

**AT ISSUE:** Deficit fixed for now • 23-24

**RESOURCES:** House of Representatives roster • 25

**PEOPLE:** Sesquicentennial Minnesota House of Representatives • 26-27

**AT ISSUE:** New park, Central Corridor and veterans building cap off state's bonding • 28

**AT ISSUE:** Schools given a little breathing room • 29

**AT ISSUE:** Omnibus game and fish law holds a few surprises • 30-31

**AT ISSUE:** Minnesota looks to set the national stage for health care reform • 32

**AT ISSUE:** Weeks of negotiation result in levy caps, tax reform and new credits • 33

**AT ISSUE:** Concern over REAL ID makes for strange bedfellows • 34

**AT ISSUE:** Bridge collapse report criticizes MnDOT • 35-36

**AT ISSUE:** Taming the 'wild west' • 37-38

**PEOPLE:** Members say goodbye • 39-41

**RESOURCES:** Governor's Desk • 42-48

**RESOURCES:** Come to the Capitol • 50

**RESOURCES:** Minnesota State Agencies • 51

**MINNESOTA INDEX:** Session 2008 • 52

**On the cover:** House Speaker Margaret Anderson Kelliher talks at a May 18 press conference about the budget agreement reached between the House, Senate and Gov. Tim Pawlenty. Others in attendance include, from left, House Majority Leader Tony Sertich, Pawlenty and House Minority Leader Marty Seifert.

— Photo by: Tom Olmscheid





# A grand finale

Foregoing the usual partisan warfare, all sides declare victory in 2008 session

By Nick Busse

**T**hey did it. After weeks of tense negotiations that seemed sometimes to teeter on the brink of collapse, “a handshake and spreadsheets,” in the words of Gov. Tim Pawlenty, were all it took to bring the 2008 legislative session to a timely and successful close.

Standing in his reception room May 18, flanked on either side by legislative leaders, Pawlenty rattled off a list of the items included in a budget deal that they had just agreed to: a fix to the state’s approximately \$1 billion deficit; “historic” property tax relief; funding for a new state park at Lake Vermilion and the Central Corridor light rail project; and a “nation-leading” health care reform package.



PHOTO BY TOM OLMSCHIED

**House and Senate leadership meet in the conference room just off Gov. Tim Pawlenty's office prior to a May 18 news conference to announce a budget deal. This is the room where legislative leaders and Pawlenty spent most of the end of the 2008 legislative session working out the budget agreement. In attendance, from left, Senate Majority Leader Larry Pogemiller, Senate Minority Leader David Senjem, Senate Assistant Majority Leader Tarryl Clark, Finance Commissioner Tom Hanson, House Speaker Margaret Anderson Kelliher, Rep. Tom Emmer, Pawlenty's Press Secretary Brian McClung, Pawlenty and House Majority Leader Tony Sertich.**

### Finale continued from page 3

"As you know, in this building sometimes people choose to highlight differences. Today I want to choose to highlight our common interest in serving our state. This process has yielded common results and common goals for all of us standing here," Pawlenty said.

It was a modest declaration — one that belied the historic nature of the moment. Outside the window, thousands of Minnesotans could be seen gathering in front of the Capitol to celebrate 150 years of Minnesota statehood. The sesquicentennial events that took place over the course of the weekend included live music, marching soldiers, flyovers by vintage aircraft and fighter jets, speeches by local celebrities and performances by actors dressed in period costumes.

At the very moment that Minnesotans were celebrating all that is good and remarkable about their state, their elected leaders were delivering one final cause for celebration. By the time a formation of four F-16s from the Minnesota Air National Guard rumbled in low over the crowd later that evening, Pawlenty and the lawmakers could join together in the ensuing applause knowing

that legislative gridlock would not be putting a damper on the occasion.

"I think we have been the most productive Legislature in a very, very long time. We have reduced partisanship, we have got the job done, and we have produced results for Minnesotans," said House Speaker Margaret Anderson Kelliher (DFL-Mpls).

"This isn't about a Democrat or Republican accomplishment; the end of session, I think, is about a bipartisan accomplishment," declared an equally sanguine House Minority Leader Marty Seifert (R-Marshall).

House and Senate members had only a few hours left to finish their work, but it was clear that the hard part was over. The work that remained would be largely a matter of process, and the state's leaders could breathe a sigh of relief.

Even 24 hours earlier, such a happy ending had seemed unlikely. Despite several weeks of hinting by Senate Majority Leader Larry Pogemiller (DFL-Mpls) and others that lawmakers might actually go home early this year, House and Senate leaders once again found themselves scrambling down to the wire to find an agreement with the governor. In the week leading up to adjournment,

negotiators would emerge periodically from the governor's office to announce that serious progress was being made in budget talks — only to proclaim hours later that they had reached an impasse.

With the state's May 19 constitutional deadline for adjournment looming, a budget deal remained elusive. The breakthrough came late on May 17, when legislators announced that an agreement had been reached on a health care reform package. From there, everything else quickly fell into place, and by the next afternoon — with literally hours to spare — legislative leaders and the governor were slapping each other on the back in congratulations.

"This was a long, hard session, and frankly one along the way I thought perhaps we were looking at a train wreck, but indeed a couple of weeks ago the governor and legislative leaders grabbed the pole and moved the switch and headed all in a different direction — and a good direction," said Senate Minority Leader David Senjem (R-Rochester).

"It took a lot of hard work. We've spent a lot of hours together. And I think that that has paid off with a good result for Minnesotans," Kelliher said.





PHOTO BY TOM OLMSCHIED

Minutes before the House adjourned sine die May 18, Rep. Phyllis Kahn, *standing left*, again urged members to support a resolution urging Congress to open relations with Cuba. A previous resolution was vetoed by the governor.



PHOTO BY ANDREW VONBANK

With a jubilant grin, House Speaker Margaret Anderson Kelliher brings down the last gavel of the 2008 session at 11:45 p.m. May 18.

It wasn't all good news. Pogemiller pointed out that a \$1 billion to \$2 billion deficit is likely in the next biennium. As House and Senate leaders each took their turn at the podium, there was a general consensus that there was a lot of work left undone, and that next year's budget negotiations could be even tougher.

"I think as history looks back at this session, it will look back very kindly. I think we did a lot of good things," Senjem said. "I think we've got a lot of challenges ahead of us, but I think we've prepared well and we'll move into the 2009 session ... with a renewed spirit and a feeling of optimism."

Kelliher agreed, saying she and her colleagues have established a level of trust with the governor that can serve as a foundation for future talks.

"Although it's been difficult, I think we actually have built trust with each other. A couple of times during the negotiations, we referred to it as 'the trust bank' — and that maybe there had been too many withdrawals and we needed to make a few more deposits in the trust bank to be able to get this done. And I think at this point, the bank actually has a bit of a surplus around here with the legislative leaders and the governor to be able to do some more work," she said.

By the time a barrage of fireworks lit up the sky over the Capitol building — the explosions helpfully adding some emphasis to a point Rep. Tom Rukavina (DFL-Virginia) was making on the House floor — legislators had largely wrapped things up. House members voted on a handful of smaller bills late in the evening, and the motion to adjourn sine die was made shortly before midnight. The final gavel was dropped, and the chamber erupted into a round of applause. 🎆



**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held May 15-18. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter and \*-the bill version considered by the House or the bill language signed by the governor.

## EDUCATION

### Senate refuses to touch sex ed bill

Twice approved by the House, a comprehensive sexual education bill did not receive Senate approval.

On an 80-51 vote, the House passed a slimmed-down version of HF615\*/SF588 May 16. The bill was previously included in the omnibus education policy bill, but removed by a conference committee. It was tabled by the Senate on the session's final day.

It would have directed the commissioners of education and health to assist districts in developing programs that would include medically accurate and age appropriate prevention efforts for adolescents. The curriculum would have been intended

to promote healthy relationships and prevent sexually transmitted infections and pregnancies.

Rep. Neva Walker (DFL-Mpls), who sponsored the bill with Sen. Sandy Pappas (DFL-St. Paul), said it did not encourage sexual activity, but gave students the tools they need for prevention.

"It's not just about sex, it's about giving them the tools to say no to sex," Walker said.

— T. HAMMELL

## GOVERNMENT

### Cuba resolution re-expressed

A resolution urging Congress to end trade, financial and travel restrictions to Cuba was passed by the House for the second time this session moments before adjourning sine die May 18. No Senate action was taken.

In his veto message of the first resolution, R2, Gov. Tim Pawlenty said that forwarding the resolution to Congress would place Minnesota at odds with a long-standing policy of the United States. "Significant progress needs to be made before the United States

should consider establishing full diplomatic and commercial relations with Cuba."

Rep. Phyllis Kahn (DFL-Mpls), the resolution sponsor, said that by bringing the resolution up in the House a second time, the intent was not to disrespect the governor's veto.

"What this does is just re-express the sense of the House," Kahn said.

— B. HOGENSON

### No vote on special sessions

Voters won't be deciding if the Legislature should have the authority to call itself into special session for up to seven legislative days.

A bill proposing a constitutional amendment was continued on the calendar May 17 by its House sponsor after a number of amendments were suggested. It would have allowed, if approved by voters, a special session to be called by written agreement of a majority of the members elected to each house or upon the orders of the presiding officers of both houses. Now, only the governor can call a special session.

"The ability of the state Legislature to call a special session would provide balance between the branches of government and

## BUDGET AGREEMENT



PHOTO BY TOM OLMSCHIED

At a May 18 press conference, Gov. Tim Pawlenty is joined by House and Senate leadership and chairs of finance committees to announce an agreement on a budget proposal.

## Dear Readers:

With about 15 minutes to spare, the Legislature adjourned May 18. This special issue of Session Weekly provides a wrap-up of all legislation considered during the final days of session, including Gov. Tim Pawlenty's action on the major bills.

In the center of this magazine, you will find a pullout containing information about renewing your subscription and a survey that we hope you will take time to complete. There is also information about an opportunity to help defray Session Weekly production costs.

Your continued interest and feedback is very important to us. The time you take in responding to the survey helps us plan for next year's Session Weekly, as well as the other services that we provide.

To help keep postage costs low, all subscribers need to renew for the 2009-10 biennium. There are several ways to do that: You can complete the form inserted in the magazine and return it to our department, renew online by going to [www.house.mn/swform.htm](http://www.house.mn/swform.htm), or call our office at 651-296-2146 or 800-657-3550.

By statute, the 86th legislative session is scheduled to convene noon, Jan. 6, 2009.

If you have questions please call us at 651-296-0337.

Thank you for your loyalty to Session Weekly.

— Session Weekly staff

reduce the gridlock that sometimes results when the governing bodies do not agree,” said Rep. Lyndon Carlson (DFL-Crystal), who sponsored HF2554/SF3072 with Sen. Ann Rest (DFL-New Hope). Carlson added that it would make it easier for the Legislature to respond quickly to state emergencies.

Critics said the ability to call a special session would be a move toward a full-time legislature

There are currently 33 state legislatures, including Iowa and Wisconsin, that have the ability to call a special session.

In the Senate, the bill was awaiting action by the Senate Rules and Administration Committee when session ended.

— B. HOGENSON

## TRANSPORTATION

### Design-build changes stalled

When contracts were awarded for rebuilding the Interstate 35W bridge, the two construction companies chosen were from out of state (Colorado and Washington), offered the highest bid (\$234 million) and proposed the longest completion schedule (437 days).

Concerns were raised about the Department of Transportation's selection process.

HF3301, sponsored by Rep. Jeremy Kalin

(DFL-North Branch), proposes policy changes to the state's design-build process. Kalin said provisions in the bill are a push for “transparency and openness in the process, to make sure that Minnesotans can believe in the final product.”

Approved by the House 94-36 May 16, it was awaiting action by the Senate Transportation Committee when the session concluded. Sen. Steve Murphy (DFL-Red Wing) is the Senate sponsor.

Proposed changes include:

- providing opportunities for all bidders to protest a contemplated or actual award;
- once a contract is awarded and scoring date is disclosed, the commissioner must wait seven days before executing a contract, unless all bidders have waived the waiting period;

- repeal of a statute allowing design-build contract awarding process for projects costing less than \$5 million;
- compensation for members of the technical review committee who are not state employees; and
- a requirement that at least two members of the technical review committee who are state employees be at least senior administrative engineers.

Rep. Doug Magnus (R-Slayton) successfully offered an amendment that would require a Feb. 15, 2010, report from MnDOT on the financial savings and effectiveness of changes to the design-build process.

— C. GREEN

## No DAY OF REST



PHOTO BY TOM OLMSCHIED

**House Minority Leader Marty Seifert peeks out the door of Gov. Tim Pawlenty's office late on May 17, to tell Capitol Press Corps members that negotiations will continue, and that Sunday floor sessions will be necessary to complete the 2008 session.**



**Editor's note:** The following are summaries of the new laws signed by Gov. Tim Pawlenty May 15-May 29, completing action on legislation from the 85th session.

A complete review of all new laws passed this year is expected to be available after July 1 at the New Laws 2008 Web page, [www.house.mn/hinfo/Newlaws.asp](http://www.house.mn/hinfo/Newlaws.asp). To receive an electronic notification when the New Laws have been posted, go to [www.house.mn/list/join.asp?listname=houseinformation](http://www.house.mn/list/join.asp?listname=houseinformation).

Arranged by category, readers will find user-friendly access to stories that explain, in depth, the new laws. A link is provided to the actual bill text that was passed into law. By typing in a key word, an index will help readers find under which category the new law being searched for is located.

Because this is the second year of the biennium, bills that were introduced but not acted upon are considered dead. Stories on some of the more high-profile bills not making it into law and those that were vetoed are also featured.

regular business accounts.  
HF3783\*/SF3467/CH344

— C. GREEN

## Access to the numbers

The year's omnibus Social Security law clarifies what entities have access to the numbers.

Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Don Betzold (DFL-Fridley), said it will allow consumer credit reporting agencies to continue providing credit reports to the

state, and for Social Security information to be included on mortgage documents and insurance applications. The new legislation makes corrections to a similar law passed in 2006, Hilstrom said, and it insures that information will still be protected.

Effective July 1, 2008, the law also states that marketing is not a legitimate business purpose for the sale of Social Security numbers.

HF3146/SF2390\*/CH333

— C. GREEN

## CONSUMERS

### Changes to commerce provisions

With various effective dates, this year's omnibus commerce law covers motor vehicle loans, life insurance, real estate appraisers and debt collectors.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park), the law has more than 50 provisions. They include:

- administrative fees for a motor vehicle sales finance contract may be as high as \$75, up from \$50;
- consumers have 30 days to back out of a replacement life insurance policy without penalty, up from 20 days;
- health insurance coverage for cancer screenings must include charges for an office or facility visit;
- clarification that mental health and chemical dependency coverage includes alcoholism;
- insurance companies must notify customers of new long-term policy series previously unavailable;
- long-term providers must permit policyholders to reduce coverage and premiums, and requires notification to policyholders of the right if the policy is about to expire; and
- a debt collection agency must maintain a separate trust account clearly designated for customer funds, and another for

## STATEHOOD LIGHT



PHOTO BY ANDREW VONBANK

**The chandelier in the Capitol dome is illuminated for the sesquicentennial celebration May 18. The chandelier is normally just lit on May 11, Statehood Day.**



## CRIME

### Dogfight watching penalties

Dogfighting and cockfighting are illegal in Minnesota. Anyone who practices pitting pets against one another, trains the pets, takes admission to the fights or allows others to use their premises for the games is guilty of a felony.

Effective Aug. 1, 2008, anyone who buys a ticket to the fights is guilty of a gross misdemeanor, previously a misdemeanor offense.

Sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Leo Foley (DFL-Coon Rapids), the new law also clarifies that the penalties do not apply to hunting a wild animal.

HF3132/SF3360\*/CH353

— C. GREEN

### You smoke in the room, you pay

It's already on the books that anyone who smokes in a designated nonsmoking hotel or motel room is guilty of a misdemeanor. Effective Aug. 1, 2008, the smoker will also pay damages to get the room back to its smoke-free condition.

Thanks to the new law, sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), the previous \$100 cap for damages is gone.

The new law also states that if an offender does not reimburse the innkeeper in 30 days, a \$100 civil penalty may be added, as well as reasonable attorney fees up to \$500.

HF1825/SF2809\*/CH355

— C. GREEN

## EDUCATION

### Stricter teacher background checks

It will be more difficult for teachers with a spot on their records to slip through the cracks.

A new law, effective Sept. 1, 2009, will require school hiring authorities to check with the Board of Teaching to make sure that a prospective teacher has not been disciplined for sexual misconduct. Teachers already undergo a criminal background check by a hiring authority.

Information on sexual misconduct will now be provided, whether criminal charges were filed.

Schools will be able to hire an applicant pending that check and to dismiss that person, but will have to tell them the reason for the dismissal. Applicants will also be required to provide information on any legal or disciplinary action taken against them.

The law, sponsored by Rep. Karla Bigham

## SUPREME MEETING



PHOTO BY TOM OLMSCHEID

**House Majority Leader Tony Sertich, left, and Sen. Tom Bakk, chairman of the Senate Taxes Committee, talk May 18 near the steps at the entrance to the Supreme Court Chamber in the east wing of the Capitol.**

(DFL-Cottage Grove) and Sen. Kathy Saltzman (DFL-Woodbury), includes "comfort" language to another law (HF2782/SF2369\*/CH275), also sponsored by Bigham, which

requires background checks for coaches and directors of other extracurricular activities. Bigham said the new language makes it clear

that the law does not apply to volunteers for activities like school dances. This provision takes effect Sept. 1, 2008.

HF2657/SF2597\*/CH369

— T. HAMMELL

## ELECTIONS

### Election recounts and reviews

Regulations for write-in absentee ballots, recounts and corrections to a funds transfer are included in a new elections law, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Ann Rest (DFL-New Hope).

A provision effective for elections held after June 1, 2008, allows voters to use a state or federal write-in absentee ballot to vote in any federal, state or local election. In a state or local election, a vote for a political party without specifying the name of a candidate will not be counted.

The 2007 omnibus state government finance law permitted the secretary of state to transfer at least \$310,000 from its General Fund appropriation to the Help America Vote Act. Effective May 17, 2008, an amount sufficient to meet federal requirements for interest payments and the additional state match required by the Help America Vote Act can be transferred.

Other provisions in the law, effective Aug. 1, 2008, include:

- establishing that recounts taking effect in a state primary or general election when the difference between the votes cast is less than one-half of 1 percent of the total number of votes counted for the nomination; or is 10 votes or less and the total number of votes cast for the nomination is 400 votes or less, must be done manually; and
- updates to language whereby a candidate can request a partial recount to be conducted at their expense. The law permits a candidate to identify up to three specific precincts in which the partial recount is to be conducted. If the partial recount overturns the result of the election, the candidate will be refunded the expense of the recount.

HF3699\*/SF3373/CH336

— B. HOGENSON

## EMPLOYMENT

### Wanted: boiler operators

A side effect to fewer people taking up the occupational trades is that hobbyists showing antique farm equipment at fairs and exhibits are finding steam-boiler operators hard to come by. State law recognizes some of this

equipment as historic artifacts, but a licensed hobby boiler or a licensed steam engineer must be present when any of the machines are operated in public.

A new law, sponsored by Rep. Bob Gunther (R-Fairmont) and Sen. Kathy Sheran (DFL-Mankato), lowers the age that someone can be considered for a provisional boiler license from 18 to 16 years old, and it sets out the criteria for licensure. The law is effective May 16, 2008.

"It is a hobby that is coming into its own," said Rep. Dan Severson (R-Sauk Rapids). By lowering the age requirement for licensure, supporters believe young people may be encouraged to turn a hobby into a career.

The law lays out training criteria for the new licensure provision, requiring at least 50 hours of operating experience. It also adds a \$50 application fee to the boiler engineer license application for those seeking a provisional license.

The new law also allows those with a provisional license and employed at a high pressure boiler plant to operate boilers greater than 500 horsepower, under certain conditions.

HF3224/SF3140\*/CH309

— L. SCHUTZ

## ENERGY

### Promoting a greener economy

Energy-efficient government buildings and a greener economy for Minnesota are the goals of a new law.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. D. Scott Dibble (DFL-Mpls), the law comprises a package of reforms designed to promote cleaner energy.

Of particular focus is the idea of a "green economy," which is defined as one that increases the use of renewable energy, encourages energy conservation, reduces greenhouse gas emissions and protects the environment.

The law establishes several initiatives, effective the day following final enactment, including:

- requiring the Department of Employment and Economic Development and the Job Skills Partnership Board to promote job training that supports green economic development;
- creating a microenergy loan program to finance small-scale renewable energy projects for individuals, businesses and communities;
- requiring all state agencies that administer loan or grant programs to evaluate their ability to promote green economic development and report their findings to the Commerce Department for future

consideration; and

- creating a "Green Jobs Task Force" to advise the governor on how to promote a green economy.

Effective Aug. 1, 2008, a financing program will be created to help state and local governments improve energy efficiency in public buildings and facilities.

The state-level energy efficiency program will be run through the Department of Administration, while at the local-level it is to be administered by the Commerce Department. Each agency must report back to the Legislature by Jan. 15 of every year on the success of their respective programs.

Under the microenergy loan program, the Commerce Department can issue long-term, low-interest loans to local governments and small businesses, and can participate in Housing Finance Agency loans to property owners, private developers and nonprofit groups. A microenergy loan account consisting of proceeds from revenue bonds and various other sources is established for these purposes in the state treasury.

The Green Jobs Task Force, comprising six lawmakers, 10 gubernatorial appointees and eight legislative appointees representing various agencies and interests, will draft a statewide action plan to "optimize the growth of the green economy." A report is due to the Legislature by Jan. 15, 2009.

HF3669/SF3096\*/CH356

— N. BUSSE

## ENVIRONMENT

### Cap-and-trade, 'Green Solutions'

Minnesota could participate in a regional cap-and-trade system for greenhouse gas emissions, and a new law will ensure that state lawmakers are part of the process.

In a cap-and-trade program, a limit would be placed on overall greenhouse gas emissions. Power companies and other emitters would then be issued emission allowances that they could buy, sell or trade with one another. Members of Gov. Tim Pawlenty's staff are currently in talks with other Midwestern states to develop a model rule for a regional cap-and-trade system.

Sponsored by Rep. Kate Knuth (DFL-New Brighton) and Sen. Ellen Anderson (DFL-St. Paul), the new law — titled the Green Solutions Act of 2008 — requires legislative approval of any such system before it can be implemented. It also calls for studies by the Commerce Department and the Pollution Control Agency on potential impacts — both positive and negative — of cap-and-trade.

The law establishes a six-member Legislative

Greenhouse Gas Accord Advisory Group to advise members of the governor's staff participating in the regional negotiations. Appointments to the group are due by June 1, 2008.

Additionally, the PCA and Commerce Department must conduct two studies and report back to the Legislature. One study is to examine the potential economic, environmental and public health impact of cap-and-trade; the other will analyze the potential state revenue that could be generated by such a system and how it could best be utilized. The law appropriates \$500,000 for the studies.

A third study, to be conducted by the University of Minnesota, must explore possible governance models for expending cap-and-trade revenues. A \$75,000 appropriation will fund the study.

All three studies are due to the Legislature by Jan. 15, 2009.

HF3195\*/SF2818/CH340

— N. BUSSE

### LCCMR projects approved

A nearly \$23 million package of environment and natural resources projects approved by a legislative commission can move forward.

A new law comprises the recommendations of the Legislative-Citizen Commission on Minnesota Resources. The commission makes recommendations annually on appropriations from the Environment and Natural Resources Trust Fund, which derives funding from lottery proceeds.

This year's funding package includes 37 individual appropriations for more than 70 projects. By category, the funding includes: \$16.3 million for land and habitat projects; \$3.5 million for water resources projects; \$2.4 million for natural resources information projects; \$1.1 million for environment education projects; and \$155,000 for the state's emerging issues account.

Highlights from the appropriation package include:

- \$3.15 million for Metro Conservation Corridors Phase IV;
- \$3.15 million for the Habitat Conservation Partnership Phase V;
- \$1.6 million for south-central Minnesota groundwater monitoring and county geologic atlases;
- \$1.5 million for state park and trail acquisitions; and
- \$1.5 million to the Metropolitan Council for regional park land acquisitions.

A full list of the approved projects is available at the LCCMR's Web site at [www.lccmr.leg.mn/lccmr.htm](http://www.lccmr.leg.mn/lccmr.htm).

The law takes effect July 1, 2008. Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen

Anderson (DFL-St. Paul) are the sponsors.  
HF2745/SF2492\*/CH367

— N. BUSSE

### Environment omnibus bill signed

Restrictions on ballast water discharges into Lake Superior, free state park admission for disabled veterans and maximizing state revenues from school trust fund lands are among the provisions of a new law.

Sponsored by Rep. Rick Hansen (DFL-South St. Paul) and Sen. Dennis Frederickson (R-New Ulm), the law applies mostly to the Department of Natural Resources. Unless otherwise noted, it takes effect Aug. 1, 2008.

Ships that travel to Minnesota ports through Lake Superior will face new restrictions on ballast water discharges. The law requires all ships operating in Lake Superior to take on and discharge ballast water according to a ballast water management plan designed to minimize the spread of invasive aquatic species. Plans must be approved by the Pollution Control Agency, and ships must keep logbooks that record information about each individual ballast operation.

In an effort to maximize the long-term financial output of the state's school trust fund lands — lands granted by the federal government and managed by the DNR to produce revenues for public schools — the law expands the Permanent School Fund Advisory Committee. The goal is to improve the committee's oversight of the DNR, and to get it to focus more on increasing revenues to

schools, as opposed to simply managing the lands' natural resources.

Another section of the law allows the DNR to use proceeds from the sale of administrative sites to remodel or upgrade other department facilities. Currently, those proceeds go into the department's land acquisition account.

A process for expedited land exchanges between the state and local governments is provided for in the law, with the goal of making it easier to consolidate public lands — something the DNR says will cut costs and help reduce forest fragmentation. The law spells out conditions whereby land exchanges can forgo the normal land appraisals in favor of an abbreviated process.

A section of the law will allow veterans with a "total and permanent service-connected disability" free admittance to state parks. The DNR must grant free annual park permits for veterans who present the necessary documentation from the U.S. Veterans Administration or the U.S. military.

The law also establishes the "Minnesota Forests for the Future" program to protect state forestland from destruction and fragmentation by private development. The goal is to preserve forests while keeping the actual land in private owners' hands by letting the DNR purchase easements and require forestry management plans from landowners. Identical language was signed into law in CH368, the omnibus game, fish and lands law.

HF3625/SF3056\*/CH357

— N. BUSSE

### GOVERNOR No. 1 AND No. 2



PHOTO BY TOM OLMSCHIED

Minnesota's first governor Henry Sibley (1858-1860), portrayed by Allan Kohl, left, and the state's second governor Alexander Ramsey (1860-1863), portrayed by Shawn Towle, exit May 18 after examining the newfangled outhouses that were placed on the Capitol grounds for use during the state's sesquicentennial celebration.



## GOVERNMENT

### Statutory upkeep

As bills work their way through the legislative process, mistakes and oversights are bound to happen.

Sponsored by Rep. Dave Olin (DFL-Thief River Falls) and Sen. Mee Moua (DFL-St. Paul), the revisor's law corrects miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors contained in state statutes passed by the House and Senate.

Each section of the law is effective when the provision being corrected takes effect.

HF4166\*/SF3823/CH370

— B. HOGENSON

## HEALTH & HUMAN SERVICES

### Child care changes

Family care providers will have to comply with new regulations, under a new law.

Sponsored by Rep. Neva Walker (DFL-Mpls) and Sen. Patricia Torres Ray (DFL-Mpls), the law removes a loophole that allows families to receive paid assistance for caring for their own children in a child care setting.

Many changes are technical and are needed to comply with federal standards.

Changes include:

- creating a Child Care Advisory Task Force to make recommendations to the Legislature on removing barriers facing families applying for and receiving child care assistance;
- requiring participants in the Minnesota Family Investment Program to maintain eligibility by developing either an employment plan or family stabilization services plan;
- counties are allowed to do a background study on all household members age 13 and older of family child care providers;
- consolidating state laws with federal laws in regard to MFIP and Temporary Assistance for Needy Families;
- modifying the Basic Sliding Fee allocation formula to distribute funds to counties for unmet family needs;
- a sworn statement from an applicant and a sworn statement from another person with knowledge of circumstances or credible evidence are added as acceptable documentation of family violence;
- a definition of adult adoption is added;
- amends statutes regarding the Interstate Compact for the Placement of Children to conform to national standards;
- requiring that every child in foster care or

on a trial home visit be visited by a case-worker on a monthly basis, with a majority of the visits in the child's residence;

- requiring an administrative review of a child in voluntary foster care for treatment; and
- the commissioner of human services is to seek an amendment to state plans to provide targeted case management service to children with developmental disabilities who are in need of activities that coordinate and link social and other services designed to help them gain access to medical, social and educational services.

The law has various effective dates.

HF3376\*/SF3170/CH361

— P. OSTBERG

### Community consortium project

A demonstration project that will allow three community consortiums serving older adults to pool health care funds for long-term care purposes is now law.

Also under the law, effective May 9, 2008, state payments to the victims of the Interstate 35W bridge collapse will not be counted as income, assets or resources related to eligibility for public assistance programs.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Tony Lourey (DFL-Kerrick), the human services, health and housing finance commissioners are allowed to develop a three-year demonstration project by July 1, 2009.

The consortiums will create a joint decision-making process with a goal to pool funds and provide flexibility in the distribution of health care money. An evaluation report is due to the Legislature by Jan. 15, 2013.

Each project will be designed to:

- ensure consumer access to a continuum of older care services;
- create an adequate supply of affordable home-based alternatives to care for those in nursing facilities or those needing a facility in the future;
- establish and achieve measurable performance targets for care delivery; and
- support management of chronic and complex conditions through greater coordination of all services needed by older adults.

Consortiums will be given priority for technology-related grants, projects designed to create or preserve affordable housing options for older adults and to create transportation options for older adults.

Funding will come, in part, from appropriations to the nursing home moratorium exceptions process for the biennium ending June 30, 2011. According to a Department of Finance fiscal note, the Legislature appropriated \$3 million for nursing home moratorium projects during the

2008-09 biennium. The health commissioner can reserve 10 percent of these funds for project distribution.

A community-based consortium will analyze waiver program practices and make recommendations for improvements to the counties and health commissioner.

The consortiums project is effective Aug. 1, 2008.

HF3955\*/SF3673/CH338

— P. OSTBERG

### Licensing clarification

The state, instead of individual counties, will certify providers of waiver services for people with disabilities, under a new law.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Sharon Erickson Ropes (DFL-Winona), the new law makes changes to waiver services and the certification process to bring the state into compliance with federal standards. The human services commissioner is to biennially review each service provider to make sure they are meeting the minimum standards.

Norton said many of the changes in the law are merely technical and came at the request of the Human Services Department.

Also under the new law, technical changes were made to senior nutrition services to ensure funds are spent on current services, rather than new ones.

The commissioner is to review the definitions of nursing facility direct care staff so the public can compare staffing in facilities. The commissioner is also to review how new and emerging staff positions could be incorporated into facilities. Recommendations are due to the Legislature Jan. 15, 2009.

The law is effective Aug. 1, 2008.

HF3579/SF3563\*/CH317

— P. OSTBERG

### Managing state health plans

State health plans will be subject to stricter financial management and reporting requirements, under a new law.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Yvonne Prettnier Solon (DFL-Duluth), the changes are a response to a February 2008 Office of the Legislative Auditor report, "Financial Management of Health Care Programs."

The report raises concerns over: the state's difficulty in accessing information on administrative costs; the minimal reporting on the quality outcomes for the system's clients; and guaranteeing financial reserves of county-based purchasing plans.

Under the new law:

- managed care plans must demonstrate to the human services commissioner's

- satisfaction that the data submitted on performance targets is accurate;
- the commissioner may periodically change the administrative measures used as performance targets in order to improve plan performance across a broad range of administrative services;
- performance targets must include efforts to contain spending on service and administrative costs;
- managed care plans and county-based purchasing plan administrative costs for a prepaid health plan cannot exceed by more than 5 percent the administrative spending for the previous calendar year as a percentage of total revenue;
- a report on the financial management of health care programs will be due to the Legislature by Jan. 15, 2009; and
- the health and human services commissioners are to work together to collect data on administrative spending for state health care programs.

The law also requires that county-based purchasing plans must have specific reserves, according to each plan. If a plan receives excess revenues, they are to be used for either reserves, to increase provider payments, to repay county investments or contributions, or for prevention and early intervention in programs.

The law has various effective dates.

HF3809/SF3322\*/CH364

— P. OSTBERG

### Naturopathic doctor registration

Naturopathic practitioners with degrees from accredited medical programs recognized by the Council on Naturopathic Medical Education will be able to call themselves naturopathic doctors, under a new law.

Sponsored by Rep. Neva Walker (DFL-Mpls) and Sen. Patricia Torres Ray (DFL-Mpls), the law will allow about 25 individuals to register themselves as a registered naturopathic doctor, naturopathic doctor or doctor of naturopathic medicine. Only those practitioners with the medical degrees can use the titles and could display them in their place of practice.

The law will create a Registered Naturopathic Doctor Advisory Council to oversee standards for registered doctors, distribute information regarding the standards, review applications, recommend granting or denying registrations and investigate complaints.

"There's many individuals that think that the only practice of medicine should be in the medical community and scientific based without acceptance of what is going on in other countries," said Walker, adding there is a difference between a person who has gone to medical school and one educated through experience. Registering those individuals

in the state could bridge the gap between western medicine and the alternative healing community, she said.

A naturopathy work group will be established to develop recommendations on regulating naturopathic practitioners who are practicing as naturopathic medical doctors or physicians and have postgraduate degrees in naturopathic medicine.

The law defines the registration requirements and states that individuals without naturopathic medical degrees are able to continue practicing without use of the three titles.

The law has various effective dates.

HF1724\*/SF1520/CH348

— P. OSTBERG

### Health policy provisions

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls), a new law will make several mostly technical changes regarding health care, sexual offender program regulations and managed care contracts.

Health care provisions include:

- allowing a licensed physician, advanced practice nurse or licensed psychologist to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder;
- requiring hospitals, clinics and medical facilities to have in place by Jan. 15, 2009, a policy for informing a woman of available options for fetal disposition when the woman experiences or is expecting a miscarriage;
- granting a limited license to practice dentistry to a graduate of a non-accredited dental program who successfully completes the clinical licensure examination and meets other Board of Dentistry requirements;
- authorizing the human services commissioner to participate in a legal entity developing and operating a statewide health information exchange; and
- restricting the equity interest in the home of a person applying for medical assistance for long-term care services not to exceed \$500,000, although if denied assistance they could seek a waiver based upon hardship.

Changes to the sex offender program include establishing Minnesota State Industries at any sex offender program facility and allowing patients to build, manufacture or process goods for business or industry. A working group will develop standards and guidelines to establish criteria for a sex offender treatment advisory board and ensure health, dental and mental care for patients.

The law has various effective dates, with many taking effect Aug. 1, 2008.

## HOUSING

### Foreclosure assistance modified

Those trying to avoid foreclosure on their home can apply for aid from the Minnesota Housing Finance Agency's Foreclosure Prevention Assistance Program.

Awards, however, have been capped at \$5,500.

In response to the ongoing foreclosure crisis, a new law ties the cap to a fluctuating indicator — 110 percent of the median cost of owner-occupied housing multiplied by six. This would mean a Twin Cities metropolitan area homeowner would have a cap of \$10,718, and \$9,478 to homeowners in Greater Minnesota. The cap was last adjusted in 2001.

Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), the law is effective May 28, 2008.

HF3346\*/SF3073/CH362

— C. GREEN

### The money has to be there

Ideally, it's a simple transaction.

Someone puts their house on the market, often with the help of a broker. They find a buyer who agrees to a price. The buyer gets financing from a lender. Funds are transferred to an escrow account and the house is sold.

With all of this, there is an assumption that the lender has transferred the funds before the deal closes. Unfortunately, this isn't always the case.

Minnesota law permits a broker to front the funds if there is an established relationship with the lender. Though this usually works out for everyone, recent cases have shown that it doesn't always, leaving one broker out \$175,000 and another out \$500,000.

### Stay informed

Although election season for House members begins in earnest with the end of the legislative session, work at the Capitol continues. Session Daily, the online companion to Session Weekly, will be updated when news from the House warrants. Subscribers to Session Daily receive e-mail alerts whenever a new article is posted. To subscribe to Session Daily, log on to [www.house.mn/list/join.asp?listname=ssessiondaily](http://www.house.mn/list/join.asp?listname=ssessiondaily) or call 651-296-2146 or 800-657-3550.

For information on House meetings, go to [www.house.mn/hinfo/hinfosched.asp](http://www.house.mn/hinfo/hinfosched.asp). To subscribe to the House schedule electronic mailing list, go to [www.house.mn/list/join.asp?listname=houseschedule](http://www.house.mn/list/join.asp?listname=houseschedule).

A new law says that a deal cannot be closed unless the funds have arrived from the lender.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park), the law is effective Aug. 1, 2008.

HF3888/SF3594\*/CH347

— C. GREEN

## INDUSTRY

### Clarifying construction codes

Following up on 2007 construction code legislation, a new law makes technical and clarifying changes to provisions affecting plumbing, water conditioning, electrical work and units, and residential building contractors.

Changes include:

- although state building codes are effective 180 days after filing with the secretary of state, an earlier effective date is permitted if it is necessary to protect public health and safety;
- administration and enforcement of fire

codes is the responsibility of the public safety commissioner;

- continuing education materials for residential home contractors and remodelers may include material that is in licensing exams;
- adjustments to some manufactured home fees conforming to federal regulations; and
- manufactured home dealers must keep copies of records for five years, up from three.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Linda Scheid (DFL-Brooklyn Park), the law has various effective dates.

HF3034\*/SF2926/CH337

— C. GREEN

## LAW

### Data provisions modified

A new law makes changes to the Minnesota Government Data Practices Act—Chapter 13 of Minnesota Statute.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Mary Olson (DFL-

Bemidji), the law affects different areas of local and state government data management.

Some of the changes effective Aug. 1, 2008, include:

- willful violation of the Data Practices Act by a government entity carries a penalty between \$1,000 and \$15,000, an increase from \$100 to \$10,000;
  - government entities are prohibited from mailing any items with Social Security numbers displayed, and are prohibited from requiring Social Security numbers be written on the outside of submitted correspondence;
  - the Department of Employment and Economic Development may share inmate employment information with the Department of Corrections for pre- and post-confinement planning;
  - use of data from customers using parking facilities at the Minneapolis-St. Paul International Airport is restricted; and
  - marriage dissolution documents dealing with child support or spousal maintenance must include Social Security numbers on a separate non-public document.
- Effective July 1, 2009, data collected on the

## HONOR GUARD



PHOTO BY TOM OLMSCHIED

Blaine Iffert and other members of various Minnesota National Guard units take part in the "1858-2008 Honoring Those Who Serve" ceremony May 18 during the sesquicentennial celebration in front of the Capitol.



storage and use of explosives or blasting agents will be non-public.

HF3553/SF3235\*/CH315

— C. GREEN

### Closed meetings will be taped

All public body closed meetings must be electronically recorded, unless otherwise prohibited by attorney-client privilege, effective Aug. 1, 2008.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Don Betzold (DFL-Fridley), the law also mandates these recordings be preserved for at least three years.

Additionally, in a case when a public body is found to have violated an official opinion, the court may award reasonable attorneys fees to the plaintiff.

HF3367\*/SF3120/CH335

— C. GREEN

### Fix to eminent domain law

If a business is displaced by a government entity, there are reimbursement payments available. A new law makes a correction to a 2006 revision of eminent domain law addressing these costs.

Changes to the law were intended to make payment of up to \$50,000 mandatory for all projects. However, because of a drafting error, the \$50,000 maximum applied only to state-funded projects, and not federal, which are capped at \$10,000.

Sponsored by Rep. David Dill (DFL-Crane Lake) and Sen. Tom Bakk (DFL-Cook), the \$50,000 maximum requirement now applies to state and federal projects.

The law is effective retroactive to Jan. 16, 2007.

HF2789/SF2379\*/CH312

— C. GREEN

## LOCAL GOVERNMENT

### Fees, deeds and foreclosures

Provisions pertaining to the registrar of titles, transfer on death deeds and mortgage foreclosure are included in a new law.

One section of the law, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul), outlines the fee structures for various titles and deeds and outlines where the collected fees will be distributed.

Another section of the law focuses on transfer on death deeds and outlines procedures for medical claims, taxes and beneficiary requirements.

Also included are provisions related to mortgage foreclosures that, among other things:

- requires a party foreclosing on a mortgage to provide information on foreclosure prevention counseling and a notice that the party will transmit the homeowner's name, address and telephone number to an approved foreclosure prevention agency;
- states that a notice of foreclosure must include information about why you are receiving the notice, who the foreclosure prevention counseling agencies are and which agencies will be contacting you; and
- requires that a notice be given to those renting a property that is in foreclosure.

These provisions in the law are effective Aug. 1, 2008.

HF3420\*/SF3239/CH341

— B. HOGENSEN

### New local government provisions

Subjects ranging from drainage systems to county permits are covered by the 2008 omnibus local government law.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Ann Rest (DFL-New Hope), most of the provisions are effective May 17, 2008.

## PEACE OFFICERS MEMORIAL

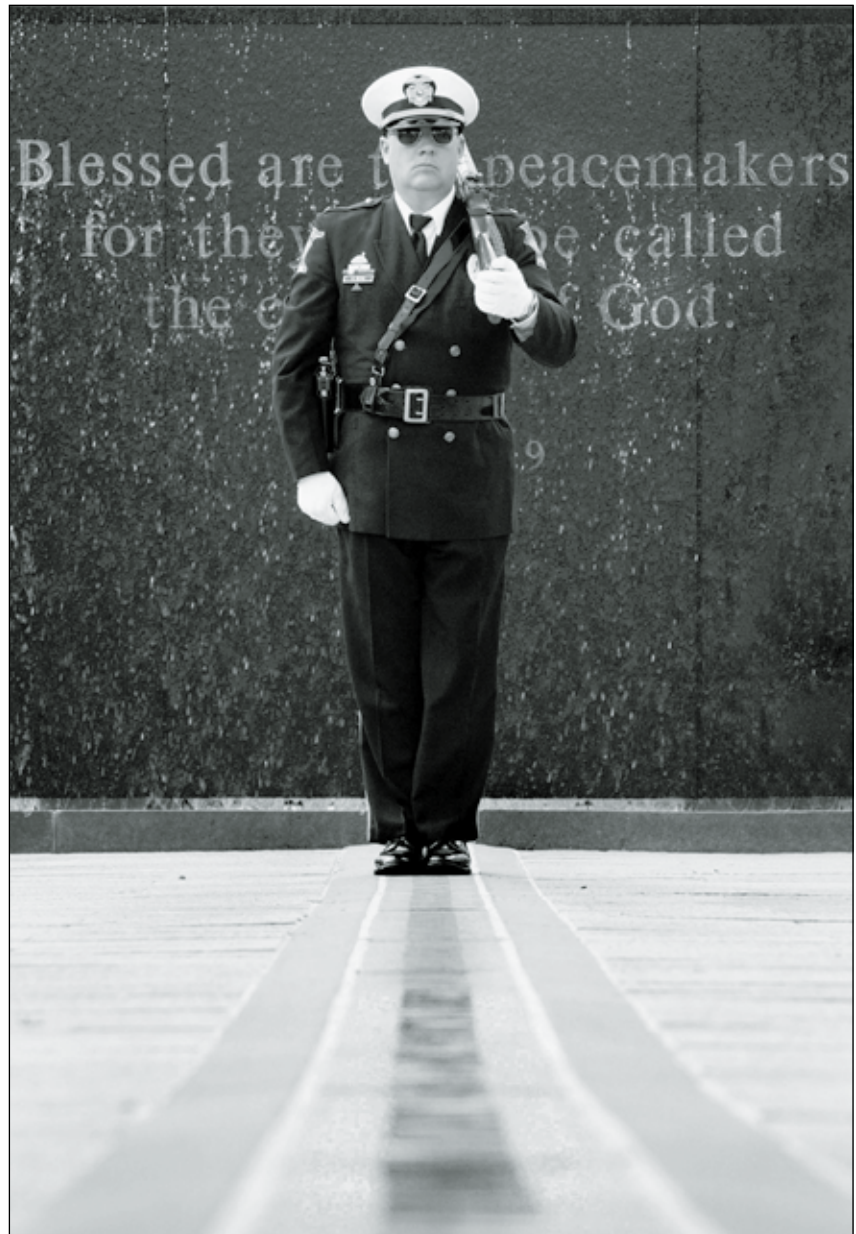


PHOTO BY ANDREW VONBANK

**A Law-Enforcement Memorial Association Honor Guard walks the Thin Blue Line at the Minnesota Peace Officers Memorial May 15, a day to honor and remember law enforcement officers who gave their lives in the line of duty.**

The bill provisions include:

- requiring the commerce commissioner, effective Aug. 1, 2008, to create a business energy use inventory form and requiring local entities to make it available to businesses;
- authorizing town boards to refund surplus taxes collected for a district, if the district is removed;
- permitting the transfer of ditches in Hennepin County to a water management authority, effective Aug. 1, 2008;
- effective upon local compliance with state statute, the Minneapolis Park and Recreation Board may impose a dedication fee on new commercial and industrial equipment, along with trails to help pay for parks, playgrounds, recreation facilities, wetlands and open spaces; and
- allowing counties to permit the temporary use of property until a particular date, event or zoning change. Cities have had the same authority since 1989.

HF4223\*/SF3857/CH331

— B. HOGENSON

## RETIREMENT

### Pensions provisions modified

Changes for state retirees are included in the omnibus pensions law, a product of the Legislative Commission on Pensions and Retirement.

Sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Don Betzold (DFL-Fridley), the law makes changes to the postretirement fund by allowing it to be combined with active funds of each of the statewide retirement systems, if it falls below a certain threshold. The law provides that the investment-based component of the fund will only be paid if inflation is more than 2.5 percent.

If the postretirement fund is more than 90 percent funded, and the increase in the Consumer Price Index is less than 2.5 percent, any excess earnings can be used to pay an increase based on lost purchasing power from prior years.

Changes that allow a phased retirement or phased return on retirement benefit for teachers are also included.

According to Murphy, the law ensures the actuarial evaluations are based on realistic expectations to give a better picture of the financial needs of the state's major public pension plans. It also brings the state's pension system in compliance with recently enacted federal regulations.

The law increases the membership of the commission from five to seven members of

each legislative body, with no more than five members from the majority caucus.

Included in the law is a provision that if someone retires before the normal retirement age and has more than 30 years of state service, the minimum age requirement does not apply, and reductions and increases in benefits will apply to age 62 rather than the normal retirement age.

The law has various effective dates.

HF3082\*/SF2720/CH349

— B. HOGENSON

## SAFETY

### Dog regulations, dining allowances

What began as a bill to strengthen provisions regulating dangerous dogs is now a law that also allows restaurant patrons to have their dogs join them for a bite to eat.

The new law, sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Ellen Anderson (DFL-St. Paul), increases the surety bond required by an owner of a dangerous dog from \$50,000 to \$300,000 and prohibits dog ownership for anyone who has repeatedly been convicted of crimes involving dangerous dogs.

All dangerous dogs must be sterilized, and owners must notify animal control authorities if the dog is moved to a new location.

A dangerous dog may be destroyed for inflicting great bodily harm on someone without provocation, or participating in an attack where there was more than one dog. Before animal control can take action, however, the owner must be given an opportunity for a hearing.

These provisions take effect Aug. 1, 2008.

The provision to allow dogs to dine with their owners was proposed by Rep. Frank Hornstein (DFL-Mpls).

A municipality may issue permits for bars and restaurants to allow customers to bring their dogs with them to designated outdoor areas. The dog must be on a leash, under reasonable control and is not permitted on the chairs, tables or any other furnishings. Employees are not permitted to touch the dogs, and the dogs must be kept away from serving dishes, utensils and other food service items.

Dogs can join their owners effective May 16, 2008.

HF2906/SF2876\*/CH325

— C. GREEN

### Fire safety act repealed

In part, due to a request from the state fire marshal, a new law repeals the Furniture Fire Safety Act.

The law eliminates statutory requirements for furniture flammability that are now a part of the Minnesota State Fire Code. Rep. Steve Smith (R-Mound) said the repealer helps eliminate any conflict with the code.

Sponsored by Smith and Sen. Betsy Wergin (R-Princeton), the law is effective Aug. 1, 2008.

HF3572/SF3377\*/CH343

— C. GREEN

### Abigail Taylor Pool Safety Act

A new law will hopefully prevent a tragedy like what happened to the girl for whom the act is named.

The Abigail Taylor Pool Safety Act is named for the 6-year-old Edina girl whose injuries ultimately took her life after a 2007 pool incident in which her intestines were sucked out of her body after sitting on a pool drain.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Geoff Michel (R-Edina), the law, mostly effective May 17, 2008, will require all public pool construction plans submitted for review after Jan. 1, 2009, to be certified by a state-registered engineer, and it creates new regulations for drains and suction outlets.

The commissioner of health is required to report to the Legislature by Jan. 15, 2009, the number of public pools and spas under license in the state, the type of ownership of public pools, the type of drains at all licensed public pools and spas as reported by owners and licensees, and the number of pools and spas that require drain modification due to this act. The report will also include the estimated economic impact and costs of installation of a second main drain and cover for pools.

A pool operator will be required to conduct a physical inspection of the drain covers and grates on a daily basis and record the inspection. If an outlet cover or grate is missing, broken or loose, the pool must be closed immediately.

Public pools less than 4 feet deep are required, beginning Jan. 1, 2009, to have an unblockable suction outlet or drain; at least two suction outlets, connected in parallel with suction outlet covers that meet certain standards; or a gravity outlet or drain.

HF3812/SF2833\*/CH328

— P. OSTBERG

## TRANSPORTATION

### Graduated driver's licenses OK'd

Supporters call it a safety issue; opponents say it is government putting its nose into something that should be decided between parents and their child.

Arguably the highlight of the omnibus transportation policy law is graduated driver's license language.

Originally offered as HF2628 by Rep. Kim Norton (DFL-Rochester), the clause, effective Aug. 1, 2008, requires that during the first six months of provisional licensure, a licensee cannot operate a vehicle carrying more than one passenger under age 20 who is not a member of their immediate family. That increases to three passengers the following six months.

Also during the first six months of provisional licensure, a person under age 18 is prohibited from driving between midnight and 5 a.m., except when the driver is going between the person's home and job or school event where no transportation is provided; the driver is driving due to a job; or the driver is accompanied by a licensed driver or state identification card holder who is at least age 25.

Gov. Tim Pawlenty wanted a parental opt-out, which law enforcement officials are against.

Graduated driver's licenses is one of three safety provisions that many members had initially sought. However, making failure to wear a seatbelt a primary offense was rejected by the House, and a clause to require a child passenger restraint system be used for every child under age 8, or under 4-foot-9, instead of the current age 4, was removed by a conference committee.

Other provisions in the law, effective Aug. 1, 2008, unless otherwise noted, include:

- making it illegal to text message when the vehicle is in motion or a part of traffic;
- a person who can document homelessness or eligibility for certain need-based relief that has their vehicle impounded can get back some essential contents, under certain circumstances, without paying for vehicle retrieval;
- creates the Office of Pupil Transportation Safety within the State Patrol, effective May 24, 2008;
- drivers are required to move a lane over when passing freeway service patrol, road maintenance and construction vehicles parked or stopped on a roadway;
- requires driver's education curriculum to include instruction on the duties of a driver when encountering a bicycle, other non-motorized vehicles or a pedestrian;
- a person who duplicates, alters or forges a commercial vehicle inspection decal will be charged with a gross misdemeanor, and it will be a gross misdemeanor to possess a fraudulent decal;
- a second set of disability plates could be issued to a vehicle owner if issuance is approved by the Council on Disability; and

- the Transportation Department is to develop a statewide plan for freight and passenger rail.  
Rep. Frank Hornstein (DFL-Mpls) and Sen.

Steve Murphy (DFL-Red Wing) sponsor the law.

HF3800\*/SF3223/CH350

— M. Cook

## QUIET TIME



PHOTO BY ANDREW VONBANK

**Eight-month-old Garrett Hosch, son of Rep. Larry Hosch, takes a respite during the long floor session May 17.**

### Where to find information

Chief Clerk's Office  
211 State Capitol 651-296-2314  
The Chief Clerk's Office provides copies  
at no charge of bills, all agendas for House sessions,  
and the Journal of the House.

### Where to find information

House Index Department  
211 State Capitol 651-296-6646  
The House Index Department, a part of the Chief  
Clerk's Office, has a computerized index available  
for public use. House Index lists bills by committee,  
topic, author, file number, and other categories.  
The office can also give you the current status of  
legislation.



## EDUCATION

### Standalone finance bill defeated

A standalone education finance bill was vetoed by the governor, though the provisions came back as part of the omnibus supplemental budget bill during final negotiations.

Gov. Tim Pawlenty cited the funding source of a one-time, \$51 per pupil unit increase for districts as a reason for his veto. The money would have come from a temporary freeze in the Quality Compensation for Teachers (Q Comp) program.

A nearly identical set of provisions was added to HF1812\*/SF1475, the omnibus supplemental budget law, in the waning hours of the session.

The bill was sponsored by Rep. Mindy Greiling (DFL-Roseville) and Sen. Terri Bonoff (DFL-Minnetonka).

HF6\*/SF352/CH332

— T. HAMMELL

### Ed policy bill vetoed by the governor

Even after the most controversial elements were removed from the bill, Gov. Tim Pawlenty vetoed the omnibus education policy bill, saying it did not prepare students for the 21st century and that it contained a number of unfunded mandates.

During conference committee, House elements were removed, including: an appeal of Adequate Yearly Progress, opting out of the federal No Child Left Behind Act and language directing school districts to offer responsible family life and sexuality education curriculum for students in grades seven-12.

The bill would have required additional reporting measures added to those already mandated by the federal No Child Left Behind Act, and would have required a half credit of physical education for high-school students before they graduated.

"It's about helping equip our schools, equip our teachers, have much more reporting and accountability available to parents and holding our students to a high, high level of academic expectations," said Rep. Carlos Mariani (DFL-St. Paul), who sponsored the bill with Sen. Chuck Wiger (DFL-Maplewood).

HF3316/SF3001\*/CH310

— T. HAMMELL

### Moving?

Please help save postage costs by keeping us informed of address changes. Call 651-296-2146 or 800-657-3550.

## EMPLOYMENT

### Minimum wage stays put

Gov. Tim Pawlenty vetoed a bill that would have raised the hourly minimum wage paid by large employers (companies with annual sales of \$625,000 or more) to \$6.75 as of July 24, 2008, and another dollar one year later.

For companies with annual sales of less than \$625,000, the hourly minimum wage would have gone up to \$5.75 and \$6.75, respectively.

The "training wage," which allows employers to pay a lower minimum wage to employees under age 18, would have increased to \$5.35 an hour effective July 24, 2008, and up to \$5.75 a year later. The training wage currently applies to employees under age 20.

In his veto letter, Pawlenty said that although he has supported minimum wage increases in the past, he could not sign the current proposal because it does not include a tip credit.

Minnesota is one of only a handful of states that does not recognize a tip credit at the state level, he said. "A tip credit is applied in 43 states for calculating the base wage for tipped employees. The tip credit is essential for the continued viability of many employers."

Minnesota would have the seventh-highest minimum wage in the country, if the wage was enacted, Pawlenty said.

"I am willing to consider a bipartisan minimum wage bill next session if it allows for a reasonable increase, creates a tip credit, and does not unduly burden Minnesota's employers and Minnesota's economy."

The federal minimum wage for nonexempt employees is \$5.85. It is scheduled to go up to \$6.55 per hour July 24, 2008; and \$7.25 per hour on July 24, 2009.

Rep. Tom Rukavina (DFL-Virginia) and Sen. Ellen Anderson (DFL-St. Paul) sponsored the bill.

HF456/SF875\*/CH320

— C. GREEN

### No sick leave eligibility increase

Gov. Tim Pawlenty refused to expand current law that allows an employee to use employer-provided sick leave when they are sick or when they need to care for an ill minor child.

He vetoed a bill that would have expanded the definition to include an adult son or daughter, spouse, sibling, parent, grandparent or stepparent who is ill or injured.

Sponsored by Rep. Neva Walker (DFL-Mpls) and Sen. Sharon Erickson Ropes

(DFL-Winona), the bill would have applied to employers with 21 or more employees at a single site that already have a sick leave policy.

Supporters said this would have helped families that, for example, have an adult child with a disability and it would have helped with an aging population. They also said employees should be able to use their sick leave how they best see fit.

"For public sector employers, sick leave and its usage should be left to the give-and-take of collective bargaining, not mandated by the state. Local governments have opposed this bill because it is an unfunded mandate that expands sick leave benefits outside of the collective bargaining process," Pawlenty wrote in his veto. "The bill's application to the state would trigger additional costs at a time when our budget is already strained."

Employers could have continued to provide greater sick leave benefits, and the bill would not have altered an existing policy or labor agreement that allows the use of sick leave for the care of a child, spouse, sibling, parent, grandparent or stepparent.

HF219/SF1128\*/CH324

— M. COOK

## ENERGY

### Peak oil resolution vetoed

A resolution recognizing the challenges posed by peak oil met the same fate as two other resolutions passed by lawmakers in the 2008 session.

Gov. Tim Pawlenty vetoed the resolution, which asked him to direct state agencies to conduct an assessment on the potential impacts of peak oil — the point in time at which global oil production reaches its maximum capacity and then begins a period of irreversible decline.

Many experts say peak oil either has already happened or will occur sometime in the near future. Projected consequences of peak oil range from petroleum shortages to high gas prices to worldwide political and economic unrest.

In a veto message, Pawlenty agreed that peak oil is a potential problem, but he said that using a resolution to direct executive branch action is "an inappropriate use of the legislative resolution process."

"If the Legislature desires to enact policy," Pawlenty wrote, "it should pass a law and provide the funding necessary to implement the policy."

The governor further stated that Minnesota is already taking steps to increase its energy

independence, and that researchers have “differing viewpoints” about when peak oil will occur.

Rep. Bill Hilty (DFL-Finlayson) and Sen. Jim Carlson (DFL-Eagan) are the sponsors. HF995\*/SF1948/R3

## GOVERNMENT

### New budgeting procedures

Several bills were incorporated into a bill vetoed by the governor that would have

made changes to the way budget requests are presented to the Legislature. It also included whistleblower protection for state employees wanting to provide information on how to improve state services.

The law, sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Richard Cohen (DFL-St. Paul), included provisions that would have:

- permitted the Legislative Commission on Planning and Fiscal Policy to develop budget recommendations to present to the Legislature;

- required the commissioner of finance to prescribe a uniform procedure for governing state departments and agencies that must include a system for posting the date a fiscal note is requested, the estimated completion date and how to display those dates on the front page of each completed note;
- provided whistleblower protection for employees who, in good faith, report violations, participate in an investigation, provide information on how to improve state services or communicate the findings of a scientific or technical study; and
- required the commissioner of finance, by July 14, 2008, to convene a joint executive-legislative working group to evaluate the usefulness and benefits of the budget documents that are prepared. The working group must also examine the usefulness and availability of state budget information to the Legislature and the public. The commissioner is required to report to the Legislative Commission on Planning and Fiscal Policy and other appropriate committees by Dec. 10, 2008.

In his veto message, Gov. Tim Pawlenty wrote that while the bill would do little to improve the options for decision-making in relation to development of the state budget or the efficiency of state government operations, it would have created additional administrative costs for agencies. “We need to continue working on the structural alignments of spending and revenues, not creating more process.”

HF3587/SF3363\*/CH360

— B. HOGENSON

## HEALTH & HUMAN SERVICES

### Adoption records access vetoed

A pregnant unwed mother in the 1950s couldn’t have foreseen that in 2009 her child given up for adoption would possibly contact her because of having direct access to their original birth certificate. With no affidavits to protect the mother’s identity at that time, many just thought their secret would remain silent.

A bill, sponsored by Rep. Kathy Tingelstad (R-Andover) and Sen. Ann Rest (DFL-New Hope), would have allowed adults age 19 and older to obtain a copy of their original birth certificate, if there was no affidavit of disclosure on file. But it was vetoed by the governor.

The change would have honored affidavits dating to 1981. The Health Department now has about 1,200 affidavits of nondisclosure, Tingelstad said.

“Before 1977, the law supported a birth

## SPRING BREAK



PHOTO BY ANDREW VONBANK

House members enjoy the warm spring weather on the Capitol’s west veranda during a May 17 session recess.

parent's expectation their identity and birth records would be forever sealed and confidential. Breaching that promise of confidentiality previously given to these birth parents is not appropriate," Gov. Tim Pawlenty wrote in his veto message.

He also noted that according to Lutheran Social Services, on average, 23 percent of the birth mothers contacted declined to release identifying information.

Current law allows adoption agencies to work with adopted persons to find birth parents and act as an intermediary.

HF3371/SF3193\*/CH330

— P. OSTBERG

### Child services consolidation

The human services commissioner will not have to consult the Legislature before relocating an enterprise activity within state operated services.

Sponsored by Rep. John Ward (DFL-Brainerd) and Sen. Paul Koering (R-Fort Ripley), a bill vetoed by Gov. Tim Pawlenty was in response to the Department of Human Services' proposed consolidation of the Brainerd and Willmar child service facilities.

Staff from the Child and Adolescent Behavioral Health Services Program at Brainerd said its facility is consistently at bed capacity with needy and severely mentally ill children. But department statistics show Brainerd's inpatient services steadily declining since 2004. Therefore, the department recommends consolidating services to save the state \$1.2 million annually.

Current law only prohibits the commissioner from closing a center, nursing home or certain programs at a facility without legislative approval.

In his veto message, the governor said, "By prohibiting the closure of enterprise activities, this bill will unnecessarily force the Department to carry the costs of those activities that cannot be supported by revenues."

HF2588/SF2368\*/CH354

— P. OSTBERG

### No stem cell study expansion

There will be no additional stem cell research in the state. Gov. Tim Pawlenty vetoed a bill that would have allowed the University of Minnesota to spend state-appropriated funds on stem cell research.

The bill would also have changed state policy so that "research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source, including somatic cell nuclear transplantation, shall be permitted and that full consideration of the ethical and medical implications of this research be given."

Current statute permits research "which verifiable scientific evidence has shown to be harmless to the conceptus," which is defined in statute as any human organism "from fertilization to the first 265 days thereafter."

Supporters said stem cell research could help people with debilitating ailments, such as Parkinson's or Alzheimer's diseases. They claim that it's not enough to work just on blood cells because they don't work with all diseases. They also claim the state's biomedical industry would be diminished with stem cell research limitations.

"I support stem cell research that is consistent with sound ethical and moral standards," Pawlenty wrote in his veto letter.

The governor noted that stem cell research is rapidly evolving, and that research within the past year has shown that adult skin cells can be reprogrammed into induced pluripotent stem cells, which are made by adding a small number of factors to the cells in a laboratory. Conversely, he noted that embryonic stem cells are obtained by destroying live embryos.

Rep. Phyllis Kahn (DFL-Mpls) and Sen. Richard Cohen (DFL-St. Paul) sponsored the bill.

HF34/SF100\*/CH351

— M. COOK

### Surrogate mother legislation rejected

Agreements are being made between couples who want to have a child and women who can serve as a surrogate.

A bill that would have established protocols for these arrangements in Minnesota was

vetoed by Gov. Tim Pawlenty.

Sponsored by Rep. Kathy Tingelstad (R-Andover) and Sen. Linda Higgins (DFL-Mpls), the bill would have provided minimal requirements of any gestational carrier contract; required documentation that there is a medical need; and mandate that both the carrier and the intended parents have had a mental health evaluation and legal counsel. There were also provisions for compensation and health insurance.

Tingelstad said that the bill would "establish consistent standards and safeguards to protect all parties of a surrogacy agreement and to confirm the legal status of a child born as a result of these arrangements."

In his veto letter, the governor said the bill permitted women being hired as surrogate mothers. "We should encourage to the fullest extent possible surrogacy on the basis of donated services similar to how Minnesota addresses donation of bone marrow and organ donation."

He also wrote that the bill does not allow the surrogate mother to choose her doctor — this is to be done in consultation with the intended parents — and would not expressly give the surrogate mother the right to refuse a request of the parents to terminate the pregnancy.

"The bill also fails in any manner to recognize or protect the life and rights of the unborn child," he wrote. Because the unborn child is treated "as a chattel," in the case of a contract dispute, the court could not apply the "best interest of the child" standard, but rather the court would have to look at the

### VARYING OPINIONS



PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher, left, and Senate Assistant Majority Leader Tarryl Clark have varying opinions May 17 on how close legislative leaders are to having a budget agreement with Gov. Tim Pawlenty.



“original intent” of the contract.  
HF3448/SF2965\*/CH329

— C. GREEN

### No newborn screening changes

Minnesota law requires written informed consent for the collection of any genetic information.

A bill, sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Ann Lynch (DFL-Rochester), proposed exempting newborn genetic screening from this process, requiring that testing be done unless the parents opt-out of the program. However, it was vetoed by Gov. Tim Pawlenty.

In addition to the consent exemption, the bill would have required that prior to a blood sample being taken from a newborn, parents or the legal guardian would have to be told that the sample could be used to test for hereditary and congenital disorders, held at the Health Department for at least two years and possibly used for research. The person administering the test would have to document that the parents or legal guardians received the information and had an opportunity to ask questions.

Additionally, the department would have provided a report to the Legislature on the newborn screening process by Jan. 15, 2009.

“This bill would make some improvements to the current law relating to the notice parents receive before genetic information is collected. I support these provisions,” the governor wrote in his veto letter. “However, this bill would also expressly exempt the Department of Health from laws which require written informed consent for the Department to store and use personally identifiable genetic information for non-screening purposes.”

Pawlenty also wrote, “Government handling and storage of genetic information is a serious matter. Removing the requirements for express authorization from parents regarding the long-term storage and potential future uses of genetic samples, especially when such storage and use is not related to newborn screening, is concerning.”

HF3438/SF3138\*/CH345

— C. GREEN

### Rural cooperative contract

The human services commissioner would have had oversight of rural health care cooperatives, under a bill vetoed by the governor.

Sponsored by Rep. Tina Liebling (DFL-Rochester) and Sen. Ann Lynch (DFL-Rochester), the bill would have directed the commissioner to assign those under the age of 65 with no insurance, to the county-based purchasing health plan in Olmsted, Winona,

Houston, Fillmore and Mower counties, if the individual resides there.

The change is needed for federal approval and would have expanded the choice of health care options for clients in those five counties, Lynch said.

There would have been no cost to the state because of a \$2,000 fee assessed to health care cooperatives for oversight.

In his veto message, Pawlenty said the change would give preference to county-based purchasing plans instead of assigning enrollees among all participating plans. “Statutorily mandated preferences in this fashion decreases competition between managed care plans and diminished the Department of Human Services’ ability to purchase health care on a statewide competitive basis.”

HF2748\*/SF3199/CH359

— P. OSTBERG

### No school employee insurance pool

An attempt at creating a statewide insurance pool for school employees fell victim to the governor’s veto pen.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Don Betzold (DFL-Fridley), the bill would have established a 14-member board to design a health insurance pool for all school employees.

House Majority Leader Tony Sertich (DFL-Chisholm), who originally sponsored a bill dealing with the issue, said the change is needed for schools that do not carry health insurance.

Pawlenty wrote in his veto message that because the bill came so late in the session, “the impacts and costs to school districts associated with this structure were not fully vetted during regular committee hearings.” The impact could be significant, he noted.

The board would have offered six fully insured health plans:

- one that must provide coverage without a deductible and without other enrollee cost sharing other than reasonable co-payments for non-preventive care;
- a high-deductible plan that qualifies under federal law for use with a health savings account; and
- four with levels of enrollee cost sharing that are between the two plans.

Critics said there should be an opt-out for school districts that already have health care plans.

HF1875\*/SF1593/CH346

— P. OSTBERG

### Child welfare changes vetoed

Changes to child welfare statutes, adoption definitions and criminal background checks were vetoed by the governor.

Sponsored by Rep. Neva Walker (DFL-Mpls) and Sen. Patricia Torres Ray (DFL-Mpls), the bill would have:

- created a definition of adult adoption;
- standardized requirements for an adopted child’s social and medical history and clarified who could receive a copy of that history;
- allowed counties to search the Minnesota Fathers’ Adoption Registry;
- allowed the Health Department to directly exchange information with county agencies or private adoption agencies rather than having to go through the Human Services Department;
- amended statutes regarding the Interstate Compact for Placement of Children to be consistent with nationwide standards;
- clarified that when an agency removes a child from their home, they must have a voluntary placement in effect or a court order;
- made “child abuse” definitions consistent with the Maltreatment of Minors Act;
- clarified that county social service agencies have the authority to access to criminal history background checks when finding if a home is suitable for placement;
- required administrative review of a child in voluntary foster care for treatment; and
- changed the disqualification from direct contact with a foster child specifying that an arrest record, police report, or criminal complaint does not qualify as “clear and convincing” evidence.

Gov. Tim Pawlenty said the bill would weaken previous changes to criminal background checks, and the changes would “require the agency to allow individuals, for whom there is significant and credible evidence of serious criminal conduct, to work with children and other vulnerable individuals.”

HF3564/SF3166\*/CH323

— P. OSTBERG

## HOUSING

### Borrower Relief Act

One of the last major bills of the session to address mortgage foreclosures was the Minnesota Subprime Borrower Relief Act of 2008.

The proposal would have provided a one-year deferment before a foreclosed property would be put up for sale. Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul), it was vetoed by the governor.

Though he agreed with the intent of the bill, and has signed 11 bills this session

addressing the issues resulting from mortgage foreclosures, Gov. Tim Pawlenty said this bill would have added additional business risk and could make mortgages in the state more expensive. "This will negatively impact the credit market in Minnesota by increasing interest rates for Minnesotans who are trying to refinance or purchase a new home," he wrote in his veto letter.

Under the bill, to qualify for the program, the borrower would have resided at the location for the past six months; committed to stay at the location for at least one year; made less than \$250,000 a year; have proven U.S. citizenship; agreed to work with a mortgage foreclosure counselor; and agreed to deal in good faith with the mortgage lender to work out terms of the loan.

If an agreement was reached, for one year the borrower would have paid the lesser of the monthly principal and interest when the original deal was signed or 65 percent of the monthly principal and interest at the time of default. If the borrower missed a payment, or moved from the location, the deferment period would have ended and the lender could have continued the foreclosure process.

Pawlenty said the bill "raises significant legal and philosophical concerns" and was critical of the process the bill took to passage. "It is unfortunate this bill did not go through the bipartisan foreclosure study committee as did the 11 other mortgage foreclosure bills. A more rigorous review may have eliminated this bill's technical, constitutional problems and policy flaws."

HF3612/SF3396\*/CH352

— C. GREEN

## LOCAL GOVERNMENT

### Dependent not redefined

Citing the potential for expansion of domestic partner benefits, the governor vetoed a bill that would have modified the definition of "dependents" relating to group benefits for local government employees.

Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), it would have authorized a local unit of government to define the word "dependent" for the purpose of providing group benefits to a dependent. The provision was also part of the 2007 omnibus state government bill vetoed by the governor.

"The provisions in this bill would permit unlimited expansion of employment benefits to domestic partners and others by local units of government," Gov. Tim Pawlenty wrote in

his veto message. "I vetoed nearly identical language last year, and my position has not changed."

HF1097/SF960\*/CH342

— B. HOGENSON

## METRO AFFAIRS

### Staggered council terms rejected

Legislation instituting staggered terms for members of the Metropolitan Council received a veto from Gov. Tim Pawlenty.

Sponsored by Rep. Sandra Peterson (DFL-New Hope) and Sen. Kathy Saltzman (DFL-Woodbury), the legislation would have provided that the 17 council members serve staggered four-year terms, as was the case prior to 1994.

Under current law, members are appointed by the governor and serve terms that end with the term of the governor. Sixteen of the 17 members represent a district and the chair serves at-large.

"This structure was the result of reforms intended to increase Met Council accountability, and this bill reduces that accountability," Pawlenty wrote in his veto message.

According to its Web site, "The Metropolitan Council is the regional agency of government serving the Twin Cities seven-county metropolitan area. The council establishes regional growth policies, and it plans for transportation, aviation, water resources and regional parks and open space. It also provides essential regional services, including bus and rail transit, paratransit services for people with disabilities, and wastewater collection and treatment."

HF2662/SF2605\*/CH339

— B. HOGENSON

## SAFETY

### REAL ID Act vetoed again

Legislators are stubborn when it comes to voicing opposition to the federal REAL ID Act, and Gov. Tim Pawlenty remains somewhat committed to the plan.

Pawlenty vetoed a bill that would prohibit the public safety commissioner "from taking

any action to implement or to plan for the implementation by this state of those sections of Public Law 109-13 known as the Real ID Act."

In an effort to compromise, the governor issued an executive order one day later that would prevent state compliance before June 1, 2009, unless legislative approval is first given.

"Throughout the debate over REAL I.D. I've made it clear I share many of the concerns raised regarding federal funding, privacy, state control and other issues. Opponents have also raised important constitutional questions that should be considered," Pawlenty said. "This will give us an opportunity to work with our federal partners and state legislators to resolve the valid concerns regarding this program."

A recommendation by the 9/11 Commission, the act's goal is to create uniform standards for documents such as driver's licenses and state identification cards, making them harder to forge, and thereby reducing identity fraud and tightening immigration standards. Opponents called it an unfunded mandate that would cost the state an estimated \$31.4 million over three years; questioned the security associated with the plan; and expressed concern about data privacy issues.

"I am committed to work to ensure those concerns are addressed," Pawlenty wrote in his veto message. "At the same time, I hope legislators share my interest in protecting Minnesotans, enhancing homeland security, combating illegal immigration, and reducing identity fraud. Working with the federal government to resolve these issues would be a better strategy than enacting an outright ban on Minnesota's participation in this program at this time."

Without federal compliance, Pawlenty warned that by the end of 2009, Minnesotans would be unable to use their driver's license or state identification card for air travel or to enter federal buildings.

Rep. Carlos Mariani (DFL-St. Paul) and Sen. Mee Moua (DFL-St. Paul) are the sponsors.

HF3807\*/SF3494/CH334

— M. COOK

### Web Sites To Note

**House of Representatives:** [www.house.mn](http://www.house.mn)  
**Senate:** [www.senate.mn](http://www.senate.mn)  
**Legislative home page:** [www.leg.mn](http://www.leg.mn)  
**Governor's office:** [www.governor.state.mn.us](http://www.governor.state.mn.us)  
**State Government:** [www.state.mn.us](http://www.state.mn.us)  
**Find out who represents you:**  
[www.leg.mn/leg/Districtfinder.asp](http://www.leg.mn/leg/Districtfinder.asp)  
**House meeting schedule:**  
[www.house.leg.mn/hinfo/hinfosched.asp](http://www.house.leg.mn/hinfo/hinfosched.asp)

If you will be visiting the Capitol  
in the near future, call the  
Capitol Historic Site Program  
at 651-296-2881  
to schedule a tour.

# Deficit fixed for now

Projected billion-dollar shortfall to be erased, but long-term concerns remain

By Mike Cook

**W**hile recently eating a meal, Rep. Lyndon Carlson (DFL-Crystal) opened a fortune cookie to see the following message: "You shouldn't overspend at the moment. Frugality is important."

"That's what is represented in this bill," he told the House May 18 after describing the contents of HF1812, the plan to resolve the state's current biennial budget deficit of about \$1 billion — up from the \$935 million projected in the February forecast.

"This is responsible, balanced and reflects the critical priorities of the state. It is a reasonable combination of budget reductions and use of reserve funds to balance our budget while retaining our commitment to schools, health care and college students," said Carlson, who co-sponsors the law (HF1812\*/SF3813/CH363) with Sen. Richard Cohen (DFL-St. Paul).

After days of negotiations between legislative leaders and Gov. Tim Pawlenty, the agreement calls for \$500 million to be taken from the state's \$653 million budget reserve and nearly \$360 million in cuts and non-tax revenue increases are to occur. Additionally, the omnibus tax law (HF3149) includes \$109 million from closing a tax loophole some foreign-operating corporations use to bypass state tax law. The state's \$350 million cash flow account is preserved.

"This is a bipartisan accomplishment," said House Minority Leader Marty Seifert (R-Marshall). "I wish we would make tougher cuts and tougher decisions, particularly in the entitlement programs and structural increases that are going to bankrupt this state at some point, but it is a good first step forward. It will balance this budget without raising taxes between now and July 1, 2009."

One appropriation was line-item vetoed by Pawlenty. The \$134,000 was for a policy bill that did not pass. Legislative leaders acknowledged the oversight and did not object to the veto.

Even with the deficit-reducing plans, Seifert

noted the state's biennial budget will still grow by 9.8 percent this biennium.

The belt-tightening is still not enough for what potentially lies ahead. Carlson said this law, combined with others passed on the final day of session, reduces 2010-11 biennial spending by \$136.6 million, but still leaves a deficit of approximately \$950 million.

"We need to pass this bill because we need to do what we can," said Sen. Linda Berglin (DFL-Mpls). "But I urge you all to put on your seatbelts and get ready for next year."

Here are some of the areas affected:

## Education

"The law doesn't simply protect our schools, but reprioritizes resources and invests the equivalent of an additional 1 percent in the funding formula, or approximately \$51 per pupil statewide," Carlson said. "It is critical that, in this time when our school districts across the state are struggling to increase costs, we are prioritizing funds so that they are able to meet the needs of our students."

Districts are also given some short-term flexibility to meet their needs.

Funding comes from a \$10 million reduction in Q Comp, the pay-for-performance program some districts are using. The General Fund pays for the other \$33 million of cost.

## Health

The total appropriation for the health and human services areas decreases by \$84.7 million in the current biennium and nearly \$190 million for the following two years.

However, a 1 percent cost of living increase

is included for nursing home workers, and a 1 percent bonus is also planned for those employees.

"At a time when we are investing in a comprehensive health care system in our advancing needed reform proposals, it is critical we strongly support our nursing home workers who are responsible for the daily care of our elderly," Carlson said.

Rep. Gene Pelowski Jr. (DFL-Winona) said this law takes direct aim at some hospitals. For example, he said it will result in at least an \$813,000 cut to the last independent hospital in southeastern Minnesota.

"If I add the increase in K-12, if I add the increase in local government aid, and then I factor in any cuts to my two-year technical college and my four-year higher ed institution, it would appear that what's happening here, at least in part, health care is paying for any increase that's going to happen in this (law). In large part it's falling on local, rural hospitals."

The chairman of the House Health Care and Human Services Finance Division somewhat agrees.

"It's not just rural hospitals that get hurt, everybody gets hurt. This is a very serious hit on hospitals," said Rep. Thomas Huntley (DFL-Duluth). According to his calculations, rural hospitals are losing \$74 million of state money in Fiscal Year 2009, and \$77 million in the next biennium. "For probably two-thirds of that, for every dollar that they lose from the state they lose another dollar of federal money."

"We tried not to cut people with disabilities and people in long-term care or nursing homes, but these are very significant and very painful cuts for our hospitals."

A \$50 million transfer from the Health Care Access Fund to the General Fund is included in the law. The money will be paid back when the health care reform law efficiencies save the General Fund those amounts. Pawlenty initially wanted to take \$250 million of this fund and legislators zero.

**continued on next page**



A one-time \$2 million appropriation to the White Earth tribe “to purchase or develop one or more culturally specific treatment programs or capital facilities, or both, designed to serve youth from native cultures” is funded in the law. Cohen said the item, requested by the governor, is not bondable.

## Higher Education

A \$21.7 million hit is in store for the state’s higher education institutions in the current biennium, and a \$33.5 million reduction is scheduled in the following biennium.

In Fiscal Years 2008-09, a \$12.3 million reduction to the University of Minnesota is planned, as is a \$7.88 million trim to the Minnesota State Colleges and Universities system. Pawlenty had proposed roughly \$27 million in ongoing cuts for each system.

Neither institution can raise tuition higher than what has already been planned for in the 2008-09 academic year. MnSCU approved a budget May 21 that will hold 2008-09 tuition increases to 2 percent for community and technical college students and 3 percent for state university students.

“We’re optimistic that the final budget cut to the U will be managed with spending reductions and the previously anticipated tuition increase,” University President Robert Bruininks said in a statement.

Cohen doesn’t believe the institutions are at “a breaking point” for tuition increases. “If we find ourselves in significantly more trouble next year relative to higher education, tuition increases will probably, unfortunately, result,” he said.

Thanks to approximately \$12 million in additional federal Pell Grant money, the living and miscellaneous expense allowance is increased by \$300 per student. This is one factor used in determining financial aid amounts.

The law also adds a spouse or dependent of a veteran to the definition of a resident student, appropriates \$600,000 in one-time money to expand the Power of You program, instead of \$900,000 ongoing, and allocates \$120,000 for a teachers of diverse backgrounds financial aid pilot program.

## Public Safety/Corrections

An additional \$1 million cut was agreed to in the judiciary area, but there is no cut in the Department of Corrections. The department was originally set to lose \$3.23 million.

District courts are cut by \$2.8 million, instead of the \$2.25 million as proposed in the original bill; the Public Defense Board faces a \$1.49 million cut, \$100,000 higher than first proposed; the Supreme Court is cut an ongoing \$831,000, instead of \$650,000 as first proposed; and the Court of Appeals cut is increased from \$200,000 to \$250,000 ongoing. Opponents said this would likely result in shorter hours and reduced days for district courts.

## Transportation


Of the \$21.2 million decrease for transportation, the most controversial is transferring \$15 million from an airport development and assistance fund to the General Fund. It was not in the initial House or Senate proposal.

Money was taken from the fund four years ago and it took four years to get the money back, said Sen. Michael Jungbauer (R-East Bethel). “We no sooner get it back and start programming some repairs at airports and things and the governor takes it again. These are user fees paid by people who fly airplanes in order to fix airports so they can keep flying.

... On this specific issue we’re making the statement that ‘If you fly an airplane we don’t want you here. In fact, we’ll take your money, but then we’ll put it into the General Fund, we’ll spend it somewhere else, so bring your airplane and your business somewhere else.’”

A motor vehicle transfer fee increase from \$10 to \$20 proffered by the Senate was not included in the law.

## Other provisions

- livestock grants are reduced by \$130,000 to \$1 million;
- the state soldiers assistance program is reduced \$500,000 to \$2.5 million;
- because of uncertainty in the numbers of participants during the remainder of the biennium, instead of writing down appropriations, the GI Bill is converted to a forecasted program so that on June 1, 2009, the finance commissioner is to review program participation levels and adjust the appropriations at that time;
- most state agencies are looking at a 4 percent budget reduction, the Legislature and constitutional offices are generally cut 3 percent;
- an increase of \$2 million, to \$7 million, for Revenue Department audit staff, with the expectation of increasing additional tax compliance revenue from \$15 million to \$21 million;
- a plan to forgive nearly \$35 million in loans to the City of St. Paul for the RiverCentre complex was not included;
- a \$14 million guarantee to the Republican National Convention is not in the law; and
- a workers’ compensation \$10 million fund transfer is not in the law. 

## Frequently called numbers

Area code 651

### House Public Information Services

175 State Office Building .....296-2146  
Toll-free.....800-657-3550

### Chief Clerk of the House

211 Capitol .....296-2314

### House Index

211 Capitol .....296-6646

**Committee Hotline, House** ..... 296-9283

### House Sergeant-at-Arms

190 State Office Building .....296-4860

### House Research

600 State Office Building .....296-6753

### Senate Information

231 Capitol .....296-0504

Toll-free.....888-234-1112

### Secretary of the Senate

231 Capitol .....296-2344

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

### Senate Index

110 Capitol .....296-2887

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

### Senate Sergeant-at-Arms

G-1 Capitol/Chamber .....296-1119/296-7159

### Senate Counsel and Research

G-17 Capitol .....296-4791

### Legislative Reference Library

645 State Office Building .....296-3398

### Revisor of Statutes

700 State Office Building .....296-2868

### Governor’s Office

130 Capitol .....296-3391

### Attorney General’s Office

102 Capitol .....296-6196

### Secretary of State’s Office

Election Center

180 State Office Building .....215-1440

Toll-free.....877-600-8683

Business Services

60 Empire Dr., Suite 100

St. Paul.....296-2803

Toll-free.....877-551-6767

### State Auditor

525 Park St., Suite 500

St. Paul.....296-2551

**Emergency ..... 296-2100**

# 2008 Minnesota House of Representatives

District	Member/Party	Room*	Phone 651-296-	District	Member/Party	Room*	Phone 651-296-
48B	Abeler, Jim (R)	203	1729	9A	Lanning, Morrie (R)	259	5515
19A	Anderson, Bruce (R)	201	5063	40B	Lenczewski, Ann (DFL)	509	4218
43A	Anderson, Sarah (R)	229	5511	66A	Lesch, John (DFL)	537	4224
3A	Anzelc, Tom (DFL)	417	4936	30A	Liebling, Tina (DFL)	393	0573
39B	Atkins, Joe (DFL)	503	4192	1B	Lieder, Bernard (DFL)	423	5091
35A	Beard, Michael (R)	207	8872	55A	Lillie, Leon (DFL)	353	1188
43B	Benson, John (DFL)	517	9934	59A	Loeffler, Diane (DFL)	349	4219
33B	Berns, John (R)	311	4315	37A	Madore, Shelley (DFL)	507	5506
57A	Bigham, Karla (DFL)	529	4342	22A	Magnus, Doug (R)	217	5505
25B	Bly, David (DFL)	557	7065	67A	Mahoney, Tim (DFL)	591	4277
25A	Brod, Laura (R)	321	4229	65B	Mariani, Carlos (DFL)	563	9714
27A	Brown, Robin (DFL)	337	8216	9B	Marquart, Paul (DFL)	597	6829
23B	Brynaert, Kathy (DFL)	421	3248	38A	Masin, Sandra (DFL)	527	3533
35B	Buesgens, Mark (R)	307	5185	53B	McFarlane, Carol (R)	223	5363
56A	Bunn, Julie (DFL)	521	4244	57B	McNamara, Denny (R)	271	3135
45B	Carlson, Lyndon (DFL)	479	4255	4A	Moe, Frank (DFL)	369	5516
61A	Clark, Karen (DFL)	471	0294	40A	Morgan, Will (DFL)	531	4212
24B	Cornish, Tony (R)	281	4240	23A	Morrow, Terry (DFL)	415	8634
62A	Davnie, Jim (DFL)	545	0173	58A	Mullery, Joe (DFL)	367	4262
52B	Dean, Matt (R)	327	3018	64A	Murphy, Erin (DFL)	413	8799
49A	DeLaForest, Chris (R)	323	4231	6B	Murphy, Mary (DFL)	343	2676
29A	Demmer, Randy (R)	225	9236	46A	Nelson, Michael V.(DFL)	569	3751
52A	Dettmer, Bob (R)	329	4124	10A	Nornes, Bud (R)	277	4946
6A	Dill, David (DFL)	571	2190	29B	Norton, Kim (DFL)	387	9249
47A	Dittrich, Denise (DFL)	371	5513	1A	Olin, Dave (DFL)	593	9635
58B	Dominguez, Augustine "Willie" (DFL)	539	8659	16B	Olson, Mark (IR)	301	4237
12B	Doty, Al (DFL)	433	4247	11B	Otremba, Mary Ellen (DFL)	445	3201
28B	Drazkowski, Steve (R)	247	2273	37B	Ozment, Dennis (R)	283	4306
17A	Eastlund, Rob (R)	243	5364	42B	Paulsen, Erik (R)	309	7449
2A	Eken, Kent (DFL)	575	9918	64B	Paymar, Michael (DFL)	543	4199
19B	Emmer, Tom (R)	261	4336	31A	Pelowski Jr., Gene (DFL)	491	8637
41A	Erhardt, Ron (R)	245	4363	32A	Peppin, Joyce (R)	331	7806
16A	Erickson, Sondra (R)	279	6746	20A	Peterson, Aaron (DFL)	451	4228
8B	Faust, Tim (DFL)	567	0518	41B	Peterson, Neil W. (R)	213	7803
21B	Finstad, Brad (R)	251	9303	45A	Peterson, Sandra (DFL)	345	4176
26B	Fritz, Patti (DFL)	551	8237	27B	Poppe, Jeanne (DFL)	487	4193
53A	Gardner, Paul (DFL)	581	2907	5A	Rukavina, Tom (DFL)	477	0170
36B	Garofalo, Pat (R)	221	1069	26A	Ruth, Connie (R)	291	5368
15A	Gottwalt, Steve (R)	231	6316	42A	Ruud, Maria (DFL)	515	3964
54A	Greiling, Mindy (DFL)	381	5387	2B	Sailer, Brita (DFL)	577	4265
24A	Gunther, Bob (R)	289	3240	54B	Scalze, Bev (DFL)	357	7153
48A	Hackbarth, Tom (R)	209	2439	21A	Seifert, Marty (R)	267	5374
22B	Hamilton, Rod (R)	215	5373	5B	Sertich, Anthony "Tony" (DFL)	459	0172
39A	Hansen, Rick (DFL)	401	6828	14A	Severson, Dan (R)	233	7808
66B	Hausman, Alice (DFL)	453	3824	18A	Shimanski, Ron (R)	227	1534
15B	Haws, Larry (DFL)	473	6612	44A	Simon, Steve (DFL)	375	9889
13A	Heidgerken, Bud (R)	237	4317	10B	Simpson, Dean (R)	295	4293
46B	Hilstrom, Debra (DFL)	379	3709	55B	Slawik, Nora (DFL)	403	7807
8A	Hilty, Bill (DFL)	559	4308	63B	Slocum, Linda (DFL)	523	7158
36A	Holberg, Mary Liz (R)	303	6926	33A	Smith, Steve (R)	253	9188
34B	Hoppe, Joe (R)	317	5066	3B	Solberg, Loren (DFL)	443	2365
60B	Hornstein, Frank (DFL)	437	9281	56B	Swails, Marsha (DFL)	409	1147
47B	Hortman, Melissa (DFL)	377	4280	65A	Thao, Cy (DFL)	359	5158
14B	Hosch, Larry (DFL)	565	4373	63A	Thissen, Paul (DFL)	351	5375
4B	Howes, Larry (R)	287	2451	51B	Tillberry, Tom (DFL)	501	5510
7A	Huntley, Thomas (DFL)	585	2228	49B	Tingelstad, Kathy (R)	255	5369
7B	Jaros, Mike (DFL)	583	4246	31B	Tschumper, Ken (DFL)	431	9278
67B	Johnson, Sheldon (DFL)	549	4201	18B	Urdahl, Dean (R)	239	4344
13B	Juhnke, Al (DFL)	485	6206	62B	Wagenius, Jean (DFL)	449	4200
59B	Kahn, Phyllis (DFL)	365	4257	61B	Walker, Neva (DFL)	553	7152
17B	Kalin, Jeremy (DFL)	579	5377	12A	Ward, John (DFL)	533	4333
60A	Kelliher, Margaret Anderson (DFL)	463	0171	38B	Wardlow, Lynn (R)	241	4128
50B	Knuth, Kate (DFL)	429	0141	30B	Walti, Andy (DFL)	389	4378
20B	Koenen, Lyle (DFL)	439	4346	11A	Westrom, Torrey (R)	273	4929
34A	Kohls, Paul (R)	313	4282	44B	Winkler, Ryan (DFL)	525	7026
51A	Kranz, Scott (DFL)	411	4226	28A	Wollschlager, Sandy (DFL)	335	8635
50A	Laine, Carolyn (DFL)	407	4331	32B	Zellers, Kurt (R)	315	5502

Jan. 24, 2008



Sesquicentennial Minnesota House of Representatives





Photo by Tom Olmscheid

# State's 'to-do' list grows

New park, Central Corridor and veterans building cap off state's bonding

BY LEE ANN SCHUTZ

**G**ov. Tim Pawlenty was upfront for months that one measure of a successful legislative session would be funding for a new Lake Vermilion State Park in northern Minnesota and capital improvements to the Minneapolis Veterans Home.

He got his wish in the waning hours of the 2008 legislative session on May 18, when legislators approved a \$105.5 million bonding bill (HF4072\*/SF3815/CH365) to fund these projects, and a “must have” for the chairwoman of the House Capital Investment Finance Division — the Central Corridor light rail project.

Although Pawlenty showed early support for the transit project, it was among the \$208 million in proposals receiving a line-item veto from the first bonding law (HF380).

When Rep. Alice Hausman (DFL-St. Paul) decided to sponsor a second bonding bill — brokered as part of the final budget negotiations — her intent was to ask funding for only the three projects, but she got more. “The governor actually surprised us a little bit by putting some extra things on the table,” she said.

Those extras include \$2 million for replacement of Bloomington’s old Cedar Avenue Bridge with one to be used by bicyclists and recreational users. “The lead paint has been flaking off and falling into the river for years,” Hausman said. Rep. Ann Lenczewski (DFL-Bloomington) has been trying for at least 10 years to get the bridge project funded. “I think the governor was motivated to get that done.”

Hausman said the projects should be considered an extension of the original bonding law. When totaled up, this session’s projects, including some bonding in the

omnibus transportation finance law, come in under the state’s debt management guidelines, whereby the General Fund appropriation for debt service should not exceed 3 percent of General Fund revenues.

Projects in the law include:

- \$70 million for the Central Corridor light rail;
- \$20 million to acquire land for Lake Vermilion State Park;
- \$10 million for demolition and construction of 100-bed nursing facility on the campus of the Minneapolis Veterans Home;
- \$3.4 million to the commissioner of administration for asset preservation; and
- \$2 million to replace the old Cedar Avenue bridge in Bloomington.

The law, however, has its critics.

Two members representing the area where the new Lake Vermilion State Park would be located, are upset with the lack of process transparency and having a “park that most people in the area don’t want.” Rep. David Dill (DFL-Crane Lake) said many needs in the area are not being met, and pulling more land off the tax rolls will make it more difficult on the area, especially for the schools.


Schools were also on the mind of Rep. Tom Rukavina (DFL-Virginia), who chairs the

House Higher Education and Work Force Development Policy and Finance Division, and saw several Minnesota State Colleges and Universities system projects vetoed from the first bonding bill. “Gov. Pawlenty, I’m so mad at what you did to my community, not only for your veto of improvements to Mesabi Community College, but the other three colleges that got a veto in the previous bill. ... But a state park that most of the people in that area don’t want for the same amount of money is in the bill.”

The second year of the biennium is generally reserved for capital investment projects. Hausman, along with members of the division, visited projects across the state hoping to make it onto the final funding list. That was before the Interstate 35W bridge collapsed and the state’s approximate \$2 billion surplus, projected at the end of the 2007 session, turned south into deficit territory.

These two issues ultimately shaped this year’s bonding laws. The bridge collapse showcased the need to address the state’s aging infrastructure, and troubling employment numbers sparked interest in construction projects

that generally mean job creation. Hausman said that spending equity — focus on all areas of the state — was important. The metropolitan area, especially St. Paul, took a big hit from the veto pen in the first law. Hausman said the second bonding law brings project equity back in line.

Hausman drew on the state’s sesquicentennial anniversary, as she reflected on the state’s capital investment. “If we take care of the resources we have available, we’ll have another sound 150 years.” 

---

***“The governor actually surprised us a little bit by putting some extra things on the table.” — Rep. Alice Hausman***

---

# Bill goes away, but provisions stay

Schools given 'a little breathing room'

By THOMAS HAMMELL

**T**he outlook for more education funding looked grim after Gov. Tim Pawlenty vetoed the omnibus education finance bill May 16, and most of the original K-12 provisions had been removed from HF1812\*/SF3813, the omnibus supplemental budget law.

Rep. Mindy Greiling (DFL-Roseville), chairwoman of the House K-12 Finance Division, pulled last year's version of the education finance bill (HF6) from the table and inserted an earlier version of the K-12 finance portions of HF1812. That bill was passed by the House, but later vetoed by Pawlenty.

With just 19 hours to go before adjournment, budget conferees added provisions almost identical to those in HF6 to HF1812. The law takes effect July 1, 2008.

Funding has been a sore subject for schools as state allocations have not risen as fast as building and special education costs, critics say.

"The funding system, the funding mechanisms that you have in place, are not working," Robbinsdale Area Schools Superintendent Stan Mack told a House division earlier this year. "In fact, I would bluntly say it's broken."

The new law provides a 1 percent increase in school funding in the form of a \$51 per pupil unit increase.

In his veto letter for HF6, Pawlenty questioned the funding source, a freeze in the Quality Compensation for Teachers program. In the final budget-balancing law, the amount of Q Comp money used is halved to \$10 million; the schools that applied for the funding will be permitted to receive it.

Reducing the amount of Q Comp money used required an additional \$26.6 million from the General Fund to fund the \$51 per pupil unit.

School districts with excess money in accounts for capital projects will also have the option of moving another \$51 per pupil unit into their general education funds.

Though both funding sources are temporary, the law contains one permanent source of additional income.

Money generated by Permanent School Trust Fund lands will now go directly to schools instead of as an offset from the General Fund, resulting in a net increase of \$36 per student. These lands were established when Minnesota became a state for the benefit of schools and the money comes mostly from mineral rights and timber sales.

School districts could have an easier time passing levies, thanks to some language changes in the ballot notification required when passing school levies.

State law requires a notification on the ballot that a school levy would increase property taxes if passed. Now, in the case of existing levies, the ballot can simply say passage of this referendum extends the existing referendum at the same amount.

Legislators held off on establishing an Office of Early Learning to oversee early childhood and child care programs run by the Education

and Human Services departments, but the seeds of the office have been sown in the form of a committee designed to look into the subject.


The size and the mission of the State Advisory Council on Early Childhood Education and Care will expand. Majority and minority members of the House and Senate, as well as two parents of children under age 6, will be added to the council. It is charged with fulfilling the duties of the federal Improving Head Start for School Readiness Act of 2007. The group will make recommendations to the state on the most effective ways to leverage state and federal funding for early childhood and child care programs.

The law also extends, by one year, a task force assigned to review state special education rules to determine if they meet or exceed federal standards.

Only one provision from the omnibus education policy bill became law, in the form of a \$50,000 allocation to help close the achievement gap.

This money will be used to study ways that rigorous coursework, the professional development of educators and other factors impact low-income students and students of color. An advisory task force will be established in 2009 to look at these factors.

Greiling said the bill will give school districts short-term relief from the funding pressures that are stretching them to the breaking point.

"This bill gives schools a little breathing room for the coming school year. It also lays the groundwork for comprehensive funding reform that fairly and adequately meets the needs of every student and every district," she said. 



# Hunting, fishing, forests and more

Jam-packed as usual, this year's omnibus game and fish law holds a few surprises

By NICK BUSSE

**A** new law establishes the Lake Vermilion State Park, creates a joint legislative-citizen council to help fund conservation projects, and makes dozens of changes to the state's hunting and fishing laws.

It contains the provisions of the omnibus game and fish bill, the Department of Natural Resources' annual land acquisitions bill, and numerous other bills heard during the session. Rep. David Dill (DFL-Crane Lake) and Sen. Satveer Chaudhary (DFL-Fridley) are the sponsors.

Among the projects agreed to by legislative leaders and the governor during the final days of session was a deal on the proposed Lake Vermilion State Park. Although money to purchase the 3,000-acre park is provided for separately in the second of the session's two bonding laws, language authorizing the

new park and establishing its boundaries is provided for here, and takes effect as soon as the state buys the land.

Among the more controversial provisions in the law is the establishment of a "Lessard Outdoor Heritage Council" consisting of four state lawmakers and eight citizens to advise the Legislature on how to spend money from the outdoor heritage fund. That fund, which will receive more than \$90 million per year in new sales tax money if voters approve a constitutional amendment on this year's general election ballot, can be used only to protect, restore and enhance fish and wildlife habitat.

Opponents of the council said it would put legislators' financial responsibilities into the hands of unelected citizens.

"So basically, we have now citizens who are going to be telling us how to spend \$100 million of state money a year," said Rep. Tom Rukavina (DFL-Virginia).

Dill argued that legislators will still have the final say over how the money will actually be spent. Advocates from hunting and fishing organizations have stated that citizen control of the council is key to their support for the November sales tax ballot initiative.

A summary of selected provisions of the new law is presented below. Unless otherwise noted, the law takes effect Aug. 1, 2008.

HF3280/SF2651\*/CH368

## Hunting

Selected changes to hunting laws include:

- eliminating the minimum age requirements for hunting moose, elk and prairie chicken;



PHOTO BY TOM OLMSCHIED

A provision in this year's omnibus game and fish law establishes a "conservation angling license" that costs two-thirds the regular price and allows for one-half the fish possession limits of a normal license.

- requiring residents under age 16 to obtain a license to hunt big or small game, but waiving the fee;
- loosening firearm safety requirements for residents under age 16;
- allowing youth who will turn 12 years old within the calendar year to obtain a license to hunt big game;
- allowing residents ages 10 and 11 to hunt big game provided they are within immediate reach of a parent or guardian;
- allowing the use of crossbows to hunt bear and turkey during their respective firearms seasons;
- allowing bow hunters to possess a firearm while hunting big game other than deer;
- allowing bear hunting permit applicants to apply for more than one permit area at a time by ranking their choices;
- limiting the time period in which raccoons may be hunted to between one half-hour after sunset to one half-hour before sunrise; and
- increasing the cock pheasant bag limit to three per day after the 16th day of the pheasant season. A similar measure was included in last year's game and fish bill but was removed in a conference committee.

## Fishing

Selected changes to fishing laws include:

- creating a "conservation angling license" that would cost two-thirds the price of a regular license, allow license-holders to take up to one-half of the normal fish possession limits, and be valid for 14 consecutive days;
- creating a \$5 walleye stamp validation for fishing licenses, the proceeds of which will

## The State Fish

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

Every year in Minnesota, more than 1 million anglers take to the water on one of the state's 1,700 walleye lakes in pursuit of the elusive walleye.

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.

Minnesota's record walleye, caught in 1979 in the Sea Gull River at Saganaga in Cook County, weighed 17 pounds, 8 ounces.▼



- go to fund walleye stocking activities by the DNR;
- allowing anglers to fish with two lines simultaneously;
- expanding the open season for spear fishing through the ice by leaving open the season's opening date; and
- clarifying that statutes applying to ice houses also apply to various kinds of portable shelters used for ice fishing.

Additionally, effective upon enactment, the law forbids the department from issuing aquatic farming licenses for water bodies that are subject to federal or state protective easements, and requires those applying for licenses to notify all landowners with direct access to the water bodies to which they would apply.

## 'Forests for the Future'

The law establishes a program called "Minnesota Forests for the Future" designed to protect state forestland from destruction and fragmentation by private development. The goal is to preserve forests while keeping the actual land in private owners' hands by letting the DNR purchase easements and requiring forestry management plans from participating landowners. A revolving account for the program is established within the state's Environment and Natural Resources Trust Fund. 🌲

## Aquaculture

The law asks the DNR to make several changes to its rules on aquaculture — the commercial farming of minnows and other fish in public waters. The department is required to establish an aquaculture license fee structure that makes the program self-sustaining, and develop best management practices to ensure the long-term sustainability of wetlands used for aquaculture.



PHOTO BY TOM OLMSCHIED

Several provisions in the omnibus game and fish law are designed to clarify that rules that apply to ice houses also apply to portable ice fishing shelters.

# On the forefront

## Minnesota looks to set the national stage for health care reform

By PATTY OSTBERG

**A**fter nearly a year of task force and commission meetings, Minnesota might very well be setting the stage for national health reform.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls), a new law creates a statewide health improvement program focusing on reducing obesity and tobacco use; establishes criteria for health care homes and care coordination fees; allows providers to offer one-price “baskets of care” for chronic diseases in hopes of saving money; and increases the eligibility income limit to qualify an additional 12,000 people for state-assisted medical care.

Along with some General Fund revenues, the changes are projected to cost \$13.5 million in Health Care Access Fund money this biennium, increasing to \$129 million in the 2010-11 biennium.

Gov. Tim Pawlenty vetoed the earlier health reform bill for several reasons including that it raises too high the poverty guideline that would have allowed an additional 39,000 people on to state medical assistance.

Huntley said of the final proposal: “Most of what we started with is in this (law) ... and it will start to change the way we deliver health care in Minnesota.”

Many portions of the law are effective July 1, 2008.

### Health care homes and grants

Health care homes are a centerpiece in the law to guide patients through the decision-making process of medical needs by providing comprehensive, coordinated care by physicians, advanced practice nurses, physician assistants as personal clinicians and specialists.

Huntley said 80 percent of health care costs are for people with chronic illnesses. The point of health care homes is to keep people out of hospitals by maintaining their health through continuous care, he said.

The medical homes will focus on delivering high-quality, efficient and effective health care services, while encouraging patient-centered care by providing ongoing contact with a personal clinician or team of clinical professionals.

The health and human services commissioners will be required to annually report to the Legislature on the implementation of the health care home model, along with fee for service, managed care and county-based purchasing sectors beginning Dec. 15, 2009.

Also in the new law, a workforce shortage study is required to examine the changes necessary in health professional licensure and regulation to ensure full utilization of advanced practice registered nurses, physician assistants and other licensed health care professionals in the health care home and primary care system. Recommendations are to be made to the Legislature by Jan. 15, 2009.

Grants will be awarded to communities beginning July 1, 2009, for strategies to reduce the percentage of Minnesotans who are obese or overweight and to reduce tobacco usage.

### Payment reform

The human services commissioner is to implement quality incentive payments for all providers in state health care programs by July 1, 2010.

The health commissioner will develop the measures to assess the quality of health care services offered by providers. By July 1, 2009, the commissioner will develop a system of incentive quality-based payments in addition to existing provider payment levels, “based upon a comparison of provider performance against specified targets, and improvement over time.”

The payment system will reward high-quality, low-cost providers, create enrollee incentives to receive care from those providers and foster collaboration among providers to reduce cost shifting. The established

standards and outcomes will be annually reported starting July 1, 2010.

The health commissioner will also develop a plan to create transparent prices and encourage providers to innovate and collaborate on “cost-effective, high-quality care delivery and reduce the administrative burden on providers and health plans.” Consumers are to be provided comparative information on costs and quality among providers.


The health commissioner will develop definitions for a minimum of seven “baskets of care” and consider specifically, “coronary artery and heart disease, diabetes, asthma, and depression.” Health care providers can then establish package pricing for baskets of care starting Jan. 1, 2010, and the commissioner will publish comparative prices and information on those “in a manner that is easily accessible and understandable to the public.”

### Other provisions

A working group is to make recommendations on the design of a health benefit set for services and technologies that are “cost-effective, and provides lower enrollee cost sharing for services and technologies that have been determined to be cost-effective.” Recommendations must be submitted to the health commissioner by Oct. 15, 2009.

A 14-member Health Care Reform Review Council is established to periodically review the progress of implementing health care homes and payment reform.

Small businesses, with 11 full-time employees or less, are to establish and maintain a Section 125 plan to allow their employees to purchase individual market or employer-based health coverage with pre-tax dollars, and pay for health coverage premiums with pre-tax dollars.

HF3924/SF3780\*/CH358 



# It's all about compromise

Weeks of negotiations result in levy caps, tax reform and new credits

BY COURTNEY BLANCHARD AND LEE ANN SCHUTZ

**A** cap on property tax levies, more aid to local governments and steps toward real reform of the state's property tax system highlight the new tax law that its House sponsor said personifies "compromise."

After weeks of negotiations and on-again, off-again conference committee meetings, an integral piece to the budget package came together in the late hours before the session concluded.

"Minnesotans will see serious property tax relief. There is something for everyone to love and something for everyone to hate in this law. That is what compromise is all about," said Rep. Ann Lenczewski (DFL-Bloomington), who sponsors the law with Sen. Tom Bakk (DFL-Cook).

At the core of the law is property tax relief: the governor got his three-year 3.9 percent cap on local property tax levies; the House and Senate achieved \$130 million in property tax relief; and cities and counties will see targeted increases in local government aid.

The law moves the state toward a property tax system based on an ability to pay, said Rep. Paul Marquart (DFL-Dilworth), chairman of the House Property Tax Relief and Local Sales Tax Division. "This is the fifth property tax relief bill to come before the body, and this provides \$130 million in property tax relief."

He said it also strengthens the "state and local fiscal relationship" by providing an additional \$42 million in targeted local government aid to cities and \$22 million in county program aid payable in 2009. He said additional aid in 2010 and 2011 "will help cities and counties and help lower property taxes."

The law has varying effective dates.

HF3149\*/SF2869/CH366

## Tax relief

The property tax refund program is expanded to help more homeowners. In addition, the maximum property tax refund is increased by more than 27.5 percent. The program provides refunds to homeowners who pay high property taxes relative to their incomes.

Aid to cities is based on a formula that takes into consideration the city's population, job base and unmet need. The law also restricts cities' over 2,500 in population and counties' property tax levies to a 3.9 percent annual growth plus a partial increase for new household and commercial development for three years, with some exceptions. For instance, county sheriff and city police and fire salaries are not subject to the limits, and a city may request authorization to levy for costs associated with foreclosed or abandoned residential property.

The new law also addresses the tax code as it relates to foreign operating corporations. It limits these to corporations that derive at least 80 percent of their income from foreign sources, as defined under the federal tax law.

## Credits

The bill adds and expands existing tax credits or exemptions for military service or pay, including:

- military pay for training and drills will no longer be counted as taxable income;
- active military members will be eligible for a tax credit equal to \$120 for each month served beginning Jan. 1, 2009, up from the current \$59; and


- a credit of up to \$750 is available for disabled veterans or military service members with at least 20 years of service. This credit is limited to individuals based on income and is not available at or above \$37,500 of income.

## Mall of America

Lawmakers found it hard to reach agreement on whether the Mall of America should receive a public subsidy for its proposed expansion.

While there is no direct state aid for the project, by reconfiguring and expanding the tax increment financing district in which the mall is located, the net effect is a three-year extension offering a \$21 million local subsidy. In addition, the law allows for the state to issue revenue bonds for a proposed parking facility, upon meeting certain criteria. These conditions do not apply if the City of Bloomington issues the bonds. The new law authorizes Bloomington the ability to levy several taxes to help support the new parking ramp and other public facilities as part of the expansion.

## Also included in the law

- Several communities are allowed to establish tax increment financing districts, lodging and admissions taxes;
- the Job Opportunity Building Zone program, which is designed to help bring businesses to Greater Minnesota, is retained;
- a study group shall convene to consider existing disparities in allocating local government aid and report to the Legislature by Dec. 15, 2010; and
- a tax credit is allowed to urge eligible employers to provide Section 125 plans to allow employees to pay for health insurance premiums with pre-tax dollars. 

# Crossing the partisan divide

Concern over REAL ID makes for strange bedfellows

By BRIAN HOGENSON

**O**ther than the job description they share at the Capitol, there would appear to be next to nothing in common between a conservative independent from Greater Minnesota, an urban Democrat and a suburban Republican.

Could there be an issue that would land all three on the same page? A motion to override Gov. Tim Pawlenty's veto of a bill prohibiting implementation of the federal REAL ID Act provided an answer to that question as Rep. Mark Olson (R-Big Lake), Rep. Carlos Mariani (DFL-St. Paul) and Rep. Jim Abeler (R-Anoka) rose in support of the motion.

Pawlenty vetoed HF3807, which would have prohibited the public safety commissioner from taking any action to implement the Real ID Act.

In a compromise, Pawlenty signed an executive order prohibiting state compliance with REAL ID before June 1, 2009, without legislative approval.

"Throughout the debate over REAL ID, I've made it clear I share many of the concerns raised regarding federal funding, privacy, state control and other issues. Opponents have also raised important constitutional questions that should be considered," Pawlenty said.

Issued by the governor, executive orders serve a variety of purposes, usually to help direct the operation of executive officers and agencies.

Pawlenty issued nine executive orders in 2008. Most of the orders throughout his terms have been used to trigger emergency powers during emergency situations or to fill appointed positions. In many states, including Minnesota, the governor may use an executive order to respond to federal programs and requirements such as the REAL ID Act.

After issuing 70 executive orders in 2003, mainly to fill appointments, Pawlenty issued an average of 17 executive orders annually from 2004-2007.

## What is REAL ID?

According to the U.S. Department of Homeland Security, REAL ID is a nationwide effort intended to prevent terrorism, reduce fraud and improve the reliability and accuracy of identification documents that state governments issue.

The 9/11 Commission made a recommendation that the U.S. improve its system for issuing secure identification documents.

"At many entry points to vulnerable facilities, including gates for boarding aircraft, sources of identification are the last opportunity to ensure that people are who they say they are and to check whether they are terrorists," according to a commission report.

The department now grants extensions for state compliance through Dec. 31, 2009. States that have

been granted an extension will be required to issue compliant licenses and identification cards no later than Jan. 1, 2010, with all licenses and identification cards held by individuals required to be compliant by May 10, 2013.

The REAL ID Act requires that a REAL ID driver's license be used for "official purposes," including accessing a federal facility, boarding federally-regulated commercial aircraft and entering nuclear power plants.

As the clock ticked toward the constitutional adjournment, Olson introduced a motion to override the governor's veto of the bill.

"Why should we ever take and put everybody's data on one little chip in one card and allow for dissemination nationwide with other states? Once it's out of our hands, we have no control," he said.

According to Olson, the intentions stated by Pawlenty's executive order are very good, but REAL ID creates more security issues than it was designed to solve. "This is not a national security protection, it's a national security problem. REAL ID is not the answer."

Mariani said REAL ID is one of those issues where left and right come together because Americans want to ensure that private data and information remains private.

"There are very few things more important, I believe, as representatives of the people than to safeguard our constitutional civil liberties," Mariani said.

He stressed the importance of the override, stating a preference for legislative action over an executive order. "An executive order issued today could be rescinded tomorrow. A piece

of legislation enacted today remains enforced until you, as representatives of the people, debate and subsequently act and modify that legislation."

According to Abeler, ignoring REAL ID or issuing executive orders to delay its implementation will not solve the problem. "This is the kind of law that, once the nose is under the tent, will not go away. This will be the gift that keeps on giving and you won't like it."

Rep. Larry Howes (R-Walker) successfully moved to table the override motion. His motion prevailed with an 86-46 vote. 🗳️

---

***In many states, including Minnesota, the governor may use an executive order to respond to federal programs and requirements such as the REAL ID Act.***

---

# Report takes aim at MnDOT

Department actions criticized in bridge collapse report

By Mike Cook

**A** report questions some Department of Transportation actions before last summer's collapse of the Interstate 35W bridge.

Representatives from the Minneapolis law firm of Gray Plant Mooty told the Joint Committee to Investigate the Bridge Collapse May 21 that MnDOT policies were not followed in critical respects. The firm was hired by the Legislature to take an independent look at factors leading to the collapse that killed 13 people, and recommend changes the department or elected officials should consider.

This report, according to a former transportation commissioner, should be viewed as symptomatic of an aging road and bridge infrastructure, not an isolated event, said Robert Stein, counsel at Gray Plant Mooty. The report is available at <http://www.commissions.leg.state.mn.us/jbc/gpm.htm>.

"We fully understand that MnDOT did not make its decisions, nor take actions, with the knowledge that the Bridge would collapse," the report states. "Just the same, the Legislature wisely determined that we should identify what policy lessons could be learned from this tragedy."

Rep. Bernie Lieder (DFL-Crookston), chairman of the House Transportation Finance Division, said the National Transportation Safety Board is expected to announce later this year its findings for the collapse of the 40-year-old bridge. However, preliminary indications have focused on a bowed gusset plate as a major factor. The weight of construction materials on the bridge may have also played a role.

Among concerns expressed are that MnDOT didn't take sufficient corrective action to improve the bridge's 17-year "poor"

rating, nor did it document the bowed gusset plate.

Further, the information flow regarding the condition and safety of the bridge was informal and incomplete.

For example, an inspection engineer said

he remembers seeing bowing in a plate, but couldn't recall which plate or the year. Yet, according to the report, he concluded the "bowing was attributable to original construction, rather than the result of stress on a gusset plate." His determination was not included in an inspection report. Another engineer interviewed said he would have included that in his report. Because the bowing was not measured nor recorded, there was no way to determine if it changed over time.

Investigators also determined that finances may have adversely influenced decision-making. "Funding considerations deferred work on the Bridge that would have improved its structural integrity, not just maintain its drivability," the report states.

In 2004 and 2005, for example, the bridge was identified as a "Budget Buster," a span needing costly renovation or replacement in the next decade. In April 2006, MnDOT began to discuss three bridge investment strategies, but rebuilding the bridge was eliminated, in part because the \$75 million price tag was "cost prohibitive." The other two options were: a scenario with a \$3.5 million deck overlay in 2007, a deck replacement and steel strengthening between 2017 and 2022 for \$15 million and replacing the bridge between 2057 and 2062 for more than \$75 million. A second scenario involved patching the deck until 2012 at \$15,000 a year, replacing the deck and strengthening the steel in 2012 for \$15 million, and replacing the bridge in 2052

**continued on next page**



PHOTO BY TOM OLMSCHIED

**While listening to testimony May 21, Rep. Ron Erhardt, a member of the Joint Committee to Investigate the Bridge Collapse, peers around five volumes of appendices to an investigation on the bridge collapse.**



for more than \$75 million. Additionally, a \$40,000 radar summary to determine the integrity of the deck “was not completed due to funding,” according to a June 16, 2006, e-mail referenced in the report.

Other conclusions include that MnDOT did not conduct a loads rating analysis in response to the bridge’s deteriorating condition, and expert advice regarding the condition and safety of the bridge was not effectively utilized.

MnDOT Commissioner Tom Sorel, who started his position April 28, said the state’s bridges are “safe and sound,” that bridge safety

is a top engineering and investment priority, and that the department is improving its policies on bridge design, maintenance and inspection. Sorel indicated he would have a formal department response in three or four weeks, after thoroughly reviewing the report.

“We’ve got some of the best people anywhere in the nation, and we want to help MnDOT build the best bridge program anywhere in the world,” said Sen. Steve Murphy (DFL-Red Wing), chairman of the Senate Transportation Committee. “A year from now we’re going

to look back and say, ‘Why didn’t we do this before?’ We want a bridge program that we can hold up in front of the country and the rest of the world and say, ‘Try to match this. We dare you.’”

A series of recommendations was also given for procedural reform, including: a registered professional engineer should be among department leaders; the state should annually inspect all fracture-critical bridges; and the Legislature should create an emergency funding source for major bridge repair or replacement projects. 🐼

## Minnesota’s representation in Washington, D.C.

### U.S. Representatives

#### First District Tim Walz (DFL)

1529 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-2472  
Fax: 202-225-3433

227 E. Main St., Suite 220  
Mankato, MN 56001  
507-388-2149  
Fax: 507-388-6181

1134 7th St. N.W.  
Rochester, MN 55901  
507-206-0643  
Fax: 507-206-0650

Web site: [walz.house.gov](http://walz.house.gov)  
E-mail: [www.house.gov/writerep/](mailto:www.house.gov/writerep/)

#### Second District John Kline (R)

1429 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-2271  
Fax: 202-225-2595

101 W. Burnsville Pkwy. Suite 201  
Burnsville, MN 55337  
952-808-1213  
Fax: 952-808-1261

Web site: [kline.house.gov](http://kline.house.gov)  
Access to e-mail through Web site

#### Third District Jim Ramstad (R)

103 Cannon House Office Building  
Washington, D.C. 20515  
202-225-2871  
Fax: 202-225-6351

1809 Plymouth Road S., Suite 300  
Minnetonka, MN 55305  
952-738-8200  
Fax: 952-738-9362

Web site: [www.house.gov/ramstad](http://www.house.gov/ramstad)  
E-mail: [mn03@mail.house.gov](mailto:mn03@mail.house.gov)

#### Fourth District Betty McCollum (DFL)

1714 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-6631  
Fax: 202-225-1968

165 Western Ave. N., Suite 17  
St. Paul, MN 55102  
651-224-9191  
Fax: 651-224-3056

Web site:  
[www.mccollum.house.gov](http://www.mccollum.house.gov)  
Access to e-mail through Web site:  
[www.house.gov/writerep/](http://www.house.gov/writerep/)

#### Fifth District Keith Ellison (DFL)

1130 Longworth  
House Office Building  
Washington, D.C. 20515  
202-225-4755  
Fax: 202-225-4886

2100 Plymouth Ave. N.  
Minneapolis, MN 55411  
612-522-1212  
Fax: 612-522-9915

Web site: [ellison.house.gov](http://ellison.house.gov)  
E-mail: [www.house.gov/writerep/](mailto:www.house.gov/writerep/)

#### Sixth District Michele Bachmann (R)

412 Cannon House Office Building  
Washington, D.C. 20515  
202-225-2331  
Fax: 202-225-6475

6043 Hudson Rd., Suite 330  
Woodbury, MN 55125  
651-731-5400  
Fax: 651-731-6650

110 2nd St. S., Suite 232  
Waite Park, MN 56387  
320-253-5931  
Fax: 320-240-6905

Web site: [bachmann.house.gov](http://bachmann.house.gov)  
Access to e-mail through Web site

#### Seventh District Collin Peterson (DFL)

2211 Rayburn House Office Building  
Washington, D.C. 20515  
202-225-2165  
Fax: 202-225-1593

Minn. Wheat Growers Bldg.  
2603 Wheat Drive  
Red Lake Falls, MN 56750  
218-253-4356  
Fax: 218-253-4373

100 N. First St.  
Montevideo, MN 56265  
320-269-8888

230 E. Third St.  
P.O. Box 50  
Redwood Falls, MN 56283  
507-637-2270

714 Lake Ave., Suite 107  
Detroit Lakes, MN 56501  
218-847-5056  
Fax: 218-847-5109

320 Fourth St. S.W.  
Centre Point Mall  
Willmar, MN 56201  
320-235-1061  
Fax: 320-235-2651

SW/WC 1420 East College Drive  
Marshall, MN 56258  
507-537-2299  
Fax: 507-537-2298

Web site: [collinpetersen.house.gov](http://collinpetersen.house.gov)  
Access to e-mail through Web site

#### Eighth District James L. Oberstar (DFL)

2365 Rayburn House Office Building  
Washington, D.C. 20515  
202-225-6211  
Fax: 202-225-0699

231 Federal Building  
Duluth, MN 55802  
218-727-7474  
Fax: 218-727-8270  
TDD: 218-727-7474

Chisholm City Hall  
316 Lake St.  
Chisholm, MN 55719  
218-254-5761  
Fax: 218-254-5132

Brainerd City Hall  
501 Laurel St.  
Brainerd, MN 56401  
218-828-4400  
Fax: 218-828-1412

38625 14th Ave., Suite 300B  
North Branch, MN 55056  
651-277-1234  
Fax: 651-277-1235

Web site: [www.oberstar.house.gov](http://www.oberstar.house.gov)  
Access to e-mail through Web site.

## Taming the 'Wild West'

Members aspire to streamline the legislative process

By BRIAN HOGENSON

**R**ep. Gene Pelowski Jr. (DFL-Winona) has witnessed what he views as a deterioration of the legislative process during his 11 terms, leaving the House considerably less effective.

**"I would argue we have one committee left. The House floor, and that's where all our work is done."**

As a response to what he and other members see as an inefficient legislative process, wrought with late night floor sessions and stacks of amendments that rise like skyscrapers on the chief clerk's desk, the House Governmental Operations, Reform, Technology and Elections Committee and other interested members plan to create a report during the interim on legislative process reform with rules and procedural changes for the 2009 Legislature to consider. Pelowski chairs the committee.

Rep. Kathy Tingelstad (R-Andover), who previously chaired the committee, said new legislators come to the Capitol with fresh ideas. "It's to our advantage to grab hold of those ideas and make the Capitol the best place possible for doing the work of the people of Minnesota."

Pelowski said the process currently being

carried out on the House floor "can't be the final product."

### Staff under pressure

Patrick McCormack, director of the nonpartisan House Research Department, said the likelihood of errors by department staff goes up as a result of trying to meet the increasing needs of members on the floor and in committee. He said a Legislature that is swamped with amendments and bill drafts may appear to be doing more, but actually is doing less.

He cited the omnibus supplemental budget bill as an example, whereby his office prepared 187 amendments and the Office of the Revisor of Statutes prepared another 81. Not all were offered.

"If each amendment was given 10 minutes of debate, this would require 2,680 minutes of floor time, 44.66 hours, just under two entire days of floor session."

Michelle Timmons, director of the Office of the Revisor of Statutes, outlined ways that legislators could help their staff during times of heavy workloads, including leaving enough time to allow staff to do quality work, because quality drafting is largely a human endeavor, and spreading large legislation throughout the session. If numerous large documents must be produced at the same time, on a short deadline, quality control steps become a casualty of timeliness.

Pelowski said that in addition to creating a more efficient process, reform should also focus on creating a more family-friendly environment. Minnesota is one of the few state legislatures that allows the "no meeting after midnight" rule to be suspended, he said. "When we're here until 1 a.m., the staff can be here until 4 or 5."

Also to be examined are ways to reduce the number of conference committees. Minnesota currently uses more conference committees per session than any other state.

### Possible reforms

Brenda Erickson has experienced Minnesota's legislative process firsthand.

A program principal in the Legislative Management Program of the National Conference of State Legislatures, Erickson worked for the House from 1979-1984.

She said there are a number of ways to

**continued on next page**

### A bill's journey to law



**Introduced and heard in committee.**

**Action taken on the floor of the House and Senate.**

**Sometimes a conference committee is needed to work out the language differences.**

PHOTO ILLUSTRATION BY TOM OLMSCHEID

**Once passed by both bodies, the bill moves to the governor for enactment or veto.**

possibly maximize efficiency. For example, the use of debate limits during floor sessions could be used to reduce the length of floor sessions and allow for debate on more bills in a timely manner.

Unlike Minnesota, many chambers restrict how long a member may speak from five to 15 minutes. “A limit should balance the need for open and free discussion with the need to complete floor work,” Erickson said.

“We’re way out on a limb in Minnesota in regards to time limits on the floor,” Rep. Steve Simon (DFL-St. Louis Park) said. “We’re a Wild West.”

At the April 15 House Governmental Operations, Reform, Technology and Elections Committee meeting, Erickson said there is a fine balance that needs to be sought on any procedural changes to find the perfect balance of majority rule and minority rights. “Minorities tend to use parliamentary procedures to make their points because they don’t have the votes.”

Another possible reform, which would require amending the state constitution, is the convening of a special veto session after the Legislature adjourns. Several legislatures around the country reconvene a set amount of time after the session to consider bills vetoed by the governor. This reform would effectively eliminate the governor’s pocket veto power — inaction on a bill that leaves it in limbo until it expires after the end of session.

The use of more stringent deadline systems could possibly be used to reduce the end-of-session logjam that has become an almost annual event at the Capitol.

According to Erickson, logjams come at the end of session because many issues require a good deal of time to resolve, are complex or controversial. She said the essential bargaining process should occur in stages that offer a reasonable amount of time for both study and compromise.

Other possible reforms Erickson outlined are: limiting the number of bills members may introduce, prohibiting bills that have been defeated from being reintroduced as bills or an amendment during the same biennium, and using existing standing committees for performing interim work.

## Future outlook

Pelowski said the report recommendations would provide the Legislature with a chance at a fresh start, unprecedented in his 22 years at the Capitol.

While she is glad that Pelowski’s committee is looking for reform, Tingelstad said the reality is that changes are typically made incrementally.

Days before the Legislature adjourned,



PHOTO BY TOM OLMSCHIED

**Under possible reforms suggested by the House Governmental Operations, Reform, Technology and Elections Committee and other interested members, the focus of legislative action would shift from the House Chamber back to the standing committees.**

with a bipartisan deal in place to balance the state’s budget, she said the outcome of the legislative session could pave the way for broader reform.

According to Tingelstad, who vividly remembers the fallout from the partial government shutdown of 2005, members and the public were watching the end of this session with an eye on the process and whether the Legislature could reach a budget deal and get their work done on time in an orderly fashion. If not, Tingelstad said it would be more likely to motivate people to come back next year willing to make substantial changes to the legislative process.

Tingelstad, who is not seeking reelection,

introduced a bill the last week of session that would have changed legislative terms. Under the provisions of her bill, which she calls her “final statement,” House members would serve staggered four-year terms and senators would serve staggered six-year terms.

“The point is that reelection impacts legislative policy as much as legislative decision making at the Capitol,” Tingelstad said. 🗽

To find out who represents  
you at the Capitol . . .  
Call House Public Information Services at  
651-296-2146 or 800-657-3550



# Three more say goodbye

Heidgerken, A. Peterson and Ruth make late departure announcements

By CRAIG GREEN

**B**efore House Speaker Margaret Anderson Kelliher gaveled in the last floor session of 2008, 10 representatives had announced that they would not seek another term. Two of them — Rep. John Berns (R-Wayzata) and Rep. Scott Kranz (DFL-Blaine) — had served only one term, while Rep. Dennis Ozment (R-Rosemount), served for 24 years. Rep. Connie Ruth (R-Owatonna), just days before the end of session, announced her retirement.

By the time session was adjourned Rep. Bud Heidgerken (R-Freeport), Rep. Aaron Peterson (DFL-Appleton) added their names to the list.



PHOTO BY ANDREW VONBANK

Rep. Bud Heidgerken

## Down the road

Peterson said that for some reason, his family is afflicted with public service. When elected to the House in 2002, he followed his father, former Rep. Doug Peterson (DFL-Madison), who served from 1990-2002, and his grandfather, former Rep. Harry Peterson (DFL-Madison), who served from 1964-1974.

In his farewell speech, the younger Peterson, who served as an assistant majority leader this session, spoke about how the traveling he did throughout the country in the 1990s led him to understand that he “always knew western Minnesota was home.” He also said he was very grateful to Rep. Jean Wagenius (DFL-Mpls), who handed him a handbook on renewable energy and said, “You do it now.” She helped make him who he is today, he said.

Peterson said that regardless of the banter that may go on inside the House Chamber, he always remembers that Minnesota is a wonderful, impressive state. “It’s just great to be a Minnesotan. Sometimes we take it for granted.”

Though he has enjoyed his time of service, and has made many friends, Peterson said it’s time to move on. “Someone sang once upon a time that the secret of a long life is knowing when it’s time to go. So, I’m gonna go. And I’ll see you down the road.”

## True and noble

Trying to hold back tears, Ruth said, “It’s an extreme honor to be here. You’re really pretty awesome — the members, the staff, leadership — It’s a huge honor to be here.”

Ruth, who was first encouraged to run for office by former House Speaker Steve Sviggum (R-Kenyon), said that when she began in the House in 2001 she thought a lot about the book “Servant Leadership,” by Robert Greenleaf. “To listen first, and then to lead, that’s what I’ve tried to do,” she said.

Ruth said she and her husband plan to spend more time with family, including her five grandchildren.

continued on next page



PHOTO BY ANDREW VONBANK

**Rep. Aaron Peterson**

Ruth said two things have kept her grounded at the House. One was a plaque with the inscription “Integrity,” and another with the inscription “Excellence.” Reading from the second, Ruth said, “Whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is admirable, think on these things.”

Ruth encouraged other members to “continue to be the great servant leaders that you are.”

### **Battles and politics**

First elected in 2003, Heidgerken was the last retiring member to address the House.

He said that for the most part it was a privilege to be a House member. “I enjoyed the battle, I’ve always enjoyed battles. But one of the things I did not enjoy, is the partisanship. I’ve always had a hard time with that.”

In a district where he represents more cows than people, Heidgerken said that he was always thinking of how the folks in his district would want him to vote, and that he had the pleasure of representing some of the very best of Democrats and Republicans in the state.

Like Ruth, Heidgerken plans to spend time with grandchildren, while also finding time for fast-pitch softball and helping his wife run their restaurant.

Closing as he began, Heidgerken said, “The partisan politics is the only thing that bothers me. If I could make any changes here, that’s the one change I would ask you all to make. To reach out a little bit more.” 🍷



PHOTO BY TOM OLMSCHIED

**Rep. Connie Ruth**

# Twelve will not seek re-election

A dozen House members have announced they will not be seeking re-election in November 2008. This includes eight Republicans and four DFLers.

Throughout the session, Session Weekly has

provided "Stepping Down" profiles on many of the departing members; however, due to the late date of some member announcements, we were not able to write profiles on all of

them. Below is a list of members who have announced they will not return as of June 3, 2008, the districts they represent and their length of service in the House.



**Rep. John Berns**  
(R-Wayzata)  
District 33B  
Term: 1st



**Rep. Scott Kranz**  
(DFL-Blaine)  
District 51A  
Term: 1st



**Rep. Aaron Peterson**  
(DFL-Appleton)  
District 20A  
Term: 3rd



**Rep. Chris DeLaForest**  
(R-Andover)  
District 49A  
Term: 3rd



**Rep. Frank Moe**  
(DFL-Bemidji)  
District 4A  
Term: 2nd



**Rep. Connie Ruth**  
(R-Owatonna)  
District 26A  
Term: 4th



**Rep. Brad Finstad**  
(R-Comfrey)  
District 21B  
Term: 3rd



**Rep. Dennis Ozment**  
(R-Rosemount)  
District 37B  
Term: 12th



**Rep. Kathy Tingelstad**  
(R-Andover)  
District 49B  
Term: 6th



**Rep. Bud Heidgerken**  
(R-Freeport)  
District 13A  
Term: 3rd



**Rep. Erik Paulsen**  
(R-Eden Prairie)  
District 42B  
Term: 7th



**Rep. Neva Walker**  
(DFL-Mpls)  
District 61B  
Term: 4th



## New laws and their effective dates

The following chart includes the 220 bills that passed both the House and the Senate and were sent to the governor for consideration. The bills are, for the most part, sorted according to the committee of origin. An asterisk marks the version sent to the governor.

Here are definitions of some of the terms used in the chart.

### Governor's options

#### • enactment

The date the governor signed the bill into law.

#### • line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

#### • veto

The governor did not approve the bill.

### Effective dates

Each act takes effect at 12:01 a.m. on the day stated in the act itself, unless it specifies a different time. Examples:

#### • Aug. 1, 2008

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following final enactment, unless the act specifies a different date.

#### • July 1, 2008

An appropriations act, an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

#### • Day after enactment

The act becomes effective the day after the governor signs it.

#### • Upon local approval

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

#### • Various

Different parts of the act have different effective dates.

#### • with exceptions (we)

Act includes other effective dates.

#### • with qualifications (wq)

Act adds conditions to the effective date.

#### • retroactive (retro.)

Act goes into effect as of a specified date in the past.

2008 MINNESOTA LEGISLATURE					CH	Governor's signature	Effective date
FINAL ACTION AS OF MAY 29, 2008							
HF—House File SF—Senate File		R—Resolution CH—Chapter		*—bill the governor signed or vetoed			
HF	Author	SF	Author	Description			
AGRICULTURE							
4075*	Olin	3728	Skoe	Bovine tuberculosis control provided in certain areas, and money appropriated.	274	5/5/2008	5/6/2008
3902	Juhnke	3683*	Vickerman	Omnibus agriculture and veteran policy law.	297	5/12/2008	various
BANKING							
3457	Simon	3070*	Latz	Custodial trust account withdraw method modification.	201	4/17/2008	8/1/2008
3477*	Gardner	2917	Marty	Lending practices and default regulation provided relating to manufactured housing.	273	5/4/2008	8/1/2008
BONDING							
380*	Hausman	223	Sieben	Omnibus bonding law authorizing spending to acquire and better public lands and buildings, issuing bonds, and appropriating money.	179	Line-item vetoed	various
4072*	Hausman	3815	Langseth	Supplemental bonding law, and money appropriated.	365	5/29/08	various
BUDGET							
3055*	Solberg	2766	Cohen	State agencies deficiency funding provided, and money appropriated.	155	3/14/2008	3/15/2008
3587	Solberg	3363*	Cohen	State government budget information dissemination, modifications and requirements.	360	vetoed	
1812*	Carlson	3813	Cohen	Omnibus supplemental budget law.	363	Line-item vetoed	various
BUSINESS							
3296	Johnson	2688*	Tomassoni	Trucking industry employers unemployment compensation audits; independent contractor status general rule exception elimination.	172	vetoed	
3289*	Juhnke	2979	Stumpf	Auctioneers exempted from certain requirements applicable to professional fund-raisers.	181	4/10/2008	4/11/2008

# 2008 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 29, 2008

HF—House File SF—Senate File					R—Resolution CH—Chapter	*—bill the governor signed or vetoed	CH	Governor's sign	Effective date
HF	Author	SF	Author	Description					
1499*	Hortman	1406	Scheid	Uniform Prudent Management of Institutional Funds Act adopted as approved and recommended by the National Conference of Commissioners on Uniform State Law.	188	4/10/2008	8/1/2008		
2811	Atkins	2402*	Rest	Board of Accountancy governing provisions modified.	195	4/17/2008	4/18/2008		
3543	Winkler	3397*	Torres Ray	Foreign cooperatives regulation.	203	4/17/2008	various		
3500*	Lillie	2575	Scheid	Business Corporations Act; Limited Liability Company Act; Uniform Limited Partnership Act of 2001; technical amendments proposed, and nonprofit limited liability company formation authorized.	233	4/25/2008	various		
3566	Nelson	3218*	Bakk	Workers compensation advisory council recommendations adoption.	250	4/30/2008	various		
3306	Tillberry	3174*	Sparks	Minnesota Securities Act modified, regulations provided, and technical changes made.	256	5/1/2008	5/2/2008		
2805	Mahoney	2786*	Scheid	Restricted plumber licenses effective dates modified.	282	5/8/2008	5/9/2008		
2972	Mahoney	2468*	Tomassoni	Minnesota Technology, Inc. renamed Enterprise Minnesota, Inc., provisions modifications.	290	5/12/2008	5/13/2008		
3372*	Thissen	3245	Lourey	Uniform billing and electronic claim filing provisions changed and compliance procedures for electronic transactions established.	305	5/13/2008	8/1/2008		
4055	Madore	3669*	Torres Ray	Transportation construction project mitigating effects on small businesses report required.	308	5/15/2008	8/1/2008		
4223*	Hilstrom	3857	Rest	Business Energy Accountability Act established; district provisions modified, drainage transfer and uses provided, charter, registrar's fees, Minnesota Common Interest Ownership Act, and Minneapolis dedication fee provisions modified.	331	5/16/2008	various		
3034*	Mahoney	2926	Scheid	Electrical, plumbing, water conditioning, boiler, and high-pressure piping professional provisions modified.	337	5/19/2008	various		
CONSUMERS									
3368*	Slocum	3081	Doll	Filing deadlines set for certain reports, customer payment arrangements regulated during cold weather periods, and utility payment agreements regulated.	162	3/27/2008	9/1/2008		
3287	Davnie	2930*	Scheid	Debt management services regulated regulation modifications.	210	4/21/2008	4/22/2008		
1665	Gardner	1578*	Sparks	Consumer reports security freezes fees provision modifications.	211	4/21/2008	8/1/2008		
2940	Hortman	3082*	Olseen	Motor vehicle title branding provisions modifications.	216	4/24/2008	8/1/2008		
3204	Cornish	3336*	Foley	Vehicle window glazing restriction exemptions provided.	235	4/25/2008	8/1/2008		
2911	Atkins	3139*	Latz	Internet ticket sale interference offense established.	245	4/28/2008	8/1/2008		
4007	Atkins	3455*	Metzen	Beer kegs purchase and receipt by scrap metal dealers regulated.	259	5/1/2008	8/1/2008		
3610	Loeffler	3132*	Scheid	Medical debt information regulated	279	vetoed			
3829	Atkins	3672*	Skogen	Omnibus liquor law regulating consumption and service of alcohol and authorizing a liquor license.	311	5/15/2008	various		
3428	Gunther	2909*	Olseen	Tenant right to pay utility bills modified.	313	5/15/2008	8/1/2008		
4051	Sailer	3775*	Doll	Used paint collection and process pilot program established, and reports required.	319	vetoed			
3146	Hilstrom	2390*	Betzold	Social Security number collection and use restrictions modified.	333	5/16/2008	7/1/2008		
3572	Smith	3377*	Wergin	Furniture Fire Safety Act repealed.	343	5/18/2008	8/1/2008		
CRIME									
3408	Mullery	2861*	Higgins	Gang and drug oversight council annual legislative report due date modification.	169	4/3/2008	8/1/2008		
117*	Thissen	181	Betzold	Personal jurisdiction over foreign corporations and nonresident individuals modified.	185	4/10/2008	8/1/2008		
2602*	Nornes	2381	Skogen	Police vehicles used to transport police dogs exempted from window glazing restrictions.	186	4/10/2008	4/11/2008		
3483	Mullery	3362*	Foley	Peace officer disciplinary hearing representation provisions modification.	205	4/17/2008	8/1/2008		
3683	Hilstrom	3342*	Foley	E-charging service provided, and fingerprinting required.	242	4/25/2008	8/1/2008		
3396	Simon	2919*	Betzold	Civil commitments hearing time requirements modified.	255	vetoed			
2782	Bigham	2369*	Rest	School districts athletic coaching or extracurricular services hiring criminal history background check requirements.	275	5/8/2008	9/1/2008		
2877*	Paymar	2647	Lynch	Disarming a peace officer crime established.	304	5/13/2008	8/1/2008		
1625	Hosch	3492*	Clark	Order of protection and restraining order durations extended after multiple violations or continued threats.	316	5/15/2008	7/1/2008		
2906	Paymar	2876*	Anderson	Dangerous dogs provisions modifications; dogs in outdoor food and beverage service establishments.	325	5/15/2008	various		
3132	Mullery	3360*	Foley	Animal fight attendance penalties modified and enhanced.	353	5/23/2008	8/1/2008		
1825	Kahn	2809*	Dibble	Smoking in a nonsmoking hotel room penalty increased, and civil and criminal penalties imposed.	355	5/23/2008	8/1/2008		

# 2008 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 29, 2008

HF—House File SF—Senate File					R—Resolution CH—Chapter	*—bill the governor signed or vetoed	CH	Governor's sign	Effective date
HF	Author	SF	Author	Description					
DEVELOPMENT									
3722*	Rukavina	3471	Tomassoni	Omnibus economic development policy law.		300	5/12/2008	various	
2588	Ward	2368*	Koering	Legislature notification required prior to the closure or transfer of an enterprise activity.		354	vetoed		
EDUCATION									
2785	Gardner	2653*	Betzold	Conflict of interest exception established for certain school contracts for professional and other services requiring school board approval.		176	4/4/2008	4/5/2008	
2617	Bly	2796*	Saxhaug	Early childhood education programs teaching employment requirements modified.		266	5/4/2008	5/5/2008	
3316	Mariani	3001*	Wiger	Prekindergarten through grade 12 education policy provided for general education, education excellence, special programs, libraries, state agencies, self-sufficiency and lifelong learning.		310	vetoed		
6*	Greiling	352	Bonoff	Omnibus prekindergarten through grade 12 education finance bill.		332	vetoed		
3625	Hansen	3056*	Frederickson	Permanent school fund provisions modified, proceed disposition from sale of administrative sites provided, environmental learning center requirements modified, state park provisions modified, and money appropriated.		357	5/23/2008	various	
2657	Bigham	2597*	Saltzman	School background check requirement provisions modification.		369	5/27/2008	various	
ELECTIONS									
1394	Lenczewski	457*	Larson	Independent School District No. 271, Bloomington, single-member school board election districts established.		163	vetoed		
1546*	Simon	1297	Larson	Automatic updates provided for voter registration.		165	4/3/2008	4/4/2008	
1259	Kalin	1218*	Erickson Ropes	Absentee voting procedures modification.		190	4/17/2008	6/1/2008	
1110	Hilty	1298*	Higgins	Elections provisions modifications		244	4/25/2008	various	
3066*	Laine	3238	Rest	Precinct caucus dates established by the appropriate political parties, and notice to secretary of state required.		263	5/1/2008	8/1/2008	
3172*	Pelowski	2574	Rest	Election provisions modified relating to lobbying, preelection reports, affidavits, campaign advertisements, absentee ballots, election judges, mail, school district and special elections, recounts, electronic voting and voter registration.		295	5/12/2008	various	
3699*	Hilty	3373	Rest	Write-in absentee ballot use authorized, discretionary partial recounts provided, procedures specified, voting system require- ments changed and funds transferred.		336	5/16/2008	various	
EMPLOYMENT									
3481	Atkins	2830*	Sparks	Payroll card accounts and report requirement provisions expiration date repeal.		168	4/3/2008	4/4/2008	
3138*	Bigham	2620	Metzen	Compensation plan required for employees of the legislative auditor and plan subject to legislative review and approval, and state labor contracts ratified.		194	4/17/2008	various	
3503	Nelson	2403*	Betzold	Peace officer or firefighter disability provision modified.		243	4/25/2008	7/1/2008	
3365	Atkins	2948*	Larson	Firefighters final offer total package arbitration provision repeal.		267	5/5/2008	5/6/2008	
3224	Gunther	3140*	Sheran	Boiler operation licensing procedures modification.		309	5/15/2008	various	
456	Rukavina	875*	Anderson	Minimum wage increased.		320	vetoed		
219	Walker	1128*	Erickson Ropes	Personal sick leave benefits use modified.		324	vetoed		
3082*	Murphy, M.	2720	Betzold	Omnibus retirement law.		349	5/27/2008	various	
ENERGY									
3229	Nelson	2775*	Foley	City notice required when customer's gas or electric source disconnected.		253	5/1/2008	8/1/2008	
2903	Gardner	2996*	Rummel	Biomass definition expansion for renewable energy objectives; metropolitan area water supply advisory committee expiration date expansion.		258	5/1/2008	5/2/2008	
3401	Hilty	2706*	Prettner Solon	Sustainable building 2030; building performance standards development.		278	5/8/2008	5/9/2008	
3411*	Atkins	3464	Johnson	Petroleum product standards updated and number provided to advertise grade of gasoline		281	5/8/2008	8/1/2008	
3585*	Koenen	3160	Kubly	Local governments authorized to engage in energy-related activities, including ownership of renewable energy projects.		303	5/13/2008	8/1/2008	
3669	Kalin	3096*	Dibble	Creating programs for government energy conservation investments.		356	5/23/2008	various	
ENVIRONMENT									
2285*	Sertich	6	Pogemiller	Natural resource and cultural heritage dedicated funding provided through increased sales tax revenue, funds established and constitutional amendment proposed.		151	no action required		



# 2008 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 29, 2008

HF—House File SF—Senate File					R—Resolution CH—Chapter	*—bill the governor signed or vetoed	CH	Governor's sign	Effective date
HF	Author	SF	Author	Description					
3661	Hilty	3337*	Prettner Solon	Omnibus energy law.	296	5/12/2008	various		
934	Clark	651*	Marty	Omnibus public health provisions modification, polybrominated diphenyl ethers restrictions.	301	vetoed			
3195*	Knuth	2818	Anderson	Legislative Greenhouse Gas Advisory Group established, cap and trade studies and reports required, and money appropriated.	340	5/19/2008	8/1/2008		
2745	Wagenius	2492*	Anderson	LCCMR funding recommendations for environment and natural resources.	367	5/23/2008	various		
FAMILY									
3448	Tingelstad	2965*	Higgins	Gestational carrier arrangements regulated, assisted reproduction provisions.	329	vetoed			
3371	Tingelstad	3193*	Rest	Adoption records and original birth certificates access provisions modified.	330	vetoed			
GAMBLING									
2964	Hilstrom	2500*	Rest	Horse racing purse set aside and breeders fund revenue sharing and racetrack simulcasting restrictions modifications.	249	4/25/2008	4/26/2008		
3397	Atkins	3098*	Lourey	Lawful gambling provisions modificaions	260	5/1/2008	5/2/2008		
3378	Tillberry	2533*	Rest	Gambling device definition clarified, and gambling devices manufacture for use in other states provision repeal.	294	5/12/2008	5/13/2008		
GAME & FISH									
3280	Dill	2651*	Chaudhary	Omnibus game and fish, lands, forestry and natural resources policy provisions modification.	368	5/23/2008	various		
GOVERNMENT									
3309	Pelowski	3202*	Rest	Employee relations department elimination and duties transfer.	204	4/17/2008	8/1/2008		
3576	Madore	3225*	Betzold	Medical Review Subcommittee and ombudsman authorized to gather data about deceased clients.	219	4/24/2008	8/1/2008		
3649	Hosch	3286*	Doll	Health plan company complaint modification form filing requirement..	221	4/24/2008	8/1/2008		
3360	Ozment	3021*	Latz	Claims against the state.	226	4/24/2008	4/25/2008		
3662*	Hilty	3378	Lourey	Public hearing and testimony provided before making an appointment to fill county board vacancy, and time period changed in which an appointment may be made.	246	4/28/2008	8/1/2008		
2904*	Pelowski	2607	Rest	Natural disaster assistance procedures established for state agencies.	247	4/28/2008	8/1/2008		
3689	Pelowski	2511*	Rest	Health care peer review committee and Minnesota breeders fund committees reestablishment.	252	4/30/2008	various		
3928	Olin	3674*	Moua	Revisor's law.	277	5/8/2008	8/1/2008		
2553*	Winkler	2824	Latz	Alternative compensation and settlement process provided for survivors of the I-35W catastrophe and money appropriated.	288	5/8/2008	5/9/2008		
3494*	Pelowski	3190	Rest	State government administration and operation policy provisions modified.	318	5/13/2008	various		
3955*	Thissen	3673	Lourey	I-35W bridge collapse survivor payments regulated, community-based care for older adults promoted through the establish- ment of a community consortium demonstration project, account established, and evaluation required.	338	5/19/2008	various		
1097	Davnie	960*	Higgins	Dependent definition modified relating to group benefits for local government officers and employees	342	vetoed			
4166*	Olin	3823	Moua	Revisor's law.	370	5/27/2008	various		
HEALTH									
2590*	Ward	2418	Koering	Emergency Medical Services Regulatory Board members authorized to serve two consecutive terms, and certain trauma triage and transportation guidelines delayed.	156	3/14/2008	various		
1066	Fritz	2471*	Sheran	Blood donor age minimum age requirement reduction.	157	3/18/2008	7/1/2008		
2932*	Moe	2716	Olson, M.	Cemetery fund use specified.	187	4/10/2008	8/1/2008		
3708*	Murphy, E.	3427	Hann	Health profession licensing requirements changed and unlicensed complementary and alternative health care practitioner provision changed, and county standards provided for transporting a dead body.	189	4/10/2008	upon local approval		
1189	Thissen	1018*	Prettner Solon	Physical therapists licensing provisions modifications.	199	4/17/2008	8/1/2008		
3654	Winkler	3135*	Higgins	Minnesota responds medical reserve corps; interstate assistance by local governments authorization.	202	4/17/2008	4/18/2008		
3265	Thissen	2667*	Berglin	Radiation therapy facility construction moratorium extended in specified counties.	213	4/24/2008	4/25/2008		
3264	Hilstrom	3571*	Lourey	Nonstate client employees authorized to work for community-based treatment and habilitation programs.	223	4/24/2008	8/1/2008		
3710	Bunn	3263*	Prettner Solon	Hospital records permitted to be transferred to electronic image.	228	4/24/2008	various		
3569*	Rukavina	3300	Tomassoni	University of Minnesota directed to study workers' health including lung health.	248	4/28/2008	4/29/2008		
2837*	Thao	3258	Lourey	Optometrist practice and licensing provisions modified.	262	5/1/2008	8/1/2008		
3435	Hosch	3213*	Higgins	Health care and continuing care miscellaneous provisions amended, and technical changes made.	286	5/8/2008	8/1/2008		

# 2008 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 29, 2008

HF—House File SF—Senate File					R—Resolution CH—Chapter	*—bill the governor signed or vetoed	CH	Governor's sign	Effective date
HF	Author	SF	Author	Description					
3412	Loeffler	3323*	Higgins	Federally qualified health centers provision changed.	292		5/12/2008	7/1/2008	
3550	Hansen	3576*	Rest	Viral hemorrhagic septicemia control provided.	307		5/15/2008	5/16/2008	
3391*	Huntley	3099	Berglin	Health care and health improvement programs established.	327		vetoed		
3438	Thissen	3138*	Lynch	Genetic information handling provisions changed	345		vetoed		
1724*	Walker	1520	Torres Ray	Naturopathic doctor registration provided, advisory council established, and money appropriated.	348		5/23/2008	various	
34	Kahn	100*	Cohen	Stem cell research state policy.	351		vetoed		
3924	Huntley	3780*	Berglin	Omnibus health care law.	358		5/29/08	various	
HIGHER EDUCATION									
3349	Rukavina	2942*	Pappas	Omnibus higher education policy law.	298		5/12/2008	various	
HOUSING									
3517	Davnie	2910*	Higgins	Eviction records expungement provisions modified.	174		4/4/2008	8/1/2008	
3476	Kohls	2908*	Higgins	Foreclosure; tenant notice required relating to foreclosures.	177		4/4/2008	8/1/2008	
3474	Hilstrom	2918*	Higgins	Proof of abandonment provided relating to reduced mortgage foreclosure redemption period.	178		4/4/2008	4/5/2008	
3516*	Davnie	2914	Rest	Foreclosure information specification provided, report required, and electronic recording provisions provided.	238		4/25/2008	various	
3774	Dominguez	3214*	Higgins	Minnesota Residential Mortgage Originator and Servicer Licensing Act application clarified, and insurer investment authority clarified.	240		4/25/2008	8/1/2008	
3839	Lillie	3154*	Scheid	Residential mortgage originators and services regulated, and borrower's ability to pay verified.	241		4/25/2008	8/1/2008	
3236	Davnie	2881*	Scheid	Deed, rates of interest, and mortgage contracts regulated, borrower's ability to repay verification provided, and mortgage broker's failure to comply penalties and remedies provided.	276		5/8/2008	various	
3888	Atkins	3594*	Scheid	Real estate transaction regulation and title insurance definition.	347		5/27/2008	8/1/2008	
3612	Davnie	3396*	Anderson	Minnesota Subprime Borrower Relief Act of 2008.	352		vetoed		
3346*	Davnie	3073	Higgins	Mortgage foreclosure assistance provided, and maximum amount of financial assistance increased.	362		5/27/2008	5/28/2008	
HUMAN SERVICES									
2426	Norton	2024*	Senjem	Disabled children human services eligibility redetermination notice required.	220		4/24/2008	8/1/2008	
3648	Hosch	3227*	Wergin	Resident reimbursement classification, Alzheimer's disease facilities, and nursing home moratorium provisions changed.	230		4/24/2008	various	
3253	Huntley	2564*	Berglin	Temporary assistance for needy families maintenance of effort programs modified.	232		4/25/2008	4/26/2008	
3377	Walker	3049*	Berglin	Children's mental health requirements for use of restrictive procedures and chemical use assessments modified.	234		4/25/2008	various	
3559	Sailer	3256*	Skogen	Day training and habilitation program license requirements modified.	268		5/4/2008	8/1/2008	
3735	Kalin	3364*	Lourey	Deaf, Deaf Blind and Hard of Hearing Minnesotans Commission provisions modified.	280		5/8/2008	8/1/2008	
3579	Norton	3563*	Erickson Ropes	Continuing care provisions changes made, licensing fines and senior nutrition appropriations clarified.	317		5/15/2008	7/1/2008	
2639	Gottwalt	2941*	Marty	Drug prescribing and prescription filing provisions changed.	321		5/15/2008	5/16/2008	
3564	Walker	3166*	Torres Ray	Child welfare provisions and adoptions procedures modified, amended.	323		vetoed		
3222*	Huntley	3168	Berglin	Health care service provisions amended.	326		5/15/2008	various	
2748*	Liebling	3199	Lynch	Rural health cooperative established, requirements revised for county-based purchasing for state health care programs.	359		vetoed		
3376*	Walker	3170	Torres Ray	MFIP provisions modified, child placement and welfare provisions changed.	361		5/23/2008	various	
3809	Huntley	3322*	Prettner Solon	State health care program management improved, managed care contracting modified, county-based purchasing modified.	364		5/23/2008	various	
HUMANITIES									
1314*	Atkins	1936	Sparks	Live musical performances or productions advertising regulated.	191		4/17/2008	8/1/2008	
INSURANCE									
2898*	Paymar	2491	Prettner Solon	Claim denials under aviation liability coverage regulated.	182		4/10/2008	1/1/2009	
3115	Atkins	2822*	Clark	First party good faith insurance practices regulated, and remedies provided.	208		4/18/2008	8/1/2008	
2721	Dominguez	2765*	Sparks	Auto insurance and certain claims practices regulated.	214		4/24/2008	8/1/2008	

2008 MINNESOTA LEGISLATURE					CH	Governor's signature	Effective date
FINAL ACTION AS OF MAY 29, 2008							
HF—House File SF—Senate File		R—Resolution CH—Chapter		*—bill the governor signed or vetoed			
HF	Author	SF	Author	Description			
3721	Dittrich	3446*	Saltzman	Small employer health insurance regulated and health carriers required to provide notice of plan availability.	231	4/24/2008	8/1/2008
3822	Dominguez	3508*	Olson, M.	Motor vehicle insurance adjustments insurer prohibitions	284	5/8/2008	8/1/2008
3582	Tschumper	2980*	Dahle	Flood insurance coverage regulated, and disclosures of noncoverage required.	293	5/12/2008	8/1/2008
3783*	Atkins	3467	Scheid	Insurance provisions regulated relating to fees.	344	5/18/2008	various
1875*	Huntley	1593	Betzold	Statewide health insurance purchasing pool created for school district employees, and money appropriated.	346	vetoed	
LAW							
3478	Peterson, N.	2915*	Moua	Human rights act civil and criminal penalties modified.	215	4/24/2008	8/1/2008
2789	Dill	2379*	Bakk	Eminent domain reestablishment cost limit provisions modified.	312	5/15/2008	retroactive to 1/16/2007
3553	Simon	3235*	Olson, M.	Data classified and data sharing authorized, technical changes made, and business screening service practices regulated.	315	5/15/2008	various
3367*	Pelowski	3120	Betzold	Closed meetings required to be recorded, and attorney fees granted.	335	5/16/2008	8/1/2008
LOCAL GOVERNMENT							
2795	Tschumper	2428*	Rest	Meetings and events authorized after 6:00 p.m. on March 4, 2008.	153	2/28/2008	3/1/2008
2827*	Welti	2690	Lynch	County historical society funding modified relating to cities of the first class.	158	3/19/2008	7/1/2008
2816*	Morrow	2472	Sheran	Nicollet County auditor-treasurer office made appointive.	160	3/27/2008	upon local approval
2907*	Peterson, A.	2534	Kubly	Yellow Medicine County; appointive offices process provided.	161	3/27/2008	upon local approval
2636*	Anzelc	2807	Saxhaug	Towns; park, town celebration and service recognition expenditures authorized.	166	4/3/2008	8/1/2008
3890	Finstad	3555*	Rosen	Watonwan County Soil and Water Conservation District Board procedures provided for filling vacant supervisor positions.	170	4/3/2008	4/4/2008
3522	Hilstrom	3461*	Robling	County summary budget data date requirement changed.	175	4/3/2008	8/1/2008
3157*	Peterson, A.	2903	Kubly	Big Stone County; county treasurer duty assignment authorized.	180	4/10/2008	upon local approval
2788*	Anzelc	3192	Saxhaug	Nashwauk Public Utilities Commission membership increased from three to five members.	183	4/10/2008	upon local approval
2599*	Brod	2463	Vickerman	Memorial Day observances county expenditure limit increased.	192	4/17/2008	4/18/2008
3114*	Hilstrom	2820	Larson	Park district property acquisition provision provided.	193	vetoed	
3357*	Marquart	3208	Olseen	Municipal boundary changes provided, and chief administrative law judge powers and duties imposed.	196	4/17/2008	4/18/2008
3295	Solberg	2806*	Saxhaug	Local economic development authorities conflict of interest rules clarification.	197	4/17/2008	various
3454	Jaros	3084*	Prettner Solon	Spirit Mountain recreation area authority land description correction.	198	4/17/2008	various
1309	Hilstrom	1436*	Robling	State auditor provisions modifications.	200	4/17/2008	8/1/2008
3646	Marquart	3622*	Olseen	Uniform municipal contracting law contract threshold amounts modification.	207	4/17/2008	8/1/2008
3831	Magnus	3474*	Vickerman	Rock County auditor-treasurer appointment process provided.	209	4/21/2008	upon local approval
3129	Marquart	2936*	Prettner Solon	Plat requirements modified.	225	4/24/2008	8/1/2008
3456	Tschumper	3119*	Olseen	Local government interstate assistance authorized for emergency services.	229	4/24/2008	8/1/2008
3220*	Davnie	2929	Vickerman	Nonprofit organization grants authorized by political subdivisions.	237	vetoed	
3723	Kahn	3331*	Dibble	Minneapolis Park and Recreation Board authorized to retain proceeds from condemnation of park lands.	257	5/1/2008	5/2/2008
3657*	Hoppe	3451	Ortman	Carver County Board granted authority over library system with exceptions.	261	5/1/2008	upon local approval
4014	Fritz	3715*	Day	Steele County nursing home and assisted living facility transfer to nonprofit corporation authorized.	285	5/8/2008	upon local approval
3493*	Solberg	3294	Erickson Ropes	Disaster relief funding provided and state reimbursement provided, and money appropriated.	289	5/12/2008	5/13/2008
3692	Loeffler	3303*	Higgins	Minneapolis; nonprofit riverfront revitalization corporation authorized and report required.	314	5/15/2008	various
3420*	Hilstrom	323	Olseen	County registrars procedures and fees revised.	341	5/18/2008	8/1/2008
METRO AFFAIRS							
2662	Peterson, S.	2605*	Saltzman	Metropolitan Council members staggered terms provided.	339	vetoed	
MILITARY							
2582*	Howes	2632	Skogen	Vietnam Veterans Day designated as March 29.	164	3/27/2008	3/29/2008
3240*	Dominguez	3006	Torres Ray	Minnesota's Mexican-American veterans authorized to place a plaque in the court of honor on the Capitol grounds.	184	4/10/2008	4/11/08



# 2008 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 29, 2008

<div> <div>HF—House File</div> <div>SF—Senate File</div> </div> <div> <div>R—Resolution</div> <div>CH—Chapter</div> </div> <div> <div>*—bill the governor signed or vetoed</div> </div>					CH	Governor's signature	Effective date
HF	Author	SF	Author	Description			
2896*	Thissen	2583	Larson	War veterans memorial referendum requirement removed.	236	4/25/2008	8/1/2008
3672	Severson	3443*	Koering	Korean War Veterans Day designated on July 27.	265	5/4/2008	7/27/2008
<b>SAFETY</b>							
3099*	Kalin	2656	Higgins	Emergency management training required for executive branch employees.	167	4/3/2008	8/1/2008
3228	Paymar	2828*	Moua	Critical public service property trespassing provisions modified.	217	4/24/2008	8/1/2008
2627	Hilstrom	2399*	Higgins	Public nuisance law requirement affecting evidentiary thresholds and numbers of triggering mechanism.	218	4/24/2008	8/1/2008
2591	Olin	2377*	Lourey	First responders authorized to staff basic life support ambulances, staffing flexibility allowed.	222	4/24/2008	8/1/2008
3374	Bunn	3647*	Pariseau	Emergency responders exempted from permit requirement for emergency communication equipment.	224	4/24/2008	8/1/2008
2991	Simon	2642*	Moua	Safe at Home program provisions modified.	227	4/24/2008	various
3217	Shimanski	2576*	Dille	False police and fire emergency calls included as misdemeanor offense.	270	5/4/2008	8/1/2008
3575	Bigham	2988*	Olseen	School bus driver type III qualifications established, and penalties provided.	271	5/4/2008	various
3850	Paymar	3441*	Moua	Domestic abuse advocate testimony limited without consent of victims.	302	5/12/2008	8/1/2008
3812	Thissen	2833*	Michel	Abigail Taylor Pool Safety Act adopted.	328	5/16/2008	7/1/2008
<b>TAXES</b>							
3201*	Lenczewski	2935	Bakk	Omnibus technical tax law.	154	3/7/2008	various
3149*	Lenczewski	2869	Bakk	Omnibus tax law.	366	5/29/08	various
<b>TOURISM</b>							
3356	Moe	3158*	Skogen	Explore Minnesota Tourism rental lodging study required, definitions created, and report required.	291	5/12/2008	5/13/2008
3574*	Juhnke	3291	Bakk	State Building Code provisions regulated.	322	5/15/2008	5/16/2008
<b>TRANSPORTATION</b>							
2800*	Lieder	2521	Murphy	Transportation finance law	152	vetoed, veto overrid- den	various
1219*	Juhnke	2197	Wergin	Milk truck weight exemption sunset date repealed.	159	3/19/2008	3/20/2008
3128	Brod	2755*	Dahle	Public Safety department deputy register of motor vehicles New Prague office move.	206	4/17/2008	4/18/2008
1351*	Hornstein	1971	Murphy	Omnibus transportation policy bill.	239	vetoed	
3558	Madore	3069*	Michel	Special 2008 U.S. Womens Open motor vehicle license plates temporary permits issuance.	251	4/30/2008	5/1/2008
3868	Lieder	3564*	Murphy	Motor fuel surcharge administration provided, and transitional rate of special natural gas fuel excise tax corrected.	264	vetoed	
3792	Hortman	3137*	Betzold	Transportation commissioner's authority clarified relating to commuter rail.	269	5/4/2008	5/5/2008
3727	Madore	3372*	Doll	Long-term disability parking city permit program minimum requirements established.	272	5/4/2008	8/1/2008
3490	Bigham	3189*	Latz	Juvenile driver's license reinstatement fee imposed after revocation.	283	5/8/2008	8/1/2008
3486*	Hornstein	3314	Murphy	Transportation policy provisions modified, and money appropriated.	287	5/8/2008	various
3725	Hornstein	3058*	Rest	Urban partnership agreement user fees authorized for high-occupancy vehicle lanes and dynamic shoulder lanes.	306	5/11/2008	5/12/2008
3807*	Mariani	3494	Moua	Real ID Act implementation prohibited in Minnesota.	334	vetoed	
3800*	Hornstein	3223	Murphy	Omnibus transportation and transit policy law.	350	5/23/2008	various
<b>TECHNOLOGY</b>							
3739	Rukavina	3147*	Metzen	Accessible electronic information service for blind and disabled persons sunset repealed.	171	4/4/2008	8/1/2008
2414	Johnson	2262*	Sparks	Telecommunications state agency obsolete rules repealed.	173	4/4/2008	8/1/2008
2107	Masin	1918*	Prettner Solon	High-Speed Broadband Task Force established.	212	4/18/2008	4/19/2008
3327	Beard	2939*	Doll	Telephone company alternative regulation plan provisions modified.	254	5/1/2008	5/2/2008

## Saturday, May 17

### HF4247-Bly (DFL)

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

Legislature required by law to provide quality education, comprehensive health care, living wage jobs, safe and reliable transportation, and a clean and safe environment; constitutional amendment proposed.

### HF4248-Kahn (DFL)

#### Public Safety & Civil Justice

Gender-neutral marriage laws provided and Marriage and Family Protection Act enacted.

### HF4249-Olson (IR)

#### E-12 Education

Instruction in competing scientific theories as part of school curriculum provided.

### HF4250-Moe (DFL)

#### Environment & Natural Resources

Natural resources ombudsman position created.

### HF4251-Lesch (DFL)

#### Health & Human Services

Public awareness campaign established for postpartum depression.

### HF4252-Olson (IR)

#### Commerce & Labor

Investigation regarding electric vehicles required by the attorney general.

### HF4253-Olson (IR)

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

Contributions and gifts to public officials restricted.

### HF4254-Tingelstad (R)

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

Four-year terms of office provided for representatives and six-year terms of office provided for senators; constitutional amendment proposed.

## Sunday, May 18

### HF4255-Abeler (R)

#### Commerce & Labor

Timely utility payment criteria established.

### HF4256-Otremba (DFL)

#### Taxes

Agricultural product definition expanded for purposes of property taxation.

## Constitutional Officers

### Governor

#### TIM PAWLENTY (R)

Room 130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
651-296-3391  
800-658-3717  
Fax: 651-296-2089  
Web site: [www.governor.state.mn.us](http://www.governor.state.mn.us)  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

### Lieutenant Governor

#### CAROL MOLNAU (R)

Room 130 State Capitol  
St. Paul, MN 55155  
651-296-3391  
Fax: 651-296-3587  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

### Attorney General

#### LORI SWANSON (DFL)

Executive Offices  
Room 102 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
651-296-6196  
800-657-3787  
Web site: [www.ag.state.mn.us](http://www.ag.state.mn.us)  
E-mail: [attorney.general@state.mn.us](mailto:attorney.general@state.mn.us)  
Consumer Division  
1400 Bremer Tower  
445 Minnesota St.  
St. Paul, MN 55101  
651-296-3353  
800-657-3787  
TTY 651-297-7206  
TTY 800-366-4812

### Secretary of State

#### MARK RITCHIE (DFL)

Election Center  
Room 180 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
651-215-1440  
877-600-8683  
Business Services  
Suite 100  
60 Empire Drive  
St. Paul, MN 55103  
651-296-2803  
877-551-6767  
Web site: [www.sos.state.mn.us](http://www.sos.state.mn.us)  
E-mail: [secretary.state@state.mn.us](mailto:secretary.state@state.mn.us)

### State Auditor

#### REBECCA OTTO (DFL)

525 Park St.  
Suite 500  
St. Paul, MN 55103  
651-296-2551  
TTY 800-627-3529  
Web site: [www.osa.state.mn.us](http://www.osa.state.mn.us)  
E-mail: [state.auditor@state.mn.us](mailto:state.auditor@state.mn.us)

## Minnesota's U.S. Senators in Washinton D.C.

### Senator Norm Coleman (R)

320 Hart Senate Office Building  
Washington, D.C. 20510  
202-224-5641  
Fax: 202-224-1152

### Senator Amy Klobuchar (DFL)

302 Hart Senate Office Building  
Washington, D.C. 20510  
202-224-3244  
Fax: 202-228-2186

# Come to the Capitol

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

## Directions

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

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

## Parking

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

Capitol Security personnel will issue tickets for expired meters.

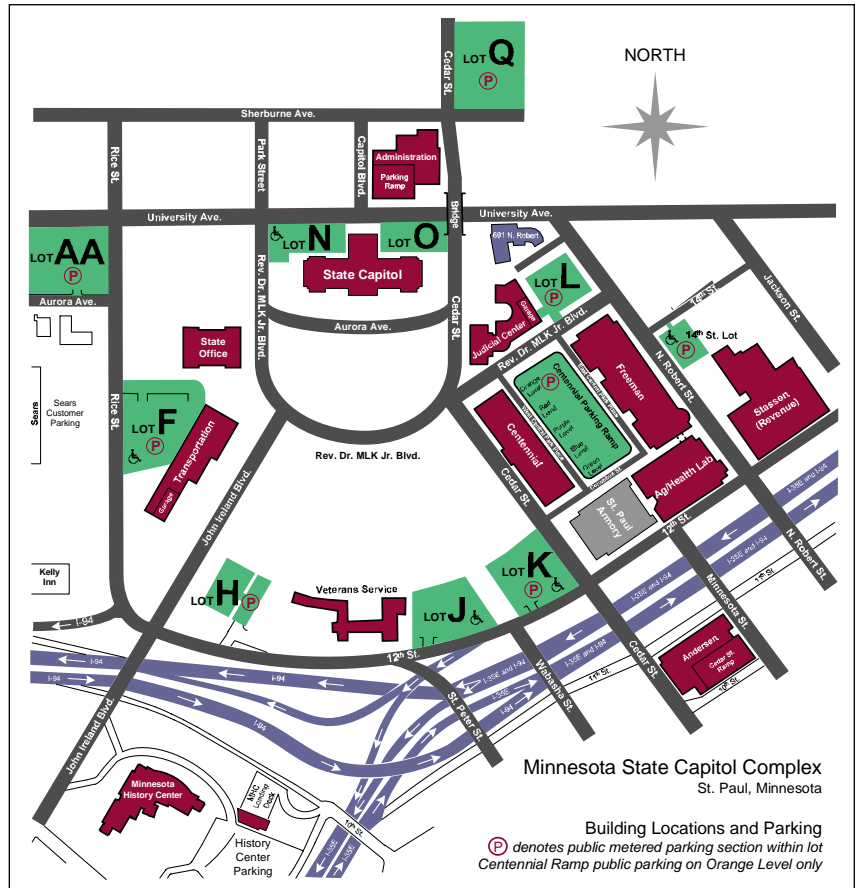
All-day parking permits are available from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted. For more information, call 651-201-2307.

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

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

## Visiting the Legislature

During session, all House and Senate floor sessions are open to the public. No pass is required for spectators to sit in the galleries of either chamber. The House usually meets at 12:30 p.m. Monday and 10 a.m. Thursday, and the Senate generally meets at 11 a.m. Monday and Thursday during the first few weeks of session. As the session nears the end, however, both bodies may meet several times a week, often into the night.



Edited map courtesy Minnesota Department of Administration, Plant Management Division

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

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

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

Sometimes groups plan a "legislative day" at the Capitol. For information on reserving a room for group conferences, call the State Office Building room scheduler at 651-296-9183 or the Capitol room scheduler at 651-296-0866.

## Tours

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

Tour guides lead the 45-minute tours on the hour Monday through Friday between 9 a.m.

and 4 p.m. (last tour leaves at 3 p.m.); Saturday between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sunday between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol information desk. Brochures in about 20 foreign languages also are available there.

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

The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. A special events guide is available upon request.

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

## Dining

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

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



## Minnesota State Agencies

Area code 651

Administration.....	651-201 2555
Agriculture .....	651-201-6550
	800-967-2474
Commerce.....	651-296-4026
Corrections.....	651-361-7200
Education .....	651-582-8200
Employee Relations.....	651-259-3637
Employment and	
Economic Development.....	651-259-7114
	800-657-3858
Enterprise Technology.....	651-296-8888
Explore Minnesota Tourism ....	651-215-9041
	800-657-3535
Travel Info .....	888-868-7476
Finance.....	651-201-8000
Health.....	651-201-5000
Higher Education Services .....	651-642-0567
	800-657-3866
Housing Finance Agency .....	651-296-7608
	800-657-3769
Human Rights .....	651-296-5663
Human Services .....	651-431-2000
Iron Range Resources .....	218-744-7400
	800-765-5043
Labor and Industry .....	651-284-5005
	800-342-5354
Mediation Services.....	651-649-5421
Metropolitan Council.....	651-602-1000
Military Affairs .....	651-268-8925
Natural Resources .....	651-296-6157
	888-646-6367
Pollution Control Agency.....	651-296-6300
	800-657-3864
Public Safety	
General Information .....	651-201-7000
Driver and Vehicle Services ...	651-297-3608
Driver's License .....	651-297-3298
Driver & Public Vehicle Info ...	651-296-6911
Motor Vehicles .....	651-297-2126
Alcohol and Gambling	
Enforcement Division.....	651-201-7507
Division of Homeland Security	
and Emergency Management....	651-201-7400
State Duty Officer	
(24-Hour Emergency) .....	651-649-5451
	800-422-0798
State Patrol .....	651-201-7100
Revenue	
General Information .....	651-296-3403
Income Tax Helpline...651-296-4444/296-3781	
Sales and Use Tax Line .....	651-296-6181
Transportation .....	651-296-3000
	800-657-3774
Veterans Affairs.....	651-296-2562

## Where to find information

### House Public Information Services

175 State Office Building

651-296-2146 or 800-657-3550

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

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

## Statement of Ownership, Management and Circulation

Publication Title Session Weekly	Publication Number 1 0 4 9 - 8 1 7 6	Date of Filing 8/27/2007
Issue Frequency Weekly during legislative session	No. of Issues Published Annually 22 odd yr.; 12 even	Annual Subscription/Price No Charge
Complete Mailing Address of Known Office of Publication 100 Rev. Dr. Martin Luther King Jr. Blvd., Room 175 St. Paul, Ramsey Co., MN, 55155-1298		Contact person Nick Busse
Complete Mailing Address of the Headquarters or General Business Offices of the Publisher Same as above		Telephone 651-296-7592

Full Names and Complete Mailing Address of Publisher, Editor, and Managing Editor		
Publisher Barry LaGrave, 100 Rev. Dr. Martin Luther King Jr. Blvd., Rm. 175, St. Paul, MN, 55155-1298		
Editor Lee Ann Schutz, 100 Rev. Dr. Martin Luther King Jr. Blvd., Rm. 175, St. Paul, MN, 55155-1298		
Managing Editor Mike Cook, 100 Rev. Dr. Martin Luther King Jr. Blvd., Rm. 175, St. Paul, MN, 55155-1298		

(Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)

Full Name Minnesota House of Representatives Public Information Services	Complete mailing Address 175 State Office Building 100 Rev. Dr. Martin Luther King Jr. Blvd St. Paul, MN 55155-1298
--	--

Known Bondholders, Mortgagees, and Other Security Holders Owning or holding 1 Percent or More of Total Amount of Bonds, Mortgages or Other Securities. If none, check box. ☒ None

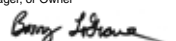
For completion by nonprofit organizations authorized to mail at special rates. The purpose, function and nonprofit status of this organization and the exempt status for federal income tax purposes: (Check one)

☒ Has Not Changed During Preceding 12 Months

☐ Has Changed During Preceding 12 Months  
(If changed, publisher must submit explanation of change with this statement)

Publication Title Session Weekly	Issue Date for Circulation Data 6/5/2007
15. Extent and Nature of Circulation	Average No. Copies Each Issue During Preceding 12 Months
a. Total No. Copies (Net press run)	6,469
b. Paid Circulation (By mail and Outside the Mail)	No. Copies of Single Issue Published nearest to Filing date
1 Mailed Outside-County paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies and exchange copies)	4,842
2 Mailed In-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies and exchange copies)	
3 Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS	
4 Paid Distribution by Other Classes of Mail Through the USPS (e.g. First Class Mail)	
c. Total paid Distribution (Sum of 15b (1), (2), (3), and (4))	6,436
d. Free or Nominal Rate Distribution (By mail and Outside the Mail)	
1 Free or Nominal Rate Outside-County Copies included on PS Form 3541	
2 Free or Nominal Rate In-County Copies included on PS Form 3541	
3 Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g. First Class Mail)	
4 Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)	
e. Total Free or Nominal Rate Distribution	1,627
f. Total Distribution (Sum of 15c and 15e)	8,300
g. Copies Not Distributed	0
h. Total (Sum of 15f and g)	8,300
i. Percent paid (15c divided by 15f times 100)	75%

☒ Publication required. Will be printed in the February 22, 2008 issue of this publication

Signature and Title of Editor, Publisher, Business Manager, or Owner  
  
Date  
August 27, 2007

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including multiple damages and civil penalties).

A complete review of all new laws passed this year is expected to be available after July 1 at the New Laws 2008 Web page, [www.house.mn/hinfo/Newlaws.asp](http://www.house.mn/hinfo/Newlaws.asp). To receive an electronic notification when the New Laws have been posted, go to [www.house.mn/list/join.asp?listname=houseinformation](http://www.house.mn/list/join.asp?listname=houseinformation).

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

**SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER**

**MAJORITY LEADER: ANTHONY "TONY" SERTICH**

**MINORITY LEADER: MARTY SEIFERT**

# MINNESOTA INDEX

## Session 2008

House files introduced during the 2008 session .....	1,704
In the biennium .....	4,256
In the 2005-06 biennium.....	4,223
In the 2003-04 biennium.....	3,212
Number of House Republican and Independent Republican bills introduced in the biennium.....	1,012
Senate files introduced during the 2008 session .....	1,532
In the biennium .....	3,895
In the 2005-06 biennium.....	3,822
In the 2003-04 biennium.....	3,073
Bills sent to the governor in 2008.....	220
In 2007 .....	150
In 2006 .....	114
In 2004 .....	163
Bills signed into law.....	190
Number of full or line-item gubernatorial vetoes in 2008.....	34
Total during the Pawlenty administration .....	70
In the four years Jesse Ventura was governor.....	54
When Arne Carlson was governor from 1991-98.....	179
Gubernatorial vetoes since 1939.....	474
Maximum number of legislative days that lawmakers can meet in regular session during the biennium.....	120
Number used in 2007-08.....	119
In 2005-06 .....	112
Pages in the 2008 House Journal .....	5,451
Pages for the biennium.....	13,027
In 2005-06 .....	8,909
Number of House members that have announced they will not seek re-election (as of June 3) .....	12
Those not returning that are DFL, Republican as of May 19 .....	4,8
Days between the May 18 House adjournment and the Nov. 4 general election.....	169
Time lawmakers are scheduled to convene Jan. 6, 2009 .....	noon

— T. HAMMELL

**Sources: House Public Information Services; Legislature Web site; Governor's Log 2008;  
Journal of the House; Journal of the Senate.**

## FOR MORE INFORMATION

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

To have a copy of Session Weekly mailed to you, subscribe online at: [www.house.mn/hinfo/subscribesw.asp](http://www.house.mn/hinfo/subscribesw.asp) or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a biennial voluntary subscription of \$20 or more.

Make your check payable to Minnesota House of Representatives, and mail it to:  
House Public Information Services  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Session Weekly online is available at: [www.house.mn](http://www.house.mn).

Subscribe to Session Daily e-mail alerts at: [www.house.mn/list/join.asp?listname=sessiondaily](http://www.house.mn/list/join.asp?listname=sessiondaily).

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

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

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

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

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