

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.

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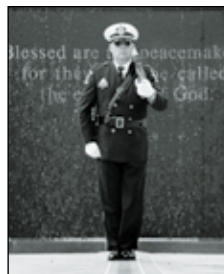
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Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals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



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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

They 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, 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. To receive an electronic notification when the New Laws have been posted, go to 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.

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 Prettner 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 or call 651-296-2146 or 800-657-3550.

For information on House meetings, go to 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.

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

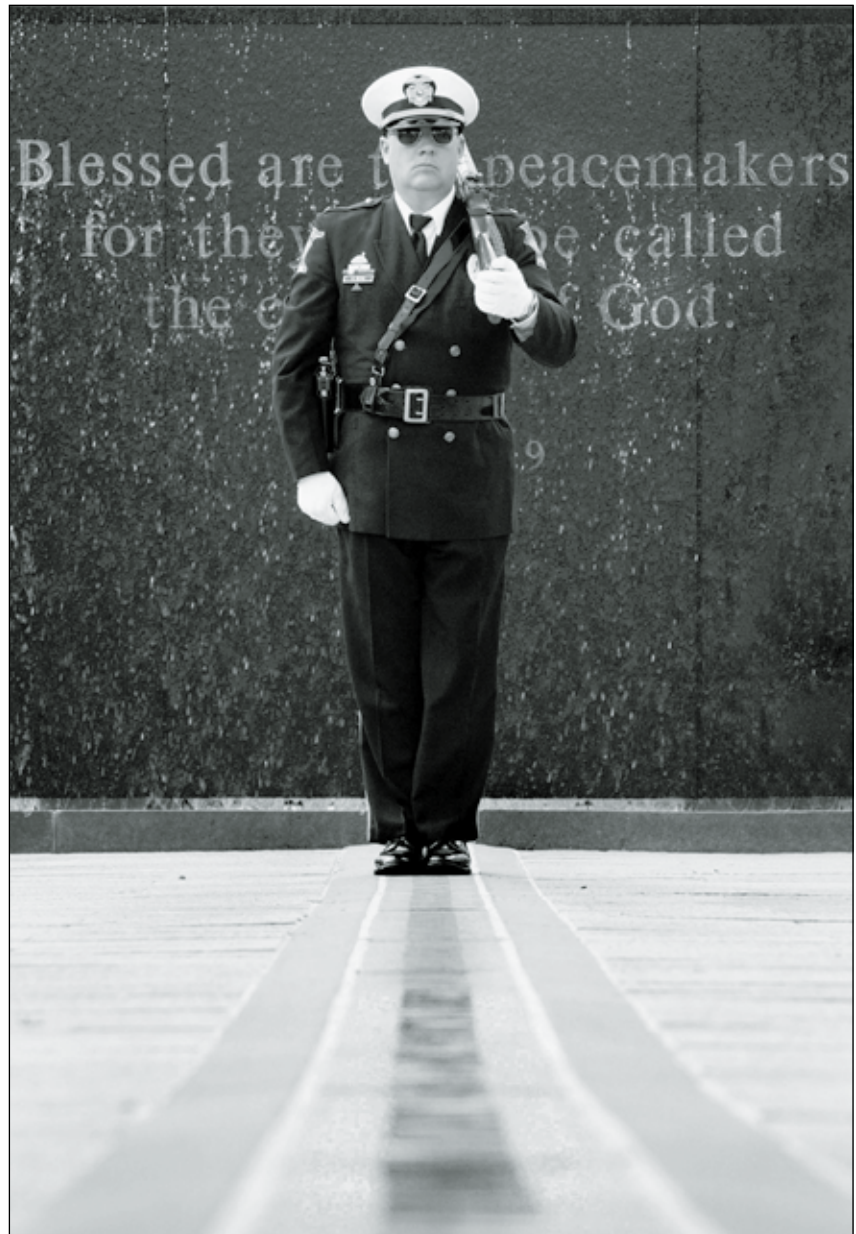


PHOTO BY ANDREW VONBANK

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?

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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
Senate: www.senate.mn
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Deficit fixed for now

Projected billion-dollar shortfall to be erased, but long-term concerns remain

By Mike Cook

While 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. 🐼

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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

Gov. 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

The 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

Of 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 Lake 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

After 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

Other 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. 🐼

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Taming the 'Wild West'

Members aspire to streamline the legislative process

By BRIAN HOGENSON

Rep. 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. 🏛️

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Three more say goodbye

Heidgerken, A. Peterson and Ruth make late departure announcements

By CRAIG GREEN

Before 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.

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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 OLMSCHEID

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		

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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			
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 requirements 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	

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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 modifications	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 establishment 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

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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	

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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

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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
SAFETY							
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
TAXES							
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
TOURISM							
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
TRANSPORTATION							
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
TECHNOLOGY							
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

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Minnesota's U.S. Senators in Washinton D.C.

Senator Norm Coleman (R)

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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.

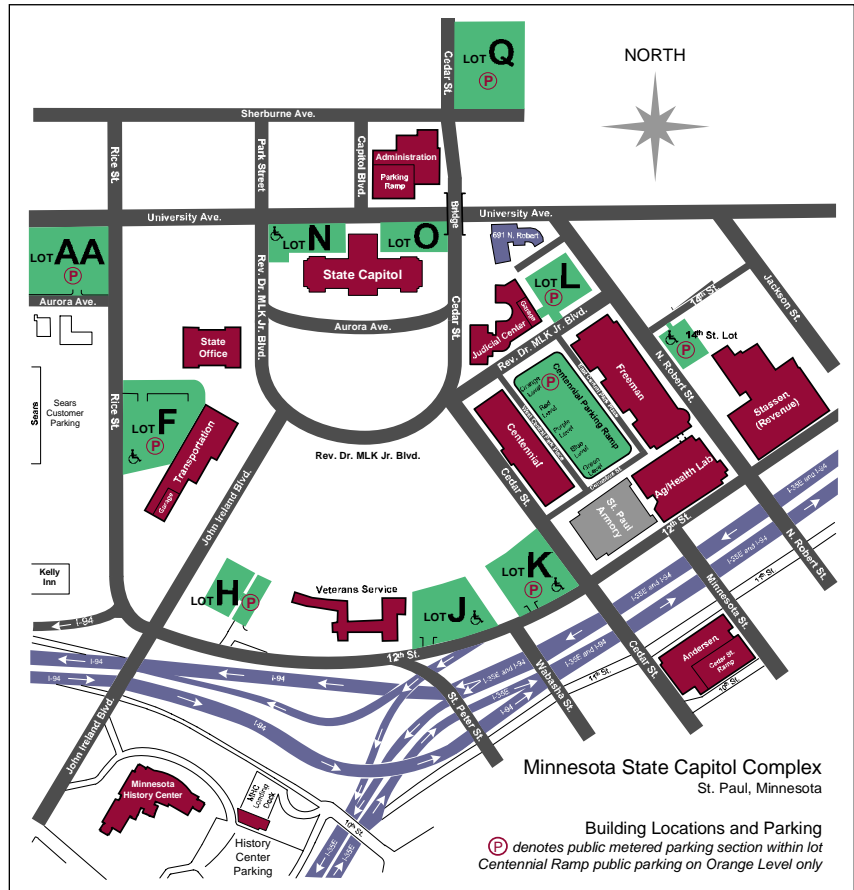
All-day parking permits are available from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted. For more information, call 651-201-2307.

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		

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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
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Known Bondholders, Mortgagees, and Other Security Holders Owning or holding 1 Percent or More of Total Amount of Bonds, Mortgagees or Other Securities. If none, check box. ☒ None

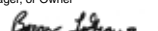
For completion by nonprofit organizations authorized to mail at special rates. The purpose, function and nonprofit status of this organization and the exempt status for federal income tax purposes: (Check one)

☒ 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

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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. To receive an electronic notification when the New Laws have been posted, go to www.house.mn/list/join.asp?listname=houseinformation.

MINNESOTA HOUSE OF REPRESENTATIVES
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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

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