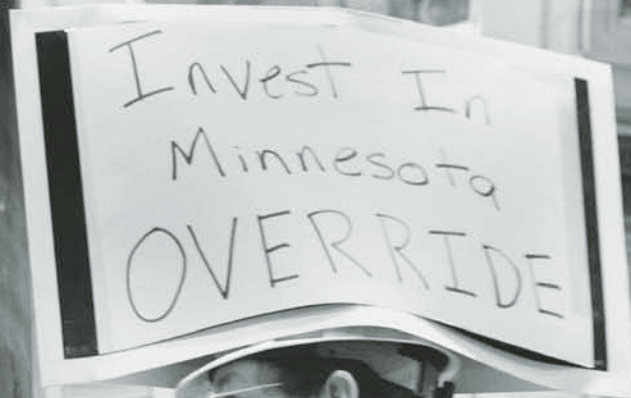


SESSION WEEKLY

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
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A GRIM FORECAST
OVERRIDE GOES INTO OVERDRIVE
POLITICAL FALLOUT
HEALTH INSURANCE: ARE YOU COVERED?

HF3348 - HF3627



SESSION WEEKLY

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

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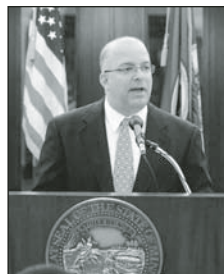
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On the cover: With children from Pillsbury United Communities Waite House in South Minneapolis milling around in front of the House Chamber Feb. 25, Jim Brumfield, with Operating Engineers Local 49, sports his message over his hardhat to override Gov. Tim Pawlenty's veto of the transportation bill. It was a Waite House bus loaded with children that was on the Interstate 35W bridge when it collapsed Aug. 1, 2007.

—Photo by: Tom Olmscheid

A grim forecast

Facing a \$935 million budget deficit, legislators prepare to tighten the belt

By Nick Busse

“It could be worse” was about the best news that State Economist Tom Stinson had to offer Feb. 28 as he presented the Department of Finance’s grim February Forecast, which predicts a \$935 million budget shortfall for the remainder of the 2008-09 biennium.

Stinson and Finance Commissioner Tom Hanson explained that the figure, which represents a drop of \$530 million from the November Forecast projections, is being driven by widespread economic stagnation both in Minnesota and elsewhere.

“The story of this forecast continues to be the weakening U.S. economy,” Hanson said.

Stinson noted that the revenue decline was particularly dramatic when compared with last year’s end-of-session projections, which were \$1.27 billion higher. By far, the biggest driver has been a steep decline in corporate tax receipts, down 20.6 percent, or \$456 million.

The forecast also predicts a \$1.09 billion deficit for the 2010-11 biennium; however, adjusted for spending inflation, that figure is actually more than \$2.1 billion.

Despite the daunting numbers, Hanson called the situation “very concerning but still manageable.”

Different approaches emerge

How this situation is going to be managed may turn out to be the defining theme for the remainder of the legislative session. Gov. Tim Pawlenty said his office will release a modified budget proposal sometime next week that will recommend spending cuts to various state agencies. Above all, the governor rejected any proposals to increase taxes.

“Our goal is not to increase revenue. We’re already spending too much,” Pawlenty said.

House Speaker Margaret Anderson Kelliher (DFL-Mpls) pledged that legislators would close the budget gap “by the time we leave this session.” She agreed with the governor that budget cuts will likely be a necessary part of the solution; however, she noted that any cuts should be made “with a scissors and not an axe.”

Speaking at a press conference after the forecast’s release, Kelliher and other DFL leaders emphasized job creation as one of their top priorities for the session, arguing it would provide long-term economic growth and help generate new revenues for the state.

The DFLers were less clear as to whether they would seek more immediate sources of revenue.

Asked whether they would consider pushing for any tax increases, Senate Assistant Majority Leader Tarryl Clark (DFL-St. Cloud) replied, “We don’t answer hypotheticals.”

Kelliher, meanwhile, said that House DFLers would indeed consider raising revenues by closing tax loopholes for foreign operating companies. Pawlenty indicated he would consider such a plan, but only if the new revenues were tied to some kind of tax relief in other sectors.

House Minority Leader Marty Seifert (R-Marshall) was less nuanced in his reaction to the forecast.

“No tax increases, period,” Seifert said.

Seifert indicated that he and other House Republicans would press for spending reductions to state agencies, particularly in



PHOTO BY ANDREW VONBANK

Finance Commissioner Tom Hanson presents the February Forecast to media members and other interested parties Feb. 28.

First Reading continued on page 4

First Reading continued from page 3

the area of health and human services. As an example, he said reducing Medical Assistance co-pays could save the state \$50 million to \$250 million, “depending on how aggressive” the cuts are.

He added that the kind of accounting shifts used to fix 2003’s \$4.5 billion deficit were unnecessary and not likely to be repeated.

What to cut?

Echoing Seifert’s comments, Pawlenty said health and human services spending is “devouring” the state budget, and indicated that it would be a likely candidate for budget cuts. He added that he has already ordered a hiring freeze for all state agencies to help curb administrative spending. Although he largely dismissed the possibility of layoffs of state employees, he indicated that state agencies should be prepared to make sacrifices.

“When you take money out of the state’s budget, someone’s going to be impacted. You

can’t sugarcoat that,” he said.

DFLers may have different priorities.

Kelliher mentioned that the Legislature’s funding decisions may be affected by recent reports from the Office of the Legislative Auditor — a likely reference to, among other things, a recent report critical of the JOBZ economic development program.

The fate of the bonding bill is also in doubt. Pawlenty said he expects the Legislature to

abide by the long-standing rule that the total amount of the bonding bill can equal no more than 3 percent of General Fund revenues; however, he expressed some willingness to negotiate with DFLers like Sen. Keith Langseth (DFL-Glyndon), chairman of the Senate Capital Investment Committee, who argues that the amount should be defined by actual instead of estimated revenues. 🐻

Revenues Down \$1.27 Billion From End-of-Session

\$ Millions	\$ Change Decrease	% Change Decrease
Individual Income	282	1.8
Sales Tax	322	3.4
Corp. Inc. Tax	456	20.6
All other	209	3.2
Total Change	1,270	3.8

Source: Minnesota Department of Finance

MAPQUEST

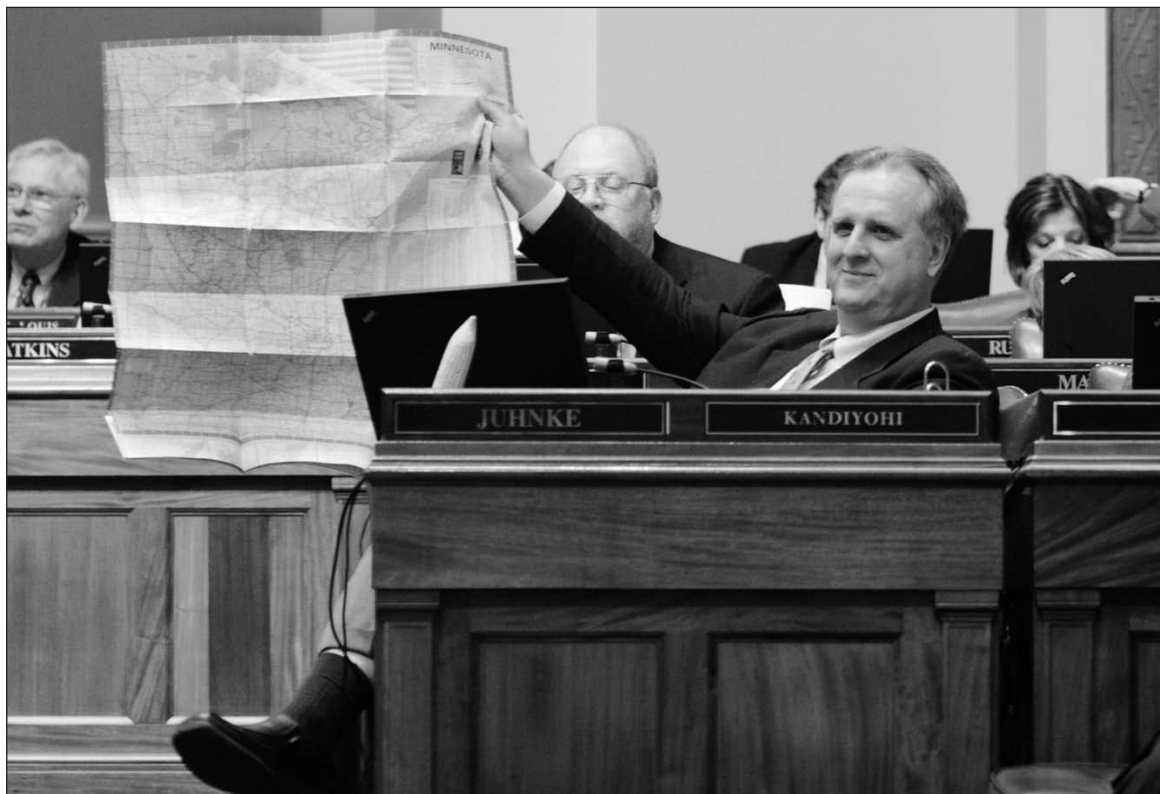


PHOTO BY SARAH STACKE

After Rep. Tom Emmer misnamed some roads in southern Minnesota, Rep. Al Juhnke holds up a state map during the Feb. 25 discussion to override the governor’s veto of the transportation bill.

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 21-28. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *-the bill, version considered by the House, or the bill language signed by the governor.

BUDGET

Deficiency spending

A bill to address a quartet of budget deficiencies that, according to the administration and Department of Finance, needs immediate action, was passed by the House 112-17 on Feb. 28.

"This deficiency bill is for very small amounts of money that will solve those particular problems for very small organizations that have no other opportunity than the Legislature appropriating some money for them," said Rep. Loren Solberg (DFL-Grand Rapids), sponsor of HF3055.

The bill would appropriate \$175,000 from the General Fund for the administration of the Minnesota Sesquicentennial Commission.

"In the last legislative session they were given an appropriation, and there were some restrictions on that appropriation," Solberg said. "Some of it went to small grants for the programming throughout the state, and they were restricted on the amount of money they could use for their staff. At the present time, with that restriction put in place, they should really be laying off their staff in order to account for things like unemployment, vacation pay and the other things that go along with terminating somebody. This will bring them, for their staff only, through the celebration."

In another provision, Special Revenue funds totaling \$304,000 would be divided between the state's Board of Chiropractic Examiners (\$150,000), Board of Dentistry (\$100,000) and Board of Veterinary Medicine (\$54,000). All three have licensing-fee funded accounts within the fund.

The money is needed to reimburse the boards' costs incurred while conducting contested case hearings involving individuals.

"They do have the funds available at this present time, but they are not allowed to pay them out without us appropriating the money," Solberg said. The board may have to make up the funding at some point.

A companion bill, SF2766, sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action on the Senate floor.

— M. COOK

BUSINESS

Airline merger effects examined

The Twin Cities' status as a major hub for Northwest Airlines is not expected to change if the carrier merges with Delta Airlines.

That was the position of Metropolitan Airports Commission (MAC) Chairman Jack Lanners and MAC General Counsel Tom Anderson at a Feb. 25 meeting of the House Local Government and Metropolitan Affairs Committee.

"The talk of the day is of a potential merger. That's of great concern to all," Lanners said.

Lanners said the MAC has "arrows in the quiver" at its disposal for negotiations with Northwest Airlines, including state loans that must be repaid and lease agreements that ensure hub status.

Anderson said there would be a "significant penalty" for the merged airline if those agreements are not abided by in the future.

Lanners said that Minneapolis-St. Paul International Airport has many factors in its favor that leave it well-positioned to maintain hub status, including being well-run, and profitable, as well as the western-most hub for Northwest Airlines.

The outlook on Northwest Airlines' corporate headquarters remaining in Eagan after a merger is not so optimistic.

Rep. Mark Buesgens (R-Jordan) said it seems as though losing the corporate headquarters in a merger is a foregone conclusion, and the MAC is more concerned with making sure there is not a loss of hub status.

"It's also seemingly obvious, based on the media reports that we all see, that the headquarters is not looking like it would be here," Lanners said.

Citing state aid received by Northwest Airlines during its 2005 bankruptcy, Rep. Loren Solberg (DFL-Grand Rapids) took issue with the idea that there is a choice to be made by Northwest Airlines in keeping its headquarters in the Twin Cities or maintaining Minneapolis-St. Paul's hub status.

"When Northwest was in deep doo-doo and came to the state and MAC, it was with complete understanding that their headquarters would never be moved and, quite frankly, when they talk about headquarters and hub, and want us to choose (between) those two, that's not a choice," Solberg said. "Northwest wouldn't exist for Delta to have a merger if it wouldn't have been for the state stepping up to the plate."

— B. HOGENSON

CRIME

Local violation fines

Sponsored by Rep. Larry Hosch (DFL-St. Joseph), HF847 would permit a city or county to impose an administrative fine for certain traffic violations, such as driving over the speed limit by less than 10 mph or rolling through a stop sign. However, it failed to gain the approval of the House Public Safety and Civil Justice Committee Feb. 27.

Winona Police Chief Frank Pomeroy said that when his city began issuing the \$45 fine — which does not show up on a driver's record — instead of issuing tickets, there was a decrease in accidents.

But William Gillespie, executive director of the Minnesota Police & Peace Officers Association, said the bill is not about safety, but "revenue enhancement."

Gillespie said that when he served as a peace officer in Ramsey County, what the finances of a ticket were, or where the finances went, were irrelevant. "A traffic tag is a teaching tool, not a means to generate money for the state of Minnesota."

Rep. Tony Cornish (R-Good Thunder), who is also the Lake Crystal police chief, was even more direct. "You're changing the whole spectrum of law enforcement here today."

Cornish said that, in his many years as a police officer, he has never written a ticket for someone driving less than 10 mph over the speed limit, or for anyone rolling through a stop sign. He gave them a warning.

This is "a money grab," he said. "It's a burden on our citizens to make up for the city's shortfall."

Hosch argued that the bill was not a "money grab," and presented a report from the Office of the Legislative Auditor that indicated administrative fines did not provide a substantial form of income for cities and counties.

A companion bill, SF1008, sponsored by Sen. Michelle Fischbach (R-Paynesville), awaits action by the Senate Transportation Committee.

— C. GREEN

Employee, student relationships

For many, it's one of those relationships that is taken for granted. Teacher and student. But times have changed.

Speaking before the House Public Safety and Civil Justice Committee Feb. 26, Rep. Joe Atkins (DFL-Inver Grove Heights) said that as it is inappropriate for a teacher or a coach to

have a sexual relationship with a student who is 17, it is inappropriate for a school employee to have a relationship with an 18-year-old.

HF2719, sponsored by Atkins, would prohibit sexual relations between school employees and students, including those 18- and 19-years-old. Approved by the committee, the bill is now headed to the House E-12 Education Committee. The Senate companion, SF3289, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action in the Senate Judiciary Committee.

Dakota County Attorney Jim Backstrom spoke of a recent case in Hastings where a high school coach began a relationship with a senior. The coach had been pursuing the young woman with hundreds of phone calls and text messages, before he began a sexual relationship with her.

The problem, Backstrom said, was that even though the young woman was still a high school student, she was 18. Legally there was nothing that could be done.

"This is unacceptable behavior in our society," Backstrom said. Minnesota law currently states that the legal age for consensual sex is 16, and because of this, he said legislation is needed so that younger people cannot be taken advantage of in high school settings.

Rep. Mary Liz Holberg (R-Lakeville) questioned the scope of the bill's language, which initially did not include any age limit for the student, and was not specific to the school setting. Amendments were added clarifying that a student must be under age 20, and the other person involved must be defined as a school employee or volunteer "in a position of authority."

— C. GREEN

EDUCATION

School measurements for alternatives

A bill that would allow up to 20 charter schools and alternative schools to waive the federal No Child Left Behind requirements for participation in a program to identify improvement measures for alternative schools received committee approval.

Rep. David Bly (DFL-Northfield), sponsor of HF2982, told the House E-12 Education Committee Feb. 21 that because of the mission of alternative schools, they will inherently score lower on standardized testing, making it hard to know if these schools need enhancement.

"We believe there are some schools that could use some improvement, but it's hard to know from the measures we have now," Bly said.

Terry Lydell, president of the Minnesota Association of Alternative Programs, said

they would like to see these schools evaluated on systemic improvement and organizational learning, but it's been difficult to find people in the Department of Education who speak in those terms.

Jamie Crannell, a chemistry teacher at Chaska High School, said children in the alternative school system have other problems that need to be addressed.

"It's not that the requirements aren't reasonable, it's that the kids have a lot of things to overcome, prior to getting there," he said.

"These kids don't want the bar to be lowered, they just want to be met where they are at," Rep. Lynn Wardlow (R-Eagan) said.

The committee sent the bill to the House Finance Committee with the recommendation that it be sent to the House K-12 Finance Division.

A companion bill, SF3029, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate Education Committee.

— T. HAMMELL

Childhood screening cost concerns

Between 10 percent and 12 percent of kindergarteners aren't ready to start school because they have problems with language development, literacy and mathematical thinking, according to the Department of Education.

To help identify children who may need extra help to succeed in school, Minnesota school districts are required to screen children from 3- to 5-years-old for health and developmental problems. But the screenings can be costly — up to \$70 per student — and the state reimburses only up to \$40 per child. The differential is incurred by the district.

A bill sponsored by Rep. Erin Murphy (DFL-St. Paul) would close the gap, and require the state to reimburse the full amount to school districts. HF2920 was laid over Feb. 26 by the House Early Childhood Learning Finance Division for possible inclusion in its omnibus bill.

The companion, SF2669, awaits action in the Senate Finance Committee. Sen. Sandy Rummel (DFL-White Bear Lake) sponsors the bill.

The money to reimburse the districts would come from the General Fund, at an annual cost to the state between \$1.5 million and \$1.7 million.

Charlie Blesener, director of community education for the Elk River School District, said if the state doesn't reimburse the full amount, the burden falls on the school districts.

Even so, the screening helps the district and its students in the long run, Blesener said.

"It's a great way to find issues with kids early, so that we can do an intervention and

maybe close an achievement gap."

— C. BLANCHARD

Measuring of school success

A bill that would add state academic growth-based measures to the Minnesota school report card received committee approval Feb. 26.

The House E-12 Education Committee sent HF3329 to the House Finance Committee with the recommendation that it be sent to the House K-12 Finance Division.

Rep. Kathy Brynaert (DFL-Mankato), the bill sponsor, said it is the work of the interim E-12 Education Work Group, which aimed to fully, fairly and accurately measure school improvement.

David Heistad, director of research, evaluation and assessment for Minneapolis Public Schools, said more than 300 state districts use some sort of academic growth-based model, which is complimentary to the federal No Child Left Behind program.

This provides a more dynamic way of looking at schools because some schools score high on academic growth standards, but do not score high on standardized tests or vice versa, he said.

Heistad said this would enable the Department of Education to find districts that are already making great progress and hold high-achieving students accountable for growth.

Rep. Sondra Erickson (R-Princeton), questioned the measurement system used, saying the methods were "deceptive."

"You gain some precision by more complex models, but you lose some communication power," Heistad said.

Christy Hovanetz Lassila, assistant commissioner of the department's Office of Accountability and Improvement, said the department is concerned about the lack of proficiency standards, as well as limited authority granted in parts of the bill. Other concerns included unfunded mandates and the striking of the "value-added" language put into statute in 2004.

A companion bill, SF2882, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate Education Committee.

— T. HAMMELL

School trust fund land management

Sponsored by Rep. Denise Dittrich (DFL-Champlin), HF3292 would give the Department of Natural Resources commissioner authority to administer permanent school land funds.

Approved Feb. 21 by the House E-12 Education Committee, the bill awaits action by the House Finance Committee.

Now managed by the DNR, these lands were granted by the federal government at the time of statehood to be held in trust to benefit public schools.

"You should know that Minnesota is more like western states," Dittrich said, in that the state has not sold off this land.

A report from the legislative auditor's office found that the DNR sometimes emphasizes natural resource management over financial responsibility for these areas.

Dittrich said the DNR does a good job of conserving the land, but questioned whether having them fiscally manage these assets was too much of a dual purpose.

Bob Meier, assistant DNR commissioner, said health and safety is the top priority on these lands and the trust funds are a close second.

"We do have some concerns with (the bill), but we do agree with the overall concept," Meier said.

Membership of the Permanent School Fund Advisory Committee would also be expanded to include four additional legislative chairs, five people with specified areas of expertise and a non-voting permanent professional staff person. The committee advises the DNR on the management of permanent school fund land.

Marty Vadis, DNR director of lands and minerals, said the state has 2.5 million acres of surface and mineral rights and 1 million acres of severed mineral rights.

A companion bill, SF2811, sponsored by Sen. Ann Lynch (DFL-Rochester), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— T. HAMMELL

Trust fund money distribution

The way money held by the state to benefit school districts is distributed could change under three bills heard in the House K-12 Finance Division Feb. 26 and 27.

According to the nonpartisan House Research Department, the Permanent School Trust Fund consists of the proceeds of all the lands granted at statehood by the federal government for the benefit of schools, proceeds from swamp lands granted to the state, and cash and investments credited to the fund.

The Department of Natural Resources manages about 2.5 million acres of school trust land. Proceeds from those activities, such as timber sales, minerals activities or lease revenue are added to the fund principal, which is invested by the State Board of Investment. As of June 30, 2007, the fund totaled \$714 million.

Sponsored by Rep. Denise Dittrich

(DFL-Champlin), HF2975 would eliminate subtraction of the fund endowment that is now offset against each district's general education aid on a per pupil basis. It would net an extra \$29 million for districts in Fiscal Year 2009.

A second bill she sponsors, HF2973, would allow a district to use this money for technology purposes beginning in Fiscal Year 2009.

Both were laid over Feb. 26 for possible inclusion in a possible division omnibus bill, as was HF3206, sponsored by Rep. Tom Rukavina (DFL-Virginia). His bill, laid over on Feb. 27, would establish an ongoing technology allowance of \$60 per pupil.

Rukavina said the bill starts off at \$60 per-pupil and required a formula based on property wealth in the districts.

Most of the money on these lands is generated from mineral and timber sales with a small amount generated by land sales, said Marty Vadis, director of the DNR lands and minerals division.

Rep. Marsha Swails (DFL-Woodbury) said the \$28 million generated by the lands seems conservative and questioned the lack of emphasis on renewable resources.

Companions to the Dittrich bills, SF2392 and SF2422, each sponsored by Sen. Chuck Wiger (DFL-North St. Paul), await action by the Senate Finance Committee. Rukavina's bill has no Senate companion.

— T. HAMMELL

School district background checks

Two bills that came before the House E-12 Education Committee on Feb. 28 would require school districts to look more closely at past sexual misconduct of those who would work with children.

HF2782, sponsored by Rep. Karla Bigham (DFL-Cottage Grove) would require those who provide services for extracurricular activities, including coaching, to undergo a criminal background check.

Bigham said many school districts already do this, but this would make sure that "everybody is on a level playing field."

Rep. Steve Gottwalt (R-St. Cloud) said he would like to see this expanded to include anyone who would work with children.

A Senate companion, SF2369, sponsored by Sen. Ann Rest (DFL-New Hope) was referred to the Senate Judiciary Committee by the Senate Education Committee.

Minnesota already requires school districts to perform criminal history background checks on prospective teachers. HF2657, also sponsored by Bigham, would require school districts to use the Minnesota Board of Teaching Web site to check for past sexual

misconduct. The bill would also require the applicant to provide information on all current and previous disciplinary actions.

Companion bill, SF2597, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), was referred to the Senate Judiciary Committee.

Both House bills await action on the House floor.

— T. HAMMELL

ELECTIONS

Judicial selection changes proposed

A bill to reform the judicial selection process passed its first legislative hurdle.

The House Governmental Operations, Reform, Technology and Elections Committee approved HF3023 Feb. 26 and referred it to the House Public Safety and Civil Justice Committee.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park), the bill would amend the Minnesota Constitution to make the governor responsible for the initial appointment of judges, for a term that lasts until the end of the next general election year held more than three years after the appointment.

All sitting judges would be evaluated once during their term, and once near the end of their term by a performance evaluation commission that would rate the judge as "qualified" or "unqualified" for office. This provision is meant to assist voters in evaluating the performance of judges. After their initial term, a judge may be retained in office through a retention election, where voters would be asked if a judge should be retained, rather than choose between individual candidates.

"Judges, like any of us, need accountability," Simon said.

Simon used baseball to demonstrate how campaigning for judicial positions and collecting partisan endorsements places judicial candidates in a position of campaigning on judicial outcomes, harming the impartiality of their position.

"Judges are not catchers or pitchers or batters, judges are umpires," Simon said. "We would never think of putting in an umpire who said to Major League Baseball, 'Put me in the game and I'll make sure the Yankees win,' or 'Put me in the game and I'll make sure the Red Sox win.'"

Former House Speaker Phil Carruthers, now an assistant Ramsey County attorney, cautioned against reforming the judicial selection process.

"Changing the constitution should be the last resort, not the first resort. If we change the constitution without knowing exactly what we are doing, we will be stuck with the result for

the next 150 years,” Carruthers said.

A companion bill, SF2401, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— B. HOGENSON

EMPLOYMENT

Women into nontraditional careers

Funding is requested to help women maximize their earning potential.

Sponsored by Rep. Joe Mullery (DFL-Mpls), HF743 would appropriate an unspecified amount of money for “grants to nonprofit organizations for programs that encourage and assist women to enter nontraditional careers in the trades and manual and technical occupations.”

Mullery told the House Higher Education and Work Force Development Policy and Finance Division that \$500,000 would be a good amount. The bill, which has no Senate companion, was held over Feb. 27 by the division for possible inclusion in its omnibus bill.

“This was originally introduced about 10 years ago, and it has been funded in the past, although it hasn’t been funded in the past few years,” he said.

Statistics provided by the Office on the Economic Status of Women, a joint legislative advisory commission, show the number of women in nontraditional roles remains low, but projected vacancies continues to rise. For example, nearly 4,000 plumber, pipefitter and steamfitter openings are expected between 2004 and 2014, but according to 2000 census, women made up just 1.1 percent of workers in an area where the median hourly wage was \$29.53 in the last quarter of 2007.

“This is a workforce issue,” said Amy Brenengen, the office director. “The bill is not only important because it addresses opportunities for women, but also because there is a growing need in these areas.”

To receive a grant, an organization would need to be active in reaching out to girls and women concerning opportunities and training programs in the trades, science, math, technology and engineering areas. An organization would also be eligible if it offers assistance with training, child care or transportation issues, job placement assistance or job retention support.

“We have an awful lot of people that are on welfare-type programs or in low-occupation jobs that would greatly benefit from this,” Mullery said. He also referenced a woman who had been heavily into drugs and had her children taken away. “She got into a program like this, and she’s now back making probably

more than anybody in the room. ... There’s huge numbers of success stories like this.”

— M. COOK

ENERGY

New sustainable building guidelines

New sustainable buildings guidelines for major renovations of state buildings could be on the way, with a goal of exceeding the state energy code by 30 percent.

HF3401, sponsored by Rep. Bill Hilty (DFL-Finlayson), would direct the Administration and Commerce departments to develop guidelines that would apply to all major state-funded building renovations after Feb. 1, 2009. The House Energy Finance and Policy Division laid the bill over Feb. 27 for possible inclusion in its omnibus bill. A companion, SF2706, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Sustainable building design guidelines currently exist for new buildings that are constructed using state bond money; the bill would apply them to renovations involving more than 10,000 square feet of space as well.

In addition, the bill would direct the Commerce Department to develop “Sustainable Building 2030” energy-efficiency performance standards for commercial and industrial buildings. These standards would be developed in conjunction with the University of Minnesota’s Center for Sustainable Building Research, with the goal of reducing per-square-foot carbon emissions by:

- 60 percent by 2010;
- 70 percent by 2015;
- 80 percent by 2020; and
- 90 percent by 2025.

The standards would not be mandatory, and would emphasize cost-effective measures.

John Carmody, the center’s director, said that nearly half of the country’s energy use is associated with buildings. He said sustainable building initiatives are starting to move away from point-based rating systems like the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, and toward systems that focus instead on concrete reductions in greenhouse gas emissions.

Rep. Bud Nornes (R-Fergus Falls) expressed skepticism that energy-efficiency measures would reduce buildings’ operating costs, arguing that did not take into account the potential maintenance and repair costs of new, unproven energy-efficient technologies. Carmody admitted that cost-recovery estimates often did not take such potential costs into account.

ENVIRONMENT

A bad grade for BWSR

For the second time in less than a year, the Minnesota Board of Water and Soil Resources received a failing grade from the legislative auditor — this time, for not living up to its financial management responsibilities.

An Office of the Legislative Auditor report determined that the board lacks “adequate internal controls over certain financial processes”; however, the report also states that BWSR generally complied with most finance-related laws.

The report, which was released in late-November, was discussed Feb. 26 by the House Watersheds, Wetlands and Buffers Subcommittee. No action was taken.

Among the key findings, the report states that the board:

- did not adequately administer its financial management duties;
- did not ensure that grantees met the legally mandated matching requirements;
- awarded grants to districts that did not provide comprehensive work plans;
- did not inspect wetland sites added to the wetland bank; and
- failed to prepare performance evaluation reports for contracted services.

“This is a pretty strong finding from us,” said Deputy Legislative Auditor Cecile Ferkul, who said that her office rarely deems an organization’s financial management to be inadequate.

The report comes on the heels of one released in January 2007 that criticized the board for exercising inadequate oversight of the state’s numerous local watershed management entities.

Executive Director John Jaschke said the board agreed with most of the findings and intends to do better in the future; however, he also emphasized that there was no misappropriation or misdirection of state funds.

“We need to do some things different and better,” Jaschke said. He mentioned more extensive documentation of financial transactions and building what he called “planned redundancy” into the board’s financial management as examples of possible improvements.

Subcommittee Chairman Rep. Rick Hansen (DFL-South St. Paul) said it was “very important” that BWSR correct the problems outlined in the report — especially since the Legislature is “looking at providing a significant amount of money” to the board in this year’s bonding bill.

— N. BUSSE

— N. BUSSE

Vehicle emissions standards

A hearing on rulemaking issues relating to adoption of California standards regulating low-emission vehicles quickly evolved into a heated debate on the merits of the bill and the effects of emissions standards on the state economy.

The House Governmental Operations, Reform, Technology and Elections Committee approved the bill on Feb. 27 and referred it to the House Commerce and Labor Committee.

Rep. Melissa Hortman (DFL-Brooklyn Park) sponsors HF863 that would require adoption of California standards regarding low-emission vehicles; and provide for updates, as necessary, to comply with the federal Clean Air Act.

Rep. Mark Olson (R-Big Lake), brandishing an actual hydrogen cell, was concerned that even California standards were not a lofty enough goal.

"We could exceed these standards far beyond," Olson said. "I've gone out and seen these guys working on this technology and seen motors run on 60 percent gas and 40 percent water."

Rep. Tom Emmer (R-Delano) questioned whether Hortman had thought about the effect the standards could have on the state economy, and the quality of life.

"Your goal is laudable and appropriate," Emmer said. "But getting there and who you are going to destroy along the way is the question I have."

Hortman responded by referencing the auto industry's citing of costs to consumers as a reason not to adopt previous government standards.

"When we first heard about seat belts, the auto industry let us know that we would not be able to afford to buy cars if they had seat belts in them, same thing on air bags," Hortman said.

Under the Clean Air Act, California is the only state that may adopt vehicle emission rules different from the federal rules. In 1977, Congress allowed other states to adopt the stricter California rules as well. At least 14 states have done so.

A companion bill, SF481, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Environment and Natural Resources Committee.

— B. HOGENSON

Greenhouse gas emissions

Minnesota would implement a cap-and-trade system to reduce greenhouse gas emissions from electric power plants and other industries, if a bill sponsored by Rep. Kate Knuth (DFL-New Brighton) becomes law.

HF3195, also known as the Green Solutions Act, would implement a program whereby total emissions would be limited and major emitters could purchase and sell emissions allowances to one another. The House Environment and Natural Resources Committee heard testimony Feb. 26, but took no action.

Knuth said the goal is to build on last year's Next Generation Energy Act, which directs the state to reduce its total greenhouse gas emissions from 2005 levels — 15 percent by 2015, 30 percent by 2025 and 80 percent by 2050. The act also created the Minnesota Climate Change Advisory Group, which was charged with recommending a strategy to meet these goals. Knuth noted that although the group failed to settle on the details, it did favor a cap and trade program.

"The reality is, emissions are still going up, and they need to go down," Knuth said, adding that a cap and trade system would be a "powerful and simple way to get real reductions."

Supporters of the bill include J. Drake Hamilton, science policy director for Fresh Energy. She warned committee members they would see a "different Minnesota" if the impacts of climate change went unmitigated.

Bob Schulte, CEO of the Central Minnesota Municipal Power Agency, was among numerous representatives from power companies who testified in opposition. He said a federal- or regional-level approach would be more effective, and warned that any costs incurred by electric utilities in the state would ultimately be passed on to their customers.

Ed Garvey, director of the state's newly created Office of Energy Security, also testified against the bill, arguing that it would hamper the state's ability to negotiate with fellow signatories to last year's Midwestern Greenhouse Gas Reduction Accord. The accord lays out a framework for a regional approach to cap-and-trade.

A companion bill, SF2818, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

Notice: pesticide spraying

The building blocks of pesticides are the same as with humans: a collision that some say is causing severe health complications in those living near farms and yards being sprayed with the chemicals.

Rep. Ken Tschumper (DFL-La Crescent) sponsors HF2459 that would change pesticide posting requirements to include notice of application 48 hours before and after spraying. At least 29 other states have pesticide "right to

know" legislation, he said.

The bill was approved Feb. 26 by the House Housing Policy and Finance and Public Health Finance Division, and it now goes to the House Finance Committee.

The bill would also require:

- the Department of Agriculture to develop and maintain public accessible electronic records of pesticide sprays 48 hours in advance of the initial application;
- marking with red flags around the perimeter of a property to be sprayed;
- raising the annual application fee for each pesticide registered from 0.4 to 0.5 percent of annual gross sales within the state;
- commercial, noncommercial and private applicators who apply pesticides to potato or hybrid poplar fields to file monthly records of pesticide applications; and
- the commissioner to assess penalty fees to applicators for failure to comply at \$25 for each of the first four times the applicator fails to submit a required record by the monthly deadline.

A \$1,000 penalty would also be assessed to those using the public information for data mining or other commercial purposes.

Tschumper said his bill is based on a pesticide regulation report released in March 2006 by the Office of the Legislative Auditor. The report said the department needed to improve its written communications with complainants, and should extend to comparably risky applications, the requirement for land managers to provide advance notice on pesticide applications toxic to bees.

Rep. Dan Severson (R-Sauk Rapids) said a penalty isn't going to stop a competitor from using the public data to expand their business at the cost of somebody else.

A companion bill, SF2994, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), awaits action by the Senate Agriculture and Veterans Committee.

— P. OSTBERG

Making retailers recycle plastic bags

A bill would require grocers and other retailers who provide customers with plastic carryout bags to make in-store bag recycling available.

Rep. John Lesch (DFL-St. Paul) sponsors HF2746, which would also require plastic bag manufacturers to work with store operators to collect, transport and recycle the bags. It would further provide for financial penalties against retailers and manufacturers who violate the bill's provisions.

The informal House Solid Waste, Recycling and Resources Conservation Working Group held a hearing on the bill Feb. 22, but took no action. The bill has been referred to the

House Environment and Natural Resources Committee.

Under the bill's provisions, the words "please reuse or recycle at a participating store" would have to be printed on all plastic carryout bags, and recycling bins would have to be clearly marked and visible to the customers. The bill would apply to all retailers with stores larger than 5,000 square feet, or that are part of a chain of stores with five or more locations.

Lesch said the bill only makes sense as people are becoming more aware of recycling and waste issues. He noted that he keeps a drawer at home devoted to storing plastic bags, but that "there is no way I can reuse as many as I get from all the retail establishments I shop at."

Jamie Pfuhl, executive director of the Minnesota Grocers Association, said many retailers already offer plastic bag recycling programs. She cautioned legislators against "mandating what is already being done effectively" by private industry, and warned that there is a lack of support for the idea especially among rural retailers.

Defending the bill, Rep. Melissa Hortman (DFL-Brooklyn Park) said, "Voluntary programs are nice, but a little bit here and a little bit there is not a comprehensive solution."

A companion bill, SF2800, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

Landfill cleanup bonds proposed

A bill sponsored by Rep. Julie Bunn (DFL-Lake Elmo) would use the state's remediation fund to finance up to \$25 million in bonds to pay for cleaning up closed landfill sites in four areas.

HF3232 is intended to help remediate contaminated landfill sites in Mille Lacs, Washington County, the Western Lake Superior Sanitary District and Albert Lea. The House Environment and Natural Resources Finance Division referred the bill without recommendation Feb. 28 to the House Finance Committee after several division members raised concern about the bill's proposed financing mechanism. The bill has no Senate companion.

One of the main purposes of the bill would be to fund remediation of the Washington County Landfill, which has been leeching perfluorochemicals (PFCs) into the east metro drinking water supply. For that purpose, \$15 million would be advocated — an amount equivalent to the governor's original recommendation for the project.

According to statute, the state's remediation fund was created to fund cleanup efforts for "hazardous substances, pollutants or

contaminants, agricultural chemicals, and petroleum, and for environmental response actions at qualified landfill facilities." It is funded primarily by a solid waste tax.

Rep. Denny McNamara (R-Hastings) was among the division members who expressed reservations about using the remediation fund to pay off the approximately \$1.8 million per year in debt service on the bonds, rather than just using general obligation bonding.

Bunn said she understood the concern, but also underscored the urgency of the issue, citing an expectation from the communities around the Washington County Landfill that remediation action would begin as soon as this summer.

"This is a very reasonable way to do it, because we have this dedicated revenue stream," she added.

Division Chairwoman Rep. Jean Wagenius (DFL-Mpls) agreed that action should be taken as soon as possible, but said legislators needed more information on how much funding was needed and what kind of mechanism should be used.

"I think everybody knows that we need to get the job done," Wagenius said.

— N. BUSSE

GAME & FISH

Tougher aquaculture restrictions

A bill sponsored by Rep. Bev Scalze (DFL-Little Canada) would help put a stop to a system that Scalze said uses public resources to subsidize an environmentally destructive aquaculture industry.

HF1188 would tighten restrictions on licenses for raising minnows and other aquatic farming activities in public waters. The House Game, Fish and Forestry Division took testimony on the bill Feb. 25 and laid it over for possible inclusion in an omnibus policy bill.

The bill contains several provisions designed to protect the state's water bodies, including:

- requiring anybody applying to the Department of Natural Resources for a new or renewal of a current aquatic farming license to submit a plan to restore the water body to its pre-farming ecological condition;
- prohibiting the DNR from issuing or renewing a license to raise minnows in waters subject to protective easements funded by federal waterfowl stamp proceeds;
- requiring fish farmers to obtain permission from all shoreline property owners before using the water body for aquaculture;
- requiring the department to encourage fish farming in man-made ponds; and
- requiring the department to make its aquaculture program self-sustaining by

proposing a more equitable fee system.

Scalze said that enforcing ecologically sound aquaculture practices only makes sense as the state has begun investing millions of new dollars to clean up surface waters via the Clean Water Legacy Act and other initiatives.

"We're spending a lot of money," Scalze said. "We want to eventually have clean wetlands and water bodies in the state."

Steve Puchtel, manager of McKenzie Fish Co. in Stacy, said that the bill's supporters are underestimating the value of minnow farming to the state. He noted that other users of public waters, like jet-skiers and hunters, don't need to get the level of permission required of aquatic farmers.

"I see this as singling out just one business and saying that we have to get permission to use the water," he said.

A companion bill, SF1517, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action by the Senate Environment and Natural Resources Committee.

— N. BUSSE

Bill to allow fishing with two lines

An almost perennially discussed proposal to allow fishermen to use two lines has resurfaced.

HF2610, sponsored by Rep. Al Juhnke (DFL-Willmar), would permit anglers to catch fish using two lines simultaneously. The House Game, Fish and Forestry Division laid the bill over Feb. 25 for possible inclusion in its omnibus policy bill. There is no Senate companion.

Juhnke said Minnesota is one of the few states that does not allow anglers to use multiple lines. He presented division members with a laundry list of potential benefits of the practice, including:

- increasing overall enjoyment of the sport;
- supporting tourism by making Minnesota more competitive with other states;
- allowing for more experimentation with different types of bait;
- encouraging the purchase of more fishing equipment; and
- creating the potential to generate new revenue with a possible fee for using a second line.

Ron Payer, fisheries section management chief for the Department of Natural Resources, joined Rep. Dean Simpson (R-Perham) in voicing concern that the bill could result in diminished fish populations; however, Juhnke dismissed that idea, noting that statutory limits on the amount of fish anglers can catch would not change, under the bill's provisions.

Payer said most people currently aren't taking their limit of fish, and that allowing

fishing with two lines would increase the likelihood of that happening.

"It's pretty clear, based on the places that do have two lines, that it would increase harvest," Payer said.

— N. BUSSE

GOVERNMENT

Molnau ousted

On a 44-22 party-line vote, the Minnesota Senate refused to confirm Carol Molnau as transportation commissioner Feb. 28.

For six years, Molnau has served as both the commissioner and lieutenant governor, but has come under fire since the Interstate 35W bridge collapse last August. A recent legislative auditor's report showed the Department of Transportation needs an infusion of money, but also showed that the quality of bridge and roads has improved a little in recent years.

Senate Republicans said the vote had nothing to do with her capabilities.

"Today it's about politics," said Sen. Claire Robling (R-Jordan). "They don't agree with her politics and they want her removed."

Added Sen. David Hann (R-Eden Prairie): "There may be a good reason to remove a commissioner, but I haven't heard one yet."

Sen. Steve Murphy (DFL-Red Wing), who chairs the Senate Transportation Committee, voiced criticism of Molnau telling committees that the department has enough money, when, in fact, it didn't. "We need to forge a new beginning for the Transportation Department."

Sen. Katie Sieben (DFL-Newport) said her no vote was based on accountability, citing the Wakota Bridge delays in the southeast Twin Cities metropolitan area, and the department's unwillingness to share information about the Hastings Bridge.

Others wanted to know about the timing of the vote to remove Molnau, who was confirmed

in her first term, and has been doing two jobs at the lesser salary of the two.

Senate Majority Leader Larry Pogemiller (DFL-Mpls) said this change could have been made last year, but there is now a longer performance record, the auditor's report was released and the state still has a crumbling transportation system. "The leadership in this position is not what it needs to be."

— M. COOK

HEALTH & HUMAN SERVICES

Athletic trainer provisions

On a tie vote, a bill that would make changes to athletic trainer provisions failed to gain House Licensing Subcommittee approval Feb. 25.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF2399 would replace terms such as "athlete" with "patient," and shorten the temporary registration period of a trainer from one year to six months.

Thissen said the bill won't change those treated under current provisions.

Cathy Brennan, vice president of the Minnesota Occupational Therapy Association, said the changes could be harmful for patients with certain illnesses and diseases because trainers are educated to treat athletes. The suggested language is too broad, she said.

Mike Doyle, president of the Minnesota Athletic Trainers Association, said the changes would clarify who athletic trainers are and who they treat. Additionally, they work side-by-side with other health care professionals when treating patients and athletes and are educated to do both. "This bill doesn't change what we can provide in services," he said.

Changing "athlete" to "patient" does open up the door for trainers to treat those other than athletes, said Rep. Julie Bunn (DFL-Lake Elmo).

A companion bill, SF2336, sponsored by

Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

Child services consolidation

The House Mental Health Division tried to sort through statistics Feb. 22 related to the Department of Human Services proposed consolidation of the Brainerd and Willmar child service facilities.

Staff from the Child and Adolescent Behavioral Health Services Program at Brainerd said its facility is consistently at bed capacity with needy and severely mentally ill children. But department statistics show Brainerd's inpatient services steadily declining since 2004. Therefore, the department recommends consolidating services to save the state \$1.2 million annually.

Rep. John Ward (DFL-Brainerd) said he's asked the department to discuss the consolidation proposal but, "they didn't want to get together and dialogue."

In response, he sponsors HF2588 that would require the human services commissioner to have legislative approval to relocate any regional treatment center or state-operated nursing home or program. Current law prohibits the commissioner from closing a center, nursing home or programs at the facility without legislative approval. The division approved the bill and sent it to the House Health and Human Services Committee.

Staff from the Brainerd facility urged the department to rethink the decision, saying the consolidation would significantly impact the involvement of families in their children's treatment because of the long distance.

Wes Kooistra, the department's assistant commissioner for chemical and mental health services, said the Brainerd facility is set up to operate under receipts for their services. The facility has been losing money since 2006, and

CAPACITY CROWD



STITCHED PHOTOILLUSTRATION BY ANDREW VONBANK

Discussion by the House Health and Human Services Policy Committee and the House Health Care and Human Services Finance Division about reforming the state's health care delivery system takes place Feb. 26 in a committee room filled to capacity.

by keeping it open the state is “covering, in many cases, empty beds,” he said.

Division Chairwoman Rep. Neva Walker (DFL-Mpls) asked if the department had considered other funding mechanisms to cover the facility’s services.

Kooistra said that’s an available option but the department has been seeing a reduction in demand.

A companion, SF2368, sponsored by Sen. Paul Koering (R-Ft. Ripley), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

HOUSING

Help to preserve home ownership

A bill that would increase the financial assistance cap for those participating in program assistance and counseling to prevent mortgage foreclosures was approved Feb. 27 by the House Housing Policy and Finance and Public Health Finance Division. It now goes to the House Finance Committee.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF3346 would help families and individuals in financial crisis by increasing money available in the Foreclosure Prevention Assistance Program. Currently the cap is set at \$5,500 per individual or family. The bill would raise that to “110 percent of the greater of state or applicable metropolitan statistical area median monthly owner cost of owner occupied housing ... multiplied by six.” The change would amount for a \$10,718 cap for Twin Cities metropolitan area homeowners and \$9,478 in Greater Minnesota.

Tonja Orr, Minnesota Housing Finance Agency assistant commissioner, said foreclosure prevention counselors have said that monthly mortgage payments multiplied by six frequently exceed the \$5,500 cap. Therefore, they’re not able to help people who may have had a temporary loss of income and can’t catch up from the crisis, she said.

The cap was last changed in 2001, and instead of coming back to the Legislature for another change, the adjusted standard would be built into the bill, she added. The only way loans are released is if the homeowner can solidly make payments after use of program funds.

Rep. Rob Eastlund (R-Isanti) said mortgage companies should help homeowners in crisis, and criteria for the department loan should also hinge on concessions made by lenders.

Orr said they do have counselors working throughout the state with lenders, but it’s often difficult to identify the main issuer and the person making the decision to renegotiate a loan.

A companion bill, SF3073, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Finance Committee.

— P. OSTBERG

INSURANCE

Good faith, bad faith – it’s back

Part of last year’s omnibus public safety finance bill dictated “good faith” practices for insurance companies. But the provision was stripped out when Gov. Tim Pawlenty threatened to veto the bill if the language remained.

This year, Rep. Joe Atkins (DFL-Inver Grove Heights) sponsors another “good faith” bill, HF3115. Approved by the House Commerce and Labor Committee Feb. 26, it’s headed for the House floor.

The original bill, HF1251, included “direct action,” which permits a plaintiff to name an insurance company as a defendant in a claim if certain conditions apply.

That clause is out of the new bill. But provisions would permit someone to sue their insurance company for not working in “good faith” if they can show the insurance company did not have a reasonable basis for denying a claim; and that the company knew it had no reasonable basis for denial, and acted with “reckless disregard” in denying benefits.

Atkins spoke of the Christensens, a family who lost their daughter in a car accident. They had insurance, but it was a matter of years before they would receive their claim. “This doesn’t happen a lot,” he said, “but Minnesota needs a law.”

As was the case the last time “good faith” was put forward, there was opposition.

Dale Thornsjo, co-chairman of the Minnesota Defense Lawyers Association’s Insurance Law Committee, said that although changes were made from last year, it still falls short. Thornsjo said the bill would punish carriers who try to handle cases appropriately, force an increase in premiums and create a new industry of attorneys seeking out these types of cases.

Representing the Minnesota Association of Farm Mutual Insurance Companies, Marcus Marsh said that although the association is specifically exempt from the bill, as it stands, the current language is not enough. “This would make every client a potential lawsuit,” he said.

A companion bill, SF2822, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Commerce and Consumer Protection Committee.

— C. GREEN

MILITARY

Listing those deceased in combat

The state keeps no comprehensive listing of those with Minnesota ties who have died in combat, but that would change through a bill sponsored by Rep. Karla Bigham (DFL-Cottage Grove).

While the Associated Press maintains an unofficial list of those killed in combat, HF3161 would require the Department of Veterans Affairs to compile and maintain a list.

There is an issue relating to data privacy, however, with compiling a list that would contain public information, but also information considered private — the person’s Minnesota hometown and names of immediate family members. Bigham said the list would be made available at the discretion of the commissioner for ceremonial and honorary purposes and would not be used to determine benefit eligibility.

Approved by the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 25, it awaits action on the House floor.

A companion bill, SF3051, sponsored by Sen. Jim Vickerman (DFL-Tracy), has been referred to the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

Vietnam Veterans Day proposed

When Vietnam veterans returned home, many were met with jeers and spits from an American public growing increasingly unsupportive of the war.

In an effort to raise awareness to the “cost of freedom” and “welcome them home,” Rep. Larry Howes (R-Walker) sponsors HF2582 to designate March 29 in the state as Vietnam Veterans Day. Approved by the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 25, it awaits action in the House Governmental Operations, Reform, Technology and Elections Committee.

Howes said the withdrawal of American troops from Vietnam was completed on March 29, 1973. “This is one small thing we can do for the men and women who served in Vietnam,” he said.

Showing support for the bill in a previous committee were several Forest Lake High School social studies students, who have been studying the Vietnam War.

“I don’t think it’s too late to honor them with a day that can show that we really value what they did over there. This day will give them the value and respect that they didn’t get when they came home from the war,” said senior Soren Duggan.

While supportive of Vietnam veterans, John

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

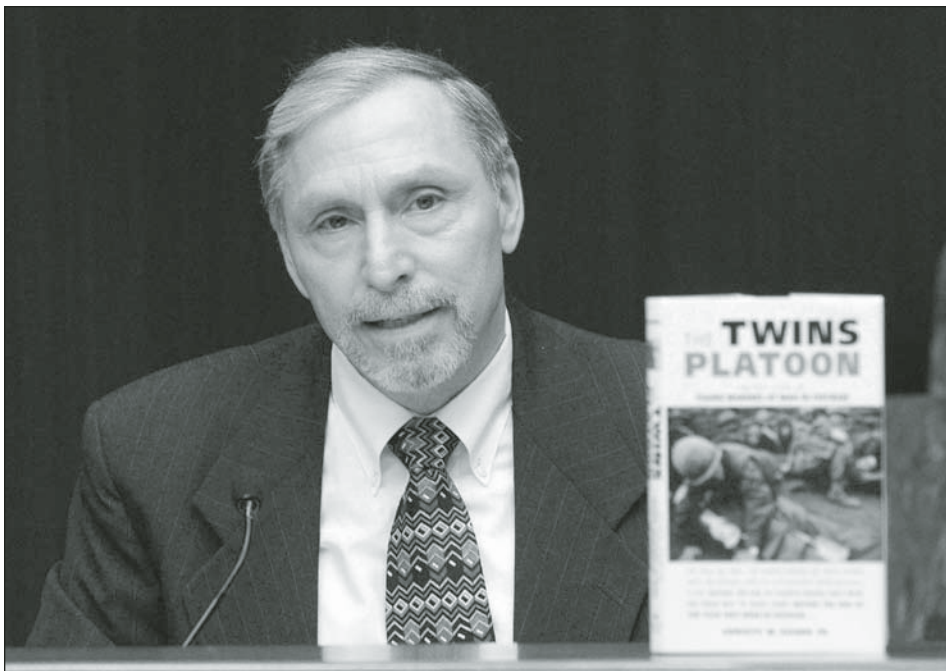


PHOTO BY ANDREW VONBANK

Christy Sauro, author of "The Twins Platoon," testifies Feb. 15 before the House Veterans Affairs Division in support of a bill that would designate March 29 as Vietnam Veterans Day.

Cox, a Korean War veteran, does not favor the proposal. "Are we going to let every era have their own Veterans Day? We do have a Veterans Day," he said.

A companion bill, SF2632, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action in the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

SAFETY

Bridge survivors' compensation

A plan to compensate survivors of the Interstate 35W bridge collapse passed the House as amended 120-10 on Feb. 28.

HF2553, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), would create a structure to provide compensation to survivors of catastrophes. The fund would only be invoked if the Legislature determines an event, such as the bridge collapse, fits the definition of a catastrophe.

Winkler said that the victims of the bridge collapse have been waiting since August for help, and it was time for the House to take action. There is no Senate companion.

"It will not be full compensation. It could never be," Winkler said. "But we have to make an effort."

In addition, the bill calls for the appointment of a "special master" to appropriate \$39.32 million to bridge collapse survivors. If the special master's offer is accepted, the claimant would waive the right to sue public

entities. The bill also includes a grant of \$680,000 to Pillsbury United Communities in Minneapolis, to allow Waite House in



PHOTO BY TOM OLMSCHIED

Jennifer Holmes, left, who lost her husband Patrick, along with Ron Engebretson, who lost his wife Sherry when the Interstate 35W bridge collapsed in Minneapolis, on Aug. 1, watch as the House takes up a bill to help survivors of the tragedy.

Minneapolis to provide comprehensive services to children on its school bus which was on the bridge at the time of collapse.

An amendment by Rep. Paul Kohls (R-Victoria) requires that the special master report to the Legislature by Jan. 15, 2009, 2010 and 2011 on appropriated expenditures from the fund. The report must list the amount of compensation paid to each survivor, as well as the administrative expenses incurred by the special master.

Under current Minnesota law, survivors are limited in the damages they can seek from the state by tort caps. If survivors sued the state, the most they could receive in compensation, as a group, is \$1 million. The most any individual could receive is \$300,000.

The Interstate 35W bridge over the Mississippi River collapsed on Aug. 1, 2007, killing 13 people and injuring 85 others.

— B. HOGENSON

TAXES

Clothing subject to sales tax

While Speedos may be taxing to some, the swimwear, along with other clothing sold in the state, is not subject to sales tax. That could change under a bill discussed in the House Taxes Committee proposing a sales tax on clothing.

HF2551, sponsored by Rep. Ron Erhardt (R-Edina), was laid over Feb. 26 for possible inclusion in an omnibus tax bill. A companion bill, SF2346, awaits action by the Senate Taxes Committee. Sen. Ann Rest (DFL-New Hope) is its sponsor.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), HF2163 would also expand the sales tax to clothing. However, the bill would also allow the state to tax tattoo and body piercing, along with some legal, repair, financial, funeral and salon services. Hortman's bill has been referred to the Taxes Committee. There is no Senate companion.

Paul Wilson, director of tax research at the Department of Revenue, told the committee that most states approach their sales tax in two different ways: taxing a broad array of goods and services with a lower sales tax rate, or taxing fewer items with a higher tax rate. Of 45 states with a sales tax, Minnesota ranks 30th in the scope of its sales tax base, he said. If the state were to start taxing clothing, it would rank 25th.

In 1987 and 1991, the state added services like pet boarding and grooming, dry cleaning, health club admission and lawn maintenance to the tax base. Even with the additions, the sales tax base is growing at a slower rate than the economy, Wilson said.

A clothing tax would bring in about \$400

— C. BLANCHARD

— C. GREEN

— M. COOK

Transportation plan becomes law

House, Senate override Pawlenty veto for first time this biennium

By MIKE COOK

Minnesotans will pay more at the pump, but ideally they will get more for their money.

The House and Senate overrode a gubernatorial veto of the nearly \$6.6 billion transportation law Feb. 25. Six House Republicans joined all DFLers to override the bill on a 91-41 vote. Ninety House votes were needed for an override. The Senate vote was 47-20.

"I am very grateful for the courageous vote," said House Speaker Margaret Anderson Kelliher (DFL-Mpls). "I think they took a vote that was not easy, that they felt a lot of pressure about."

The six Republicans that refused to side with the governor were Rep. Jim Abeler (R-Anoka), Rep. Ron Erhardt (R-Edina), Rep. Rod Hamilton (R-Mountain Lake), Rep. Bud Heidgerken (R-Freepport), Rep. Neil W. Peterson (R-Bloomington) and Rep. Kathy Tingelstad (R-Andover).

Rep. John Lesch (DFL-St. Paul) and Rep. Mary Ellen Otremba (DFL-Long Prairie) initially voted against the bill. Both supported the override.

This was the first override of one of Gov. Tim Pawlenty's 21 vetoes this biennium, and just the 14th of 448 vetoes to be overridden since 1939.

"The DFL-controlled legislature's override of this veto shows they're clearly out-of-touch with Minnesotans who are facing rising gas prices, heating costs and other expenses in tough economic times," Pawlenty said in a statement. "Raising taxes is always the DFL's go-to solution and that's bad for Minnesota's families and our economy."

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Steve Murphy (DFL-Red Wing), the law would, in part:

- raise the state's gas tax, for the first time since 1988, by 2 cents April 1, and another 3 cents on Oct. 1, 2008;
- create a \$25 tax credit for the lowest tax bracket to help offset the increase;
- authorize \$1.8 billion in trunk highway bonding for fiscal years 2009 to 2018, with \$1 billion of that in the first two years. A gas tax debt surcharge phased in up to 3.5 cents would be established to repay the trunk highway bonds;

- increase vehicle tab fees on newly registered vehicles and remove tab fee caps of \$189 on the first renewal and \$99 on the second renewal; and
- authorize counties in the Twin Cities metropolitan area to impose a 0.25 percent metropolitan transportation sales tax without referendum and a \$20 excise tax on vehicles sold at retail. In the other 80 counties a tax of up to 0.5 percent could be raised by voter referendum and only for a specific project. In the metropolitan area, all money would go toward transit.



PHOTO BY TOM OLMSCHIED

Rep. Bernie Lieder, *back center*, watches as the Feb. 25 vote to override Gov. Tim Pawlenty's veto of the transportation bill is posted on the vote register.

Minnesota Veto Facts:

- A two-thirds vote of the members in the House and Senate is needed to override a veto.
- 97 percent of all vetoes have stood.
- The successful override of Gov. Tim Pawlenty's transportation veto was only the 14th time the Legislature has successfully overridden one of the 448 vetoes by Minnesota governors since 1939.
- The only two governors in the past 70 years to veto more bills than Pawlenty's 37 are Arne Carlson (54 from 1991-98) and Jesse Ventura (179 from 1998-2002).
- One-third of all attempts to override vetoes and 69 percent of all successful overrides took place during Ventura's term as governor.
- Six of Ventura's vetoes were overridden between February 2002 and May 2002.

— B. HOGENSON

Sources: Center for Study of Politics and Governance, University of Minnesota, Minnesota Legislative Reference Library

Pawlenty vetoed the bill three days earlier, citing, in part, the increase in taxes and tab fees. He said the gas tax increase is too large, and that the sales tax increase for the seven-county Twin Cities metropolitan area should first go before voters.

"It's a balanced bill. It provides for transit and highways. It provides the balance we need between rural and metro. It's also a stimulus for the economy. It'll put people back to work, and they can do it immediately," Lieder said. "The size of the bill is a reflection of the way we neglected to do our duty in the past. We've reached a point where it's just about impossible to plug the holes that the Department of Transportation and all of the transit organizations have. ... We can't let the infrastructure deteriorate anymore."

Lieder previously said that a person who drives 11,000 miles a year, at an average of 20 miles per gallon, would pay an extra \$42 per year for gas.

A number of Republicans said there was little, if any, compromise between the sides on the final product. Rep. Mark Buesgens

Transportation continued on page 16

(R-Jordan), who called the law “a compromise among thieves,” said it does not protect taxpayers.

“The bill is actually working off the draft that Rep. Erhardt wrote in 2005. Since then, it’s been compromised down \$2 billion, the indexing has been taken out of the gas tax, the amount of the gas tax has been lowered, the sales tax has been cut in half, the issue of bike money in the metro area sales tax has been reduced,” countered Rep. Melissa Hortman (DFL-Brooklyn Park). “This doesn’t take care of the whole problem, but it is a step forward.”

Other dissenters were concerned about the effect of the law on Minnesotans, when the state economic forecast, released three days later, shows a \$935 million biennial deficit. The deficit was projected to be \$373 million in November.

Supporters contend the bill is user-financed, meaning if you drive or own a vehicle you’ll pay. “Minnesotans are going to get good value out of this tax increase,” Kelliher said.

Other naysayers expressed concern that there will be no referendum on a potential metropolitan area tax increase. Rep. Kurt Zellers (R-Maple Grove) said Hennepin



PHOTO BY TOM OLMSCHIED

Senate President James Metzen and House Speaker Margaret Anderson Kelliher congratulate each other after signing the overridden transportation bill into law. Second Assistant to the Secretary of the Senate Colleen Pacheco and Senate Majority Leader Larry Pogemiller witness the signing.

County members who voted against a Twins ballpark bill two years ago because of no voter say in a sales tax increase need to be consistent.

“You’re either for it and consistent, or against it and have situational ethics.”

HF2800*/SF2521/CH152 

Possible political problems for six Republicans who overrode veto already lost leadership positions

By Mike Cook

The six Republicans who voted to override the governor’s transportation bill veto have already experienced caucus ramifications, and, some say, may have committed political career suicide.

Rep. Jim Abeler (R-Anoka), Rep. Ron Erhardt (R-Edina), Rep. Rod Hamilton (R-Mountain Lake), Rep. Bud Heidgerken (R-Freeport), Rep. Neil W. Peterson (R-Bloomington) and Rep. Kathy Tingelstad (R-Andover) have all lost high-ranking committee or division positions.

“I have spoken with all six members and received their resignations from their lead positions on House committees and in the caucus,” House Republican Minority Leader Marty Seifert (R-Marshall) said in a statement one day after the Feb. 25 historic override vote. “I respectfully ask the House Democrats to respect our decision on this internal caucus matter.”

Before the vote, Hamilton submitted his resignation as lead Republican on the House Agriculture, Rural Economies and Veterans Affairs Committee. He said it’d be hard to potentially convince other party members to sustain a gubernatorial veto if one were to occur on an agriculture bill. Heidgerken said caucus members were told that Republican leads that voted to override would lose their committee or division leadership roles.

Others have suggested they will lose their seat in November.

“This isn’t my career,” Abeler said. “My career is in Anoka. My career is serving people as a chiropractor. My career is serving my family,” he said. “I tell my kids to do what’s right, whatever the cost. So the time comes when I have to do what I believe to be right, against some very good friends of mine, against the people who have supported me through five elections.”

Tingelstad said her vote will likely result in several challengers to her seat. She believes her vote was what the majority in her district wanted. “I voted with my conscience,” she said.

“Letting our roads continue to deteriorate is not fiscally responsible,” said Hamilton, who called the vote the second hardest decision he’s made as a legislator, other than the one he makes each week during session when he leaves his family and comes to St. Paul.

Heidgerken said it was his hardest vote in six years as a member. He believes two primary duties of legislators are to take care of our roads and our children. “This is something we’ve needed for 20 years,” he said. “I’m not a follower. Sometimes, you need to show leadership and do what you think is right.”

Refusing to guess at what could happen, Seifert

said the biggest problem facing the sextet could be the endorsing process. “I like all these people, and they’re my friends and so forth. I don’t think any of them expect my help when it comes to reelection. If you look at their margins, I think they are fully capable of getting elected, as they have been before, without my help.”

Less than an hour after the vote, Seifert said it’d be up to the caucus to determine if other position changes need to be made, such as with support staff. “I think everybody needs to simmer down before we charge ahead with these things. You don’t make decisions under duress.”

He doesn’t view that as a threat. “No more than putting a four-lane highway in someone’s district to get their vote is a bribe,” he said. Amended into the legislation by the House Ways and Means Committee, part of the law requires that funds allocated to a specific Transportation Department district be first expended to widen Highway 60 in Hamilton’s district.

“If it gets to the point where minority members of the House are stripped of services to serve their constituents, I will not stand for that,” said House Speaker Margaret Anderson Kelliher (DFL-Mpls). “I will assure you as constituents and as Minnesotans they do need services and they will get them.”

Monday, Feb. 25

HF3348-Mullery (DFL)

Commerce & Labor

Foreclosure Crisis Intervention Act; Landlord, tenant, mortgage provisions modified, predatory lending enforcement and default protections provided, data practices, remedies, forms and notices provided, changes made and report required.

HF3349-Rukavina (DFL)

Finance

Surplus appropriation sunset provision removed.

HF3350-Dill (DFL)

Environment & Natural Resources
Artificial light shining restrictions modified.

HF3351-Tillberry (DFL)

Commerce & Labor

Gambling penalties provided; licensing, regulatory and prize provisions modified; technical, clarifying and conforming changes made; and report required.

HF3352-Eastlund (R)

Finance

Isanti County; Cambridge-Isanti Trail funding provided.

HF3353-Atkins (DFL)

Local Government & Metropolitan Affairs

City annexation payments prohibited.

HF3354-Hansen (DFL)

Local Government & Metropolitan Affairs

Annexation stay of action provided.

HF3355-Mahoney (DFL)

Finance

St. Paul; community center, playing fields and playground funding provided for site bordered within Payne, Greenbreier, Maryland and Rose avenues and streets.

HF3356-Moe (DFL)

Commerce & Labor

Explore Minnesota Tourism rental lodging study required, definitions created and report required.

HF3357-Marquart (DFL)

Local Government & Metropolitan Affairs

Municipal boundary changes provided, and chief administrative law judge powers and duties imposed.

HF3358-Howes (R)

Governmental Operations, Reform, Technology & Elections

Minnesota State Retirement System; Department of Natural Resources intermittent employment service credit purchase authorized.

HF3359-Howes (R)

Taxes

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

HF3360-Ozment (R)

Finance

Department of Corrections claim settlement provided.

HF3361-Faust (DFL)

Agriculture, Rural Economies & Veterans Affairs

Agricultural chemical provisions changed for corrective action cost payments.

HF3362-Juhnke (DFL)

Agriculture, Rural Economies & Veterans Affairs

Pesticide and fertilizer regulating administrative actions authorized.

HF3363-Haws (DFL)

Finance

Scholarship program provisions clarified, grant requirements and private institution provisions amended, technical changes made and data sharing provided.

HF3364-Moe (DFL)

Environment & Natural Resources

Minnesota Public Facilities Authority wastewater infrastructure funding provided, government building debt guarantee provided and credit enhanced bond program provided.

HF3365-Atkins (DFL)

Commerce & Labor

Professional firefighter arbitration procedures repealed concerning total package final offers.

HF3366-Eken (DFL)

Environment & Natural Resources

Petrofund program modified.

HF3367-Pelowski (DFL)

Public Safety & Civil Justice

Disputed data access specified, closed meetings recording required and attorney fees granted.

HF3368-Slocum (DFL)

Energy Finance & Policy Division

Filing deadlines set for certain reports, customer payment arrangements regulated during cold weather periods, utility payment agreements regulated and service disconnections prohibited if certain medical conditions exist.

HF3369-Slawik (DFL)

Transportation Finance Division

Limited driver's license authorized to obtain employment.

HF3370-Ruud (DFL)

Finance

U.S. Highway 169 and Bren Road/Londonderry Road interchange design funding provided.

HF3371-Tingelstad (R)

Health & Human Services

Birth record access allowed to adopted persons.

HF3372-Thissen (DFL)

Health & Human Services

Uniform billing and electronic claim filing provisions changed.

HF3373-Mullery (DFL)

Public Safety & Civil Justice

Consecutive sentencing allowed when an offender commits additional crimes between the time of commission and sentencing.

HF3374-Bunn (DFL)

Public Safety & Civil Justice

Emergency responders exempted from permit requirement for emergency communication equipment.

HF3375-Nornes (R)

Finance

Otter Tail County nursing facility payment rates increased to geographic group III median rate.

HF3376-Walker (DFL)

Health & Human Services

Minnesota Family Investment Program work participation amended, child care assistance provisions changed and technical changes made.

HF3377-Walker (DFL)

Health & Human Services

Children's mental health providers required to develop a plan for, and comply with, requirements on the use of restrictive procedures.

HF3378-Tillberry (DFL)

Commerce & Labor

Gambling device definition clarified, and gambling devices or components for shipment to other jurisdiction provisions repealed.

HF3379-Hansen (DFL)

Environment & Natural Resources

Tax-forfeited land bordering public water or wetlands conveyance authorized.

HF3380-Liebling (DFL)

Health & Human Services

State health care county-based purchasing program requirements revised.

HF3381-Brynaert (DFL)

Finance

Long-term homeless supportive services money appropriated.

HF3382-Lenczewski (DFL)

Taxes

Abatement maximum limitation modified.

HF3383-Buesgens (R)

Finance

U.S. Highway 169, Trunk Highway 282 and County Highway 9 intersection improvement funding provided.

HF3384-Mariani (DFL)

Finance

State historic site preservation funding provided.

HF3385-Thissen (DFL)

Governmental Operations, Reform, Technology & Elections

Minneapolis Firefighters Relief Association investment-related post-retirement adjustment modified, and additional cost-of-living unit provided upon achieving 110 percent funding.

HF3386-Marquart (DFL)

Taxes

Property tax exemption eligibility clarification provided for public charity institutions.

HF3387-Marquart (DFL)

Finance

Browns Valley flood hazard mitigation funding provided.

HF3388-Loeffler (DFL)

Health & Human Services

Foster care benefits extended to age 21.

HF3389-Loeffler (DFL)

Health & Human Services

Foster children medical assistance eligibility certified until age 21.

HF3390-Loeffler (DFL)**Health & Human Services**

Public health access fund established, BMI monitoring program for children established, statewide health improvement program established and tobacco impact fees increased.

HF3391-Huntley (DFL)**Health & Human Services**

State health care programs funding increased, provisions modified, fees increased, subsidies provided, Minnesota Health Insurance Exchange established, standard created, reports required and rulemaking authorized.

HF3392-Juhnke (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Farm wineries allowed to sell product at farmer's markets, and cognac and brandies manufacture allowed.

HF3393-Norton (DFL)**Finance**

Kindergarten milk full funding provided.

HF3394-Hilstrom (DFL)**Public Safety & Civil Justice**

Mandatory minimum prison sentence required for vehicular homicide offenders.

HF3395-Tillberry (DFL)**Taxes**

Light rail transit vehicle and repair part exemption modified and expanded to Northstar Corridor rail project, and Central and Northstar Corridor construction purchases exempted for materials and supplies.

HF3396-Simon (DFL)**Public Safety & Civil Justice**

Hearing time requirements modified and clarified, pre-hearing discharge exception provided for commitment petitions involving mentally ill or sexually dangerous persons.

HF3397-Atkins (DFL)**Commerce & Labor**

Gambling expenditure restriction changes made, bingo games and prizes modified, and clarifying and technical changes made.

HF3398-Simon (DFL)**Taxes**

Hopkins; special law restriction eliminated on a tax increment financing district.

HF3399-Brynaert (DFL)**Local Government & Metropolitan Affairs**

Mankato; sales and use tax extension authorized, revenue use modified and local tax imposition authorized.

HF3400-Fritz (DFL)**Health & Human Services**

Long-term care rate adjustments provided, long-term care employee health insurance costs funding provided, MinnesotaCare employee eligibility modified, nursing facility rate rebasing methodology development and staffing report required.

HF3401-Hilty (DFL)**Finance**

Energy usage performance standards provided for development and application.

HF3402-Tschumper (DFL)**Local Government & Metropolitan Affairs**

Lanesboro; local sales tax imposition authorized.

HF3403-Welti (DFL)**E-12 Education**

Assessment in grades 10 through 12 provided for an earth and space, life and physical sciences.

HF3404-Westrom (R)**Governmental Operations, Reform, Technology & Elections**

Ethanol manufacturing designated as state industry.

HF3405-Tillberry (DFL)**Finance**

Minnesota Learning Resource Center funding provided.

HF3406-Mullery (DFL)**Public Safety & Civil Justice**

Consecutive sentences permitted for certain repeat offenders.

HF3407-Mullery (DFL)**Public Safety & Civil Justice**

Arrest records for private employment prohibited, and immunity provided from negligent hiring as it relates to use of criminal records.

HF3408-Mullery (DFL)**Public Safety & Civil Justice**

Gang and Drug Oversight Council annual legislative report due date changed.

HF3409-Peterson, A. (DFL)**Finance**

Rural health care purchasing alliance funding provided.

HF3410-Peterson, A. (DFL)**Health & Human Services**

Health care purchasing alliance stop-loss fund 2007 repealment re-enacted, existence and adjusting eligibility extended.

HF3411-Atkins (DFL)**Commerce & Labor**

Petroleum product standards updated.

HF3412-Loeffler (DFL)**Health & Human Services**

Federally qualified health centers provision changed.

HF3413-Shimanski (R)**Finance**

Glencoe; roadway improvement funding provided.

HF3414-Demmer (R)**Finance**

Stagecoach State Trail funding provided.

HF3415-Pelowski (DFL)**Governmental Operations, Reform, Technology & Elections**

Teachers Retirement Association; phased retirement provided.

HF3416-Liebling (DFL)**Finance**

Southeast Expressway from Rochester to St. Paul funding provided.

HF3417-Tillberry (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Returning combat veteran reinstatement fee waiver provided.

HF3418-Brown (DFL)**Finance**

Albert Lea; Shell Rock River Channel Redevelopment and Blazing Star Landing plan funding provided.

HF3419-Ruud (DFL)**Health & Human Services**

Patient-delivered partner therapy permitted for the treatment of chlamydia or gonorrhea.

HF3420-Hilstrom (DFL)**Local Government & Metropolitan Affairs**

Supplemental declarations of common interest communities registration revised for procedures and fees charged by county registrars.

HF3421-Murphy, M. (DFL)**Governmental Operations, Reform, Technology & Elections**

Post-retirement provisions amended, and Minnesota post-retirement investment fund dissolution provided.

HF3422-Liebling (DFL)**Taxes**

Pollution control machinery and equipment providing energy to health care facilities exemption provided.

HF3423-Hilstrom (DFL)**Finance**

School district integration revenue increased and levy created for school districts with negative fund balances.

HF3424-Rukavina (DFL)**Environment & Natural Resources**

St. Louis County; 30-year lease of tax-forfeited and school trust fund lands authorized.

HF3425-Rukavina (DFL)**Finance**

General education funding provided, permanent school fund subtraction eliminated, education finance simplified.

HF3426-Pelowski (DFL)**Commerce & Labor**

Consumer complaint resolution procedure for insurance claims established, and fees imposed.

HF3427-Dettmer (R)**Agriculture, Rural Economies & Veterans Affairs**

Veteran loan program established, certain veterans added to program eligibility and unemployment compensation provision changed.

HF3428-Gunther (R)**Public Safety & Civil Justice**

Tenant right to pay utility bills modified.

HF3429-Hansen (DFL)**Environment & Natural Resources**

Administrative penalty orders provided, civil penalties provided, implementation plan required and rulemaking exemption provided.

HF3430-Kalin (DFL)**Local Government & Metropolitan Affairs**

Fire service added to list of services for which local governments may collect unpaid charges from tax refunds.

HF3431-Kahn (DFL)**Health & Human Services**

Human papillomavirus immunization information required.

HF3432-Erickson (R)**Environment & Natural Resources**

Meetings between the Department of Natural Resources, the Ojibwe tribes, and the Great Lakes Indian Fish and Wildlife Commission required to be subject to open meeting law.

HF3433-Dill (DFL)**Environment & Natural Resources**

Lake Vermillion State Park established.

HF3434-Urdahl (R)**Finance**

Small community wastewater treatment program funding provided.

HF3435-Hosch (DFL)**Health & Human Services**

Children's mental health, health care and miscellaneous provisions amended, and technical changes made.

HF3436-Nelson (DFL)**Governmental Operations, Reform, Technology & Elections**

State employee post-retirement employment provisions modified.

HF3437-Moe (DFL)**Environment & Natural Resources**

Star lake or river designation process provided, Star Lake Board created as nonprofit corporation, star lake or river signs allowed on highways.

HF3438-Thissen (DFL)**Public Safety & Civil Justice**

Genetic handling information provisions changed.

HF3439-McNamara (R)**Environment & Natural Resources**

State forest road alternative recording requirements modified.

HF3440-Beard (R)**Transportation Finance Division**

Dan Patch commuter rail line prohibition repealed.

HF3441-Bigham (DFL)**Public Safety & Civil Justice**

Civil immunity extended to municipalities that donate public safety equipment.

HF3442-Kalin (DFL)**Governmental Operations, Reform, Technology & Elections**

Reimbursement provided by individuals who file frivolous complaints concerning costs of the Campaign Finance and Public Disclosure Board.

HF3443-Slawik (DFL)**Finance**

Parent-child home program funding provided.

HF3444-Bigham (DFL)**Environment & Natural Resources**

Fall turkey hunting season extended.

HF3445-Mahoney (DFL)**Finance**

University of Minnesota; United Enterprise Laboratories funding provided.

HF3446-Kahn (DFL)**Health & Human Services**

Meningococcal disease and human papillomavirus information required to be provided through schools.

HF3447-Sailer (DFL)**Commerce & Labor**

Wireless service contract termination provided without penalty upon death of customer.

HF3448-Tingelstad (R)**Public Safety & Civil Justice**

Gestational carrier arrangements regulated.

HF3449-Tingelstad (R)**Public Safety & Civil Justice**

Assisted reproduction regulations modified.

HF3450-Huntley (DFL)**Finance**

Rural hospital payment adjustment expanded to include additional diagnosis-related groups.

HF3451-Huntley (DFL)**Finance**

Rural hospital payment adjustment expanded to include all diagnosis-related groups.

HF3452-Walker (DFL)**Finance**

Senior nutrition; Human Services Department prohibited from diverting Title 3 funding away from senior nutrition programs.

HF3453-Kahn (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Starbase program effectiveness study provisions modified.

HF3454-Jaros (DFL)**Local Government & Metropolitan Affairs**

Duluth; Spirit Mountain Recreation Area Authority land boundaries corrected.

HF3455-Hilty (DFL)**Governmental Operations, Reform, Technology & Elections**

Election provisions modified relating to military identification and transmission of electronic ballots.

HF3456-Tschumper (DFL)**Local Government & Metropolitan Affairs**

Local government interstate assistance authorized for emergency services.

HF3457-Simon (DFL)**Commerce & Labor**

Custodial trust account use of debit or credit cards authorized to withdraw funds.

HF3458-Peterson, S. (DFL)**Transportation Finance Division**

Vehicle lighting display requirement expanded.

HF3459-Greiling (DFL)**E-12 Education**

Full-time students defined as dependents for health plan coverage, and school district requirement to provide certain health care information repealed.

HF3460-Eastlund (R)**E-12 Education**

School districts required to submit licensed employee salary settlement information to the Department of Education.

HF3461-Norton (DFL)**Finance**

Nonpublic student transportation full funding provided.

HF3462-Slawik (DFL)**E-12 Education**

School readiness programs modified.

HF3463-Slawik (DFL)**E-12 Education**

At risk pre-kindergarten program established.

HF3464-Slawik (DFL)**E-12 Education**

Universal preschool for 4-year-old students funding provided.

HF3465-Swails (DFL)**E-12 Education**

Education assessment results reporting modified.

HF3466-Tillberry (DFL)**E-12 Education**

Regional center for visual arts development pilot program established.

HF3467-Norton (DFL)**E-12 Education**

Teacher leave request to teach at a charter school time period modified.

HF3468-Swails (DFL)**E-12 Education**

Library media specialists required at every school.

HF3469-Davnie (DFL)**E-12 Education**

Private student transportation services contracting procedures and standards established.

HF3470-Winkler (DFL)**E-12 Education**

State and school district technology established.

HF3471-Abeler (R)**E-12 Education**

School superintendent ongoing three-year contracts authorized.

HF3472-Mariani (DFL)**E-12 Education**

Achievement gap; school district plan to reduce the achievement gap provided.

HF3473-Mullery (DFL)**Taxes**

Mortgage tax forgiveness provided.

HF3474-Hilstrom (DFL)**Public Safety & Civil Justice**

Foreclosure; notice of sale provided relating to before foreclosure sales.

HF3475-Mullery (DFL)**Public Safety & Civil Justice**

Foreclosure provisions modified.

HF3476-Kohls (R)**Public Safety & Civil Justice**

Foreclosure; tenant notice required relating to foreclosures.

HF3477-Gardner (DFL)**Public Safety & Civil Justice**

Lending practices and default regulation provided relating to manufactured housing.

HF3478-Peterson, N. (R)**Public Safety & Civil Justice**

Minnesota Human Rights Act civil and criminal penalties modified.

HF3479-Clark (DFL)**Public Safety & Civil Justice**

District court fees modified.

HF3480-Mullery (DFL)**Public Safety & Civil Justice**

Minnesota Human Rights Act claims provisions modified.

HF3481-Atkins (DFL)**Commerce & Labor**

Payroll card accounts sunset repealed.

HF3482-Brod (R)**Governmental Operations, Reform, Technology & Elections**

State expenditures searchable database required.

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HF3483-Mullery (DFL)**Public Safety & Civil Justice**

Police officers permitted attorney and union representation at disciplinary hearings.

HF3484-Hornstein (DFL)**Finance**

Minneapolis; nursing facility rate increase funding provided.

HF3485-Rukavina (DFL)**Finance**

Independent School District No. 706, Virginia fund transfer authorized.

HF3486-Hornstein (DFL)**Finance**

International Fuel Tax Agreement fee proceeds since 2005 reallocated.

HF3487-Tingelstad (R)**Finance**

Safety for human trafficking victims grant funding provided.

HF3488-Garofalo (R)**Finance**

General Fund debt limit provided.

HF3489-Liebling (DFL)**Health & Human Services**

Home care service provider regulation modified.

HF3490-Bigham (DFL)**Finance**

Juvenile driver's license \$30 reinstatement fee imposed following revocation.

HF3491-Morrow (DFL)**Finance**

American Red Cross license plate established.

HF3492-Slocum (DFL)**Public Safety & Civil Justice**

Graffiti prohibited, and incarcerative and intermediate sanctions provided.

HF3493-Solberg (DFL)**Finance**

Disaster relief funding provided and state reimbursement provided.

HF3494-Pelowski (DFL)**Governmental Operations, Reform, Technology & Elections**

State employee blood donors provided with up to three hours of paid leave in any 12-month period, and employee leave provided by employers.

HF3495-Kahn (DFL)**Commerce & Labor**

Alcohol drinking allowed for persons aged 18 to 20.

HF3496-Moe (DFL)**Environment & Natural Resources**

Public water structures rule updates required.

HF3497-Hilstrom (DFL)**Public Safety & Civil Justice**

E-charging service provided, fingerprints required and public task force member per diem extended.

HF3498-Berns (R)**Public Safety & Civil Justice**

Firefighter Training and Education Board member compensation authorized.

HF3499-Berns (R)**Environment & Natural Resources**

Wayzata; private sale of state land provided.

HF3500-Lillie (DFL)**Commerce & Labor**

Business Corporations Act; Limited Liability Company Act; Uniform Limited Partnership Act of 2001; technical amendments proposed and nonprofit limited liability company formation authorized.

HF3501-Thao (DFL)**Health & Human Services**

Chiropractic definition changed.

HF3502-Dill (DFL)**Environment & Natural Resources**

St. Louis County; private sale of tax-forfeited land authorized.

HF3503-Nelson (DFL)**Public Safety & Civil Justice**

Peace officer or firefighter disability provision modified.

HF3504-Thao (DFL)**Health & Human Services**

Body art regulation system established for body art technicians and establishments and penalty fees adopted.

HF3505-Bigham (DFL)**Public Safety & Civil Justice**

Predatory offenders required to register and prohibited from accessing and using social networking Web sites.

HF3506-Howes (R)**Finance**

Leech Lake; Walleye stocking funding provided.

HF3507-Otremba (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Disaster area waiver of fees and expedited food handler plan review authorized, embargo and condemnation provisions changed, food sanitary and fee provisions changed, terms defined, and egg sales and handling regulated.

HF3508-Hausman (DFL)**Governmental Operations, Reform, Technology & Elections**

St. Paul; city employees authorized to purchase service credit for a period of uncovered service.

HF3509-Mariani (DFL)**Taxes**

Airport and school district land reattachment allowed for property tax purposes.

HF3510-Peppin (R)**Taxes**

Small city definition changed for aid purposes.

HF3511-Simon (DFL)**Commerce & Labor**

Consumer small loan lender charges regulated.

HF3512-Lesch (DFL)**Public Safety & Civil Justice**

Federal law enforcement officers permitted same authority as Minnesota police officers to arrest and hold an individual in custody.

HF3513-Rukavina (DFL)**Environment & Natural Resources**

Trap tending frequency provision modified.

HF3514-Ruud (DFL)**Public Safety & Civil Justice**

Fiduciary obligation clarified for crimes against vulnerable adults.

HF3515-Knuth (DFL)**Commerce & Labor**

Petroleum Tank Release Compensation Board cost adjustment publication provided.

HF3516-Davnie (DFL)**Public Safety & Civil Justice**

Foreclosure data practices provided, and report required.

HF3517-Davnie (DFL)**Public Safety & Civil Justice**

Expungement and withholding of rent provisions modified.

HF3518-Sailer (DFL)**Transportation Finance Division**

Clearwater County Veterans Memorial Highway designated.

HF3519-Kranz (DFL)**Finance**

Minnesota manufactured home relocation trust fund procedures clarified for collection and deposit.

HF3520-Winkler (DFL)**Public Safety & Civil Justice**

False 911 emergency call crimes created and penalties provided.

HF3521-Loeffler (DFL)**Public Safety & Civil Justice**

Independent living goals court findings required for children age 16 or older who are in an out-of-home placement.

HF3522-Hilstrom (DFL)**Local Government & Metropolitan Affairs**

County summary budget data date requirement changed.

HF3523-Drazkowski (R)**Rules & Legislative Administration**

Per diem payments limited for legislative members.

HF3524-Liebling (DFL)**Health & Human Services**

State health care county-based purchasing requirements revised.

HF3525-Magnus (R)**Finance**

Nonemergency medical transportation and disbursement dispatches by broker or coordinator prohibited.

HF3526-Abeler (R)**Commerce & Labor**

Acupuncture services equal access required by group policies and subscriber contracts, claim determinations required by services to be made or reviewed by acupuncture practitioners, and referral and reimbursement rate reports required.

HF3527-Mullery (DFL)**Public Safety & Civil Justice**

Supreme Court task force established to implement statewide standards for mental health courts.

HF3528-Ward (DFL)**Environment & Natural Resources**

All-terrain vehicle definitions modified.

HF3529-Hilty (DFL)**Energy Finance & Policy Division**

Cold weather protection provided for delivered fuel residential heating customers.

HF3530-Poppe (DFL)**Taxes**

Austin; tax increment expenditures authorized.

HF3531-Olin (DFL)**Public Safety & Civil Justice**

Predatory offender registration time period clarified to restart after conviction of a new crime.

HF3532-Ward (DFL)**Environment & Natural Resources**

Nonresident senior citizens exempted from angling license requirement.

HF3533-Davnie (DFL)**Commerce & Labor**

Consumer small loans regulated.

HF3534-Knuth (DFL)**Commerce & Labor**

Viatical Settlements Model Act of the National Association of Insurance Commissions enacted and modified, viatical settlements regulated, and criminal penalties provided.

HF3535-Faust (DFL)**Finance**

Kanabec and Pine counties nursing facility payment rates increased to geographic group III median rate.

HF3536-Mullery (DFL)**Local Government & Metropolitan Affairs**

Minneapolis housing replacement district law modified.

HF3537-Bly (DFL)**Finance**

Renewable energy project rate schedule established and report required.

HF3538-Winkler (DFL)**Commerce & Labor**

Start-up and emerging Minnesota businesses investment credit provided.

HF3539-Swails (DFL)**Health & Human Services**

Hospital construction moratorium exception provided.

HF3540-Gardner (DFL)**Environment & Natural Resources**

Solid waste recovery and recycling standards provided, greenhouse gas offset project eligibility established, exemptions provided, studies and ordinances required, goals set, charges regulated, task force established.

HF3541-Marquart (DFL)**Environment & Natural Resources**

Bridge and culvert construction and maintenance cost apportionment modified.

HF3542-Juhnke (DFL)**Finance**

Veteran home funding provided, bonds issued and money appropriated.

HF3543-Winkler (DFL)**Commerce & Labor**

Foreign cooperatives regulation provided, dissolution notification request removed, document return provided, foreign partnerships allowed to use alternative names, and name filing contests eliminated.

HF3544-Heidgerken (R)**Environment & Natural Resources**

Swift County; Monson Lake State Park land addition provided.

HF3545-Atkins (DFL)**Environment & Natural Resources**

Gas purchase and sale reporting required, air conditioner leakage rates in motor vehicles disclosure required, refrigerants required in mobile air conditioners, refrigerant sale prohibited, and report required.

HF3546-Eken (DFL)**Environment & Natural Resources**

Fishing season extended for up to two weeks in certain waters.

HF3547-Dill (DFL)**Environment & Natural Resources**

Game and fish fund report requirements modified, pheasant habitat improvement account disposition modified, wild turkey management account modified, hunting and fishing licensing and taking provisions modified, and rulemaking authorized.

HF3548-Dill (DFL)**Environment & Natural Resources**

St. Louis County; private sale of tax-forfeited land bordering public waters authorized.

HF3549-Dill (DFL)**Environment & Natural Resources**

Medical standards established for permitting off-highway vehicle use by disabled persons on public trails.

HF3550-Hansen (DFL)**Environment & Natural Resources**

Viral hemorrhagic septicemia control provided, and rulemaking authorized.

HF3551-Howes (R)**Transportation Finance Division**

Highway 371 direct access required for certain parcels of land.

HF3552-Juhnke (DFL)**Agriculture, Rural Economies & Veterans Affairs**

NextGen Energy Board member added, sunset date removed, and appropriation modified.

HF3553-Simon (DFL)**Public Safety & Civil Justice**

Data practices technical changes made.

HF3554-Simon (DFL)**Public Safety & Civil Justice**

Driver's license numbers and application information regulated.

HF3555-Simon (DFL)**Public Safety & Civil Justice**

Data classified as private when pertaining to an individual temporarily being held by a law enforcement agency.

HF3556-Simon (DFL)**Public Safety & Civil Justice**

Departments held harmless for negligent dissemination of vehicle or driver data.

HF3557-Koenen (DFL)**Finance**

Veterans paramedic apprenticeship program funding provided.

HF3558-Madore (DFL)**Finance**

2008 U.S. Women's Open license plates issuance required.

HF3559-Sailer (DFL)**Health & Human Services**

Day training and habilitation program license requirements modified.

HF3560-Kalin (DFL)**Finance**

Commuter bus service funding provided for Interstate 35, and money appropriated.

HF3561-Sailer (DFL)**Environment & Natural Resources**

Public water access site acquisition authority modified.

HF3562-Mullery (DFL)**Public Safety & Civil Justice**

Marriage license five-day waiting requirement removed.

HF3563-Mullery (DFL)**Public Safety & Civil Justice**

Marriage application Social Security number requirement removed.

HF3564-Walker (DFL)**Health & Human Services**

Child welfare and child support provisions amended, new Interstate Compact for the Placement of Children adopted, old compact repealed, and child and adult adoptions regulated.

HF3565-Bunn (DFL)**Finance**

Closed landfill cleanup funding provided, Pollution Control Agency directed to provide cleanup of certain closed landfill sites, revenue bonds authorized and money appropriated.

HF3566-Nelson (DFL)**Commerce & Labor**

Workers' Compensation Advisory Council recommendations adopted.

HF3567-Shimanski (R)**Governmental Operations, Reform, Technology & Elections**

Annuity repayment requirement waived for retirees of Independent School District No. 2859, Glencoe/Silver Lake.

HF3568-Hackbarth (R)**Public Safety & Civil Justice**

Fireworks lawful explosives amount increase allowed.

HF3569-Rukavina (DFL)**Finance**

University of Minnesota directed to study workers' health including lung health.

HF3570-Murphy, E. (DFL)**Health & Human Services**

Personal liability prohibited for certain persons with mental illness.

HF3571-Marquart (DFL)**Taxes**

Property tax petition information exchange required and sanctions imposed.

HF3572-Smith (R)**Public Safety & Civil Justice**

Furniture Fire Safety Act repealed.

HF3573-Otremba (DFL)**Health & Human Services**

State health care program county-based purchasing requirements revised, and mandated report required.

HF3574-Juhnke (DFL)**Local Government and Metropolitan Affairs**

State Building Code application and enforcement regulated.

HF3575-Bigham (DFL)**Transportation Finance Division**

School bus driver type III qualifications established, penalties provided, and rulemaking authorized.

HF3576-Madore (DFL)**Health & Human Services**

Medical Review Subcommittee and ombudsman authorized to gather data about deceased clients.

HF3577-Tschumper (DFL)**Local Government & Metropolitan Affairs**

Houston County; process provided to make certain county offices appointive.

HF3578-Hilty (DFL)**Finance**

Propane purchase program terms clarified.

HF3579-Norton (DFL)**Health & Human Services**

Continuing care provisions changes made, and local certification requirements amended.

HF3580-Brown (DFL)**Energy Finance & Policy Division**

Eligible energy technologies definition clarified for purposes of the renewable energy standard

HF3581-Peppin (R)**Governmental Operations, Reform, Technology & Elections**

Economic Status of Women duties repealed.

HF3582-Tschumper (DFL)**Commerce & Labor**

Flood insurance coverage regulated, and disclosures of noncoverage required.

HF3583-Johnson (DFL)**Public Safety & Civil Justice**

Juvenile adjudication history retention modified.

HF3584-Koenen (DFL)**Agriculture, Rural Economies and Veterans Affairs**

Animal chiropractic care requirements established.

HF3585-Koenen (DFL)
Energy Finance & Policy Division
Community-based energy development project powers of qualification described.

HF3586-Thissen (DFL)
Taxes
Education tax credit equity and opportunity provided.

HF3587-Solberg (DFL)
Finance
Budget recommendations development specified, and state agencies required to provide information.

HF3588-Magnus (R)
Finance
Special transportation services medical assistance coverage rates increased.

HF3589-Madore (DFL)
Transportation Finance Division
Hazardous materials, school bus endorsement and commercial vehicle operation federal conformity provided.

HF3590-Wagenius (DFL)
Taxes
Ground water monitoring charge established.

HF3591-Tingelstad (R)
Health & Human Services
Infertility treatments health plan coverage required.

HF3592-Thao (DFL)
Health & Human Services
Health care interpreter services registry established.

HF3593-Marquart (DFL)
Finance
School district reciprocity agreements modified.

HF3594-Norton (DFL)
E-12 Education
Achievement and opportunity gap reduction pilot program grants provided.

HF3595-Anzelc (DFL)
E-12 Education
Licensed physicians and psychologists authorized to make diagnosis and determination of ADD and ADHD.

HF3596-Faust (DFL)
E-12 Education
Education commissioner prohibited from enforcing unadopted rules.

HF3597-Mullery (DFL)
Public Safety & Civil Justice
Sexual assault indictment limitations modified.

HF3598-Mullery (DFL)
Public Safety & Civil Justice
Sex offender minimum presumptive executed sentence imposed for repeat offenders.

HF3599-Marquart (DFL)
Higher Education & Work Force Development Policy & Finance Division
JOBZ program standard business subsidy agreement required.

HF3600-Clark (DFL)
Public Safety & Civil Justice
Mortgage foreclosure emergency declared, and postponement of foreclosure proceedings authorized.

HF3601-Greiling (DFL)
Taxes
General education, special education, and early education programs funding increased; individual income tax rates modified; revenues deposited in K-12 education account, and money appropriated.

HF3602-Dill (DFL)
Finance
Business subsidy provisions and terms modified.

HF3603-Bunn (DFL)
Housing Policy & Finance and Public Health Finance Division
Flashing installation standards established for new construction and remodeling, and State Building Code rules required.

HF3604-Lesch (DFL)
Finance
Budget shortfall fees enacted to raise revenue reduced or eliminated, criminal offense surcharge, DWI license reinstatement fee, various court fees, and public defender co-pay included.

HF3605-Brod (R)
Transportation Finance Division
Drivers' licenses and permits and Minnesota identification cards information regulated, citizenship determination status required for obtaining a license, and technical changes made.

HF3606-Mullery (DFL)
Public Safety & Civil Justice
Fifth degree criminal sexual conduct conviction enhancement provisions added.

HF3607-Clark (DFL)
Health & Human Services
Women, infants, and children coupon use provided for purchase of organic food.

HF3608-Norton (DFL)
Finance
Licensed nursing home bed surcharge special revenue fund created.

HF3609-Emmer (R)
Commerce & Labor
Minnesota Freedom to Buy and Sell Act enacted, employers and residents provided freedom to buy health coverage approved for sale in any state, and insurance companies provided freedom to sell health coverage permitted for sale in any state.

HF3610-Loeffler (DFL)
Health & Human Services
Medical debt information regulated.

HF3611-Peterson, A. (DFL)
Health & Human Services
Physician licensure standards based on reciprocity improved.

HF3612-Davnie (DFL)
Commerce & Labor
Minnesota Subprime Foreclosure Deferment Act of 2008 provisions provided.

HF3613-Solberg (DFL)
Health & Human Services
Residential hospice facilities qualified for group residential housing payments.

HF3614-Moe (DFL)
Health & Human Services
Board of Veterinary Medicine membership and authority modified.

HF3615-Loeffler (DFL)
Finance
County social services mandated report required.

HF3616-Walker (DFL)
Health & Human Services
Minnesota Family Investment Program unpaid work prohibited, Minnesota Family Investment Program provisions repealed for family cap and rental subsidy as unearned income.

HF3617-Koenen (DFL)
Health & Human Services
Wound prevention and care formula demonstration project established for state veteran homes and reports required.

HF3618-Walker (DFL)
Health & Human Services
Minnesota family investment program family cap repealed.

HF3619-Walker (DFL)
Finance
MFIP participant supported work and auto-related costs funding provided.

HF3620-Walker (DFL)
Health & Human Services
Violent patient behavior warning duty imposed and liability limited.

HF3621-Hilstrom (DFL)
E-12 Education
Special education task force extended to allow for completion of study of state special education rules.

HF3622-Peterson, S. (DFL)
Finance
School districts with low fund balances authorized to hold a referendum election at a time other than November.

HF3623-Emmer (R)
Finance
School district staff development revenue expenditures for CPR and automatic external defibrillator training authorized.

HF3624-Mariani (DFL)
E-12 Education
Public education mission expanded to include a framework to guide future education policy decisions.

HF3625-Hansen (DFL)
Finance
Natural resources administrative sites sales proceeds disposition provided.

HF3626-Thissen (DFL)
Health & Human Services
Child care facilities required to provide influenza information.

HF3627-Dill (DFL)
Finance
Vermilion Highlands Wildlife Management Area shooting sports facilities funding provided.

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19A	Anderson, Bruce (R)	201	5063	40B	Lenczewski, Ann (DFL)	509	4218
43A	Anderson, Sarah (R)	229	5511	66A	Lesch, John (DFL)	537	4224
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35A	Beard, Michael (R)	207	8872	55A	Lillie, Leon (DFL)	353	1188
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25A	Brod, Laura (R)	321	4229	65B	Mariani, Carlos (DFL)	563	9714
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MINNESOTA INDEX

Are you covered?

Percent of Minnesotans with health insurance in 2007	92.8
Percent in 2004	92.3
Percent in 2001	93.9
Percent of Minnesotans in 2007 having group coverage or health insurance	
coverage through an employer	62.5
Percent with insurance through a public program	25.2
Percent that purchased coverage through the individual market.....	5.1
Minnesotans ages 18-24 without health insurance last year, as percent.....	19
Percent in 2004.....	19.8
Minnesotans ages 25-34 without health insurance last year, as percent.....	11.5
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Percent of white Minnesotans uninsured in 2007, 2004 and 2001	6.4, 6.2, 5
Percent of Asians	6.3, 10.1, 7.8
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In 2004	18.3
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through a public program	32
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Percent of uninsured Minnesotans last year that worked more than 40 hours per week.....	25
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In 2004	8.6
In 2001	10.6
Private health insurance premium growth per person in 2006, as percent	7.6
Percent in 2005.....	4.5
Growth, as percent, of health care plan spending per enrollee in 2006.....	8.9
Percent in 2005.....	7.2

Sources: 2006 Minnesota Health Statistics Annual Summary, December 2007, Center for Health Statistics, Department of Health; Administrative Costs at Minnesota Health Plans in 2006, January 2008, Department of Health; Health Insurance Premiums and Cost Drivers in Minnesota, October 2007, Health Economics Program, Department of Health.

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