

# SESSION WEEKLY

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OMNIBUS BILLS: **GARBAGE** OR GOOD LEGISLATION?

VERMILION IN THE BALANCE

A LOT AT STAKE FOR CATTLE RANCHERS

SPEAKING **MANDARIN CHINESE**

HF4167 - HF4188



## SESSION WEEKLY

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

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On the cover: Shadows abound as a glimmer of sunlight reaches the depths of the Capitol Rotunda.

— Photo by: Andrew VonBank



# Vermilion in the balance

The clock is ticking on a proposal for a new state park in northern Minnesota

By Nick Busse

**W**hen the opportunity arose last summer to turn a 3,000-acre tract of land along the rocky shores of Lake Vermilion into Minnesota's first new state park in 25 years, so much about the idea seemed perfect: a sprawling, undeveloped property located on a major lake in Northeastern Minnesota, accessible via a major highway and abutting an existing park, and all for sale by a single owner.

According to Courtland Nelson, the parks and recreation director for the Department of Natural Resources, it's the kind of once-in-a-lifetime deal that won't come again.

"This is probably the last chance for this kind of an opportunity," he said.

Not only would the park provide guaranteed public access to what Nelson calls a "quintessential Minnesota lake;" it would also rescue a swath of mostly pristine

wilderness from the ongoing real estate rush that's turning northern Minnesota into a patchwork of housing developments.

The opportunity may be short-lived. U.S. Steel, which owns the Lake Vermilion property, wants a deal by July. If one isn't reached, the company will move forward with plans to turn the land into a nest for approximately 150 high-end homes. And despite Gov. Tim Pawlenty's strong support,

the park plans have, so far, run into one roadblock after another.

Negotiations between U.S. Steel and the DNR have failed to settle on a price for the land, and the Legislature, which needs to authorize funding for the project before it adjourns this year, has been stifled by an economic downturn and political conflicts. The fate of the Lake Vermilion State Park hinges on whether lawmakers can come up with enough money and political support to rescue the project before the session's May 19 constitutional adjournment deadline.

## Funding problems

The most immediate problem facing the proposed park is how to fund it. Pawlenty wants to use the Environment and Natural Resources Trust Fund, which derives money from state lottery proceeds. But the Legislative-Citizen Commission on Minnesota Resources, which controls the fund, unanimously rejected the idea.

"We had many hours of thorough discussion on it when it was first proposed," said Rep. Kathy Tingelstad (R-Andover), who co-chairs the commission. "It was pretty overwhelming that we just did not see that it was appropriate."

Tingelstad said she supports the Vermilion park proposal, but would rather not use the trust fund, which is traditionally used for cash projects rather than bonding.

"I think the original proposal ... would've taken about half of our funding for the next 20 years to cover the debt service," she said. "Those are dollars that we look to for research projects and other good work around the state."

The LCCMR's annual funding bill — HF2745/SF2492, sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul) — includes no money for Vermilion. Although it could still change before it gets to the House floor, Tingelstad said it's unlikely.



Photo courtesy of the Minnesota Department of Natural Resources

Gov. Tim Pawlenty has asked the Legislature to provide funding for a new state park on Lake Vermilion, pictured here, located near Tower in northeast Minnesota.

First Reading continued on page 4

That leaves bonding as the most likely funding mechanism for the park. But, the chance to include it in the bonding law has already come and gone. A \$17.5 million appropriation for the park was included in the House's version of the bonding bill, but was removed by a conference committee.

But for park supporters, there's still hope. Before signing the bonding law, Pawlenty axed \$208 million worth of projects, bringing the bill's final price tag down to \$717 million in general obligation bonding — more than \$100 million less than the latest target he gave the Legislature. The size of the cuts have left many to speculate on whether the move was intended to encourage a second bonding bill that would include the Vermilion funding.

"The governor did leave \$108 million sort of on the credit card," Tinglestad said. "People are talking about potentially sending the Central Corridor \$70 million through as another bonding bill and perhaps Vermilion could be with that."

## Local objections

Even if a second bonding bill takes shape in the coming weeks, Vermilion will have to clear another significant hurdle: the reluctance of local leaders to give up 3,000 acres of taxable land.

In St. Louis County, where the park would be located, more than 60 percent of the land is already publicly owned — which means the county draws property tax revenue from less than 40 percent of the total land within its borders. County officials don't want to lose any more land that could provide potential new tax revenue, and they're proposing a controversial solution to the problem: a land swap with the state.

"We need to have an offset, so that as this land is taken off the tax rolls ... we have other lands that are owned by the state that will then be put on the tax rolls. That way we don't further damage those taxpayers in those communities," said Rep. David Dill (DFL-Crane Lake), who represents the area.

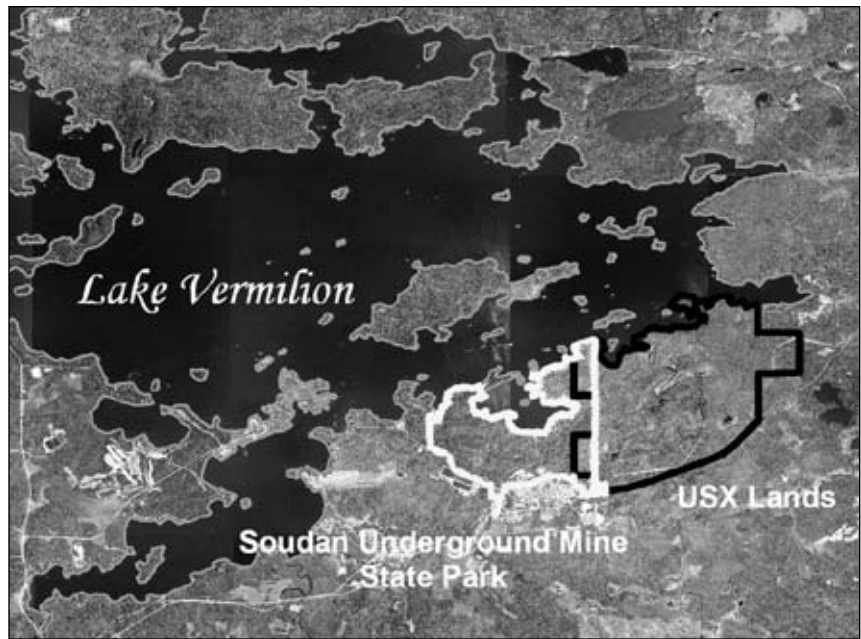


Photo courtesy of the Minnesota Department of Natural Resources

**The lands currently owned by U.S. Steel are situated adjacent the Soudan Underground Mine State Park. Unless a deal is reached with the state, U.S. Steel plans to turn the area into a residential subdivision.**

Dill spoke at a March 11 meeting of the House Environment and Natural Resources Committee. At that hearing, his bill, HF3433, which would authorize the establishment of the park, stalled on a tie vote over a provision that would have required the state to hand over school trust lands to the county in exchange for authorizing the park. Dill said it would only be fair, considering that the private development proposed on the land would be more valuable to the county than the park.

"Let's get real," Dill told committee members. "I'll take the 150 homes of multi-million dollar valuations with the people coming in jets and turboprops and buying jet fuel and spending money and buying snowmobiles and all that over the park."

The bill now awaits action by the House Finance Committee, but it is unclear on what will happen next. Dill is currently in talks with Sen. Tom Bakk (DFL-Cook), the sponsor of a companion bill, SF3076, on how to move forward on the issue. That bill awaits action by the Senate E-12 Education Budget Division.

## Holding out hope

There are some critics who say the proposed Lake Vermilion State Park shouldn't be funded at all. They argue that the extensive backlog of maintenance and repairs needed on current state parks and trails should be given priority over new park projects. Courtland Nelson understands their argument, but sees it differently.

"There isn't a time when all bills are paid, when all developments are completed, and so now you have the opportunity to look to the future," he said.

To Nelson, the opportunity is simply too good to pass up. The Vermilion park would be located next to the existing Soudan Underground Mine State Park, which means the DNR would have existing infrastructure and facilities to build from.

"That's a wonderful running start for us on the whole process," Nelson said, adding that if things go according to plan, the park could be open for day-use activities beginning as early as 2010.

## Frequently called numbers

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231 Capitol .....296-2344

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

### Senate Index

110 Capitol .....296-2887

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

**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held April 3-10. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*-the bill version considered by the House or the bill language signed by the governor.

## AGRICULTURE

### Fixing the Green Acres program

Green Acres really isn't the place to be, according to a February 2008 report by the nonpartisan Office of the Legislative Auditor. Upon its release, the House Property Tax Relief and Local Sales Tax Division heard the auditor's critique of the 40-year-old program, which gives farmland near developing areas a property tax break.

The division learned that the program doesn't always protect the farmland, and is sometimes misused by landowners who try to hold onto their land until they can sell it to developers for a high value.

Rep. Lyle Koenen (DFL-Clara City) sponsors two bills, HF4160 and HF4123, to address some of the report's findings. He worked with Rep. Randy Demmer (R-Hayfield) on crafting the legislation, in hopes to preserve farmland near areas of development. The bills were laid over April 4 for possible inclusion in the division's omnibus bill.

The bills would tweak the definition of agricultural land; would repeal the minimum income requirement for the program; and would allow existing Green Acre recipients to be "grandfathered" into the updated program.

Several farmers said they'd like to have been more involved in the process to help ward off unintended consequences of the proposals. Others questioned why the proposals didn't include dropping the limit of 10 acres for parcels that apply for the program.

Judy Erickson, a member of the Minnesota Fruit and Vegetables Grower Association, said parcels with less than 10 acres should apply because the demand for locally grown food is rising. Those who sell at farmer's markets usually specialize in just a few types of produce and farm small parcels close to the metro.

"The public is looking for the availability of fresh, locally grown crops. It's a niche market," she said.

Sen. Gary Kubly (DFL-Granite Falls) sponsors SF3810, a companion bill to HF4123, which has been incorporated into the Senate

tax bill in a slightly different version. Sen. Tom Bakk (DFL-Cook) sponsors the tax bill, SF2869, which passed the Senate on April 3. HF4160 has no companion measure.

— C. BLANCHARD

## BONDING

### Bonding bill parts get red-lined

**Signed  
by  
the  
governor**

The omnibus capital investment bill received a \$208 million line-item trim from Gov. Tim Pawlenty April 7 before being signed into law.

Coming in at \$717 million in general obligation bonding, it is more than \$100 million less than the governor previously set as a target. It reflects the state's deteriorating economic condition, he said.

Taking a direct hit from Pawlenty's veto pen is a \$70 million allocation for the proposed Central Corridor light-rail transit project that would link St. Paul and Minneapolis. "The project still faces serious challenges. We are pulling the project into the maintenance shed for further inspection," Pawlenty said.

Also among the 55 red-lined projects are:

- \$72 million for various University of Minnesota and Minnesota State Colleges and Universities system projects, including \$24 million for a new Bell Museum of Natural History on the university's St. Paul campus;
- \$20 million for various center improvements and expansions, including \$3 mil-

lion for renovation design for Orchestra Hall in downtown Minneapolis;

- \$18.5 million for improvements to various metropolitan area parks and trails, including \$11 million for improvements to the polar bear and gorilla exhibits at St. Paul's Como Zoo;
- \$11.75 million for proposed rail and transit projects, including \$4 million for planning of a high-speed rail line connecting St. Paul to Chicago; and
- \$7.7 million for various sports centers proposed through the Amateur Sports Commission.

Historically, a good share of a bonding bill funds higher education projects, and while the governor cut a considerable amount of the institutions' requests, Pawlenty acknowledged a \$219 million General Fund commitment laid out in the law to pay the debt service on bonds the university will issue for four new bioscience facilities.

"I am supportive of the University of Minnesota's bioscience facilities request, but we must recognize that this multi-year commitment is a large, new state financial obligation and should be weighed against other capital projects requested by the University," he wrote in his veto letter.

House Majority Leader Tony Sertich (DFL-Chisholm) called the new law "bittersweet." While creating jobs, addressing clean water and wastewater infrastructure issues, he said it is "a direct personal attack" on Rep. Alice Hausman (DFL-St. Paul), who sponsors the law with Sen. Keith Langseth (DFL-Glyndon).



PHOTO BY ANDREW VONBANK

John Pollard, left, executive assistant to the House majority leader, talks with Rep. Alice Hausman, chairwoman of the House Capital Investment Finance Division, after the governor line-item vetoed most St. Paul projects in the capital investment law, which she sponsors.



Sertich called the cutting of most St. Paul projects, “disgusting,” and said the cuts are retaliation on the House for the veto override of the transportation bill.

Sertich left open the door to a compromise with the governor over the Central Corridor proposal and the governor’s proposed Lake Vermilion State Park, which was not funded in the bill sent to the governor.

The law has various effective dates.

HF380\*/SF223/CH179

— L. SCHUTZ

## BUSINESS

### Slight changes for accountancy board

Anyone wanting to become a certified public accountant in Minnesota may be able to do it a little quicker.

This is one of the few points in a bill addressing the Minnesota Board of Accountancy. Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ann Rest (DFL-New Hope), HF2811/SF2402\* was approved by the House Finance Committee April 4 and awaits action by the full House. It was passed 60-0 by the Senate on March 10.

More specifically, the bill would allow anyone in their last semester of college to take the exam to qualify as a CPA. Once a certificate of qualification is given, the bill proposes, the certificate would be good for three years, a change from the current process that requires a yearly renewal.

The initial CPA permit fee would remain at \$100, while the annual fee would increase from \$35 to \$68.

The bill would also bring Minnesota statute in line with the Uniform Accountancy Act, require that no fewer than two of the seven members of the Board of Accountancy be owners or employees of a qualifying certified public accountant firm, and eliminates the requirement for the board to have a judicially noticed seal.

— C. GREEN

### Bars may be open later for convention

Attendees to the Republican National Convention in St. Paul may find it easier to get a drink later in the evening, if they choose.

Sponsored by Rep. Kurt Zellers (R-Maple Grove), HF3986 would allow closing time for establishments in the seven-county Twin Cities metropolitan area with an existing on-sale liquor license to serve alcohol until 4 a.m. from Aug. 31 to Sept. 5. It would also allow licensing agencies to charge a permit fee, not to exceed \$2,500.

Presented to the House Commerce and Labor Committee on April 8, the bill was laid



PHOTO BY TOM OLMSCHIED

**John Wolf, general manager of Dixie’s on Grand in St. Paul, testifies for proposed legislation that would extend the closing time of bars and restaurants to 4 a.m. during the Republican National Convention.**

over and then included in the omnibus liquor bill, HF3829/SF3672\*, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Dan Skogen (DFL-Hewitt). The omnibus bill was approved, and awaits action by the House Rules and Legislative Administration Committee.

A similar provision was removed from the supplemental budget bill (HF1812) approved April 4 by the House.

Zellers said that proposal was much broader in scope and extended through Sept. 8. But concerns were raised by others, including members of the city councils of St. Paul and Minneapolis, who wanted more local control over when and where this would take place, he said.

John Wolf, general manager of Dixie’s on Grand in St. Paul, encouraged the committee to support the bill because it’s a “once in a lifetime” chance for many establishments in the state capital. “This will be a tremendous opportunity to showcase the city and show what we’re made of.”

Zellers also said that the bill was in no way a back door effort to extend alcohol sales hours on Sunday. If it were to become law, the bill would be repealed at 4:01 a.m. on Sept. 5, 2008.

— C. GREEN

### Contractor bill shipped back

**Vetoed  
by  
the  
governor**

Last November, the Office of the Legislative Auditor provided the Legislature a report on the misclassification of employees as independent contractors.

The report said that using independent contractors significantly reduces labor costs for companies, but it also means that those workers do not have access to company benefits and protections.

The report went on to recommend that the responsible state agencies work with the Legislature to conduct audits of various companies, and that the Legislature should authorize penalties for repeated misclassification of employees.

A bill sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. David Tomassoni (DFL-Chisholm), would require the commissioner of employment and economic development to conduct these audits. However, the bill also would have created a problematic exemption to the rules dictating whether certain owner-operators of licensed vehicles could be designated as independent contractors.

During the March 31 floor discussion, House Minority Leader Marty Seifert (R-Marshall) said that he had heard concerns from many of his constituents — mostly small business owners — and that more public testimony was needed. Seifert unsuccessfully made a motion that the bill be re-referred back to the House Commerce and Labor Committee.

Already approved 60-5 by the Senate on March 19, the bill was approved by the House 84-44. It was not, however, approved by the governor.

“The bill singles out owner-operators who ‘deliver shipments less than 250 pounds per parcel’ for different treatment than other carriers. Nothing in connection with the existing criteria would suggest that the criteria are more or less appropriate for the industry on the basis of the size or weight of the individual items being transported,” Gov. Tim Pawlenty said in his April 4 veto letter. He called the weight designation arbitrary, “with no rational basis,” and said it would “certainly create unwarranted confusion in the industry.”

Pawlenty also said that the legislative auditor’s report found that the number of trucking industry cases involving misclassified workers was “no greater than other industries,” and that current law was adequate.

HF3296/SF2688\*/CH172

— C. GREEN

## CRIME

### Gang report due date changed

**Signed  
by  
the  
governor**

A new law pushes back the date an annual report from the Gang and Drug Oversight Council is due to the Legislature.

Sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), the law will move the annual due date from Feb. 1 to March 1.

Deputy Attorney General David Voigt told the House Public Safety and Civil Justice Committee March 12 that the various task forces providing information often work on a calendar year, meaning they won't begin preparing their materials until Dec. 31.

The extension would allow the council more time to receive updates and analyze the data, he said.

The new law was signed by Gov. Tim Pawlenty on April 3, and takes effect Aug. 1, 2008.

HF3408/SF2861\*/CH169

— C. GREEN

## ELECTIONS

### Elections bill gains House approval

A bill incorporating several elections provisions was approved by the House 131-0 on April 7.

Provisions from various elections bills were inserted into HF3172, sponsored by Rep. Gene Pelowski Jr. (DFL-Winona). His hope is that a bundled bill will have a better chance of being signed into law than the omnibus bills that have failed in the past.

The bill now goes to the Senate where Sen. Ann Rest (DFL-New Hope) is the sponsor.

Incorporated from the original text of Pelowski's bill are provisions that would:

- require the governor to call for a special election within five days after a legislative vacancy occurs, with a special election to be held no more than 35 days thereafter;
- provide that a candidate file no later than 14 days before a special primary; and
- provide that standard recount laws apply to a special primary or election.

Provisions from HF965/SF753\*, sponsored by Rep. Carol McFarlane (R-White Bear Lake) and Sen. Sandy Rummel (DFL-White Bear Lake), would:

- require that at least two election judges in each precinct be affiliated with different major political parties, and provide that other individuals not affiliated with a major political party be appointed as judges

## HOUSE TOUR



PHOTO BY ANDREW VONBANK

**Rep. Carol McFarlane brings guests into the House Chamber for a tour April 7.**

- at any time; and
  - exempt townships and school districts from party balance requirements in elections that are not held along with a statewide election.
- Integrated from HF768/SF208, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Kathy Sheran (DFL-Mankato), are provisions that would permit county auditors to deliver absentee ballots to designated agents, and change from four to seven the number of days preceding an election when an agent can be designated.
- Provisions from HF646/SF380\*, sponsored by Rep. Denise Dittrich (DFL-Champlin) and Sen. Chuck Wiger (DFL-Maplewood), include:
- permission for counties, municipalities or school districts to conduct special elections via e-mail;
  - giving school boards permission to decide whether to hold a primary election;
  - modification to the deadline for candidates to file for school board elections; and

- school district elections could be conducted via an approved electronic voting system.

Also included is HF2866/SF2552, sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Chris Gerlach (R-Apple Valley), which would permit existing voter registration applications to be used, without alteration, until they are gone.

— B. HOGENSEN

### Elections processes modified

A bill comprised of several elections administration and technical modifications was approved by the House 130-0 April 7.

Rep. Bill Hilty (DFL-Finlayson), who sponsors HF1110/SF1298\* with Sen. Linda Higgins (DFL-Mpls), said the bill would streamline elections processes. As amended, it now returns to the Senate. If that body concurs, the bill would go to the governor. If not, a conference committee could be called to work out the differences. The Senate passed its version 40-23 last year.

The bill would, among other things:

- permit registering voters who are unable to sign their name to sign by making a mark;
- require that affidavits of candidacy and nominating petitions be filed with the county auditor for county elections, the secretary of state for federal elections and either for state elections;
- prohibit lingering at the polling place;
- introduce new regulations for discretionary recounts; and
- specify the number of signatures required for a federal or state office nominating petition, to be the lesser of 1 percent of the total number of individuals voting in the last general election or 2,000.

An amendment successfully offered by Rep. Sarah Anderson (R-Plymouth) would prohibit residential housing listings at postsecondary institutions compiled for use in Election Day registration from being used or disseminated by a county auditor or the secretary of state for any other purpose.

An adopted amendment, offered by Rep. Tom Hackbarth (R-Cedar), would allow applications for a game and fish license issued by the commissioner of natural resources to serve as a voter registration application.

Rep. Laura Brod (R-New Prague) successfully offered an amendment that would require the secretary of state to report to the Legislature within 60 days of the general election the number of incidents where a legal non-citizen voted.

— B. HOGENSEN

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

## Improved voter registration system

**Signed  
by  
the  
governor**

New procedures for processing voter registration notices were signed into law by Gov. Tim Pawlenty on April 3.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Dan Larson (DFL-Bloomington), the law is intended to keep voter registration rolls updated to allow for more efficient elections. It modifies procedures for processing voter registration notices that are returned as undeliverable due to a lack of valid address.

Established by the law is a procedure for the secretary of state to collect information from the U.S. Postal Service and electronically distribute it to county auditors to update the statewide voter registration system; thereby, avoiding voters being registered at multiple locations.

The new law takes effect once the secretary of state has certified that the statewide voter registration system has been tested and shown to accurately update records and prepare appropriate notices.

HF1546\*/SF1297/CH165

— B. HOGENSON

## Help for voters abroad

A bill to make overseas voting easier for Americans serving abroad received House approval April 7.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Sharon Erickson Ropes (DFL-Winona), HF1259/SF1218\* would allow electronic transmission of absentee ballots, in certain circumstances, as a way to reduce barriers facing military members and other Americans abroad that have not always succeeded in having their votes counted.

As amended and passed 129-0, the bill returns to the Senate, where it was passed 63-1 April 23, 2007. If the Senate concurs with the changes, the bill would go to the governor.

Kalin said the bill is needed to make sure that those serving our country are guaranteed the right to vote, which he called a "cornerstone of democracy."

"Every citizen should be guaranteed that their vote will get counted, and this bill comes much closer to making that guarantee a reality," Kalin said.

The two most controversial provisions in the bill were removed through an amendment authored by Kalin.

One would have allowed United States citizens living abroad who have never resided in this country to vote in state elections if their parent maintained residence in Minnesota for at least 20 days before departing the country.

The second provision removed would have

given the secretary of state the authority to use emergency orders or special procedures to facilitate absentee voting in the event of an emergency that makes compliance with existing procedures impossible or unreasonable.

Calling attention to Minnesota's September primary, Rep. Laura Brod (R-New Prague) suggested that moving up the primary would make it easier for overseas citizens voting in the primary to have their votes received on time to be counted.

"That would solve a heck of a lot of problems in a simple straightforward way," she said.

— B. HOGENSON

## EMPLOYMENT

### Payroll cards to stay

**Signed  
by  
the  
governor**

A 2005 law allowing an employee to receive their wages electronically by way of a payroll card was set to expire May 31, 2008.

A new law, signed by Gov. Tim Pawlenty April 3, removes the sunset date. It is effective April 4, 2008.

Rep. Joe Atkins (DFL-Inver Grove Heights), who sponsors the law with Sen. Dan Sparks (DFL-Austin), called the payroll cards "an experiment that worked." It's a voluntary program that allows employees to withdraw funds from the card, and all parties involved agree it should be permanent, he said.

HF3481/SF2830\*/CH168

— C. GREEN

## ENERGY

### Energy-efficient building codes

A House committee approved a bill that would provide for the development of new energy-efficient building codes, but some members are concerned it could lead to increased costs down the road.

HF3401/SF2706\*, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), would require the Commerce Department to contract with the University of Minnesota to develop cost-effective energy efficiency standards for all residential, commercial and industrial buildings. The House Finance Committee approved the bill April 4 after deleting the Senate language in favor of the House version.

The standards would also have the goal of reducing per-square-foot carbon emissions by 60 percent in 2010, 70 percent in 2015, 80 percent in 2020 and 90 percent in 2025. The proposed standards would apply only to newly

constructed and substantially reconstructed buildings.

Hilty emphasized that the bill would only call for the development of new building codes — not implement them. He said the university's Center for Sustainable Building Research would propose new energy efficiency measures that the Legislature could either pass in bill-form or disregard.

"It's not putting any requirements into law. It's simply initiating the process of evolving those standards," Hilty said.

Rep. Bruce Anderson (R-Buffalo Township) said that although the bill contains no building code revisions or mandates, the eventual adoption of the standards proposed in the bill would prove costly to both builders and consumers.

Hilty responded that improving the energy efficiency of buildings would result in cost savings in the long-term.

The bill would also require the Commerce and Administration departments to work together to develop new sustainable building guidelines by Feb. 1, 2009, for all major renovations of state buildings. "Major renovations" would include only those involving 10,000 square feet or more of space. The goal is to exceed the state energy code by 30 percent.

The Senate passed its version of the bill 47-13 on March 31.

— N. BUSSE

### Air conditioner refrigerant ban

Anyone planning on replacing their own air conditioner refrigerant in their car or truck might want to do it soon, because if a bill sponsored by Rep. Bill Hilty (DFL-Finlayson) becomes law, you will most likely have to go a mechanic instead.

Hilty's bill, HF3661, contains a provision that would ban the sale of mobile air conditioner refrigerant in containers of less than 15 pounds. The idea is to prevent leakage of the refrigerant — a potent greenhouse gas — by discouraging consumers from replacing their own refrigerant and instead using the services

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175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298



of a professional mechanic or car dealer.

The House Finance Committee approved the bill April 4, and referred it to the House Ways and Means Committee. Its companion, SF3337, was passed 52-14 one day earlier by the Senate, where Sen. Yvonne Prettner Solon (DFL-Duluth) is the sponsor.

Hilty said the provision only makes sense, since it is very difficult for “anyone but a trained mechanic in proper conditions” to replace refrigerant in a car’s air conditioner; however, Rep. Tim Mahoney (DFL-St. Paul) refuted that claim, noting that his wife replaced the refrigerant in her car’s air conditioner by herself last year.

“I have an awful lot of backyard mechanics in my district,” Mahoney said. He called the provision “very, very problematic.”

The bill also contains several other greenhouse gas-related provisions, including:

- requiring the Commerce Department and Pollution Control Agency to submit annual joint reports to the Legislature on progress made in reducing greenhouse gas emissions;
- requiring manufacturers of air conditioner refrigerant and other gasses with a high “global warming potential” to report production data to the PCA;
- requiring auto manufacturers to report the refrigerant leakage rates on all new motor vehicles to the PCA; and
- requiring the PCA and the Office of the Attorney General to post mobile air conditioner leakage rates for each model and make of new car on their respective Web sites.

Rep. Dan Severson (R-Sauk Rapids) questioned the necessity of the legislation, arguing that global warming is the latest of a series of environmental “scare” that have ultimately proven to be false. He gave the example of the concern in the 1980s that various chemicals were depleting the Earth’s ozone layer, which he said is now repairing itself.

“I’m finding it very difficult to support a lot of the stuff that’s coming through with the whole term ‘global warming,’” Severson said.

— N. BUSSE

## HEALTH & HUMAN SERVICES

### Marijuana for medical purposes

Still alive after a year is a bill that would allow marijuana use for qualifying patients with illnesses such as cancer, glaucoma or a chronic disease.

HF655/SF345\*, sponsored by Rep. Thomas

## SOCIAL ACTION



PHOTO BY TOM OLMSCHIED

St. Olaf College students Rebecca Lambrecht, left, and Holly Paterson write evaluations in the Capitol Rotunda during “Social Worker Day at the Capitol” April 7. The day is designed as an educational event to increase the political and social action of social workers.

Huntley (DFL-Duluth) and Sen. Steve Murphy (DFL-Red Wing), would allow qualifying patients to receive 2.5 ounces of marijuana, 12 plants or any amount of other parts of the plant. A patient would be required to obtain a registry identification card and have a written certification from a practitioner with a statement of how the potential benefits of the use of marijuana would alleviate the condition or related symptoms.

The bill was approved by the House Ways and Means Committee April 9 and now goes to the House floor. It was approved by the committee last session, but was referred back from the General Register after not being heard on the House floor. The Senate passed the bill 35-29 last year.

An appropriation of \$401,000 would be placed in the state government special revenue fund for this fiscal year for the health commissioner to implement the changes.

Proponents previously said that, in some cases, conventional treatment just doesn’t work. Opponents argued it would pit Minnesota against federal law and would confuse youth who have been consistently taught that the drug is wrong and illegal.

— P. OSTBERG

## HOUSING

### Tenant evictions records

Signed  
by  
the  
governor

According to a report from a Renters Working Group convened during the interim, an eviction notice on anyone’s rental record makes it difficult for someone to find new housing. Until now, the report continues, some tenants have evictions added to their records even if they have left the property before the end of a foreclosure redemption period, or even if they never received notice that they should leave.

Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), a new law changes this.

Signed into law by Gov. Tim Pawlenty April 4, it provides for the expungement of an eviction from someone’s rental records if they left the property before the end of the redemption period, or if they never received the proper notice.

Davnies said that too often, when a lender takes possession of a foreclosed property, they automatically evict the tenants. The tenants are adversely affected by something that’s not their fault, he said.

The law takes effect Aug. 1, 2008.  
HF3517/SF2910\*/CH174

— C. GREEN

### Moving?

Please help save postage costs by keeping us informed of address changes. Call 651-296-2146 or 800-657-3550.

## Notice of pending foreclosure

**Signed  
by  
the  
governor**

When a Renters Working Group met last summer to discuss issues facing tenants in properties undergoing foreclosure, they discussed the fact that renters are not always given the full story about the homes they live in.

For instance, if someone was to rent a property while that property is in the redemption period of a foreclosure, they are not entitled to notice from the landlord about the situation. Those who rent before the redemption period are entitled to a notice — but only one month's notice.

A new law requires that the notice of mortgage foreclosure be given to prospective tenants, and it extends the timing of notice to existing tenants from one month to two. The law also allows a tenant to withhold the last month's rent under certain circumstances.

Rep. Paul Kohls (R-Victoria), who served as part of the working group, said the legislation is intended to clean up some of the issues that came up when tenants are caught in the middle of foreclosure procedures.

Sponsored by Kohls and Sen. Linda Higgins (DFL-Mpls), the law was signed by Gov. Tim Pawlenty April 4, and takes effect Aug. 1, 2008.

HF3476/SF2908\*/CH177

— C. GREEN

## Redemption period shortened

**Signed  
by  
the  
governor**

When a property is in the foreclosure process, a mortgagor may request a hearing to reduce the redemption period. This is often based on a claim that the property has been abandoned.

A new law signed by Gov. Tim Pawlenty states that a defendant's failure to appear at the hearing is "conclusive evidence" that the property has been abandoned.

Because of the recent increase in foreclosures, vacant homes have become a problem for some neighborhoods. Rep. Debra Hilstrom (DFL-Brooklyn Center) said the law is an attempt to work with the cities so that abandoned buildings do not become public safety issues. Hilstrom and Sen. Linda Higgins (DFL-Mpls) sponsor the law.

The law was also the result of work completed by a Vacancy Working Group convened last summer to discuss the sharp increase in vacancies and abandonments, and the impact on municipalities.

Signed into law April 4, 2008, it is effective immediately.

HF3474/SF2918\*/CH178

— C. GREEN

## LOCAL GOVERNMENT

### Town authority clarified

**Signed  
by  
the  
governor**

Towns will be able to exercise new powers at their town meetings.

A new law, signed by Gov. Tim Pawlenty April 3, sponsored by Rep. Tom Anzelc (DFL-Balsam Township) and Sen. Tom Saxhaug (DFL-Grand Rapids), clarifies a provision related to parks. It authorizes expenditures for the purpose of recognizing volunteers, services efforts, retiring officials and hosting community celebrations. It takes effect Aug. 1, 2008.

The law also strikes a provision that has been interpreted as requiring a separate election for a ballot question to direct the town board to raise funds for parks. The electors will still vote at the annual town meeting on how much of a tax there should be to pay for parks.

By allowing the town's electors to authorize the town board to spend money for the purpose of recognitions and community celebrations, towns will have the same authority already granted to cities under Minnesota statutes.

HF2636\*/SF2807/CH166

— B. HOGENSON

### Filling local supervisory seats

**Signed  
by  
the  
governor**

The Watonwan County Soil and Water Conservation District will no longer lack supervisors.

A new law allows the Watonwan County Board to make appointments and allows the appointees to hold office until those elected in November's election are able to take office. Those elected will hold office for the remainder of the current term in addition to their elected term.

The new law, signed April 3 by Gov. Tim Pawlenty, is in response to all five of the supervisors resigning prior to the Oct. 1 deadline for filing with the Campaign Finance and Public Disclosure Board. State law says that any vacancy occurring more than 56 days before the next state primary is filled by appointment of the district board, but because all board seats are vacant and there is no one to make the appointments.

The new law, sponsored by Rep. Brad Finstad (R-Comfrey) and Sen. Julie Rosen (R-Fairmont), is effective April 4, and expires Jan. 5, 2009.

HF3890/SF3555\*/CH170

— B. HOGENSON

## SAFETY

### Emergency management training

**Signed  
by  
the  
governor**

It began as a response to the collapse of the Interstate 35W bridge last August.

A new law, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Linda Higgins (DFL-Mpls), requires that within any state agency designated as a disaster or emergency response organization, at least one employee must have completed an emergency management curriculum prepared by the Department of Public Safety's Division of Homeland Security and Emergency Management. Signed by the governor April 3, it takes effect Aug. 1, 2008.

Speaking before the House Public Safety and Civil Justice Committee on Feb. 27, Kalin said that, although Minnesota had much to be proud of on that day for the way so many responded, there are still lessons to be learned.

More specifically, Kalin said that government managers responsible for directing agencies during major emergencies should be fully trained and certified in emergency management.

Rocco Forte, director of emergency preparedness for the City of Minneapolis, who has gone through the emergency management curriculum, said that emergency managers need to know how to work with different entities and disciplines in times of crisis. Forte was a leader in the rescue efforts after the bridge collapse. He said he couldn't have been successful "without the skills and relationships built through the classes."

The new law also directs the commissioner of public safety to annually report to the Legislature how state agencies are progressing with these new requirements.

HF3099\*/SF2656/CH167

— C. GREEN

## TAXES

### Rotating the tax assessors

For the first time since the Great Depression, housing values have dropped, said Rep. Paul Marquart (DFL-Dilworth).

Marquart, who chairs the House Property Tax Relief and Local Sales Tax Division, told the division on April 4 that decreasing values add complexity to a system of property taxation that isn't always transparent.

"There are always concerns about assessments because property tax is the only tax where the government is involved in both ends," Marquart said. The government



determines the value of a property and its tax rate, he said, whereas the amount of income that is taxed is left up to the worker.

Marquart sponsors HF4020, an attempt to shed more light on the assessing process. The bill was laid over for possible inclusion in the division's omnibus bill. There is no Senate companion.

The bill would:

- rotate assessors every five years so that a property wouldn't have the same assessor for every appraisal;
- require assessors to let the property owner know how to access detailed information on why their house is valued at its rate; and
- allow county boards of appeal to hold informational meetings in the evenings or on Saturdays.

Opponents of the bill said the current system is fair and works well, and that the proposals would strain counties who are losing state aid and already struggling with their budgets.

Hennepin County Assessor Thomas May said his office sends assessors out to 25 cities.

"In those cities, they expect that we have some continuity of assessors," he said. "A lot of it has to do with the expertise needed in each city."

Proponents said the rules would ensure that property owners are getting the most information and are treated in the fairest manner possible.

"The assessors are doing a professional job and I believe the best job they can do. It's the system that creates the problem," Marquart said.

— C. BLANCHARD

### **Subsidy, corporate tax reaction**

The public had a chance to weigh in on HF4103, a bill that would eliminate all state corporate subsidies and, in turn, lower the corporate tax rate by one percent.

House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) sponsors the bill, which will be considered for possible inclusion in the committee's omnibus bill. There is no Senate companion.

Lenczewski said at the April 7 meeting that she included provisions to repeal all subsidies indiscriminately. "I made a complete list so we're not picking winners or losers," she said.

Testifiers told the committee that research credits help to bring high-paying jobs to the state.

"This is a very important issue as we compete here in Minnesota and across the world," said Doug Carnival, board secretary of the Minnesota High Tech Association.

Thom Peterson, government director of

the Minnesota Farmers Union, said farmers need the bovine tuberculosis tax credit as the epidemic spreads in the state.

"That's going to mean a lot more testing for farms, it's going to mean a lot more burden for our cattle producers," Peterson said. The tests cost between \$10 and \$12 per head of cattle, and that can quickly add up for farmers with large herds.

Several lawmakers, including Rep. Morrie Lanning (R-Moorhead), said they plan to present bills at an upcoming meeting to expand tax credits for businesses.

"Anything that we do in this tax committee will either help the unemployment rate or continue the growth of it," said Rep. Dean Simpson (R-Perham).

Lenczewski said the bill would actually help most Minnesotan companies, which do not get corporate subsidies and would have their tax rate lowered. "Or, let's say you're not a corporation, you're paying through the income tax system, your size of government that you have to pay for in your taxes now goes down. You're a beneficiary."

— C. BLANCHARD

## **TECHNOLOGY**

### **Captioning grants to continue**

**Signed  
by  
the  
governor**

Three years ago, a law was passed to give grants to television stations for an accessible electronic information service for persons who are blind or disabled, including real-time captioning of local news programming. These grants are funded through a telephone bill surcharge.

In order to assess the progress and effectiveness of the program, a sunset date of June 30, 2010, was set. With the program now proven successful, Gov. Tim Pawlenty signed a new law on April 4 repealing the sunset.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Senate President James Metzen (DFL-South St. Paul), the law takes effect Aug. 1, 2008.

HF3739/SF3147\*/CH171

— C. GREEN

### **Redundant telephone rules repealed**

**Signed  
by  
the  
governor**

With so many improvements in technology, the Internet and access to cell phones, certain rules regulating telephone companies have become redundant, and in some cases, obsolete. A new law signed by Gov. Tim Pawlenty on April 4 repeals some of these rules.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Dan Sparks (DFL-Austin), the law takes effect Aug. 1, 2008.

At a meeting of the House Telecommunications Regulation and Infrastructure Division on Feb. 22, Jerry Knickerbocker, Minnesota Telecom Alliance vice-president of government relations, said that some of the regulations on the books were written for another time, and don't reflect what's going on in the marketplace today.

Knickerbocker said that in meetings with representatives from the Public Utilities Commission, the Department of Commerce and the Office of the Attorney General, they found that of the 54 regulations currently covering the telephone companies, at least 22 needed to be updated, 14 need to be rewritten, and eight should be repealed.

Some of the older rules include frequent inspection of equipment used to record information that affects a customer's bill; a requirement that a telephone company furnish information to a contractor working near a utility or telephone line; and, in each incorporated village, at least one coin-operated public telephone, available 24-hours a day and lighted at night.

HF2414/SF2262\*/CH173

— C. GREEN

## **TRANSPORTATION**

### **Bridge collapse investigation update**

In about a month, an investigation into the Department of Transportation's role in the Interstate 35W bridge collapse is due to be shared.

The law firm of Gray Plant Mooty was retained by the Legislature in mid-December to aid in the investigation of the Aug. 1, 2007, collapse that killed 13 people. The firm gave an update April 9 to the Joint Committee to Investigate the Bridge Collapse.

"We're looking at policy and practices within MnDOT to see how safety concerns were addressed to help guide the Legislature on future policy issues," said Robert Stein, counsel at Gray Plant Mooty. He said the National Transportation Safety Board is looking into technical reasons why the Minneapolis span collapsed.

He said firm investigators have reviewed more than 16,000 documents and are expecting more. Despite the tight time frame and the volume of information consumed, Stein said work is on schedule for the mid-May deadline.

Kathryn Bergstrom, co-chair of the firm's Business and General Litigation Group, said some department documents have been slow



PHOTO BY TOM OLMSCHIED

**Betsey Sathers, left, who lost her husband, Scott, and Ron Engebretsen, center, who lost his wife, Sherry, in the Interstate 35W bridge collapse listen as Chris Messerly, an attorney with Robbins, Kaplan, Miller and Ciresi, testifies March 31 before the Survivor Compensation Fund Conference Committee. Messerly and other attorneys are representing some bridge collapse victims and their families on a pro bono basis.**

— M. Cook

to come in because of data privacy issues; however, the department has been good to work with.

Stein said it would be “premature and counterproductive” to give any preliminary findings, but said issues being looked at include:

- the effect of increased load levels and other structure modifications over time;
- if appropriate action was taken after outside reports about bridge safety and maintenance were shared;
- whether key MnDOT personnel have a voice about safety, and if clear lines of decision-making were made;
- if MnDOT has adequate staff to ensure the safety of the state’s infrastructure; and
- if cost was an issue when addressing safety concerns of the bridge.

Sen. Steve Murphy (DFL-Red Wing) also encouraged the report to include positives.

“I’d like to see what the department is doing right so people see that we have a good bridge program,” he said. For example, he said the recent closing of a similar-style bridge in St. Cloud was a good thing.

— M. Cook

### Construction awareness

Owners of small businesses have sometimes felt uninformed and helpless when it comes to transportation projects that are to occur outside their front door.

A bill approved by the House Finance Committee and sent to the House Ways and

Means Committee April 9 hopes to change that.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley) and Sen. Patricia Torres Ray (DFL-Mpls), HF4055/SF3669\* was approved 66-0 by the Senate April 3. The House language was inserted into the Senate bill by the House Finance Committee.

“This bill asks for a report to find out what it would cost to actually engage the local business community, cities and counties,” Madore said. “We’re looking to improve communication opportunities for small businesses.”

It would require the Department of Transportation to submit a report to the Legislature by March 15, 2009, about a potential model public information program for small businesses impacted by transportation construction projects. To be developed in consultation with the Department of Employment and Economic Development, the Metropolitan Council, counties, cities and community organizations, the report would address:

- best ways to get information to small businesses;
- what should be included in an information packet, such as potential changes in parking, traffic and public access in the area; and
- recommendations for opportunities to provide further assistance to small businesses.

Iric Nathanson, financial resources coordinator for the Metropolitan Consortium

of Community Developers, told the House Transportation Finance Division March 26 that experiences small businesses have had are inconsistent. “In some cases, they’ve been able to get up-to-date, accurate information, but in other cases, particularly where there are a collection of very small ethnic-oriented businesses, it’s difficult to get full information out.”

A fiscal note indicates \$43,000 in Trunk Highway Fund expenditures would be spent this biennium to prepare the report. Rep. Paul Kohls (R-Victoria) questioned the expense at a time when fiscal restraint should be in order.

Betsy Parker, MnDOT government relations director, previously said programs already exist to reach out to affected businesses, and have had many successful business community interactions, but they are “comfortable” with the House bill.

### Special golf tournament permits

Some of the world’s best female golfers are expected to tee it up at the 2008 U.S. Women’s Open at Interlachen Country Club in Edina.

But they, and event officials, will need ways to get to and from the course and anywhere else they’d like to visit while in the Land of 10,000 Lakes.

Sponsored by Rep. Shelley Madore (DFL-Apple Valley), HF3558 would require the Driver and Vehicle Services Division of the Public Safety Department to issue at least 250 special permits for courtesy vehicles to be used at the late-June tournament. The vehicle manufacturer is to cover the \$10 fee associated with each special permit to make the bill revenue-neutral.

Approved April 9 by the House Finance Committee, the bill was sent to the House Ways and Means Committee.

The same thing occurred when the men played Hazeltine National Golf Club in Chaska for the 1991 U.S. Open.

The tournament committee would be liable for any parking violations connected to a vehicle with a special permit, unless special information on the driver and employer are provided within 15 days after the committee becomes aware of the violation.

A companion bill, SF3069, sponsored by Sen. Geoff Michel (R-Edina), has been incorporated into the Senate omnibus transportation policy bill (SF3223), which awaits action by the Senate Finance Committee.

— M. Cook

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.



## Abolish property taxes? Really?

A bill originally sponsored by former state Rep. Phil Krinkie (R-Lino Lakes) to eliminate all property taxes resurfaced at the House Taxes Committee April 9.

There is no Senate companion, and the committee laid over the bill. Rep. Chris DeLaForest (R-Andover) sponsored HF3632 to “have a little bit of a discussion.”

Here are some excerpts:

- DeLaForest: “We’re conservatives, we’re liberals, we’re Republicans or Democrats. But I’ve had so many good discussions with colleagues across the spectrum about this issue who all recognize the problem with property taxes ... Should we be taxing property at all, especially in 2008, when it seems that property

wealth has less and less of a nexus to ability to pay?”

- Rep. Mike Jaros (DFL-Duluth): “It’s the most archaic and unfair tax. It was created to tax wealth. Just because someone has a nice home or a nice business building doesn’t mean they have an income.”

- Rep. Tom Rukavina (DFL-Virginia): “To go to income tax would be great, but can Minnesota charge an income tax on all those people from Chicago who’ve got those beautiful cabins on Lake Vermilion?”

- Rep. Paul Marquart (DFL-Dilworth): “The one thing about the property tax is you have a linkage with services that you don’t get with state and income taxes.”

- Rep. Sandy Wollschlager (DFL-Cannon Falls): “I think that property taxes were invented by men ... because my husband has used that excuse any number of times: the government sets your value. And he would just

love to remodel the basement but that would be about the time someone would come in and reassess the value of the house.”

- Gary Carlson, intergovernmental relations director, League of Minnesota Cities: “We might have to increase the appropriation for LGA by about \$1.6 billion.”

- Grace Schwab, director of governmental relations, Minnesota School Boards Association: “Property tax adds some kind of stability to education funding that we can count on year-to-year.”

- Keith Carlson, executive director, Minnesota Inter-County Association: “We have great concern about anything that suggests an alternative where we would have to rely on the state because, frankly, the state’s proven itself to be an unreliable funder.”

— C. BLANCHARD

## THE BRIDGE ON DISPLAY



PHOTO BY TOM OLMSCHIED

John Schmidt and his daughter, Emily, of Rochester, look at the signatures of well-wishers on the panels of the “The Bridge — A Memorial” that was on display in the Capitol Rotunda April 4 by the Red Cross to provide education on the organization’s services in Minnesota. The panels, showing the bus that was carrying the children from Pillsbury United Communities Waite House after the Interstate 35W bridge collapse, were on display at the 2007 State Fair for well-wishers to send messages to the victims of the bridge collapse.

# A lot at stake for ranchers

Bovine TB problem could define an industry and a community

By LEE ANN SCHUTZ

**W**ith the discovery of four new cases of bovine tuberculosis in northwestern Minnesota since last fall, the federal government this week stepped in to restrict the movement of cattle, bison, goats and farm-raised deer from Minnesota to other states. The new restrictions come with the downgrade in the state's bovine TB status. It means that feeder cattle, breeding stock and even some dairy cows will need to be tested to certify they are TB-free before being shipped out of state.

Bovine TB is a contagious and infectious disease caused by *Mycobacterium bovis*. It affects cattle, bison, deer, elk, goats and other warm-blooded species and can be fatal. The disease can be transmitted to humans through direct contact with infected animals or consumption of raw milk.

The U.S. Department of Agriculture announcement was expected by state agriculture officials and members of the two House agriculture committees. The state is moving quickly in its efforts to quarantine the disease — but this takes money and time. And few could argue with the aggressiveness of Rep. Dave Olin (DFL-Thief River Falls) as he tries to find funds to keep the disease at bay.

The governor proposes \$2.7 million in his supplemental budget proposal to address the disease. For Olin, that doesn't come close to financing the solution to a problem that, at best, will take at least four or five years to fix, and will only get worse if kept unchecked, he said.

Now, several proposals are moving forward in the House, including an Olin-sponsored bill, HF4075, which lays out a \$6 million Board of Animal Health proposal in the current biennium to deal with the disease, which has been found in Roseau and Beltrami counties. This includes a \$3.1 million state buyout program and fencing cost/share assistance.

## A targeted response

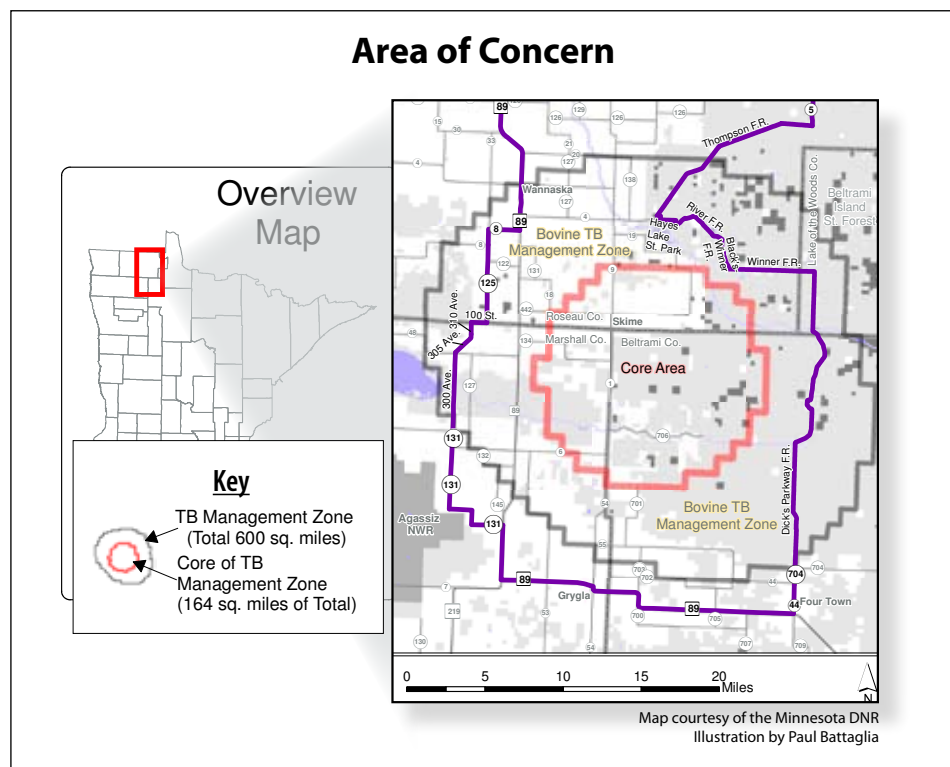
Since 2005, 11 infected herds have been detected in the state. But this latest downgrade is serious business.

Bill Hartmann, executive director of the board, is seeking split-state status from the federal government. This would allow the majority of the state to upgrade its status, while focusing resources to the infected area, and saving producers outside the TB area from the additional federal testing requirements.

HF4075 was approved April 8 by the House

Finance Committee and awaits action in the House Ways and Means Committee. A companion bill, SF3728, sponsored by Sen. Rod Skoe (DFL-Clearbrook), awaits action by the full Senate. It has \$190,000 more in funding than the House plan. The House language is also contained in HF1812, the supplemental finance bill, which is now in conference committee.

The bill would offer ranchers inside an established bovine tuberculosis management zone the choice to voluntarily depopulate their cattle herds by Dec. 31, 2008. To that end, the board would be allocated \$3.1 million in Fiscal Year 2008 to help cattle owners comply with new requirements that could include fencing or a buyout. Cattle owners in the zone would have until July 15 to decide whether to participate in a buyout program. Those who do would be paid market-value plus \$500 per



The area of concern centers around Roseau, Marshall and Beltrami counties.





PHOTOS BY TOM OLMSCHIED

**Roseau County Bovine TB Coordinator Dave Grafstrom, from left, County Commissioner Russell Walker and County Coordinator Trish Harren-Klein talk with Rep. Dave Olin, right, in his office about bovine TB in the area and his proposed legislation.**

head by the state and an annual payment of \$75 for each animal slaughtered until the area receives a bovine-tuberculosis-free status and the owner is authorized by the board to have cattle located in the zone.

Hartmann said 56 herds would be eligible for the buyout, at a cost of \$2.75 million, with the annual producer payments totaling more than \$1.3 million over the five years that it is expected to take to have the disease under control.

Ranchers choosing to keep their herds intact would be subjected to several testing and control requirements, including adequate fencing of their herd and grazing areas so they cannot be accessed by deer or elk. The state would provide a cost-share payment of up to \$75,000 or 90 percent of the cost of an approved fence. Hartmann said the DNR estimates it would cost between \$1 million and \$1.5 million to fence all 56 herds in the infected area, along with the stored feed and winter feeding area.

The board would use more than \$2.7 million of the appropriation for monitoring testing outreach and other required activities to comply with federal regulations.

It was also announced this week the state will receive \$2.7 million from the U.S. Department of Agriculture to fight the disease.

## The impact

The economic impact of not doing anything could be huge to a state that annually moves more than 200,000 head of cattle across state lines.

While the state moves its plans forward,

there's some resistance from ranchers and another local partner needed to battle the disease — sports enthusiasts who use their land in the infected area for hunting. It's not only cattle that can carry the disease, but deer and elk, and part of the state's plan includes nearly wiping out the area's deer population.

In all likelihood, the newest TB outbreak started with one infected cow, imported from another state. But deer and elk are efficient carriers of the disease, since they graze on open lands and come into contact with cattle and their food source. According to the DNR, there are about 800 deer in the bovine TB infected area, and 17 TB cases have been confirmed in free-ranging deer.

The DNR has been taking measures to thin deer populations on publicly owned

land, but HF4164, sponsored by Rep. Kent Eken (DFL-Twin Valley), would extend the DNR's authority for controlling the deer population to privately owned land. The bill awaits action by the House Environment and Natural Resources Committee. The companion, SF3811, sponsored by Skoe, awaits action by the Senate Rules and Administration Committee.

Roseau County Commissioner Russell Walker, County Coordinator Trish Harren-Klein, and Bovine TB Coordinator Dave Grafstrom were in Olin's office April 7 to talk about the state plans that, just in the past six weeks, are reaching a "fever pitch," according to Harren-Klein.

This is a debate that could define a community of people for some time to come, they say. They fear that it could become a livestock vs. sportsmen conflict, and acknowledge there are those who want to drive a wedge between the two. They are hoping that as information about the issue gets out, and the solutions to manage the problems are explained, there will be more buy-in.

"It gets down to people are people, and you gotta get down to the one-on-one to find out their concerns and try to address them," Grafstrom said.

The idea of a voluntary buyout has been floated at recent community meetings, but so far there aren't too many interested parties, Grafstrom said. "Farmers, in general, are independent (thinkers) and livestock producers are more independent, they don't get a lot of government subsidies. But one of the things that is important are neighbors. People want to get along with each other and that sense of community is important."

APR 11, 2008



PHOTO BY TOM OLMSCHIED

**With the recent downgrade to the state's bovine tuberculosis rating, dairy cows, along with cattle, will now be subject to testing, if they are to be shipped out of the state.**

# Clean cars vs. clean fuels

California 'clean car' emissions bill faces opposition from ethanol, auto industries

By NICK BUSSE

**W**hen members of the House agriculture policy and finance committees sat down to hear arguments for and against toughening Minnesota's vehicle emission standards April 7, they were probably hoping to come away with some clear answers as to how it would impact the state's ethanol industry.

By the end of the meeting, however, Rep. Al Juhnke (DFL-Willmar) wondered aloud whether the opposite was true.

"I don't know if we've answered questions or created even more," said Juhnke, chairman of the House Agriculture, Rural Economies and Veterans Affairs Finance Division.

Juhnke's division met with members of the House Agriculture, Rural Economies and Veterans Affairs Committee for an informational hearing on HF863. Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), the bill would adopt California's "clean car" vehicle emission standards for Minnesota, and would affect new passenger vehicles model 2012 and later. Supporters say the measure is necessary to help the state meet its greenhouse gas reduction goals, but opponents worry that it could damage the state's thriving ethanol industry.

At the heart of the issue is whether E85 and flex-fuel vehicles could meet the new emission standards. Automakers and auto dealers say it's not technically feasible, and that has ethanol producers worried that the demand for their product — and the infrastructure to support it — could dry up under the new regulations.

"If automakers quit selling flex-fuel vehicles, our E85 infrastructure will crumble under itself," said Kevin Paap, president of the Minnesota Farm Bureau.

Laura Dooley, manager of state government affairs for the Alliance of Automotive Manufacturers, said that although more than a dozen other states have adopted the

California standards, Minnesota would be the first "ethanol state" to do so. She added that many of the same goals in Hortman's bill will be achieved by the 30 miles per gallon by 2020 fuel efficiency standard recently enacted by the federal government.

"We ask that you allow our experts to work toward achieving (that) aggressive goal without being sidelined with the burden of having to comply with individual state programs designed to meet the same end," Dooley said.

Supporters say the auto industry is exaggerating the threat to ethanol. David Kittelson, a professor of mechanical engineering at the University of Minnesota, said domestic automakers are already planning on installing advanced systems that will allow ethanol-powered vehicles to produce fewer emissions than those powered by regular gas. If that's the case, Kittelson said, the California standards might actually lead to increased ethanol use.

Hortman agreed, arguing that the California standards actually create an incentive to sell E85 and flex-fuel vehicles by providing credits to dealers who track their customers' use of ethanol fuel blends.

"Some people could look at the standards and say that there is an incentive for E85 fueling infrastructure, because the only way for manufacturers to get credit for selling flex-fuel vehicles is to show that the vehicles are actually using E85," Hortman said.

That answer isn't good enough for Paap,

who argued that the mere possibility the bill could harm ethanol makes it unacceptable.

"There seems to be much uncertainty — maybe too much uncertainty," Paap said.

## The bigger picture

Although ethanol was the main focus of the discussion at the hearing, it wasn't the only topic debated. Each side of the argument presented its own laundry list of reasons why the California standards should or should not be adopted.

Federal law gives states two options on air quality regulations: they can choose either the standards set by the U.S. Environmental Protection Agency or those set by the California Air Resources Board. Critics say that adopting the California regulations would be tantamount to relinquishing Minnesota's own authority on the issue, and that it would place the state's future in the hands of a governing body that has no accountability to Minnesota voters or elected officials whatsoever.

On the other side, Hortman said adopting the California standards would have numerous positive impacts aside from reducing greenhouse gasses, including: increasing the state's energy independence; lowering the incidence of cardiovascular conditions caused by air pollution; and creating an incentive to produce more fuel-efficient vehicles that would save consumers money at the gas pump. She argued that policymakers need to show leadership on the issue.

"What I would ask you is, do you like seatbelts, and do you like airbags? Because if we left the automotive manufacturers to make that decision for us, we would not have those things," she said.

The bill currently awaits action by the House Finance Committee. A companion, SF481, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Business, Industry and Jobs Committee.





# 'Garbage' or good legislation?

Omnibus bill can be one legislator's junk, another's treasure

By BRIAN HOGENSON

**G**one are the days when every bill was brought before the House on an individual basis for debate and a vote. Large omnibus bills are becoming the norm for steering a committee's bills toward the governor's desk, raising questions of legality and good government in the process.

"Omnibus bills are inherently bad for policy making and good decision making all around," Rep. Mark Olson (IR-Big Lake), adding they "guarantee bad government" and can have a bad effect on the legislative process even in the years after they are passed.

"Many people complain how often we have to come back to fix legislation that we just passed the year before," he said. "I've noticed, numerous times those legislative repairs are needed for laws created by omnibus bills and the lack of scrutiny they receive for each of the many policy provisions in them."

In Olson's view, on top of being bad government, omnibus bills are often illegal. He cites the state constitution that states: "No law shall embrace more than one subject which shall be expressed in its title."

Before the turn of the 20th century, the Minnesota Supreme Court struck down 11 laws it found to violate the single-subject requirement. Since that time, the court has struck down another six, the last one occurring in 2000 with the case of Associated Builders and Contractors v. Ventura. That case stemmed from the Omnibus Tax Bill of 1997, specifically the provision requiring school districts to pay prevailing wages on any construction project estimated to cost more than \$100,000.

The 2003 "concealed carry" law didn't make it to the state's highest judicial body for a ruling. A Ramsey Court District judge ruled that by amending the language to a Department of Natural Resources bill, the law was unconstitutional. The Minnesota Court of Appeals later agreed. A different "concealed carry" law was passed on its own in 2005.

## All or nothing

The omnibus bill that has generated the most debate this session is HF1812, a bill to resolve the state's projected budget deficit. Critics say the bill violates the "one bill, one subject" constitutional provision and it contains too many policy provisions.

Rep. Lyndon Carlson (DFL-Crystal), the bill sponsor, notes that it sets out to resolve the state's projected \$935 million budget deficit, as well as resolving projected deficits into the next biennium. "There is a long history of omnibus budget balancing bills that have as the single issue the budget and the balancing of the budget."

Rep. Phyllis Kahn (DFL-Mpls), chairwoman of the House State Government Finance Division, said that with 11 finance divisions, it makes sense to combine their budget recommendations into one bill.

Having some policy in omnibus finance bills is OK as long as it's linked to the financial policy, according to Rep. Michael Paymar (DFL-St. Paul), chairman of the House Public Safety Finance Division. "Some of what went into the budget bill is probably just policy. That's something we need to be concerned about."

Kahn noted that for 15 years, pension bills have been put together into an omnibus bill made up of the work done by the Legislative Commission on Pensions and Retirement. Without the omnibus bill, she says, enormous amounts of time would be spent discussing numerous bills.

"Nobody has ever suggested that it's unconstitutional," Kahn said. "No one has

ever suggested that we go back to individual pension bills."

Rep. Mindy Greiling (DFL-Roseville), chairwoman of the House K-12 Finance Division, has put together omnibus bills in the past and says that abiding by "one bill, one subject" is the key to a good bill.

She believes that if the House were to approve education bills individually the available funding would run dry quickly. By having education bills grouped together in an omnibus bill it is easier for the House members and those serving on conference committees to keep the total fiscal impact of education legislation in perspective.

Greiling would like to see an end to the so-called "garbage bills," like this year's supplemental budget. She said having bills that large with both fiscal and policy provisions included makes it tough for the average citizen to follow the legislative process.


"The average citizen doesn't have that kind of time," she said. "We should want the public to know what we are doing here because we get a better result."

For Rep. Gene Pelowski Jr. (DFL-Winona), chairman of the House Governmental Operations, Reform, Technology and Elections Committee, the issue goes beyond whether omnibus bills are a good idea. He has witnessed a deterioration of the legislative process under DFL and Republican leadership of the House, calling it a "bipartisan debacle."

In the past, Pelowski says, HF1812 would have been broken up into its various sections and voted on as separate bills.

During the 14 hours of floor debate on the bill, 62 amendments were introduced, which Pelowski said should have been taken care of during the committee process.

The current way of doing things not only makes it impossible for the public to know what is in these bills, according to Pelowski, but creates a heavy burden for the House staff who draft the bills and amendments, which facilitates errors.

"It's a disservice to the public," Pelowski said. 

# Preparing youth for a world that's flat

Interest in Mandarin Chinese curriculum increases

By THOMAS HAMMELL

**A**s Shu-Whei Miao enters the classroom, her students bow and she tells them it's time for morning exercises. The students, a little sheepishly, follow her in a series of neck rolls and arm movements, and then they sit down. The classroom is like any other — the only noticeable difference is that posters on the wall are in Mandarin Chinese.

Miao begins by asking the students, in Chinese, what kinds of stores can be found on University Avenue in St. Paul, an area with a large Asian population. She asks them to tell her where to find shops, restaurants and a Chinese grocery store.

These students are in the Chinese III class at St. Paul's Highland Park Senior High, and though the district has had a longstanding Chinese program, many school districts are trying to implement the language into their curriculum.

"Really, when it comes to teaching Chinese, Minnesota is seen as a leader," said John Melick, director of Chinese language initiatives for the Department of Education.

## New programs

Since the department's 2007 report on establishing Chinese language programs came out, Melick said there has been change.

"The biggest change is the number of new programs and new students studying Chinese from last year to this year," he said. The state has four schools offering Chinese immersion curriculum: Minnetonka Public Schools offers it in kindergarten and first grade at two different schools, Hopkins Public Schools offers it in kindergarten and the Yinghua Academy in St. Paul has expanded its offerings to fourth grade.

Melick said the Legislature put five grants into law in 2007 each giving districts \$50,000 for each of two years. One grant had to go to Mandarin Chinese, and one to an indigenous American Indian language program. The

other three had to go to K-8 world language instruction.

Rep. Erik Paulsen (R-Eden Prairie) sponsored the legislation that led to these grants and would like to see funding this year, though because of the deficit, that likely won't happen, he said.

"I think the next step, though, is to offer more grants, to have more focus for more opportunities on it," he said. He said he would like to see Mandarin Chinese offered in every high school in the state by 2020.

Melick said based on the quality of grant applications, the money went to Yinghua Academy and Fridley Public Schools. Both

will have two years to develop world language programs, which will be used as models for language programs throughout the state.

Although the state does not have formalized guidelines for teaching Chinese, this year more than 3,000 students in Minnesota are studying the language, compared to 2,216 last year. The number is small compared to the 116,188 students studying Spanish, but Mandarin Chinese programs will grow if the interest is there.

## China by the numbers

Interest in Mandarin Chinese peaked after Gov. Tim Pawlenty's 2005 China trade mission and again after Education Commissioner Alice Seagren led a delegation to the country in 2006.

"China is recognized as one of the major players that is going to shape our future," Melick said.

It's easy to see why there is such an interest in the language.

China has a Gross Domestic Product of \$3.24 trillion and the predominant dialect, Mandarin, is spoken by more than 70 percent



PHOTO BY TOM OLMSCHEID

Shu-Whei Miao asks a question of a student in her Chinese III class at Highland Park Senior High in St. Paul.



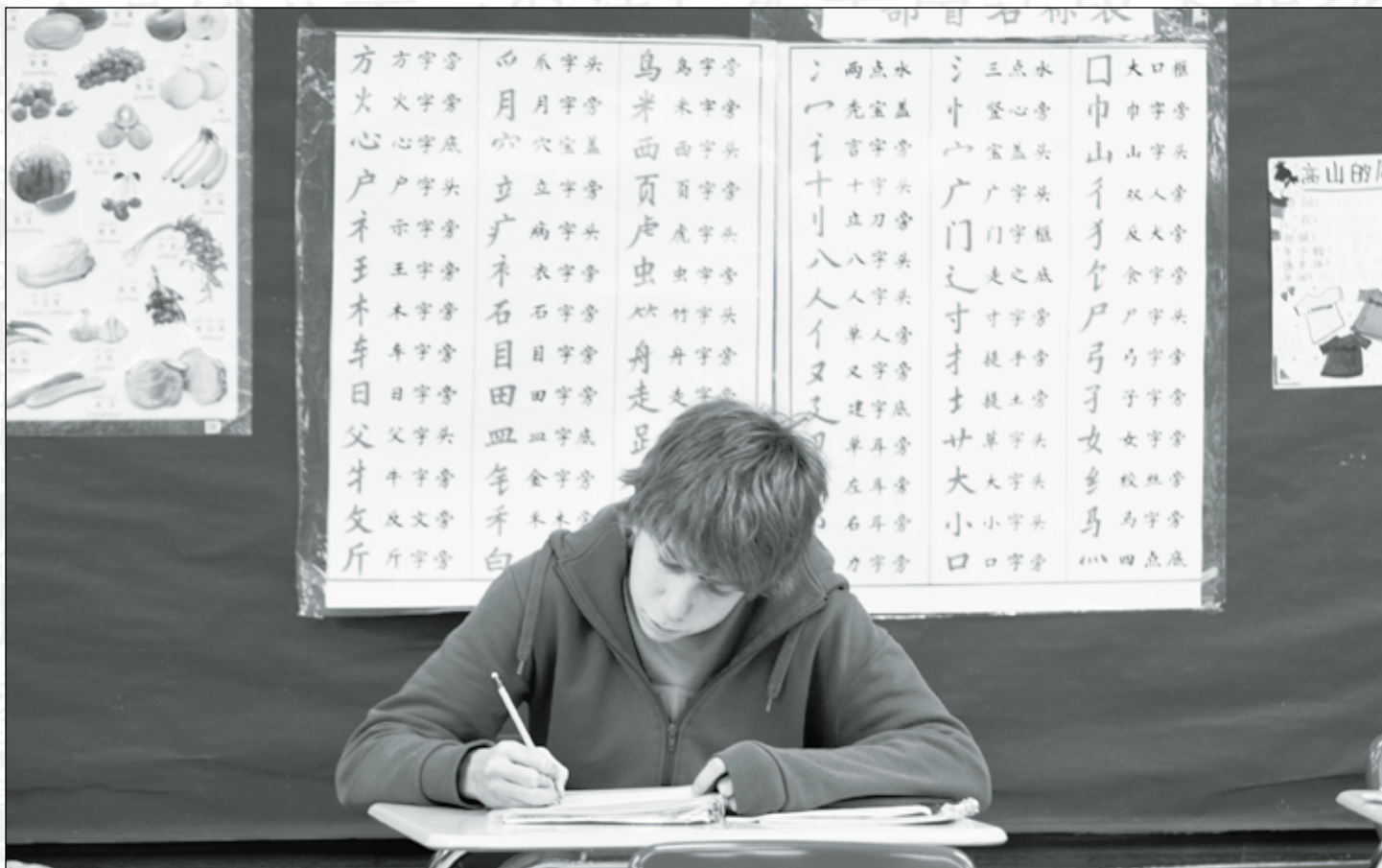


PHOTO BY TOM OLMSCHIED

**Will Robertson, a sophomore at Highland Park Senior High in St. Paul, works on a worksheet during the Chinese III class.**

of the population, according to information from the U.S. State Department. Cumulative United States investment in China was estimated at \$65.2 billion through 2007, making the U.S. the second largest foreign investor in China.

It's not surprising, then, that some parents want to give their children an early start. At the Yinghua Academy, students are getting just that.

Just a few blocks from University Avenue in St. Paul, students begin their day singing songs in Chinese. Most of the school's instruction is in Chinese, although since the school was started in 2006, some of the older students are taught primarily in English.

Director Betsy Lueth said language is so tied to culture, that by learning a language, people become more culturally literate.

She favors immersion education.

"I think immersion just provides a better opportunity to get to native fluency levels," she said.

### Putting it all together

Federal, not state, money seems to be the key to the establishment of programs for some Greater Minnesota Chinese language courses. Willmar Public Schools, located in the west-

central part of the state, has a Chinese language program thanks to a federal grant.

Last year the district began implementing a Mandarin Chinese program with a part-time teacher who is full-time this year, Superintendent Kathy Leedom said.

The school had 40 students in Chinese I last year, and will have 61 students in the class this year and 29 in Chinese II. Next year they are planning a Chinese III section, she said.

Along with a local match, the school received more than \$300,000 from the federal Foreign Language Assistance Program for a three-year period, Leedom said. The grant allowed the schools to gradually implement a new world language program over a few years.

"I was part of the Minnesota trade mission trip to China, and definitely my own interest as a school leader was a result of that trip," she said. On top of that, the district's administrative cabinet had finished reading "The World is Flat: A Brief History of the 21st Century," by Thomas Friedman, a book about the changing world economy.

"Collectively we were beginning the process of offering the types of classes we should be offering to prepare students for a world they are going to be a part of as they leave the school setting," Leedom said.

Mankato Area Public Schools Superintendent Ed Waltman said the district's two high schools share a Chinese language class, but the program will likely not be offered next year. The school was hoping to get grant money for the program, but the Legislature did not approve enough money for all schools.

The school funded the class this year for \$15,000. After some students dropped out, the school has 15 in the class.

"We've got only six students that want to continue next year with Chinese II," he said.

Jodi Husting, K-12 world language project coordinator for South Washington County Schools, said the district also received a federal grant and is running a pilot program at three elementary schools and hoping to expand that to fifth or sixth grade.

The funding came from the federal government, but Husting said the network created to make the report has been helpful.

"Just generally speaking, in order for a language program to be successful, there needs to be support for second language learning in general," she said. "If we want our students to be competitive globally, we need to provide a wealth of opportunities for second language learning."



# JOBZ — love it or hate it

Some legislators want the program scrapped, while others fight for its expansion

BY COURTNEY BLANCHARD

**W**adena is a small, central Minnesota town, stuck in the awkward transition from a family farm economy. About 4,300 people live there; mostly retirees and students at the local technical college. In the center of town is the Cozy Movie Theater, which looks much the same as it did in 1938, except now it has three screens instead of one. People work what jobs they can; there are two wholesale grocer distribution centers and a Wal-Mart that opened up a few years back.

But last summer, an economic disaster loomed. The Homecrest furniture plant shut down, scattering about 140 employees, a large part of the town's workforce, said Mayor Wayne Wolden. The plant began to arrange relocation to China.

"JOBZ was the most important piece of the puzzle that was able to keep Homecrest in Minnesota," Wolden said. "Homecrest Industries was 24 hours away from moving to China." The plant reopened in Wadena and now employs more than 70 people.

But JOBZ, short for Job Opportunity Business Zones, doesn't always play out that way, according to a February report by the nonpartisan Office of the Legislative Auditor. The report found that the program, designed to give tax breaks to new or expanding businesses in rural Minnesota, was often misused or unnecessary.

JOBZ launched in January 2004, and despite some abuse, has had its successes. The auditor's report found that in the first three years, more than 300 subsidy agreements and \$45 million in tax breaks were awarded to businesses in rural Minnesota. In some of those cases, jobs were created or salvaged when businesses threatened to move elsewhere.

However, the report raised questions of whether the program, which has no budget constraints, should be continued as it stands in the midst of a deficit.

## Critics and advocates

It's been a source of contention this session; referred to as a pet project of the governor. Some lawmakers want to scrap it, but JOBZ has

fierce advocates that are willing to change it.

One bill, HF3599, sponsored by Rep. Paul Marquart (DFL-Dilworth) would inject \$175.2 million of new money into the program. The program would still end in 2015, but the new money would allow a business that enrolls near the deadline to receive 11 years of tax benefits. Some businesses would qualify for two additional years.

Marquart focused his bill on the report's criticisms. Those include:

- JOBZ wasn't targeted to distressed areas. HF3599 would direct the program to areas with high unemployment and declining population. The bill takes into consideration other available forms of aid and whether the JOBZ contract would threaten a competing business in the area.
- Some businesses would have expanded anyway, without a JOBZ contract. HF3599 would require businesses to complete expansion agreements in two years and meet a job creation quota of five or 10 jobs. The Department of Employment and Economic Development would have to approve contracts instead of a local government.
- DEED was slow to identify noncompliant businesses and kick them out of the program. HF3599 would require businesses and local governments to submit detailed reports to DEED throughout the year about the progress on the contract.

Businesses would lose the contract if they failed to meet their goals or didn't provide information within 30 days of the request.

At an April 8 meeting of the House Taxes Committee, city officials from rural towns leaned into the microphone to say the same thing: JOBZ brought jobs to our city. Please don't get rid of it!

Former state Rep. Dan Dorman (R-Albert Lea), now the executive director of the Albert Lea Economic Development Agency, said 600 jobs in his city have JOBZ behind them.

"By and large, most of those would have been in Iowa or South Dakota without it," he said.

DEED Commissioner Dan McElroy said cities like Albert Lea have difficulty attracting new businesses. Border states offer more competitive tax incentives and can lure companies out of Minnesota.

"But the challenge is ... could we do away with border wars?" McElroy said.

Rep. Ann Lenczewski (DFL-Bloomington), the committee chairwoman, said the data is unclear whether businesses actually migrate to other states, and the solution is more complex

than offering tax credits to companies near the state line. She questioned whether government is the best entity to encourage business growth.

"In general, government is bad at this. This isn't what we should be doing. We're trying to battle in a world that we're not qualified to battle in," she said.

Marquart presented the bill to the committee on April 8. It was laid over, and could show up in the division's omnibus bill in late-April.

"We are going to do something with JOBZ this year in the Minnesota House," Lenczewski said.

Sen. Julie Rosen (R-Fairmont) sponsors the companion, SF3115, which was passed by the Senate in a slightly different version April 3 in the omnibus tax bill, SF2869, sponsored by Sen. Tom Bakk (DFL-Cook).

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***"We are going to do something with JOBZ this year in the Minnesota House."***

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— Rep. Ann Lenczewski  
House Taxes Committee chairwoman

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## Monday, April 7

### HF4167-Clark (DFL)

#### Health & Human Services

Naturopathy working group created.

### HF4168-Lenczewski (DFL)

#### Taxes

Wages subject to withholding definition modified.

### HF4169-Lenczewski (DFL)

#### Taxes

Bloomington; tax increment financing five-year district rule extended.

### HF4170-Olin (DFL)

#### Finance

Beef producer grant program established.

### HF4171-Gardner (DFL)

#### Taxes

Property taxes limited to a percentage of homeowner's income, and market value homestead credit reduced.

### HF4172-Olson (IR)

#### Health & Human Services

Alternative medicine effectiveness study required.

### HF4173-Davnie (DFL)

#### Taxes

First tier of commercial-industrial property exempted from state general tax.

### HF4174-Olin (DFL)

#### Agriculture, Rural Economies & Veterans Affairs

Interagency coordinator established for bovine tuberculosis control and eradication.

### HF4175-Peppin (R)

#### Agriculture, Rural Economies & Veterans Affairs

Ethanol producer payment program and minimum ethanol content requirement repealed, and an appropriation cancelled.

### HF4176-Abeler (R)

#### Health & Human Services

Prescription electronic reporting system modified.

### HF4177-Severson (R)

#### Public Safety & Civil Justice

Interference of parenting time civil penalties imposed.

### HF4178-Greiling (DFL)

#### Finance

School finance system modified and new education funding framework created.

## Thursday, April 10

### HF4179-Dean (R)

#### Health & Human Services

Health care provider emergency care and treatment liability regulated, and expert review affidavits in malpractice actions against health care providers regulated.

### HF4180-Otremba (DFL)

#### Environment & Natural Resources

Firearm possession restrictions modified.

### HF4181-Olin (DFL)

#### Taxes

Subtraction from income attributable to herd eradication provided, bovine testing credit increased, state paid property tax credit provided for bovine tuberculosis management zones, sales tax exemption provided and money appropriated.

### HF4182-Hackbarth (R)

#### Health & Human Services

MFIP eligibility drug screening required.

### HF4183-Thao (DFL)

#### Health & Human Services

Naturopathy practice prohibited.

### HF4184-Abeler (R)

#### Health & Human Services

Health and human services finance board established, rule making authorized and board designated to receive General Fund appropriations.

### HF4185-Hansen (DFL)

#### Finance

License plates established for contributions to cure pediatric cancers.

### HF4186-Dill (DFL)

#### Taxes

Ely; sales and use and excise tax imposition authorized.

### HF4187-Benson (DFL)

#### Taxes

Property tax exemption extended relating to an electric generation facility.

### HF4188-Gardner (DFL)

#### Taxes

Maximum property tax refund increased, income threshold for homeowners' property tax refund decreased and a second exemption amount allowed for married claimants who are both 65 or older or disabled.

## LATE ACTION

### Possible health care reform

After five hours and more than a dozen amendments, the House was still deliberating the comprehensive health care reform bill April 10 when this magazine went to press.

HF3391, sponsored by Rep. Thomas Huntley (DFL-Duluth), would create health care homes to manage people with chronic diseases; set income standards for how much people should pay for care; create payment reform; and set universal coverage goals of 94 percent of people covered by 2009, 96 percent by 2011, 97 percent by 2012 and 98 percent by 2013.

"About 75 percent of the money spent on people in health care is spent on those with

chronic diseases," Huntley said.

Huntley said he worked closely with the Minnesota Medical Association and other groups to create the proposal. The bill would pay for the changes from the Health Care Access Fund with \$43 million in 2009, \$81 million in 2010 and \$138 million in 2011.

Providers would submit bids for the total cost of care based on their prices to treat a set of chronic diseases.

A Health Care Transformation Commission would be created to collect data from providers on health care prices and quality; develop an implementation plan for health care payment system reform; and establish uniform definition and methodology for calculating health care costs for providers treating patients.

Beginning Jan. 1, 2009, the health commissioner would encourage state program enrollees, and those with chronic diseases, to select a primary care clinic or medical group to coordinate care and develop a comprehensive plan for each enrollee.

Rep. Mark Olson (R-Big Lake) unsuccessfully offered an amendment that would have allowed state employees to opt out of state health plans. An unsuccessful amendment offered by Rep. Matt Dean (R-Dellwood) would have required all state health policies to be patient-centered, and offer choice and competition through the free market.

A companion bill, SF3099, sponsored by Sen. Linda Berglin (DFL-Mpls), was passed 39-23 by the Senate March 31.

— P. OSTBERG

# How a Bill Becomes

## Idea

**1** A bill is an idea for a new law or an idea to change an old law. Anyone can suggest an idea for a bill — an individual, consumer group, professional association, government agency, or the governor. Most often, however, ideas come from legislators, the only ones who can begin to move an idea through the process. There are 134 House members and 67 senators.

## Legal form

**2** The Office of the Revisor of Statutes and staff from other legislative offices work with legislators in putting the idea for a new law into proper legal form. The revisor's office is responsible for assuring that the proposal's form complies with the rules of both bodies before the bill can be introduced into the Minnesota House of Representatives and the Minnesota Senate.

## Authors

**3** Each bill must have a legislator to sponsor and introduce it in the Legislature. That legislator is the chief author whose name appears on the bill along with the bill's file number to identify it as it moves through the legislative process. There may be up to 34 co-authors from the House and four from the Senate. Their names also appear on the bill.

## General Register

**7** In the House, the General Register serves as a parking lot where bills await action by the full body. Bills chosen to appear on the Calendar for the Day or the Fiscal Calendar are drawn from the General Register.

In the Senate, a different procedure is used. Bills are listed on the General Orders agenda. Senate members, acting as the "committee of the whole," have a chance to debate the issue and offer amendments on the bill. Afterwards, they vote to recommend: passage of the bill, progress (delay action), or further committee action. And sometimes they recommend that a bill not pass. From here, the bill is placed on the Calendar.

## Calendar for the Day

**8** In the House, the Calendar for the Day is a list of bills the House Rules and Legislative Administration Committee has designated for the full House to vote on. Members can vote to amend the bill, and after amendments are dispensed with, the bill is given its *third reading* before the vote of the full body is taken. The House also has a Fiscal Calendar, on which the chair of the House Ways and Means Committee or House Taxes Committee can call up for consideration any tax or finance bill that has had a second reading. The bills are debated, amended, and passed in one day.

In the Senate, bills approved by the "committee of the whole" are placed on the Calendar. At this point, the bill has its *third reading*, after which time the bill cannot be amended unless the entire body agrees to it. Toward the end of the session, the Senate Committee on Rules and Administration designates bills from the General Orders calendar to receive priority consideration. These Special Orders bills are debated, amended, and passed in one day.

A bill needs 68 votes to pass the House and 34 votes to pass the Senate. If the House and Senate each pass the same version of the bill, it goes to the governor for a signature.





# a Law in Minnesota

## Introduction

**4** The chief House author of the bill introduces it in the House; the chief Senate author introduces it in the Senate. Identical bills introduced in each body are called *companion* bills. The bill introduction is called the *first reading*. The presiding officer of the House then refers it to an appropriate House committee for discussion; the same thing happens in the Senate.

## Committee

**5** The bill is discussed in one or more committees depending upon the subject matter. After discussion, committee members recommend action — approval or disapproval — to the full House and full Senate. The House committee then sends a report to the House about its action on the bill; the Senate committee does likewise in the Senate.

## Floor

**6** After the full House or Senate accepts the committee report, the bill has its *second reading* and is placed on the House agenda called the General Register or the Senate agenda called General Orders. (A committee can recommend that non-controversial bills bypass the General Register or General Orders and go onto the Consent Calendar, where bills usually pass without debate.) After this point, House and Senate procedures differ slightly.

## Conference

**9** If the House and Senate versions of the bill are different, they go to a conference committee. In the House, the speaker appoints three or five representatives, and in the Senate, the Subcommittee on Committees of the Committee on Rules and Administration selects the same number of senators to form the committee. The committee meets to work out differences in the two bills and to reach a compromise.

## Floor

**10** The conference committee's compromise bill then goes back to the House and the Senate for another vote. If both bodies pass the bill in this form, it is sent to the governor for his or her approval or disapproval. (If one or both bodies reject the report, it goes back to the conference committee for further consideration.)

## Governor

**11** Once the governor has the bill, he or she may: sign it, and the bill becomes law; veto it within three days; or allow it to become law by not signing it. During session, the House and Senate can override a governor's veto. This requires a two-thirds vote in the House (90 votes) and Senate (45 votes). The governor also may "line-item veto" parts of a money bill, or "pocket veto" a bill passed during the last three days of the session by not signing it within 14 days after final adjournment. ▼



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**MINORITY LEADER: MARTY SEIFERT**

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As a percentage of the state's population .....	50.4

— N. BUSSE

**Source: Minnesota State Parks: "Everyone's Country Estate," Strategic Plan 2006 – 2011, Department of Natural Resources, 2007.**

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