

SESSION WEEKLY

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DEEP IN THE RED
WELCOME NEW MEMBERS
BUDGET BUILDING FROM 0
BEYOND THE BUDGET

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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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Welcome to the 86th legislative session

Solving the state's massive budget problem will be uppermost on lawmakers' agenda this year. But other issues will be considered as well.

As these discussions unfold in committees and on the floor and decisions are made, Session Weekly writers will be there gathering information to bring you nonpartisan coverage of legislative activities.

Now in its 26th year, Session Weekly, the free newsmagazine of the Minnesota House of Representatives, remains true to its founding mission of providing nonpartisan information about the legislative process. But with greater use of technology, the House provides more opportunities to reach new audiences with nonpartisan legislative news.

For instance:

- Session Daily – e-mail updates when news from the House warrants;

- unedited, gavel-to-gavel television coverage of House floor sessions and select committee hearings;
- downloadable podcasts of committee meetings and communications from House members;
- updated meeting schedules and information;
- policy and fiscal analysis of many bills; and
- photo images of House members and activities.

For more information about these services, please visit the House Web site at www.house.mn.

All of us associated with Session Weekly are proud to continue the tradition of providing nonpartisan news from the House.

We welcome your comments and suggestions.

Session Weekly staff

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On the cover: Associate Minnesota Supreme Court Justice Paul H. Anderson swears in Rep. Margaret Anderson Kelliher for her second term as Speaker of the House on Jan. 6, the first day of the 86th legislative session.

— Photo by: Andrew VonBank

Deep in the red

Members begin session with multi-billion dollar deficit to overcome

By Mike Cook

Optimism that traditionally comes with the start of a new legislative biennium is overshadowed this year by a large red cloud.

Hanging over the collective legislative heads is a projected \$4.85 billion deficit for the 2010-2011 biennium, which begins July 1, 2009.

Members may also yet have to resolve another short-term fiscal crisis if the February Forecast provides more negative numbers, as many people anticipate.

It will not be an easy session for members who campaigned on things like increased education funding, better health care access or keeping taxes and levels of program support at current levels.

Answers must be finalized by May 18, the constitutional deadline for adjournment.

Why so far in the hole?

Minnesota is not alone in its monetary woes as policymakers across the country face some historical challenges. According to the Center on Budget and Policy Priorities, "Budget deficits are already projected in 38 states for the upcoming fiscal year. Initial estimates of these shortfalls total almost \$80 billion. As the full extent of 2010 deficits becomes known, shortfalls are likely to equal \$145 billion."

The problem in Minnesota is \$31.87 billion in anticipated biennial revenues in fiscal years 2010-2011, but \$36.7 billion in expenses.

Unlike the ever-growing federal deficit, the state cannot carry a budget deficit into a future biennium.

"We cannot print Monopoly money in the basement," Gov. Tim Pawlenty said. "The books have to balance."

The shortage comes from a number of factors, State Economist Tom Stinson said Dec. 4. In addition to the national recession, he cited the dismal housing sector, the "massive loss of wealth" from the declining stock market,

consumer lack of confidence, decreased tax revenue collections and greater unemployment numbers. At the time, he said Minnesota had lost about 20,000 jobs and could lose about 58,000 more by the end of 2009.

Current biennium problems

The \$271.6 million unallotment, announced Dec. 19 by Pawlenty, is the final step in resolving the state's anticipated \$426 million shortfall for the current fiscal year, which ends June 30,

2009. The remaining \$154.9 million comes from draining the state's budget reserve.

Included in the unallotment is \$110 million in aid and credit reductions to cities and counties; \$73 million cut in human services spending; \$40 million from higher education, evenly split between the University of Minnesota and the Minnesota State Colleges and Universities system; and \$40 million from state agency unexpended operating budgets. Military and veterans programs, K-12 education and public safety programs were protected.

Senate Majority Leader Larry Pogemiller (DFL-Mpls) unsuccessfully suggested an across-the-board 1.6 percent reduction in state program funding.

More than a dozen local government leaders came to the Capitol in early December, claiming their jurisdictions couldn't cope with any state funding cuts.

"These are modest reductions that local

First Reading continued on page 4



PHOTO BY TOM OLMSCHIED

Flanked by Senate Majority Leader Larry Pogemiller, left, and House Majority Leader Tony Sertich, right, House Speaker Margaret Anderson Kelliher responds to the release of the state's November Forecast on Dec. 4

First Reading continued from page 3

government should be able to handle without impacting key services like public safety,” Pawlenty said, noting that 60 percent of cities did not experience a reduction. “Any city councilmember, any mayor, any city administrator that says their first course of action is going to be to affect public safety, I would politely suggest to them that they have misplaced priorities.”

House Speaker Margaret Anderson Kelliher (DFL-Mpls) said, “The reality is many cities and towns are in tough financial shape. ... Trying to nuance around the small cities and towns is good.”

But the bleeding may not yet be over for the current biennium.

Stinson told the Senate Taxes Committee Dec. 10 that the state could be \$30 million to \$70 million further in debt because of higher-than-anticipated national unemployment numbers released five days earlier. Updated figures are expected with the release of the February Forecast, which traditionally happens the final week of that month.

“The question then will be if Democrats are capable of cutting or if the governor will again have to unallot for a second time,” House Minority Leader Marty Seifert (R-Marshall) said in a statement.

More difficult than before

This is not the first time the Pawlenty administration has had to deal with a massive projected shortfall. The 2003 Legislature — the first with Pawlenty as governor — faced a projected \$4.56 billion shortage for the ensuing biennium. That problem was resolved using spending cuts; fee increases; using state reserves, including \$1 million from a tobacco

endowment fund; and some accounting shifts, such as delaying payments to schools.

“We’ll be looking at the budget to find things that work and eliminate things that don’t,” said House Majority Leader Tony Sertich (DFL-Chisholm). “Government needs to be accountable and responsible. We have a vision for a better Minnesota and we are determined to work cooperatively with the governor to set the right priorities to achieve that goal.”

Three Republicans have already put forth a couple of proposals.

Rep. Paul Kohls (R-Victoria) suggested state spending be frozen at the lesser of current levels or predicted revenues. Rep. Laura Brod (R-New Prague) and Sen. Geoff Michel (R-Edina) said the state should lease the Minneapolis-St. Paul International Airport and state lottery to private investors with transaction proceeds dedicated to scholarships and other education initiatives. They noted Midway Airport in Chicago was privatized last year for \$2.5 billion, and a dozen other states are looking to privatize lottery operations.

Pawlenty, who hopes to again keep military and veterans programs, K-12 education and public safety programs safe, is to announce his 2010-2011 biennial budget by Jan. 27. He said it would not contain tax increases.

“This is not a time to be adding burdens on the people of Minnesota with tax burdens,” he said at a Dec. 9 Associated Press forum. “Unfortunately, the Legislature didn’t follow that the last two years. They added \$8 billion of tax increases on the people of Minnesota over the next four years. ... I would say that’s enough, more than enough.”

Kelliher said the DFL plans to take the governor’s budget proposal around the state

Your opinions wanted

Legislators, government officials and other politically connected folks do not have all the answers on solving the state’s projected budget deficit. That’s why a Web page has been established for everyone to submit his or her potential solutions.

Approximately 450 comments were received between Dec. 13, when the Web site debuted, and Jan. 5.

The plan is to forward to all comments to the appropriate committees or divisions for consideration.

To access the comment form, go to the main House page at www.house.mn, click on the link and offer your suggestions.

for “full and fair hearings” before offering its budget proposal.

“This is a crisis Minnesotans will need to be involved with as well. We will come out on the other side of it in a much stronger position if the public of Minnesota is involved with us,” she said at the forum. “Where we agree with the governor, we will immediately work to try to pass and enact changes. Where the public disagrees, we will listen to some of their ideas and solutions for how to solve the budget problem.”

At the forum, Seifert said Republicans prefer earlier budget targets to a “misery tour” followed by a final-week rush to past spending bills.

“I think we need to be thoughtful and we need to be proactive. We should try to get our cards on the table very early so we can have that discussion in the Legislature front-loaded and then move forward.”

Effect on planned programs

A few House committees took to the road during the interim to share ideas and receive feedback on potential changes.

For example, the House K-12 Education Finance Division held a series of public hearings across the state about possible education funding reform. Rep. Mindy Greiling (DFL-Roseville), the division chairwoman, said a bill dubbed the “New Minnesota Miracle” is to be introduced Jan. 12.

“The plan can be phased in over three bienniums, so I’ll be happy to just get started in some significant way,” she said. “I’m not expecting a third of it. ... We don’t need \$500 million to start.”

Greiling believes that you should make strategic investments while cutting and doing things differently; therefore, the plan is scaled in such a way that it can be implemented based on the funding received. “If we get a tenth of what we need, then a tenth is the new formula and 90 percent is the old formula.”



PHOTO BY TOM OLMSCHIED

At a Dec. 4 press conference, Tom Hanson, commissioner of Minnesota Management and Budget, reports that the state faces a \$4.8 billion deficit for the 2010-2011 biennium. State Economist Tom Stinson, left, provided background on the bad news.

EDUCATION

Back to school on finance formulas

An informal Jan. 7 gathering of the House K-12 Education Finance Division was turned into an ad hoc classroom where new members, committee veterans and observers crammed for the new legislative session.

The topic was the complexities of education finance in Minnesota. Topics covered by House Fiscal Analyst Greg Crowe and Tim Strom from House Research included mandates, enrollment projections and funding formulas, which are a difficult and complex equations involving local property tax, general state aid and a variety of variable funding categories addressing particular needs.

Of particular importance to the committee, said Strom, is to unravel the difficult relationship between property tax revenue and education funding. "Changes to how property tax is assessed has a big impact on funding for K-12 education," he said.

The division will also have to wrestle with the ongoing impact of changes made in the 2001 session when the state took on \$1 billion in state aid funding in order to relieve property taxpayers, but didn't pass sales tax increases that might have provided a revenue source to accommodate that change.

Rep. Mindy Greiling (DFL-Roseville), the division chairwoman, also promised at future hearings to address members' concerns about ensuring equity in the state aid formula

and educational resources, the fast-growing special education budget and assessing Minnesota's ranking in per pupil funding, which has declined in recent years.

There are 340 school districts and 155 charter schools funded by the general education budget, which totals nearly \$7 billion. K-12 education spending comprises 39 percent of the state's budget. Together with health and human services spending, the categories total more than two-thirds of the budget.

K. BERGGREN

ENERGY

Energy division takes 'Crash Course'

Members of the House Energy Finance and Policy Division convened Jan. 7 and were promptly treated to dinner and a movie, minus the dinner. Division Chairman Rep. Bill Hilty (DFL-Finlayson) distributed DVDs, which he personally bought for each committee member, hoping it will help members develop a broad vision concerning the state's energy policy.

The three-hour movie, "The Crash Course: Information you can't afford to live without," is a seminar developed by Chris Martenson, a Duke University-educated scientist who specializes in neurotoxicology. The first dozen chapters of the video seminar were shown in committee and tackled such questions as, "How much is a trillion dollars?" (Answer: If you stacked \$1,000 bills on top of each other, they'd pile 67.9 miles high, according to

Martenson.)

Hilty stopped the video midway so members could adjourn, but not before urging them to take the video home to watch chapters 13-15 on their own. When the division members reconvene Jan. 12, they will finish viewing chapters 16 through the conclusion together. When asked how he learned of the video, Hilty said a friend e-mailed the Web site link to him.

Anyone can follow along with the division's homework by logging onto www.chrismartenson.com. There is no fee to view the video.

S. HEGARTY

GOVERNMENT

State of the State

Gov. Tim Pawlenty is scheduled to present his State of the State address to a joint meeting of the House of Representatives and the Senate in the House Chambers at noon, Jan. 15.

House members appointed to escort the governor to the Chamber are Rep. Karla Bigham (DFL-Cottage Grove), Rep. Kory Kath (DFL-Owatonna), Rep. Phil Sterner (DFL-Rosemount), Rep. Paul Anderson (R-Starbuck) and Rep. Jenifer Loon (R-Eden Prairie). Also acting as escorts for the governor will be five members of the Senate.

The governor's address is scheduled to be available live over the Internet at www.house.mn.

L. SCHUTZ

NOTIFYING THE GOVERNOR



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty speaks with Rep. Jeff Hayden in the Governor's Reception Room Jan. 6. Hayden was a member of the committee notifying the governor that the House and Senate are organized and ready to receive any messages he may desire to give them. Other committee members include Rep. Paul Marquart, Rep. Gail Kulick Jackson, Rep. Peggy Scott, Rep. Paul Torkelson, Sen. Lisa Fobbe, Sen. Joe Gimse, Sen. Linda Higgins, Sen. Ken Kelash, Sen. Julie Rosen, Sen. Katie Sieben and Sen. Dan Skogen.

Starting from zero

Lawmakers consider a new approach to building the state budget

By Nick Busse

Barring a miraculous economic turnaround or a sudden windfall of new revenue, legislative leaders and Gov. Tim Pawlenty face the likelihood of having to squeeze, trim and slash the state's \$37 billion biennial budget down to \$32 billion by the end of May.

It's an unappealing task — so much so that they're considering an altogether different approach to budgeting: starting from scratch.

The idea is called zero-based budgeting, and it works like this: instead of constructing a budget based on what was spent the last time around and then adjusting the numbers up or down as needed, you start with zero and build your way up to whatever amount is available.

Pawlenty, in responding to the release of the state's dismal November budget forecast — which predicts a whopping \$4.85 billion shortfall — made a succinct case for this kind of budgeting.

"The projection now is that there will be \$32 billion coming into the state of Minnesota in the next two-year budget cycle," the governor said. "We have \$32 billion to spend; there is no deficit if we live within that amount of money."

DFL and Republican House leaders have also come out in support of some kind of zero-based budgeting process to fix the deficit.

House Speaker Margaret Anderson Kelliher (DFL-Mpls) said she would welcome zero-based budgeting as a "refreshing change," and during a recent appearance on Twin Cities Public Television's "Almanac," both she and House Minority Leader Marty Seifert (R-Marshall) stressed the benefit such a process would have in forcing lawmakers to take a critical, top-to-bottom look at the state's budget.

"We think we have to start at the basics, really, because members need to have a really good grounding in what is in these budgets to begin with," Kelliher said. "And so I think the first few weeks will be taken up with a lot of committees going back to the basics of

budgeting here — in some cases, zero-based budgeting."

How it works (when it does)

Most zero-based budgeting involves two basic steps. First, state agencies are asked to submit "decision packages" — budget requests that take into account alternative (usually reduced) levels of funding. In essence, they are forced to ask the question, "What would be our priorities if we had our funding cut by 10 percent? What about 5 percent? Or 20 percent?"

Next, lawmakers examine these decision packages and start figuring out how they fit with the state's overall priorities. From there, they can begin to decide which agencies and programs should receive funding based on current budget projections.

This process has several advantages over traditional budgeting methods. For one, it allows agency managers facing imminent budget cuts to have some input into how



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty says zero-based budgeting is something the state should look at to resolve its fiscal crisis.

money should be spent within their agencies. For another, it gives them an opportunity to evaluate their agencies' effectiveness and look for ways to improve programs and make them more cost-efficient. Above all, zero-based budgeting forces government to evaluate the merits of its activities, rather than just assuming an ongoing level of funding into the future.

If zero-based budgeting sounds simple in theory, in practice it can be a complicated, lengthy and frustrating process.

"It's easy to talk about; actually implementing it takes a lot of time, and takes some willingness to spend time examining that budget," said Bill Marx, chief fiscal analyst for the House.

According to Marx, the size and complexity of state government makes zero-based budgeting a logistical challenge.

"If we try to do it on the whole budget, it's going to be a dismal failure, because there is absolutely no way that there is time or staff to make it work."

— Bill Marx
House chief fiscal analyst

"If you take a small agency — a veterinary medicine licensing council, for example, which is maybe a two-person operation or something — on a small scale like that, (zero-based budgeting) is a relatively easy thing to do," Marx said. "When you get a Department of Human Services or a Department of Revenue ... or, even more complicated, money to school districts or local government aid or something, this is quite a task."

In fact, the inherent complexity of zero-based budgeting is widely considered to be its main drawback. Many states that in the past have attempted zero-based budgeting have reportedly abandoned the process because of its time-consuming nature and the sheer amount of paperwork it generates.

A "Questions and Answers on Zero-Based Budgeting" document compiled by the National Conference of State Legislatures concludes that "Literal across-the-board zero-base budget review of all state programs at the level of the political decision-making process is probably not possible on an annual or biennial basis."

Marx agrees.

"If we try to do it on the whole budget, it's going to be a dismal failure, because there is absolutely no way that there is time or staff to make it work," he said.



PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher said zero-based budgeting could be "a refreshing change."

Marx said the key to successful zero-based budgeting would be to break the budget down into "manageable components" that would allow lawmakers to finish combing through the budget in time for the May 18 constitutional adjournment deadline. The main thing, he said, is to figure out what the state's priorities are.

"We think we have to start at the basics, really, because members need to have a really good grounding in what is in these budgets to begin with,"

— Margaret Anderson Kelliher
Speaker of the House

"If committees that look at this are really being careful about it, they won't simply ask, 'What are you doing and how much could you cut back?' It'd be, 'How does this fit into bigger priorities?'"

Mixed results

Marx said that, to his knowledge, Minnesota has never attempted zero-based budgeting. Several other states have, and the results have

been largely mixed, according to an NCSL survey.

In Idaho, an attempt to use zero-based budgeting on approximately 75 percent of state agencies' budgets failed, for the most part, due to a lack of sufficient time and training for agency staff. Some results of the process turned out to be useful, however, to the extent that certain agencies were able to clarify their budget priorities.


In Montana, zero-based budgeting was attempted twice in the late 1970s, but was abandoned after officials found it to be too complicated and time-consuming. The state, however, still uses zero-based budgeting in certain areas, such as capital expenses.

Officials in Rhode Island, meanwhile, reported some success with zero-based budgeting, which allowed the state to shift priorities within its existing resources and eliminate some 1,300 state jobs.

Some states opt to use zero-based budgeting only on certain agencies or programs. Nevada, for example, has used the process in selected areas like equipment purchases and capital improvement projects. Ohio occasionally asks individual agencies to perform zero-based budgeting for specific budget cycles, on a kind of rotating basis.

For the most part, the experience of most states that have attempted zero-based budgeting has been that the process is problematic. According to the NCSL, the Northern Marianas Islands, a small U.S. territory located in the northern Pacific Ocean, is the only part of the country that regularly uses true zero-based budgeting on its entire budget.

How a zero-based budgeting process would play out in Minnesota remains to be seen, but Marx warns that whatever solutions are ultimately found, the resulting budget cuts are still likely to be painful.

"Is it going to find magic solutions? No. When you make cuts, you're eliminating some things, or scaling them back, and that has consequences. ... Unless we think agency managers are doing a lousy job now, it's not going to help us find these magic pots of money." 

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.

Opening day

Occasion gives legislators reason to pause, appreciate democracy at work

By SUSAN HEGARTY

If State Capitol architect Cass Gilbert had attended opening day of the 86th biennial session, he may have wished he'd designed a cry room in the back of the House Chamber.

With very little wiggle room, returning members and 23 newly elected members assembled Jan. 6 to take their oath of office. Legislators' family and friends, including Brennan Kath, the 6-week-old son of freshman Rep. Kory Kath (DFL-Owatonna), sat on members' laps, squeezed in behind and beside their loved ones, or proudly observed from the rear alcoves and balconies. More than a few attendees gingerly negotiated the terraced floor as they excused themselves from the two-hour session to go to the bathroom or to get a drink of water.

Secretary of State Mark Ritchie set the tone for the afternoon, saying, "These past few months have given me even more appreciation of the wisdom of the founders of this state, of this nation, who gave us these gifts of institutions of self-governance."

Referring to a large portrait of a contemplative Abraham Lincoln behind the Speaker's Rostrum, Ritchie added, "I imagine that Lincoln's presence each day for all of you is a reminder that future generations will also be looking back, and they will be asking how did we do on taking care of these gifts of democracy, these gifts, of this beautiful State Capitol. Today is a chance to pause, to appreciate those gifts to ask how we're doing in taking care of those gifts, and to think about how will future generations imagine and remember us."

Rep. Margaret Anderson Kelliher (DFL-Mpls) continued the bipartisan message after she was re-elected as House speaker. "A special thank you to Minority Leader (Marty) Seifert, who has been an honorable opponent and a leader of his caucus, and from here forward I know an ally as we face these great

challenges together. Thank you Marty." She too was warmly received, especially from the front row where several family members were seated, including a sister who traveled from Cheyenne, Wyo.

In her nomination of Kelliher, Rep. Mary Murphy (DFL-Hermantown) praised her

positive attributes, while Rep. Ryan Winkler (DFL-Golden Valley) got a laugh from the crowd when he seconded the motion and listed what Kelliher "lacks," such as a "propensity for hysteria."

Though most opening day rhetoric was cordial and hummed of working across party lines, there was some debate when it came time to adopt temporary rules that govern the House.

Rep. Tom Emmer (R-Delano) unsuccessfully introduced an amendment to reduce member per diems to 2005-06 levels, as a show of compassion and understanding for constituents. "We're going to be making some



Rep. Terry Morrow seconds the nomination of Rep. Margaret Anderson Kelliher for House speaker on the opening day of the 86th biennial session.

very difficult decisions for everybody in the state of Minnesota. I think if we are going to be the leaders that we've been elected to be, then we should start today by showing those people who put us here that we are ready to lead by showing the way immediately with our own reimbursement."

House Majority Leader Tony Sertich (DFL-Chisholm) assured members that the issue would be given its due consideration in committee and told onlookers that they just had the privilege of seeing democracy in action.

In a highly ceremonial role, several members, including first-term Rep. Jeff Hayden (DFL-Mpls), were instructed by formal resolution to notify the governor that the House was duly organized. Commenting on the day's significance Hayden said, "I'm a little overwhelmed."

Ten-term Rep. Carlos Mariani (DFL-St. Paul), felt right at home in his seat. Mariani, whose district includes the Capitol, took some time in the morning to meditate on the challenges ahead. "It reminds me that this is ongoing work and takes constant vigilance," he said. His advice to freshmen legislators: "Seek to build positive relationships."

When the House adjourned, Democrats,



PHOTO BY TOM OLMSCHIED

Al Mathiowetz watches from the side of the Speaker's Rostrum in the House Chamber Jan. 6 while members re-elected him Chief Clerk of the House during opening ceremonies of the 2009 legislative session.

Republicans and their guests celebrated in the Retiring Room, to the delight of the patient children, who were rewarded for good floor behavior with finger cakes and cookies.

Only time will tell if the crying room will be needed again during the next five months as legislators tackle the issue of how to solve the projected \$4.85 billion shortfall. 🍪



STITCHED PANORAMA BY ANDREW VONBANK

Opening day of the 86th legislative session. Kelliher defeated House Minority Leader Marty Seifert 86-42 for the House's top position.

Opening Day - For Families



PHOTO BY ANDREW VONBANK
Traci Seifert takes a photo of her husband, House Minority Leader Marty Seifert, and their children, Braxton, left, and Brittany, during opening ceremonies of the legislative session in the House Chamber.



PHOTO BY ANDREW VONBANK

Myles Champion, son of Rep. Bobby Joe Champion, peeks up from working at his father's House Chamber desk during ceremonies to open the 2009 legislative session. Champion's other son, Jaylen, right, was also with his father.



Two-year-old twin sisters, Madelyne and Whitney Westrom, enjoy the legislative session with Rep. Torrey Westrom, on the first day of the legislative session.



PHOTO BY TOM OLMSCHIED
the 2009 legislative



PHOTO BY NICKI GORDON
time with their dad,



PHOTO BY ANDREW VONBANK

Isabelle Otremba, the 19-month-old granddaughter of Rep. Mary Ellen Otremba, takes the microphone in the House Chamber on the first day of the 86th legislative session Jan. 6.



PHOTO BY ANDREW VONBANK

Rep. Lyndon Carlson views some of the day's digital images with his grandson, Lyndon Carlson II, on the House floor during the first day of the 86th legislative session Jan. 6.

Photo at right
Rep. Cy Thao, *front*, and his grandfather, Cher Yee Yang, listen as House Speaker Margaret Anderson Kelliher address the chamber during opening ceremonies of the 2009 legislative session.



PHOTO BY TOM OLMSCHIED

Challenges ahead for taxpayers

Division seeks public's input into property tax issues

By SONJA HEGMAN

Fairness. Transparency. Brutal. Challenging. These are words members of the House Property and Local Sales Tax Division used numerous times in their first meeting Jan. 7 to describe the task of helping property taxpayers while solving the state's projected \$4.85 billion deficit.

The division's members would like to provide tax relief this year, but right now, they don't know how. Members discussed areas of concern including local government aid (LGA), building secure relationships with local governments and consolidating certain government services. But it always circled back to the budget crisis.

“We not only have the duty, but the obligation to resolve this budget deficit,” said Rep. Paul Marquart (DFL-Dilworth), the division chairman. “The challenge is going to be to think differently.”

Marquart emphasized that anything done in the property tax division has to be approved by the entire tax committee. “What’s going to be important to realize is that it’s the state of Minnesota’s budget deficit. We need to forge ideas and solutions to make a better government. This impacts every corner of the state.”

“This is going to be a very brutal year,” said Rep. Ann Lenczewski (DFL-Bloomington), House Taxes Committee chairwoman. She believes the majority of the state’s financial problem will be solved with cuts.

“We have a huge task. We need to be as fair as we can, which is all in the eye of the beholder. When people don’t receive things equally it’s so hard to take things away.” The public is going to have trouble understanding why things are playing out the way they are, she said. If LGA is cut, then questions come as to why someone else didn’t get a cut. “We need to decide how we define ‘need.’ Who needs it the most is going to be an incredible task. It’s going to be rough. It’s going to be very painful.”

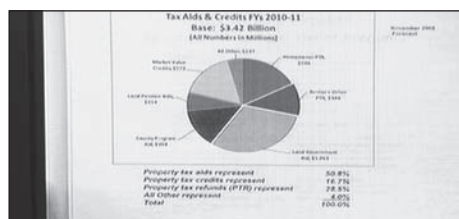


PHOTO BY TOM OLMSCHIED

House Property and Local Sales Tax Division members receive an overview of the tax aids and credits to cities during a Jan. 7 meeting.

Rep. Denise Ditttrich (DFL-Champlin) said she doesn't think the current task at hand is insurmountable, but some credits might have to be eliminated. "We worked really hard at property tax relief last year. It's unfortunate that probably won't be the direction we're going this year. We need to have a public conversation with homeowners."

Dittrich, along with several division

members, brought up concerns about Green Acres, a program that equalizes taxes for many agricultural landowners. Changes to the program were implemented in a harried fashion last session and members said they would like to address those changes because of some confusion.

"I'm not going to vote on any legislation that is hot," said Rep. Pat Garofalo (R-Farmington). "Hot" meaning still hot from coming off the copy machine and then members are given only a half an hour briefing on an amendment, etc., which he said is what happened with the change in the Green Acres Program. "We need to at least understand everything in a bill before we vote on it."

Rep. Bob Dettmer (R-Forest Lake), a second-term legislator, agreed.

He said he learned his lesson after telling his constituents that he didn't read through the whole tax bill last session. "You need to read through an entire bill even if it's 296 pages. The more we can do to help people understand what we're doing will make a big difference."

Rep. Morrie Lanning (R-Moorhead), the division's Republican lead, said they need to look at how resources are being used now. "We need to establish priorities in the areas we're spending. We need to be sensitive to the needs of the people. It's not going to be easy. This whole budget is about equalization. Some communities have a very modest property tax base. That makes a huge difference."

Rep. Joe Mullery (DFL-Mpls) said a lot of people are leaving his district because of property tax issues. “Something has to be shifted. The state keeps shifting more and more of the burden to local property taxpayers. Education is also thrown onto property tax system. I think we can take part in helping that.”

In the end, all seemed to agree that input from taxpayers was going to be an essential part of the process this year.

"We're all in this together," Marquart said.



Beyond the budget

Assistant leaders optimistic about accomplishing more than solving the money woes

By SONJA HEGMAN AND KRIS BERGGREN

It's hard to imagine House members looking beyond the budget crisis when asked to name their goals for the 2009 session, but they say certain priorities remain high on their agendas including education, health care and job creation.

As the 86th legislative session opened Jan. 6, House Speaker Margaret Anderson Kelliher (DFL-Mpls) said the \$4.85 billion budget deficit looms over all other priorities, but she has faith in the ability of the people to resolve differences in times of great difficulty.

Leaders from both parties agree they hope to engage citizens and local governments in problem solving.

"We're visiting all corners of the state to talk to and get input from people to get solutions," said Assistant Majority Leader Andy Welti (DFL-Plainview).

"I know this is going to be a horrendous year and I'm not trying to be idealistic about it, but we can't be paralyzed by this," said Assistant Minority Leader Carol McFarlane (R-White Bear Lake). "I hope we use this time efficiently and that all voices are heard and respected. We have to look long term, not biennium to biennium."

Perennial concerns top personal lists

Perennial concerns about health care and education remain on the top of some agendas.

Assistant Majority Leader Diane Loeffler (DFL-Mpls) would stabilize cost increases by promoting preventive health care, such

as early cancer screening and stemming childhood obesity. Preserving "affordability and access" to health care is a top concern of Rep. Steve Simon (DFL-St. Louis Park), another assistant majority leader. But he knows "the name of the game is reform" rather than "reaching for the stars."

McFarlane intends to work toward providing the best education to the people of the state. She said now is the time that different avenues should be explored, noting there's been discussion on having shared services between districts. "We need to have a vision of what a 21st century school looks like. How should we be delivering the services in an efficient way for today's learners? We need to keep the children engaged and wanting to learn."

Steadying the impact of budget cuts

Leaders want to steady the impact of budget cuts with new revenue sources and by finding cost efficiencies in current programs.

New revenue sources could include such diverse ideas as Simon's suggestion to establish a false claims act that would provide incentives to whistleblowers who expose fraud in companies contracted by the state. Simon said that a single settlement netted \$40 million for Illinois, one of 21 states with such a law.

Meanwhile, Loeffler wants to make sure the state is prepared for a full and accurate population count in the 2010 census with the hope of preserving a U.S. congressional seat and to ensure maximum eligibility for federal funding linked to census numbers. Reports have suggested that Minnesota could lose one of its eight seats in the U.S. House of Representatives because its population is increasing slower than other states.

Rep. Steve Smith (R-Mound), deputy minority leader, suggested new programs that began two years ago should be unallotted. "We need to first look at those programs across the board to start the process." A major decision will also be if "we're going to raise taxes or cut back," he said. "I told the speaker that short of a tax increase, I will do whatever I can to find fiscally responsible solutions."

Assistant Minority Leader Bob Gunther (R-Fairmont) said that when he was first elected in 1995, the state had surpluses. "Jobs are the things that create the surpluses. I don't ever think it's going to be in the mindset of this Legislature to save money for a rainy day, so to speak. I think jobs are going to be the thing we're looking at."

Welti also said job creation and funding is one of his priorities. He hopes to comb the Department of Employment and Economic Development to see if current projects could operate more efficiently.

He acknowledges the House will need to do more than examine certain mandates, such as annual travel policy reviews, publication update practices and proposed school food concession upgrades that cost local government units staff time and money.



Assistant
Minority Leader
Bob Gunther (R)



Assistant
Majority Leader
Diane Loeffler (DFL)



Assistant
Minority Leader
Carol McFarlane (R)



Assistant
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Steve Simon (DFL)



Deputy
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Steve Smith (R)



Assistant
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New members



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 1999-2006: Steve Sviggum (R-Kenyon)
 1997-1998: Phil Carruthers
 (DFL-Brooklyn Center)
 1993-1996: Irv Anderson (DFL-Int'l. Falls)
 1992-1993: Dee Long (DFL-Mpls)
 1987-1991: Robert E. Vanasek
 (DFL-New Prague)
 1987: Fred C. Norton (DFL-St. Paul)
 1985-1986: David M. Jennings (IR-Truman)
 1981-1984: Harry A. Sieben (DFL-Hastings)
 1980: Fred C. Norton (DFL-St. Paul)
 1979: Rodney N. Searle (IR-Waseca)
 Elected as a compromise since the
 House was evenly divided.
 1973-1978: Martin O. Sabo (DFL-Mpls)
 1971-1972: Aubrey W. Dirlam
 (C/R-Redwood Falls)
 1963-1970: Lloyd L. Duxbury (C/R-Caledonia)
 1959-1962: Edward J. Chilgren (L/D-Littlefork)
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 1939-1948: Lawrence M. Hall (C/R-St. Cloud)
 1937-1938: Harold H. Baker (L/FL-Elbow Lake)
 1935-1936: George W. Johnson (C/R-Duluth)
 1933-1934: Charles Munn (L/FL-Osseo)
 1931-1932: Oscar A. Swenson (C/R-Nicollet)
 1925-1930: John A. Johnson (C/R-Preston)

1919-1924: William I. Nolan (C/R-Mpls)
 1917-1918: Ralph J. Parker (C-Spring Valley)
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 1907-1908: Lawrence H. Johnson (R-Mpls)
 1905-1906: Frank Clague (R-Lamberton)
 1903-1904: Leverett W. Babcock (R-Wadena)
 1901-1902: Michael J. Dowling (R-Renville)
 1899-1900: Arthur N. Dare (R-Elk River)
 1897-1898: John D. Jones (R-Long Prairie)
 1895-1896: Samuel R. Van Sant
 (R-Winona County)
 1893-1894: William E. Lee (R-Long Prairie)
 1891: Ezra T. Champlin (A-Garden City)
 1889-1890: Charles H. Graves (R-Duluth)
 1887-1888: William R. Merriam (R-St. Paul)
 1885-1886: John L. Gibbs (R-Geneva)
 1881-1884: Loren Fletcher (R-Mpls)
 1878-1880: Charles A. Gilman (R-St. Cloud)
 1877: John L. Gibbs (R-Geneva)
 1875-1876: William R. Kinyon (R-Owatonna)
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 1867-1868: John Q. Farmer
 (W/R-Spring Valley)

1866: James B. Wakefield (R-Blue Earth City)
 1865: Thomas H. Armstrong (R-High Forest)
 1864: Jared Benson (R-Anoka)
 1863: Charles D. Sherwood (R-Elkhorn)
 1861-1862: Jared Benson (R-Anoka)
 1859-1860: Amos Cogswell (R/D-Aurora)
 1858: George Bradley (R-Belle Plaine)
 1857-1858: John S. Watrous (R)

TERRITORY

1857: Joseph W. Furber (W-Cottage Grove)
 1856: Charles Gardner (Westervelt)
 1855: James S. Norris (D-Cottage Grove)
 1854: Nathan C.D. Taylor (Taylors Falls)
 1853: David Day (Long Prairie)
 1852: John D. Ludden (Marine)
 1851: Michael E. Ames (Stillwater)
 1849: Joseph W. Furber (W-Cottage Grove)

Legend:

DFL=Democratic-Farmer-Labor; R=Republican;
IR=Independent-Republican; A=Alliance;
D=Democrat; C=Conservative; FL=Farmer-
Labor; L=Liberal; P=Populist; W=Whig

Source: Legislative Reference Library

2009-2010 Minnesota House of Representatives

District	Member/Party	Room*	Phone 651-296-	District	Member/Party	Room*	Phone 651-296-
48B	Abeler, Jim (R)	203	1729	34A	Kohls, Paul (R)	313	4282
19A	Anderson, Bruce (R)	295	5063	50A	Laine, Carolyn (DFL)	407	4331
13A	Anderson, Paul (R)	239	4317	9A	Lanning, Morrie (R)	259	5515
43A	Anderson, Sarah (R)	217	5511	40B	Lenczewski, Ann (DFL)	509	4218
3A	Anzelc, Tom (DFL)	417	4936	66A	Lesch, John (DFL)	537	4224
39B	Atkins, Joe (DFL)	503	4192	30A	Liebling, Tina (DFL)	553	0573
35A	Beard, Michael (R)	207	8872	1B	Lieder, Bernard (DFL)	423	5091
43B	Benson, John (DFL)	517	9934	55A	Lillie, Leon (DFL)	369	1188
57A	Bigham, Karla (DFL)	353	4342	59A	Loeffler, Diane (DFL)	349	4219
25B	Bly, David (DFL)	557	7065	42B	Loon, Jenifer (R)	311	7449
25A	Brod, Laura (R)	291	4229	37A	Mack, Tara (R)	321	5506
27A	Brown, Robin (DFL)	337	8216	22A	Magnus, Doug (R)	253	5505
23B	Brynaert, Kathy (DFL)	421	3248	67A	Mahoney, Tim (DFL)	591	4277
35B	Buesgens, Mark (R)	307	5185	65B	Mariani, Carlos (DFL)	563	9714
56A	Bunn, Julie (DFL)	521	4244	9B	Marquart, Paul (DFL)	597	6829
45B	Carlson, Lyndon (DFL)	479	4255	38A	Masin, Sandra (DFL)	527	3533
58B	Champion, Bobby Joe (DFL)	329	8659	53B	McFarlane, Carol (R)	223	5363
61A	Clark, Karen (DFL)	471	0294	57B	McNamara, Denny (R)	255	3135
24B	Cornish, Tony (R)	281	4240	40A	Morgan, Will (DFL)	411	4212
31B	Davids, Greg (R)	283	9278	23A	Morrow, Terry (DFL)	415	8634
62A	Davnie, Jim (DFL)	545	0173	58A	Mullery, Joe (DFL)	367	4262
52B	Dean, Matt (R)	287	3018	10B	Murdock, Mark (R)	213	4293
29A	Demmer, Randy (R)	245	9236	64A	Murphy, Erin (DFL)	413	8799
52A	Dettmer, Bob (R)	251	4124	6B	Murphy, Mary (DFL)	343	2676
6A	Dill, David (DFL)	571	2190	46A	Nelson, Michael V. (DFL)	569	3751
47A	Dittrich, Denise (DFL)	371	5513	49B	Newton, Jerry (DFL)	331	5369
33B	Doepke, Connie (R)	215	4315	10A	Nornes, Bud (R)	277	4946
12B	Doty, Al (DFL)	433	4247	29B	Norton, Kim (DFL)	387	9249
41A	Downey, Keith (R)	323	4363	38B	Obermueller, Mike (DFL)	335	4128
28B	Drazkowski, Steve (R)	247	2273	1A	Olin, Dave (DFL)	593	9635
17A	Eastlund, Rob (R)	243	5364	11B	Otremba, Mary Ellen (DFL)	445	3201
2A	Eken, Kent (DFL)	575	9918	64B	Paymar, Michael (DFL)	543	4199
19B	Emmer, Tom (R)	301	4336	31A	Pelowski Jr., Gene (DFL)	491	8637
20A	Falk, Andrew (DFL)	431	4228	32A	Peppin, Joyce (R)	279	7806
8B	Faust, Tim (DFL)	567	0518	4A	Persell, John (DFL)	529	5516
26B	Fritz, Patti (DFL)	551	8237	45A	Peterson, Sandra (DFL)	345	4176
53A	Gardner, Paul (DFL)	581	2907	27B	Poppe, Jeanne (DFL)	487	4193
36B	Garofalo, Pat (R)	221	1069	07B	Reinert, Roger (DFL)	429	4246
15A	Gottwalt, Steve (R)	231	6316	41B	Rosenthal, Paul (DFL)	393	7803
54A	Greiling, Mindy (DFL)	381	5387	5A	Rukavina, Tom (DFL)	477	0170
24A	Gunther, Bob (R)	289	3240	42A	Ruud, Maria (DFL)	515	3964
48A	Hackbarth, Tom (R)	309	2439	2B	Sailer, Brita (DFL)	577	4265
22B	Hamilton, Rod (R)	209	5373	51A	Sanders, Tim (R)	233	4226
39A	Hansen, Rick (DFL)	401	6828	54B	Scalze, Bev (DFL)	451	7153
66B	Hausman, Alice (DFL)	453	3824	49A	Scott, Peggy (R)	225	4231
15B	Haws, Larry (DFL)	473	6612	21A	Seifert, Marty (R)	267	5374
61B	Hayden, Jeff (DFL)	539	7152	5B	Sertich, Anthony "Tony" (DFL)	459	0172
46B	Hilstrom, Debra (DFL)	379	3709	14A	Severson, Dan (R)	261	7808
8A	Hilty, Bill (DFL)	559	4308	18A	Shimanski, Ron (R)	227	1534
36A	Holberg, Mary Liz (R)	303	6926	44A	Simon, Steve (DFL)	375	9889
34B	Hoppe, Joe (R)	317	5066	55B	Slawik, Nora (DFL)	403	7807
60B	Hornstein, Frank (DFL)	437	9281	63B	Slocum, Linda (DFL)	501	7158
47B	Hortman, Melissa (DFL)	377	4280	33A	Smith, Steve (R)	271	9188
14B	Hosch, Larry (DFL)	565	4373	3B	Solberg, Loren (DFL)	443	2365
4B	Howes, Larry (R)	201	2451	37B	Sterner, Phil (DFL)	523	4306
7A	Huntley, Thomas (DFL)	585	2228	56B	Swails, Marsha (DFL)	409	1147
16A	Jackson, Gail Kulick (DFL)	531	6746	65A	Thao, Cy (DFL)	359	5158
67B	Johnson, Sheldon (DFL)	549	4201	63A	Thissen, Paul (DFL)	351	5375
13B	Juhnke, Al (DFL)	485	6206	51B	Tillberry, Tom (DFL)	583	5510
59B	Kahn, Phyllis (DFL)	365	4257	21B	Torkelson, Paul (R)	211	9303
17B	Kalin, Jeremy (DFL)	579	5377	18B	Urdahl, Dean (R)	237	4344
26A	Kath, Kory (DFL)	357	5368	62B	Wagenius, Jean (DFL)	449	4200
60A	Kelliher, Margaret Anderson (DFL)	463	0171	12A	Ward, John (DFL)	533	4333
28A	Kelly, Tim (R)	241	8635	30B	Welti, Andy (DFL)	389	4378
16B	Kiffmeyer, Mary (R)	229	4237	11A	Westrom, Torrey (R)	273	4929
50B	Knuth, Kate (DFL)	507	0141	44B	Winkler, Ryan (DFL)	525	7026
20B	Koenen, Lyle (DFL)	439	4346	32B	Zellers, Kurt (R)	315	5502

*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155-1298

2009-2010 Minnesota Senate

District/Member/Party			Phone	District/Member/Party			Phone
			651-296-				651-296-
66	Anderson, Ellen R. (DFL)	120 Cap.	5537	30	Lynch, Ann (DFL)	G-24 Cap.	4848
6	Bakk, Thomas M. (DFL)	226 Cap.	8881	54	Marty, John (DFL)	328 Cap.	5645
61	Berglin, Linda (DFL)	309 Cap.	4261	39	Metzen, James P. (DFL)	322 Cap.	4370
51	Betzold, Don (DFL)	111 Cap.	2556	41	Michel, Geoff (R)	133 SOB	6238
43	Bonoff, Terri E. (DFL)	325 Cap.	4314	67	Moua, Mee (DFL)	120 Cap.	5285
38	Carlson, Jim (DFL)	G-9 Cap.	7-8073	28	Murphy, Steve (DFL)	325 Cap.	4264
50	Chaudhary, Satveer S. (DFL)	205 Cap.	4334	17	Olseen, Rick E. (DFL)	G-24 Cap.	5419
15	Clark, Tarryl (DFL)	208 Cap.	6455	33	Olson, Gen (R)	119 SOB	1282
64	Cohen, Richard J. (DFL)	121 Cap.	5931	4	Olson, Mary A. (DFL)	124 Cap.	4913
25	Dahle, Kevin (DFL)	320 Cap.	1279	34	Ortman, Julianne E. (R)	125 SOB	4837
26	Day, Dick (R)	113 SOB	9457	65	Pappas, Sandra L. (DFL)	120 Cap.	1802
60	Dibble, D. Scott (DFL)	111 Cap.	4191	36	Pariseau, Pat (R)	117 SOB	5252
18	Dille, Steve (R)	103 SOB	4131	59	Pogemiller, Lawrence J. (DFL)	235 Cap.	7809
40	Doll, John (DFL)	G-9 Cap.	5975	7	Prettner Solon, Yvonne (DFL)	G-9 Cap.	4188
31	Erickson Ropes, Sharon L. (DFL)	G-24 Cap.	5649	45	Rest, Ann H. (DFL)	205 Cap.	2889
14	Fischbach, Michelle L. (R)	145 SOB	2084	35	Robling, Claire A. (R)	143 SOB	4123
16	Fobbe, Lisa (DFL)	306 Cap.	8075	24	Rosen, Julie A. (R)	109 SOB	5713
47	Foley, Leo T. (DFL)	G-24 Cap.	4154	53	Rummel, Sandy (DFL)	323 Cap.	1253
21	Frederickson, Dennis R. (R)	139 SOB	8138	56	Saltzman, Kathy L. (DFL)	306 Cap.	4166
37	Gerlach, Chris (R)	129 SOB	4120	3	Saxhaug, Tom (DFL)	124 Cap.	4136
13	Gimse, Joe (R)	105 SOB	3826	46	Scheid, Linda (DFL)	G-9 Cap.	8869
42	Hann, David W. (R)	127 SOB	1749	29	Senjem, David H. (R)	147 SOB	3903
58	Higgins, Linda (DFL)	328 Cap.	9246	23	Sheran, Kathy (DFL)	G-24 Cap.	6153
11	Ingebrigtsen, Bill G. (R)	123 SOB	7-8063	57	Sieben, Katie (DFL)	321 Cap.	7-8060
49	Johnson, Debbie J. (R)	135 SOB	3219	2	Skoe, Rod (DFL)	303 Cap.	4196
48	Jungbauer, Michael J. (R)	121 SOB	3733	10	Skogen, Dan (DFL)	303 Cap.	5655
63	Kelash, Ken (DFL)	320 Cap.	7-8061	27	Sparks, Dan (DFL)	317 Cap.	9248
19	Koch, Amy T. (R)	115 SOB	5981	1	Stumpf, LeRoy A. (DFL)	208 Cap.	8660
12	Koering, Paul E. (R)	131 SOB	4875	5	Tomassoni, David J. (DFL)	317 Cap.	8017
20	Kubly, Gary W. (DFL)	301 Cap.	5094	62	Torres Ray, Patricia (DFL)	124 Cap.	4274
9	Langseth, Keith (DFL)	122 Cap.	3205	52	Vandeveer, Ray (R)	107 SOB	4351
44	Latz, Ron (DFL)	306 Cap.	7-8065	22	Vickerman, Jim (DFL)	226 Cap.	5650
32	Limmer, Warren (R)	141 SOB	2159	55	Wiger, Charles W. (DFL)	323 Cap.	6820
8	Lourey, Tony (DFL)	303 Cap.	0293				

*Capitol or State Office Building, St. Paul, MN 55155

Minnesota House and Senate Membership

1 A Rep. Dave Olin-(DFL) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	15 A Rep. Steve Gottwalt-(R) B Rep. Larry Hawes-(DFL) Sen. Tarryl Clark-(DFL)	29 A Rep. Randy Demmer-(R) B Rep. Kim Norton-(DFL) Sen. David H. Senjem-(R)	43 A Rep. Sarah Anderson-(R) B Rep. John Benson-(DFL) Sen. Terri E. Bonoff-(DFL)	57 A Rep. Karla Bigham-(DFL) B Rep. Denny McNamara-(R) Sen. Katie Sieben-(DFL)
2 A Rep. Kent Eken-(DFL) B Rep. Brita Sailer-(DFL) Sen. Rod Skoe-(DFL)	16 A Rep. Gail Kulick Jackson-(DFL) B Rep. Mary Kiffmeyer-(R) Sen. Lisa Fobbe-(DFL)	30 A Rep. Tina Liebling-(DFL) B Rep. Andy Welti-(DFL) Sen. Ann Lynch-(DFL)	44 A Rep. Steve Simon-(DFL) B Rep. Ryan Winkler-(DFL) Sen. Ron Latz-(DFL)	58 A Rep. Joe Mullery-(DFL) B Rep. Bobby Joe Champion-(DFL) Sen. Linda Higgins-(DFL)
3 A Rep. Tom Anzelc-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	17 A Rep. Rob Eastlund-(R) B Rep. Jeremy Kalin-(DFL) Sen. Rick E. Olseen-(DFL)	31 A Rep. Gene Pelowski Jr.-(DFL) B Rep. Greg Davids-(R) Sen. Sharon L. Erickson Ropes-(DFL)	45 A Rep. Sandra Peterson-(DFL) B Rep. Lyndon Carlson-(DFL) Sen. Ann H. Rest-(DFL)	59 A Rep. Diane Loeffler-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
4 A Rep. John Persell-(DFL) B Rep. Larry Howes-(R) Sen. Mary A. Olson-(DFL)	18 A Rep. Ron Shimanski-(R) B Rep. Ron Urdahl-(R) Sen. Steve Dille-(R)	32 A Rep. Joyce Peppin-(R) B Rep. Kurt Zellars-(R) Sen. Warren Limmer-(R)	46 A Rep. Michael V. Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	60 A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Homstein-(DFL) Sen. D. Scott Dibble-(DFL)
5 A Rep. Tom Rukavina-(DFL) B Rep. Anthony "Tony" Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	19 A Rep. Bruce Anderson-(R) B Rep. Tom Emmer-(R) Sen. Amy T. Koch-(R)	33 A Rep. Steve Smith-(R) B Rep. Kurt Zellers-(R) Sen. Gen Olson-(R)	47 A Rep. Denise Dittrich-(DFL) B Rep. Melissa Hortman-(DFL) Sen. Leo T. Foley-(DFL)	61 A Rep. Karen Clark-(DFL) B Rep. Jeff Hayden-(DFL) Sen. Linda Berglin-(DFL)
6 A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	20 A Rep. Andrew Falk-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary W. Kubly-(DFL)	34 A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	48 A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	62 A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Patricia Torres Ray-(DFL)
7 A Rep. Thomas Huntley-(DFL) B Rep. Roger Reinert-(DFL) Sen. Yvonne Prettner Solon-(DFL)	21 A Rep. Marty Seifert-(R) B Rep. Paul Torkelson-(R) Sen. Dennis R. Frederickson-(R)	35 A Rep. Michael Beard-(R) B Rep. Mark Buegens-(R) Sen. Claire A. Robling-(R)	49 A Rep. Peggy Scott-(R) B Rep. Jerry Newton-(DFL) Sen. Debbie J. Johnson-(R)	63 A Rep. Paul Thissen-(DFL) B Rep. Ken Kelash-(DFL)
8 A Rep. Bill Hilty-(DFL) B Rep. Tim Faust-(DFL) Sen. Tony Lourey-(DFL)	22 A Rep. Doug Magnus-(R) B Rep. Rod Hamilton-(R) Sen. Jim Vickerman-(DFL)	36 A Rep. Mary Liz Holberg-(R) B Rep. Pat Garofalo-(R) Sen. Pat Pariseau-(R)	50 A Rep. Carolyn Laine-(DFL) B Rep. Kate Knuth-(DFL) Sen. Satveer S. Chaudhary-(DFL)	64 A Rep. Erin Murphy-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
9 A Rep. Morrie Lanning-(R) B Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	23 A Rep. Terry Morrow-(DFL) B Rep. Kathy Brynaert-(DFL) Sen. Kathy Sheran-(DFL)	37 A Rep. Tara Mack-(R) B Rep. Phil Sterner-(DFL) Sen. Chris Gerlach-(R)	51 A Rep. Tim Sanders-(R) B Rep. Tom Tillberry-(DFL) Sen. Don Betzold-(DFL)	65 A Rep. Cy Thao-(DFL) B Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
10 A Rep. Bud Nornes-(R) B Rep. Mark Murdock-(R) Sen. Dan Skogen-(DFL)	24 A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie A. Rosen-(R)	38 A Rep. Sandra Masin-(DFL) B Rep. Mike Obermueller-(DFL) Sen. Jim Carlson-(DFL)	52 A Rep. Bob Dettmer-(R) B Rep. Matt Dean-(R) Sen. Ray Vandeveer-(R)	66 A Rep. John Lesch-(DFL) B Rep. Linda Slocum-(DFL) Sen. Ellen R. Anderson-(DFL)
11 A Rep. Torrey Westrom-(R) B Rep. Mary Ellen Otremba-(DFL) Sen. Bill G. Ingebrigtsen-(R)	25 A Rep. Laura Brod-(R) B Rep. David Bly-(DFL) Sen. Kevin Dahle-(DFL)	39 A Rep. Rick Hansen-(DFL) B Rep. Joe Atkins-(DFL) Sen. James P. Metzen-(DFL)	53 A Rep. Paul Gardner-(DFL) B Rep. Carol McFarlane-(R) Sen. Sandy Rummel-(DFL)	67 A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
12 A Rep. John Ward-(DFL) B Rep. Al Doty-(DFL) Sen. Paul E. Koering-(R)	26 A Rep. Kory Kath-(DFL) B Rep. Patti Fritz-(DFL) Sen. Dick Day-(R)	40 A Rep. Will Morgan-(DFL) B Rep. Ann Lenczewski-(DFL) Sen. John Doll-(DFL)	54 A Rep. Mindy Greiling-(DFL) B Rep. Bev Scalze-(DFL) Sen. John Marty-(DFL)	This document can be made available in alternative formats for people with disabilities by calling 651-296-2146 or 800-657-3550 toll-free (voice); or the Minnesota Relay service at 711 or 800-627-3529 (TTY).
13 A Rep. Paul Anderson-(R) B Rep. Al Juhnke-(DFL) Sen. Joe Gimse-(R)	27 A Rep. Robin Brown-(DFL) B Rep. Jeanne Poppe-(DFL) Sen. Dan Sparks-(DFL)	41 A Rep. Keith Downey-(R) B Rep. Paul Rosenthal-(DFL) Sen. Geoff Michel-(R)	55 A Rep. Leon Lillie-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles W. Wiger-(DFL)	
14 A Rep. Dan Severson-(R) B Rep. Larry Hosch-(DFL) Sen. Michelle L. Fischbach-(R)	28 A Rep. Tim Kelly-(R) B Rep. Steve Drazkowski-(R) Sen. Steve Murphy-(DFL)	42 A Rep. Maria Ruud-(DFL) B Rep. Jenifer Loon-(R) Sen. David W. Hann-(R)	56 A Rep. Julie Bunn-(DFL) B Rep. Marsha Swails-(DFL) Sen. Kathy L. Saltzman-(DFL)	

2009 House Profile

As of Jan. 9, 2009

Membership

	2009	2007	2005	2003	2001
DFL	87	85	66	53	65
R	47	49	68	81	69
IR	—	—	—	—	—
Men	91	91	97	102	99
Women	43	43	37	32	35

Age

Age range	2009	2007*	2005**	2003**	2001***
21-30	6	6	6	8	5
31-40	22	25	27	27	27
41-50	35	33	40	35	42
51-60	42	38	38	43	41
61-70	25	29	18	12	12
71 or over	4	2	3	3	3
Average age	50.9	50.2	48.6	47.4	48.4

* Age not available for 1 member
 **Ages not available for 2 members
 *** Ages not available for 4 members

Education

Education level	2009	2007	2005	2003	2001
High School	3	3	3	3	3
Technical College	6	7	7	6	5
Some College	8	9	13	14	13
4-yr. Undergraduate Degree	40	34	40	47	44
Some Graduate Work	18	21	20	15	13
Graduate Degree	58	60	51	48	50
Other	1	—	—	—	6

Current Term

Term	2009	2007	2005	2003	2001
1	22	35	25	46	18
2	30	23	38	17	20
3	21	27	14	15	22
4	21	8	12	14	22
5	6	8	12	11	17
6	8	11	7	8	8
7	9	3	5	5	4
8	2	3	5	3	7
9	3	3	2	4	3
10	2	1	4	2	2
11	1	3	2	1	1
12	3	2	1	1	1
13	1	1	1	1	3
14	1	1	1	2	2
15 or more	4	5	5	3	4

Occupation

Occupation	2009	2007	2005	2003	2001
Educator	27	28	21	22	20
Attorney	17	16	19	16	15
Business	14	13	18	22	23
Legislator	10	12	10	10	15
Retired	7	10	8	5	4
Consultant	5	6	7	7	6
Government	6	4	5	7	2
Real Estate	1	2	5	7	3
Communications	3	3	4	4	3
Trades	3	4	4	4	3
Farming	5	3	3	5	8
Homemaker	2	3	3	3	4
Health Care	3	2	—	—	—
Social Services	1	1	—	—	—
Law Enforcement	1	1	—	—	—
Other	29	26	26	21	28

State Fair poll was early indicator of environment and arts support



PHOTO BY TOM OLMSCHIED

A visitor to the House booth at the state fair closely examines the poll questions.

A question on the 2008 House of Representatives' State Fair Poll became an early indicator of voter support for a constitutional amendment increasing the state's sales tax by three-eighths of 1 percent and dedicating the funds to the environment and the arts.

Nearly 56 percent of voters in the Nov. 4 General Election approved the measure, but two months earlier nearly 50 percent of those participating in the state fair poll said they'd favor the tax increase.

During the 12-day run of the Minnesota State Fair, 7,465 fairgoers took the poll conducted by nonpartisan House Public Information Services. It is an informal, unscientific survey on issues discussed in prior legislative sessions and that may again be topics of discussion.

Here's a look at the questions and results. All percentages are rounded to the nearest one-tenth. Totals are for those who actually voted on the question.

1. This November, voters will be asked to vote for a three-eighths of 1 percent sales tax increase with the money dedicated for the environment and the arts. Do you support this?

Yes	49.0%	(3,640)
No	42.9%	(3,188)
Undecided/No Opinion	8.0%	(595)

2. Should voters be required to show a picture ID before casting their ballot?

Yes	67.0%	(4,986)
No	27.1%	(2,017)
Undecided/No Opinion	5.8%	(432)

3. A motorist can now only be cited for failure to wear a seat belt if they are stopped for another infraction. Should law enforcement be permitted to stop someone solely for not wearing a seat belt?

Yes	47.1%	(3,504)
No	47.0%	(3,499)
Undecided/No Opinion	5.8%	(431)

4. Should the state's 14-year moratorium on nuclear power plant construction be lifted so new facilities can be considered to help meet the state's electricity needs?

Yes	61.0%	(4,511)
No	26.4%	(1,952)
Undecided/No Opinion	12.6%	(935)

5. Clothing sold in the state is not subject to sales tax. Should it be?

Yes	11.6%	(864)
No	84.6%	(6,285)
Undecided/No Opinion	3.7%	(276)

6. Should public school students be required to say the Pledge of Allegiance each day?

Yes	46.3%	(3,436)
No	45.9%	(3,406)
Undecided/No Opinion	7.8%	(578)

7. The state is expected to face a deficit in excess of \$1 billion next fiscal year. Do you generally support budget cuts as opposed to increasing certain taxes in times of economic distress?

Yes	46.5%	(3,444)
No	43.0%	(3,188)
Undecided/No Opinion	10.4%	(773)

8. Should undergraduate students at a state college or university have their tuition locked in so that any semester during a four-year period it could not exceed the price the student was charged during their first semester?

Yes	62.1%	(4,604)
No	26.7%	(1,981)
Undecided/No Opinion	11.1%	(826)

9. Should grocers and large retailers who use plastic carryout bags be required to make in-store bag recycling available?

Yes	76.0%	(5,635)
No	19.7%	(1,462)
Undecided/No Opinion	4.3%	(323)

10. Hospitals are permitted to set staffing levels for registered nurses. Should the Legislature set a maximum number of patients a nurse can care for during a shift?

Yes	50.8%	(3,770)
No	36.8%	(2,725)
Undecided/No Opinion	12.4%	(918)

11. Should a 25-percent investment tax credit be made available for investments in qualifying new bioscience business ventures?

Yes	40.6%	(2,999)
No	29.0%	(2,145)
Undecided/No Opinion	30.3%	(2,243)

12. Should lawn care companies and other commercial applicators be required to post 48-hour advance warnings before spraying city yards or farm fields with weed killers or other pesticides?

Yes	60.0%	(4,445)
No	29.3%	(2,177)
Undecided/No Opinion	10.7%	(797)

13. What should be the state sport?

Fishing	28.3%	(1,931)
Football	4.6%	(316)
Golf	2.2%	(150)
Hunting	3.6%	(245)
Ice hockey	35.2%	(2,403)
Water skiing	3.2%	(218)
Other	22.9%	(1,564)



Look for the House of Representatives booth in the Education Building at the 2009 Minnesota State Fair Aug. 27 - Sept. 7

Directions, Parking, Tours, Visiting the Legislature, Dining

Directions

The Capitol complex is north of Interstate 94, just minutes from downtown St. Paul. It is accessible from the east and west on I-94, and from the north and south on Interstate 35E.

- I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right.
- I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right.
- I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right.
- I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left.

Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot AA, across Rice Street from the State Office Building on Aurora Avenue; Lot F, directly west of the Transportation Building; Lot H, west of the Veterans Service Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); Lot L, east of the Judicial Center; in the 14th Street Lot at the corner of North Robert Street and 14th Street; and on the orange level of the Centennial Office Building Ramp at Cedar Street and Rev. Dr. Martin Luther King Jr. Blvd. There are a few metered parking spots in front of the Capitol along Aurora Avenue.

Capitol Security personnel will issue tickets for expired meters.

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

Outdoor disability parking is available in most public lots within the State Capitol Complex. However, most spots can be found in Lot N and Lot F. Disability parking is also available on the orange level of the Centennial Office Parking Ramp and in the 14th Street Lot.

The main disability entrance to the Capitol is on the northwest side of the building just off Lot N. There also are drop-off entrances on the south side under the front steps on the south side and on the northeast side of the building.

Visiting the Legislature

During session, all House and Senate floor sessions are open to the public. No pass is required for spectators to sit in the galleries of either chamber. The House usually meets at 1 p.m. Monday and 10:30 a.m. Thursday, and the Senate generally meets at 11 a.m. Monday and Thursday during the first few weeks of session. As the session nears the

end, however, both bodies may meet several times a week, often into the night.

Visitors interested in observing these sessions may call House Public Information Services at 651-296-2146 or Senate Information at 651-296-0504, with questions.

Committee meetings are open to the public, as well. Visitors wanting to attend a committee meeting may call the meeting hotlines for prerecorded messages with the meeting times and agendas for each day: House 651-296-9283 or Senate 651-296-8088.

If group members want to meet with their individual legislators or testify before a committee, arrangements should be made at least a week in advance.

Sometimes groups plan a "legislative day" at the Capitol. For information on reserving a room for group conferences, call the State Office Building room scheduler at 651-296-0306 or the Capitol room scheduler at 651-296-0866.

Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

Tour guides lead the 45-minute tours on the hour Monday through Friday between 9 a.m. and 4 p.m. (last tour leaves at 3 p.m.); Saturday between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sunday between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol information desk. Brochures in about 20 foreign languages also are available there.

Tour rates vary. Generally, 45-minute tours for drop-in visitors to the Capitol are free of charge.

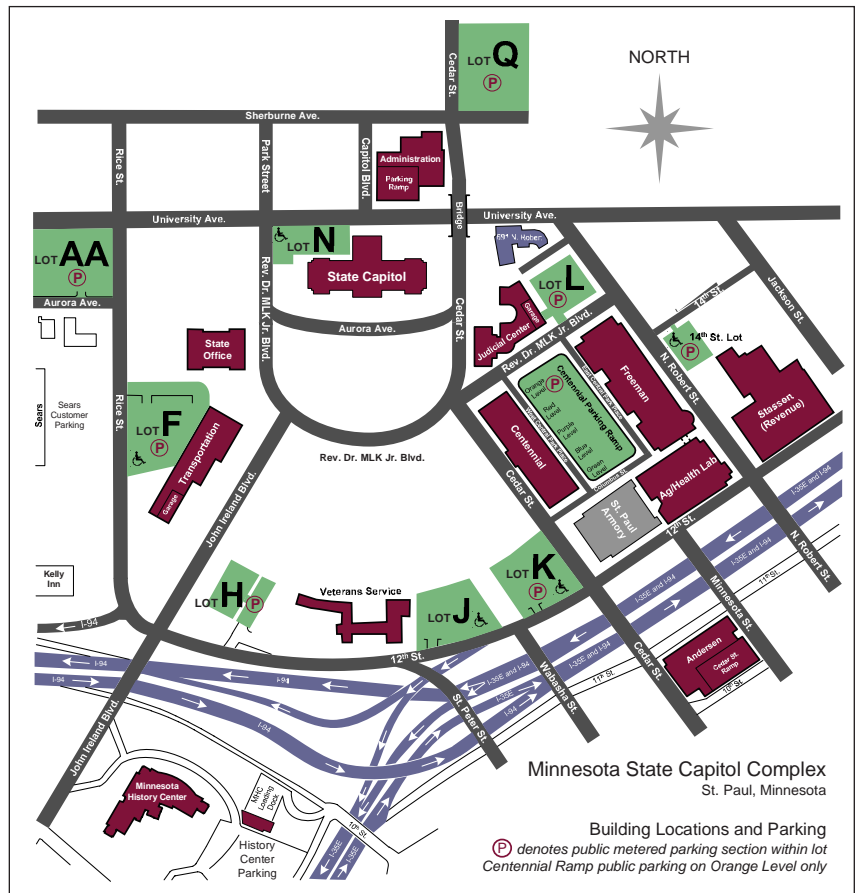
The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. A special events guide is available upon request.

For more information about the tours and fees or to make a reservation, call the Capitol Historic Site Program at 651-296-2881.

Dining

Year-round cafeterias can be found on the ground floor of the Transportation, Centennial and Stassen buildings.

The small State Office Building cafeteria and the Rathskeller in the State Capitol are open only when the Legislature is in session.



Edited map courtesy Minnesota Department of Administration, Plant Management Division

Glossary of Legislative Terms

Below is a listing of definitions to terms frequently used as part of the legislative process

act

A bill that has passed both houses of the Legislature and has been enrolled, certified, assigned a chapter number, and either has become law without the governor's signature, signed into law by the governor, or vetoed by the governor and the veto has been overridden by the Legislature.

adjournment

Closing of a committee hearing or daily legislative session for the day.

adjournment "sine die"

Or "without a day" — final adjournment of either the House or the Senate at the end of a two-year biennium.

biennium

Two-year period. The legislative session is biennial; the state budget is biennial (money for a two-year budget cycle). Minnesota's biennium begins July 1 and ends June 30, two years later.

bill

Proposal for a new law, change in current law, repeal of a current law or a constitutional amendment. It consists of a title, enacting clause and body (text), which is examined and approved in its form by the Office of the Revisor of Statutes.

bill status

1. Current standing or location of a bill within the legislative process. 2. The informal name for the index systems prepared by the House and Senate index departments.

call of the house

A condition placed upon the House at the request of 10 members, or upon the Senate by any member, compelling absent and unexcused members to come to the chamber and to cast their vote. No member may leave without permission of the presiding officer.

caucus

1. A group of representatives or senators who affiliate with the same political party or faction, such as the "DFL Caucus," the "Republican Caucus," the "Majority" or the "Minority" caucus. 2. Meeting of such a group.

chamber

The official meeting place for the House or Senate in the State Capitol.

chapter

1. In Minnesota Statutes, a division of major subject areas of the law. 2. In Session Laws, each chapter is a bill that has been enacted (become law). Chapter numbers of laws are assigned by the revisor of statutes and then presented to the governor for approval.

chief author (sponsor)

The main author or sponsor of a bill.

co-author, co-sponsor

1. One of the joint sponsors of a bill. 2. To sponsor a bill in conjunction with other legislators.

committee

1. A group of members appointed from a legislative body to study, consider and make recommendations on bills, resolutions and other related matters that affect an aspect or aspects of the state. 2. An executive or judicial branch agency called to advise another body. It is limited in its authority.

companion bills

Identical bills introduced both in the House and the Senate.

final passage

A vote taken on a bill after its third reading, requiring a majority of all elected members of a legislative body for approval. Each member's vote is recorded in the journal, as required by the state constitution.

first reading

Reporting of a bill to the body, as required by the state constitution and the rules of the body, at the time of its introduction and referral to committee.

fiscal note

A list of the costs, or financial implications of a bill, prepared by the executive branch of government; may be attached with the committee report.

General Register

A list of bills that have had their second readings and await action by the full House.

General Orders

A list of bills that have had second reading and may be debated and/or amended by the body acting as the Committee of the Whole.

hearing

A formal meeting of a committee, division or subcommittee where evidence may be presented or testimony heard. Usually used interchangeably with "committee hearing."

House File or HF

Designation appearing before the number of a bill, which indicates that the measure originated in the House of Representatives.

interim

The interval between adjournment sine die and the convening of a new Legislature.

legislative day

A day when either house of the Legislature is in session; a 24-hour period commencing at 7 a.m.

main author, sponsor

Same as "chief author" or "chief sponsor."

majority

1. Final Passage - 50 percent plus one of all members elected to a legislative body: 68 votes in the House; 34 votes in the Senate. 2. Simple - in committee, subcommittee and division, 50 percent plus one of those members present while voting.

motions and resolutions

That part of the order of business when members may make motions on legislative matters that do not come before the body under the other items of the order of business.

omnibus

A term used to describe tax, education, appropriations and other bills that contain many different proposals.

quorum

The number of members in attendance required to conduct business (50 percent plus one).

reading

A formal procedure required by the state constitution and rules. These readings indicate to legislators and the public that an action or series of actions have been taken on a bill or resolution, and the matter has reached the next stage in the legislative process. Bills receive their first reading at the time of introduction, their second reading after adoption of committee reports, and their third reading before placed upon final passage. Bills can receive more than first, second or third readings. Before a bill can be repassed as amended by the other body, or repassed as amended by conference, the bill must receive another third reading.

roll call

Recorded vote taken by either body by means of the electrical voting system or by calling by voice for the votes of individual members.

rules

1. Regulating principles, methods of procedure. These include the Minnesota Constitution, Minnesota Statutes, Permanent Rules of the House, Joint Rules of the House and Senate, Mason's Manual of Legislative Procedure, and custom and usage. 2. An operating principle or order promulgated by a branch or unit of state government under authority granted by the Legislature. These administrative rules have the force and effect of law.

veto

The power or action of the governor to reject a bill. Except of a pocket veto, the bill is returned to the house of origin with a veto message.

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MAJORITY LEADER: ANTHONY "TONY" SERTICH

MINORITY LEADER: MARTY SEIFERT

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Daily House, Senate member per diem	\$77, \$96

— M. Cook

Sources: House Public Information Services; House Chief Clerk's Office; and Office of the Secretary of State.

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On the cover: Members of the 2009-2010 Minnesota House of Representatives.

— Photo illustration by: Andrew VonBank

New jobs in hard times

Lawmakers make job creation a priority for 2009

By Nick Busse

When employees at St. Paul's Minnesota WorkForce Center are working harder than usual, that means a lot of people aren't working — and according to Site Manager Jim Schultz, the slumping economy is keeping them as busy as ever.

"In terms of people coming in, we see the gamut from entry-level people that lack their GED or high school diploma as well as highly educated people with masters and even a few doctorate degrees," Schultz said.

Schultz's facility is one of 47 workforce centers across the state established by the Department of Employment and Economic Development as a way to help bolster the state's labor market. The centers provide unemployed workers with free access to a variety of training opportunities and resources to help them find new jobs and

expand their career options.

With the current economic recession deepening, the centers have had their work cut out for them. At the St. Paul location alone, Schultz said the number of visits to his facility jumped from 29,000 in 2007 to 37,000 in 2008 — an increase of nearly 30 percent. Demands for their services are so high, Schultz said, that they've had to institute new policies such as time limits on use of job-search computers in their resource center.

In fact, they've even had to take the unusual step of hiring a security guard, because, as

Schultz put it, "To be honest ... not having a job is very stressful to people, and sometimes we found people engaging in bad behavior."

If the latest projected unemployment trends are any indication, the same story is playing out all over the state — and the situation is likely to get worse. Projections by DEED's Labor Market Information Office indicate that as many as 260,000 Minnesotans are likely to be jobless by the end of 2009 — an unemployment rate of 8.7 percent.

This means that in addition to the 39,000 workers who lost their jobs last year, another 61,000 could be out of work before the end of this year. The situation is so bad that DEED officials are warning that the state's unemployment insurance funds will be exhausted by Christmas, forcing the state to borrow from the federal government to cover workers' unemployment benefits.

Awaiting help

A few miles down the road from the workforce center, lawmakers at the State Capitol are at work on a new plan to stem the tide of job losses and provide some relief to the state's workforce.

HF1 and SF1, sponsored by House Majority Leader Tony Sertich (DFL-Chisholm) and Sen. David Tomassoni (DFL-Chisholm), are intended to serve as the vehicle for Minnesota to accept its share of what could be a massive economic stimulus package from the federal government. There are no details on the package yet, or on how much Minnesota could receive, but President-elect Barack Obama has asked Congress for billions of dollars in funding for any number of infrastructure projects and other public works, with the goal of reinvigorating the economy and creating new jobs. Action is expected within the first few weeks of Obama's presidency.

At a Jan. 12 press conference, House and Senate DFL leaders explained that the purpose of the session's first bill is to signal the federal government that Minnesota is "ready, willing and able" to accept federal stimulus dollars.

"We feel it's important to introduce this bill to first and foremost say, 'Minnesota is ready to receive these funds, and we're going to be spending them in the most appropriate way possible with projects that are ready to go right away,'" Sertich said, adding that legislators



PHOTO BY TOM OLMSCHIED

Jim Schultz, site manager of the Minnesota WorkForce Center at Fairview and University avenues in St. Paul, said traffic at the office has increased nearly 30 percent in the past year.

First Reading continued on page 4

would seek to “maximize” the amount of federal resources provided to the state.

Sertich named a variety of different areas where he thought the funding might go, including transportation, health care, education and energy. He said House and Senate committees would likely hold hearings to ask state agencies what public works projects needed funding and how soon they could begin.

“We want to be going down a parallel track with them (the federal government) ... so when that bill is signed on President Obama’s desk, and those resources come to Minnesota, we have already been actively working to develop a plan to get those resources out the door to stimulate Minnesota’s economy,” Sertich said.

Lawmakers might find that some of the work has already been done.

One example is in the area of renewable energy, where the Green Jobs Task Force, an entity created by the Legislature in 2008, has been working to develop an action plan that could fit right into planning on how to use the stimulus money.

Rep. Jeremy Kalin (DFL-North Branch), co-chair of the task force, said renewable energy and energy conservation projects are particularly worthwhile for government to invest in because of their cost-efficiency. He gives the example of retrofitting public buildings to make them more energy efficient — something that costs money up front but saves taxpayer money in the long run.

“In fact, every day that we don’t get more folks to work doing so, we’re actually seeing more dollars go out the window and up the smokestack,” Kalin said. He added that green jobs are a “win-win-win” situation that provides employment, save taxpayer dollars and increase energy independence.

Few other options

The plan’s reliance on federal assistance makes some Republicans skeptical. The whole reason the federal government can provide any assistance at all is that it has the ability to run budget deficits — a luxury that Minnesota’s own constitution doesn’t allow. Not everyone thinks it’s a good idea.

Gov. Tim Pawlenty has said that the U.S. government is effectively bankrupt, and

Projected Job Growth/Losses in Minnesota

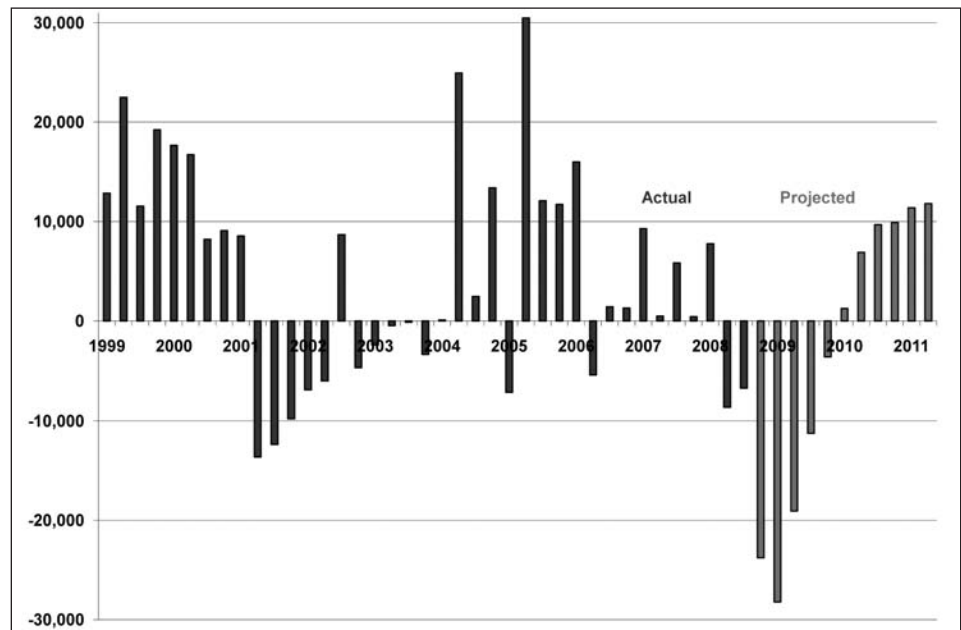


Chart courtesy: Labor Market Information Office,
Department of Employment and Economic Development


should avoid digging itself further into debt. Similarly, House Minority Leader Marty Seifert (R-Marshall) said in a press conference last week that as an “old-time Republican,” he is concerned about the federal deficit and the “spendaholics” in Congress. He said he would like to see any jobs stimulus plan focus on private sector-based solutions.

Rep. Bob Gunther (R-Fairmont), a member of the Green Jobs Task Force, said that although he supports spending money on the green economy and job creation in general, he is concerned about the federal government’s poor track record on managing taxpayer money. He points to the \$700 billion

Troubled Assets Relief Program — better known as the Wall Street bailout — as a recent example.

“After they spent \$350 billion, they said, ‘Where’s the money? What is it doing?’ We have no knowledge if the people we gave it to are doing what we thought they would do,” Gunther said, adding that he sees no reason to believe that federal stimulus plans will be better managed in the future.

Gunther offered praise for the Dislocated Worker Program and other DEED job-training services, calling them “nation-leading,” and said legislators should take

care not to divert funding away from them. He noted a strong workforce — filled with workers paying income taxes — is the best way to avoid budget deficits like the one the state faces now. 

Tools for job-seekers

The Department of Employment and Economic Development provides a variety of programs and services to help people find jobs:

- Minnesota WorkForce Centers are free “one-stop shops” for job seekers, providing everything from workshops on resume-writing and interviewing to job fairs and access to computers;
- www.MinnesotaWorks.net is a free job-search Web site that allows job-seekers to post resumes and matches them with employers looking for workers;
- DEED’s Dislocated Worker Program helps employees who have been laid off return to the workforce as quickly as possible; and
- The Unemployment Insurance Program provides temporary assistance to workers who have lost employment through no fault of their own.

For more information on these and other programs and services, visit www.PositiveMinnesota.com or contact your local Minnesota WorkForce Center via 888-GET-JOBS 888-438-5627.

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Jan. 8-15. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

BONDING

Better luck with bond sales

With an economic outlook that has legislators picking their brains for solutions, a slight silver lining appeared when the state had better luck selling bonds than it did last year.

The Minnesota Management and Budget Office sold \$400 million worth of bonds in three competitive sales Jan. 13. The bond sale raises money for capital projects, including college classrooms, prisons and road projects.

Kathy Kardell, assistant commissioner with the office's Treasury Division, told the House Capital Investment Finance Division Jan. 13 the sale would have normally occurred in October, but was deferred until now because of poor market conditions. The state received an interest rate of 3.5 percent, which would have been 5 percent in October.

With concerns over the recent closures of some high-profile banks, like Lehman Brothers, Rep. Greg Davids (R-Preston) asked, "What happens if one of these companies goes down?"

Kardell said she doesn't think there's any risk. Using Lehman Brothers as an example, she said the bonds they had were sold immediately to other investors. Merrill Lynch bought \$325 million worth of the bonds sold this week.

— S. HEGMAN

CRIME

Prison population projections

More Minnesotans are expected to live behind bars in the next decade, but the rate of the population increase is expected to slow.

Speaking before the House Public Safety Policy and Oversight Committee Jan. 13, Grant Duwe said the projected offender increase is expected to be 2,064 prisoners between July 1, 2008, and July 1, 2018. Duwe, the Corrections Department research and evaluation manager, said the prisoner increase

in the previous eight years was 2,948.

That would put the state's prison population at 11,288 on July 1, 2018, compared to 9,224 on July 1, 2008. Eight years earlier the number was 6,276.

"This is based on current trends, laws and practices," he said. "Annual forecasts over the past three years have been very accurate as the average monthly error rate has been 0.4 percent."

He said part of the rapid increase earlier this decade, and slower projected growth is related to methamphetamine convictions, which are on the decline.

There were less than "a few hundred" meth offenders in state prison at the start of this decade, he said. In 2006, there were 1,138 prisoners, but about 200 less since then.

Drug offenders are expected to account for much of the short-term growth, but about one-third of the long-term growth. Sex and other person offenders are expected to account for almost half of the growth in the next decade.

Rep. Paul Kohls (R-Victoria) wondered if there is enough room to house more prisoners.

"We do not anticipate bonding for additional male beds until the bonding session of 2014, and we do not anticipate bonding for additional female beds until well past the end of this chart," said David Crist, assistant commissioner for the department's Facility Services Division. The chart went until 2018.

— M. COOK

EDUCATION

Reviewing the syllabus

The House K-12 Education Policy and Oversight Committee began laying out specific topics for this session at its first meeting on Jan. 13.

Rep. Carlos Mariani (DFL-St. Paul), the committee chairman, said issues they'll wrestle with throughout the session include oversight and quality of charter schools; the achievement gap between different races; the "accountability framework," including the role of high-stakes testing such as the Graduation Required Assessments for Diploma math test for 11th graders; and teacher professional development.

Rep. Jim Abeler (R-Anoka), who leads the Charter Schools Working Group, said that although some charters have failed, the charter school model is valuable as "a

In memoriam

House members who passed away last year were remembered during the Jan. 12 floor session. They are:

- **Maurice "Mac" McCollar** - 1975-78, District 49B;
- **Otto Bang** - 1963-66, District 33; 1967-72, District 29A; and Senate District 39, 1973-82;
- **John Brandl** - 1977-78, District 61A; 1981-82, District 61A; 1983-86, District 62B; and Senate District 62, 1987-90;
- **Maxine Penas** - 2001-2006, District 1A;
- **Stanley J. Fudro** - 1957-62, District 28; 1963-72, District 40; 1973-80, District 55A;
- **Robert F. Christensen** - 1963-66, District 44; 1967-70, District 48B; and
- **Irv Anderson** - 1965-66, District 64; 1967-72, District 64B; 1973-82, District 3A; 1991-2006, District 3A.

— L. SCHUTZ

laboratory as opposed to a direct competitor" of the mainstream school.

An Office of the Legislative Auditor June 2008 evaluation pinpoints charter schools' problems with oversight and governance. These include inconsistent standards and lack of financial training for charter sponsors, conflicts of interest such as the requirement that charters have teacher-majority boards and lease aid. Mariani said an upcoming bill would likely incorporate the auditor's recommendations.

Assessing student achievement remains problematic. A huge issue concerning school districts statewide is whether most juniors will pass the math portion of the GRAD test. A passing score is required to graduate.

The test is aligned to the 2003 Department of Education math standards, but only 34 percent of 11th graders passed a similar test last year. Rep. Denise Dittrich (DFL-Champlin) said that a workable solution could be for Education Commissioner Alice Seagren to determine a score for "partially meets proficiency" standards. The Legislature could also pass a law requiring students who do not at least partially meet proficiency to do remedial work and retest, but allow them to graduate if they meet all other local and state graduation requirements.

"Districts are very anxious to have some sort of resolution as to how we are going to proceed with this high-stakes test," Dittrich said.

— K. BERGGREN

EMPLOYMENT

Extending unemployed benefits

Approximately 3,000 of the state's unemployed could soon be eligible for an extension of their unemployment benefits.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul), HF4 would change the way the state computes the unemployment compensation eligibility period.

The bill is being fast-tracked to the House floor.

In less than an hour on Jan. 13, the bill was approved by the House Labor and Consumer Protection Division and the House Commerce and Labor Committee. On Jan. 15, it was approved by the House Bioscience and Workforce Development Policy and Oversight Division and the House Higher Education and Workforce Development Finance and Policy Division. It awaits action by the House Finance Committee.

The bill's companion, SF4, sponsored by Senate President James Metzen (DFL-South St. Paul), was passed 65-0 on Jan. 15.

Lee Nelson, chief attorney for the Department of Employment and Economic Development, said the method the state uses to compute eligibility has made about 10 percent of those who could qualify for the federal extension enacted in July ineligible for the benefit.

"The people have worked long enough to qualify, but the dates by which the state uses are a problem for qualification," he said.

With unemployment in the state expected to rise in the coming months, the department has calculated that an additional 150 Minnesotans would qualify for the extension each week.

— L. SCHUTZ

More job losses predicted

Minnesota will likely shed an additional 61,000 jobs by the end of this year, and might not see any employment gains until early 2010, a state official said.

Steve Hine, labor market information director at the Department of Employment and Economic Development, made this grim prediction Jan. 13 to members of the House Bioscience and Workforce Development Policy and Oversight Division. No action was taken.

Hine said the projected net loss for this year would come on top of the approximately 39,000 jobs lost last year.

The projections are based on national economic trends predicted by Global Insight, a widely cited economic forecasting company, he said. Global Insight predicts an economic rebound in early 2010 — although, as Hine

UNEMPLOYMENT FACTS

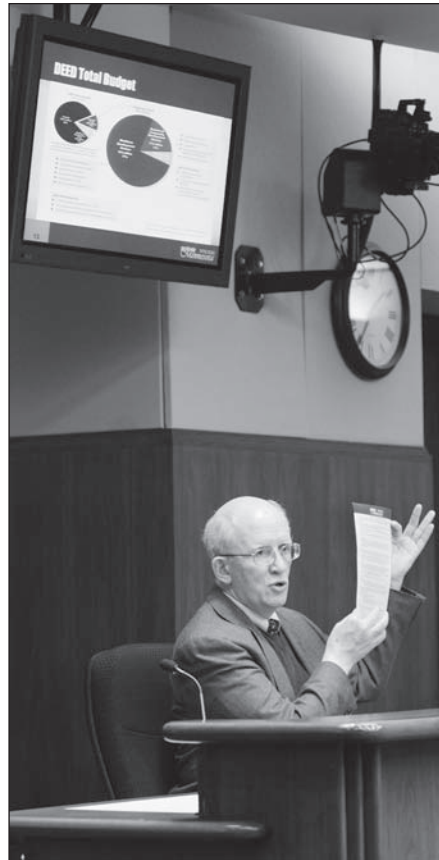


PHOTO BY TOM OLMSCHIED

Dan McElroy, commissioner of the Department of Employment and Economic Development, holds up a copy of Facts about Unemployment Insurance in Minnesota for members of the House Higher Education and Workforce Development Finance and Policy Division at a Jan. 13 hearing.

noted, it took Minnesota more than four years to regain the number of jobs it lost during the last recession, in 2001.

Among the other bad news, Hine said the state is likely to reach all-time highs in its total number of unemployed workers — as many as 260,000 by the end of 2009 — as well as the number of workers claiming and receiving unemployment benefits.

As if all that weren't bad enough, he said Minnesota's employment rate has also been lagging behind the national average in recent years.

"There's a lot of speculation as to whether we've lost our luster here," Hine said, noting that the state's labor market, prior to 2006, had historically performed as good as or better than the United States as a whole.

Hine said the downturn in the housing market likely plays a role in Minnesota's below-average employment rates. In particular, the state's forest products manufacturing industry has been negatively impacted.

Division Chairman Rep. Tim Mahoney (DFL-St. Paul) said members of the division have their work cut out for them.

"We're not growing the way we need to grow to keep the state healthy," he said.

Division members also learned that the state faces the long-term challenges of an aging workforce, possible labor shortages and — despite an influx of immigrants — much slower growth in the state's labor force.

Rep. Steve Gottwalt (R-St. Cloud), the division's lead Republican, said the projected long-term trends are particularly troubling. "If these numbers are reflective of what's going to happen even with the immigration we're expecting, we're in a world of hurt."

— N. BUSSE

HOUSING

Focus on foreclosures

In an era of banking and automotive industry federal bailouts, House Housing Finance and Policy and Public Health Finance Division members heard about ways that federal and state funds are being distributed to Minnesotans whose homes are at risk of foreclosure.

Tonja Orr, Minnesota Housing Finance Agency assistant commissioner, said the agency has seen a 35 percent increase in foreclosures between 2007 and 2008. That's 28,000 more families displaced. Orr also said that homeowners and renters are waiting until they are delinquent 120 days or more before seeking help, and that more emphasis is being placed on getting people help before the sheriff comes knocking at the door.

There are several ways the agency is attempting to expedite needed counseling and financial assistance:

- educational housing fairs, conference calls for people who cannot apply in person or who wish to be discreet, flyers in city utility bills and multi-lingual counseling;
- \$9 million is available for help with down payments; and
- \$1 million is available for a combined rehabilitation and down payment loan program.

Rep. Dan Severson (R-Sauk Rapids) said the process, as a whole, may create a false sense of security. Communities were encouraged to provide subsidized housing and people were "pushed" into those homes, Severson said. With a downturn in the economy, their ability to make mortgage payments diminished.

"So you have the taxpayer paying on the front end to get people into subsidized housing. When it comes off the market, now you're asking for more money to fix up the

MEET AND GREET

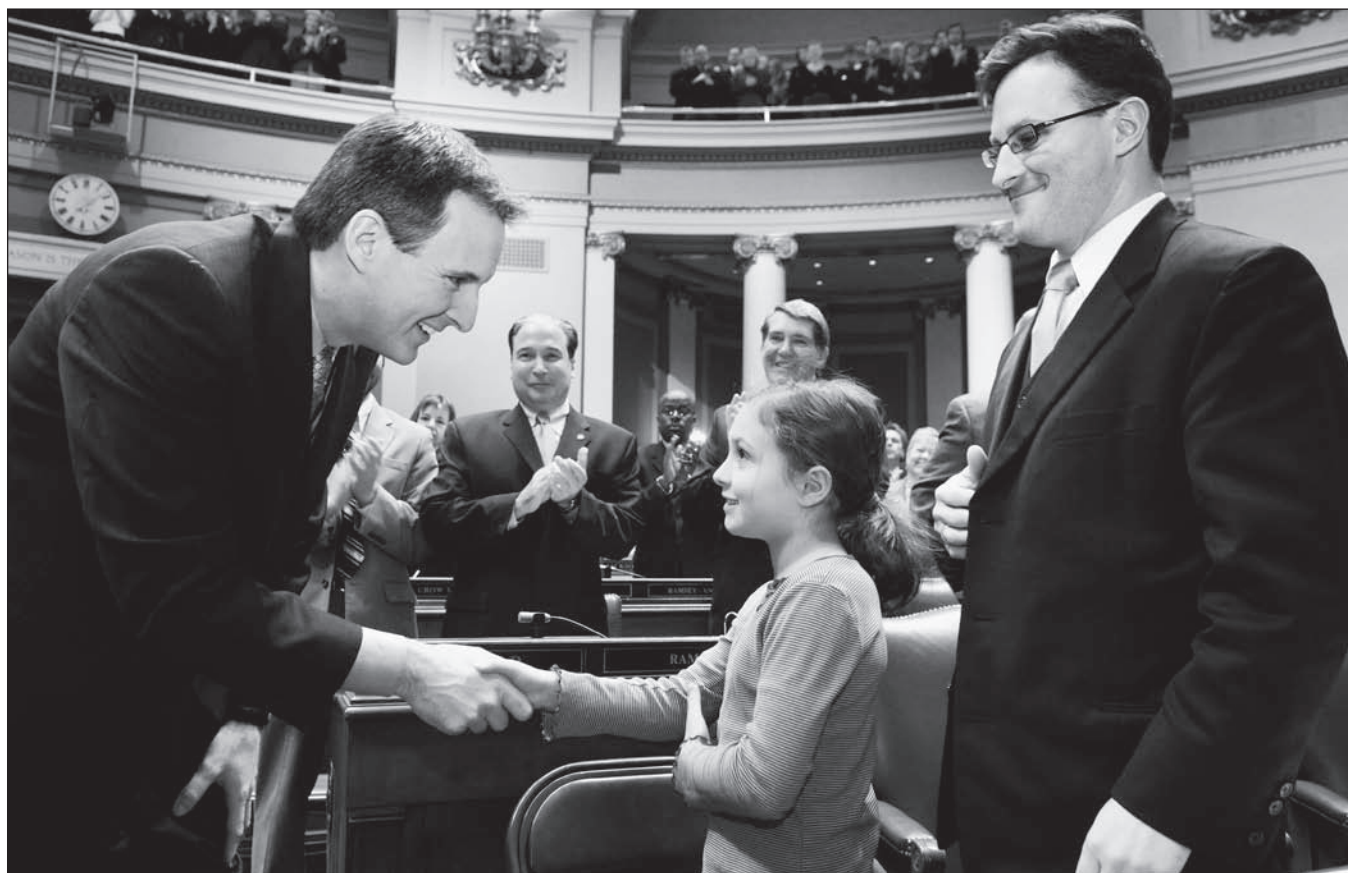


PHOTO BY TOM OLMSCHIED

Eight-year-old Alice Lesch, center, daughter of Rep. John Lesch, right, is greeted by Gov. Tim Pawlenty, left, as he entered the House Chamber Jan. 15 to give his State of the State address to a joint session of the House and Senate.

house so we can present it to new people who, in fact, may be questionable as to whether they can meet the challenge," he said.

What the committee needs to address, according to Severson, is how to create a system that creates a long-term solution.

Committee Chairwoman Rep. Karen Clark (DFL-Mpls) advised members that a Housing Caucus, which includes bipartisan participants from both the House and the Senate, is expected to reconvene this session, although an initial meeting date has not yet been scheduled.

— S. HEGARTY

HUMAN SERVICES

Vets Home problems surface in audit

Inadequate financial controls at the Minnesota Veterans Home - Minneapolis resulted in accounting inadequacies over resident trust accounts and payroll and administrative expenditures.

These were among the 18 findings of a July 1, 2004, through June 30, 2007, audit

of the home, conducted by the Office of the Legislative Auditor and released Nov. 26, 2008. It was discussed during the House Agriculture, Rural Economies and Veterans Affairs Finance Division meeting Jan. 13.

"This is a very serious report and one we will watch over carefully as the oversight committee," said Rep. Al Juhnke (DFL-Willmar), chairman of the division.

The home came under intense scrutiny after reports of inadequate patient care and facility and management concerns began to surface in 2002. The home's oversight body, the Veterans Home Board, was dissolved in 2007 upon recommendation from the governor-appointed long-term care commission. Oversight was then moved to the Department of Veterans Affairs.

Commissioner Clark Dyrud tried to assure division members that care for the more than 300 patients is not being compromised, and that this report is not a reflection of the management of the state's four other veterans homes.

While many of the problems precede his oversight, Dyrud said he requested the audit as a baseline, but was surprised by the "depth

of the problem." He said that many of the findings are being addressed.

Among the findings, the audit states the home did not fulfill its management responsibilities to control its financial activities and ensure that transactions complied with state requirements and internal policies.

Further, it did not adequately restrict employee access to accounting systems or manage employee overtime costs. Nor did the home's pharmacy adequately manage its non-controlled prescription drugs and other supplies.

While several division members requested another audit in the near-term, auditors said they would need at least a year or more of data to draw conclusions. It was suggested that Dyrud provide the division with quarterly updates.

— L. SCHUTZ

Short-term coverage for unemployed

Increasing unemployment numbers are translating to more people losing their health care coverage.

Rep. Paul Thissen (DFL-Mpls) sponsors

HF42 that would provide immediate short-term health insurance coverage for some qualified unemployed people.

"My goal here is to have a real discussion and come up with a solution to give Minnesota families relief in an easy and unbureaucratic way," he told the House Health Care and Human Services Policy and Oversight Committee, which he chairs, on Jan. 13.

The bill would provide qualifying individuals receiving unemployment benefits, and their family members, up to six months of MinnesotaCare coverage, while exempting them from premiums and eligibility requirements. There is no Senate companion.

Those who become unemployed in many cases are eligible for COBRA health insurance, but Thissen said that the cost sometimes eats about 70 percent of the person's unemployment benefit, making the insurance unaffordable.

Because Thissen recognized the bill as a "work in progress" needing further discussion, the committee laid the bill over.

Rep. Tom Emmer (R-Delano) praised the idea behind the bill, but is hopeful that a private health care option, such as a voucher or subsidy, can be found rather than moving people onto a government program.

Rep. Steve Gottwalt (R-St. Cloud) noted the unpredictability of the length of time a person may be unemployed "It would be nice to preserve private options for them rather than put them into another government program that ends up cost-shifting the costs to the private sector."

— L. SCHUTZ

LOCAL GOVERNMENT

Local government fraud rises

State Auditor Rebecca Otto said her office saw an uptick in financial fraud cases involving local government officials last year and warned that the economic downturn might spur even more cases.

Otto told members of the House State Government Finance Division on Jan. 13 that 64 cases of suspected misuse of taxpayer funds were reported to her office last year — up from 39 in 2007.

"There was approximately a 64 percent increase in the number of reports," Otto said, but tempered that statistic by noting that it accounted for only a small fraction of the state's approximately 4,300 units of local government.

"That's the good news — there is a lot of good work going on in local governments around the state. But there are still some problems," she said.

Otto said the state's slumping economy will

put additional pressures on local government employees' personal finances that might serve as a temptation to commit fraud. She said gambling addictions and gambling debts among local officials are often a factor in such cases, as are health care expenses or the loss of a spouse's job.

Nancy Bode, assistant legal counsel for the office, presented division members with several case studies.

She described how the Koochiching Economic Development Authority — a two-person agency — put one employee in charge of its entire financial operation, allowing her to write more than \$334,000 in unauthorized checks to herself over a period of five years without anyone noticing.

In another example, Bode said a bookkeeper for a school district in northwest Minnesota managed to steal nearly \$119,000 in public funds by taking cash out of deposits and replacing the money with checks for which there were no receipts — a scheme known as "lapping."

Otto said that in most cases, the fraud or abuse occurred because of easily solvable problems, such as local governments putting too much control in the hands of one person rather than dividing important job duties. She said local governments need to implement strong internal controls that deny employees the opportunity to commit fraud, and that also prevent local governments from falling victim to financial scams from outside the organization.

— N. BUSSE

TAXES

Extra sales tax spending plans

Preserving the state's cultural and outdoor heritage meant enough to a majority of state voters that they voted for a change in the state's constitution.

"We have to determine the legislation that will make that work," said Rep. Mary Murphy (DFL-Hermantown), chairwoman of the House Cultural and Outdoor Resources Finance Division. "This is a big, big responsibility and none of it is just automatic. We are in charge of listening and finding out what the people were saying when they voted 'yes' and what their expectations are."

The constitutional amendment, which garnered 56 percent of the vote in November, will go into effect July 1, 2009, and increase the state's sales tax from 6.5 percent to 6.875 percent. The extra money collected will be divided with 33 percent allocated to the Outdoor Heritage Fund, and to the three newly created funds the allocations are as

follows:

- 33 percent to the Clean Water Fund, with at least 5 percent for clean drinking water;
- 19.75 percent to the Arts and Cultural Heritage Fund; and
- 14.25 percent to the Parks and Trails Fund.

Representatives from several arts, outdoors and cultural groups pleaded their cases for funding consideration during the division's first meeting Jan. 12. These included the Science Museum of Minnesota, the Minnesota Children's Museum and the Minnesota Farmers Union.

Murphy said the division will get a lot of background on issues and as much scientific data as possible to make informed decisions on how to make the amendment work over the next 25 years. The extra sales tax is in effect until 2034.

"This is our kids' money. This is our grandkids' money," Murphy said. "That is our legacy."

Murphy also said she chose to have the division's meeting as the last one on Mondays so no one would be in a rush to leave for other meetings.

"That means we can be here from 4:30 to 8:30 or 4:30 to 10:30," she said.

One committee member asked if she would pay for pizza for any late meetings.

In response she said, "You might want to pack a sandwich."

— S. HEGMAN

SOLDIER RECOGNIZED



PHOTO BY ANDREW VONBANK

Staff Sgt. Chad Malmberg, a member of the Minnesota National Guard Red Bulls, is recognized during the Jan. 15 State of the State address.

The state of our state

Tax cuts, wage freezes on governor's list to help budget

By SONJA HEGMAN

With a nearly \$5 billion projected deficit facing the state, Gov. Tim Pawlenty urged bipartisan teamwork and proposed tax cuts and credits to businesses to stimulate job creation in the state's lackluster economy.

"We face brand new challenges in a rapidly changing world," Pawlenty said in his State of the State address Jan. 15. "The old ways aren't going to cut it anymore."

As a way to "jump start" job creation, the governor outlined his proposed Minnesota Jobs Recovery Act that would:

- cut the state's business tax rate in half, from 9.8 percent to 4.8 percent, over the next six years;
- provide a \$50 million package of tax credits that would create more than \$100 million in new investments;
- provide a 25 percent refundable tax credit for small business owners who reinvest in their business quickly to stimulate the economy;
- provide a capital gains exemption for qualifying investments in small businesses; and
- provide businesses with a 100 percent exemption from the sales tax immediately upon the purchase of equipment, instead of filing paperwork for a refund.

"These tax cuts and incentives may seem aggressive in the context of our budget challenges," Pawlenty said. "But we simply have to take dramatic measures to improve our job climate and kick-start job growth in Minnesota."

With an image of a mom and dad sitting at their kitchen table fretting over "a budget that's tighter than it's ever been," Pawlenty asked legislators to bring the same emotions and concerns faced by everyday Minnesotans to the Capitol. "We need to start by taking the kitchen table approach and setting priorities."

Among other things, the governor wants

to change the way government does business so it is not "to the detriment of taxpayers." For example, he said the state's 87 counties duplicate services 87 times.

"I'm not proposing to eliminate counties," he said. "But I am proposing that we save money by encouraging counties to work together."

He also suggests that counties be given incentives to create no more than 15 new regional enterprises that "will manage and run all human service programs so each county doesn't have to run their own."

Pawlenty said an ongoing top state priority must be to "dramatically reform and improve our K-12 education system." He vowed his biennial budget, to be released

Jan. 27, would contain ways to do that.

In addition to having minimum entrance requirements for teacher preparation programs and modernizing the way teachers are paid, Pawlenty suggests paying school districts based on results.

"I propose we increase school district funding by up to an additional 2 percent per student for students meeting standards or at least showing reasonable growth towards achievement," he said. "This will align the money we spend with the results we expect. It's common sense."

Pawlenty said the state must get health and human services costs under control;

otherwise, the ability to fund other priority areas could be eliminated. The budget forecast shows these programs will rise nearly 19 percent if left unchecked.

"As my budget will reflect, there is no easy way to do this. But, in the midst of these changes, we will protect all current health care eligibility for children," he said.

Other items proposed by the governor include:

- creating tax-free Green Job Opportunity Building Zones (JOBZ) for renewable energy jobs created anywhere in the state;
- requiring the Minnesota State College and Universities system to deliver 25 percent of credits online by 2015;
- imposing a firm cap on tuition increases; and
- instituting a two-year wage freeze for state government employees and entities that accept state money.

"The state of our state is challenged, but overcoming challenges is what Minnesota does best," he said.

Some DFLers, including House Speaker Margaret Anderson Kelliher (DFL-Mpls), were

left wondering about Pawlenty's logic behind increased spending. She said his proposals would push the state's projected budget deficit north of \$6 billion.


"When we were looking to the governor to make concrete solutions as to how we're going to solve this very massive problem together, the governor's

"When we were looking to the governor to make concrete solutions as to how we're going to solve this very massive problem together, the governor's answer will actually make the problem worse for Minnesotans."

— Rep. Margaret Anderson Kelliher
Speaker of the House

answer will actually make the problem worse for Minnesotans," Kelliher said. "Let's be clear, some Minnesotans are going to pay for that spending. ... It's those exact same families around the kitchen table who end up paying for the governor's spending."

She also wondered why the address did not reference a potential federal stimulus package, something the DFL is anticipating.

In contrast, House Minority Leader Marty Seifert (R-Marshall) said, "It's a little bit like waiting for the Publisher's Clearing House guy to show up at your door." 

STAFF WRITERS SUSAN HEGARTY AND MIKE COOK
CONTRIBUTED TO THIS STORY.

Not enough money in the cookie jar

Spending to outpace revenues as state's population ages, report finds

By SONJA HEGMAN

Baby boomers are expected to suck the state dry if current budget problems prevail, because more money will be spent for their health care —and living on fixed incomes, they will no longer provide the tax revenues they once did.

The State Budget Trends Study Commission presented this and other findings to a joint meeting of the House Taxes and Finance committees Jan. 13.

Health care is growing at a rate of 8.5 percent per year. State revenues are expected to grow at an annual rate of 3.9 percent over the next 25 years.

"Nothing in this report is going to solve

the current problem," said Jay Kiedrowski, commission co-chair. "We're going to be facing this three or four years from now unless we plant corn seeds today."

From 2005 to 2015, the state's fastest growing population is those ages 55 to 69. Next to health care, education is the second highest cost to the state moving forward.

"If we had a balanced budget this biennium, we still have expenditures exceeding revenue, so we would have a problem in the next biennium as well," said former Human Services Commissioner Kevin Goodno, also a commission co-chair.

But nothing will stop the fact that people are living longer and will be more of a burden on the state's health care system, he said. Starting at age 65, all residents are eligible for Medicare whether they are working or not, said Rep. Thomas Huntley (DFL-Duluth).

"What do you do about health care costs?" Goodno asked. "One of the biggest challenges is restrictions from the federal government. We know there are better solutions than this. We'd welcome any solutions you'd like to recommend."

The 15-member commission was established in the 2007 omnibus state government finance law and held 14 meetings beginning in the fall of 2007. "When I introduced this bill (to form

the commission), there was no deficit," said Rep. Ann Lenczewski (DFL-Bloomington), chairwoman of the House Taxes Committee. "They came together to give us information for the long-term."

Financial recommendations were reviewed from various studies completed over a 30-year period, and the commission heard presentations from many state officials with backgrounds in demography, education, health care, finance and economics.

Findings of the commission include:

- Minnesota has become more diverse in recent years and this will continue as economic growth depends on drawing new workers to the state;
- public spending priorities will need to shift as the state's economically dependent

population grows larger and relies more heavily on fewer workers;

- Minnesota has a long-term structural budget problem, with long-term expenditure growth likely to outpace revenue growth;

- Minnesota's statutory budget reserve ceiling has not grown to an appropriate level to adequately manage the underlying risks to the state's tax system over

"The reality is that these recommendations don't mean anything unless you follow through. You have the ability to change those statutes. It's up to you to decide if there's a will to do that."

— Kevin Goodno
State Budget Trends
Study Commission co-chair

time; and

- Minnesota needs a cash flow reserve account of sufficient size so the state can avoid short-term external borrowing during a biennium.

House Finance Committee Chairman Rep. Lyndon Carlson (DFL-Crystal) said there's been a debate on how to deal with the state's reserve fund over the years. "What should be counted as a reserve from our perspective?"

Goodno said the commission didn't get into that level of detail, but "you want to make

Budget trends continued on page 23



PHOTO BY TOM OLMSCHIED

Kevin Goodno, left, follows along as Jay Kiedrowski explains a portion of the State Budget Trends Study Commission report to members of the House Taxes and Finance committees Jan. 13.

Financial responsibility concerns

Legislative audits show need for accounting changes in some areas

By MIKE COOK

In a financial crisis, every dollar and every cent can be important. That's why the work of the nonpartisan Office of the Legislative Auditor is so important — be the news good or bad.

The office's Financial Audit Division issued 36 state agency, board or department audits in 2008. Among the common findings were a few problem areas of basic controls, including:

- incompatible duties;
- safeguarding receipts;
- insufficient documentation;
- poor monitoring of employees' use of a state-issued cell phone;
- reimbursing travel expenses for ineligible meals or things that lacked sufficient support; and
- lack of monitoring when exceptions to normal timesheet recording occurred.

"What we're trying to do is not just disclose problems, not just have findings, but we're trying to work our way toward good government that has a reputation for very strong integrity and good financial management," Legislative Auditor Jim Nobles told the House Finance Committee Jan. 12. "I think we've hit a lapse in that, that we have an opportunity to now correct, and we ought to correct very quickly."

Rep. Lyndon Carlson (DFL-Crystal), the committee chairman, said individual audits are likely to get a closer look by the appropriate House committees.

Cecile Ferkul, deputy legislative auditor with the audit division, said incompatible duties include ensuring one person doesn't handle a financial transaction from beginning to end. She said this has to do with the amount of access one person may have to an accounting system.

"It also creates an environment where fraud could occur. ... You'd want to separate as a way to ensure errors are detected and that the opportunity for fraud is diminished."

Ferkul noted the Board of Barber and Cosmetologist Examiners had poor separation of duties for custody of cash and could not account for about \$10,000 when comparing revenues to licenses issued. "It is likely it was a fraud on the part of one of their employees," she said.

Any misuse of state funds must be reported to the Office of the Attorney General, which can then try to recover funds informally or by legal action. County attorneys are responsible for criminal prosecution, which the office encourages when appropriate.

"Being able to provide evidence for the state's financial activity, we feel, is a very important responsibility of state government."

— Cecile Ferkul,
deputy legislative auditor

A concern was raised as to how the Combative Sports Commission collected license or event fees at a fight. "They told us it goes in someone's pocket and gets brought to the office on Monday," Ferkul said. "That's not the way a state agency should be run, whether it's two people or 100 people or 5,000 people."

During the post-Interstate 35W bridge collapse investigation into the activities of Sonia Pitt, the former director of the Office of Homeland Security and Emergency Management at the Department of Transportation, it was discovered that more than 65 percent of the calls on her state-issued

cell phone from February through December 2007 were personal. Yet, she is likely not the only state employee who has abused their device.

Federal law says personal use is a benefit to a state employee and should be taxed. "We found pretty much across-the-board that no state agency is monitoring cell phone use in accordance with the IRS regulations," Ferkul said, noting the IRS has increased enforcement. She said the University of California-Los Angeles was fined \$250,000 for non-compliance.

As for travel, the lack of oversight allowed an inspector with the Department of Labor and Industry to make an extra \$10,000 by routinely overstating his mileage claims.

In about one-third of the audits, needed documentation was missing, including one agency that had no record for about \$70,000 worth of purchase card transactions done by their employees. "Being able to provide evidence for the state's financial activity, we feel, is a very important responsibility of state government," Ferkul said.

Reaction

Because of time constraints and resources, it can sometimes take years for an auditor to follow up with an agency to see if improvements were made. Nobles would like to see Minnesota Management and Budget emphasize these findings as preventative measures.

"We don't want an agency to say, 'That was a problem with Bill, and we talked to Bill about it and he doesn't do that anymore,'" Nobles said. "We see sometimes these problems as indicative of broader problems that need to be addressed."

Deputy Commissioner Stephanie Andrews vowed that Minnesota Management and Budget, formerly the Department of Finance, will continue working with agencies, although it might change how it trains agency employees.

Audit Reports continued on page 23

Passing the torch of democracy

Youth immerse themselves in lingo and actions of lawmaking

By KRIS BERGGREN

Jeff Boigenzahn II has served as a Senate committee chair, House chaplain and now a lobbyist.

Clad in a dark suit and necktie, sporting Capitol credentials around his neck, he waited outside a State Office Building hearing room Jan. 9 to testify before the Forest, Wetland and Wildlife Committee.

Inside the room, Sen. Fadumo Mohamud, in a pink hijab and wearing large hoop earrings, read her bill, HF6210, which would reduce light pollution by limiting rooftop lighting in urban areas. After testimony from lobbyists and questions from members, the committee chair called the vote. Mohamud's bill was approved.

Those names don't ring a bell? That's because Boigenzahn, a senior at Red Wing High School, and Mohamud, a student at Lincoln International High School in Minneapolis, are two of the students who took part in the YMCA's annual Youth in Government Model Assembly. As the House recessed Jan. 8-11 expressly for the purpose, 1,400 students representing high schools and YMCA branches around the state gathered at the Capitol Complex to try on the roles of the real Legislature.

The first model legislature was organized by a New York state YMCA in 1936. Minnesota's program began a decade later. Its motto: "Democracy must be learned by each generation."

The career of "proud alum" Rep. Steve Simon (DFL-St. Louis Park) could be an indication Youth in Government is indeed helping to pass the torch of democracy. Simon's nameplate is now affixed to Desk 103 in the House Chamber, but he easily recalls the thrill of sitting at a similar desk for the first time as a teenager.

"That opportunity to be here and immerse yourself for a few days in the physical trappings of state government was exciting," Simon said. The program's high standards, including the chance to meet legislators, a formal dress code and the etiquette of parliamentary



PHOTO BY NICKI GORDON

Nima Hassan, a junior at Fridley High School, proposes a new bill Jan. 9 during the YMCA's Youth in Government Model Assembly.

procedure helped him and his peers "get into character" and "made the possibility real to me of someday being in public office."

The assembly is nonpartisan, though participants say their peers from all parts of the state bring a diversity of opinion. Students follow official legislative process to the letter and take pride in running their own show. Some veterans in their fourth or fifth year find it difficult to shake off the legislative lingo after they return to real life.

"You get up in class and say, 'I yield my time,'" said Kayden Wittman of Willmar, acting the role of the governor's press secretary.

Gov. Logan Dick, a Hopkins High School senior with the Ridgedale YMCA delegation, said Model Assembly bills often reflect issues in the news. She and Lt Gov. Jacob Peters campaigned last year on a platform that sounds a bit like a physics formula, $E^2 + T^2$, which stands for "Energy, Education, Technology, Transportation." Last year, she said students introduced a number of bills

about bridges and safety regulations. This year's slate included energy and economic bailout concerns.

Many students are clearly riding a wave of optimism created by the campaign of President-elect Barack Obama. Boigenzahn and his colleagues, Henry Sibley High School juniors Matt Zekowski and Adiv Paradise, chatted about their political inspirations.

"Barack Obama to me is the American dream," Boigenzahn said. "Often we ask ourselves what is the American dream: To rise from nothing to everything."

"To serve the people," interjected Paradise.

"He wasn't even elected yet and he was already bringing people together," Boigenzahn continued.

Students mostly downplayed any political ambitions, though many intend to study

Youth in Government continued on page 23

Committee Information

2009 Minnesota House of Representatives

Member Assignments as of 1/14/09

Agriculture, Rural Economies and Veterans Affairs

445 State Office Building296-3201
Meets: Mondays and Wednesdays at 2:45 p.m.
in Room 5*

Members: 11

Chair: Otremba-DFL

Vice Chair: Doty-DFL

Republican Lead: Hamilton-R

Drazkowski-R	Morrow-DFL
Eken-DFL	Olin-DFL
Faust-DFL	Shimanski-R
Kath-DFL	Urdahl-R

Staff

Committee Administrator

Andrew "AJ" Duerr.....296-9468

Committee Legislative Assistant

Mary Larson296-5486

Veterans Affairs Division

439 State Office Building296-4346
Meets: Fridays at 8:30 a.m. in the Basement
Hearing Room*

Members: 10

Chair: Koenen-DFL

Vice Chair: Newton-DFL

Republican Lead: Dettmer-R

Doty-DFL	Otremba-DFL
Faust-DFL	Sanders-R
Lieder-DFL	Severson-R
Magnus-R	

Staff

Committee Administrator

Christine Murphy296-5491

Committee Legislative Assistant

Mary Larson296-5486

Civil Justice

367 State Office Building296-4262
Meets: Mondays at 4:30 p.m. and Wednesdays
at 8:30 a.m. in Room 10*

Members: 14

Chair: Mullery-DFL

Vice Chair: Jackson-DFL

Republican Lead: Drazkowski-R

Champion-DFL	Mahoney-DFL
Hilstrom-DFL	Olin-DFL
Holberg-R	Paymar-DFL
Hortman-DFL	Scott-R
Johnson-DFL	Westrom-R
Kelly-R	

Staff

Committee Administrator

Patrick Baldwin296-4283

Committee Legislative Assistant

Vickie Benson.....296-5526

Commerce and Labor

503 State Office Building296-4192
Meets: Tuesdays and Thursdays at 4:30 p.m.
in the Basement Hearing Room*

Members: 18

Chair: Atkins-DFL

Vice Chair: Lillie-DFL

Republican Lead: Zellers-R

Anderson, S.-R	Knuth-DFL
Anzelc-DFL	Mullery-DFL
Dauids-R	Murdock-R
Davnie-DFL	Sanders-R
Fritz-DFL	Simon-DFL
Hoppe-R	Slocum-DFL
Hosch-DFL	Thao-DFL
Johnson-DFL	

Staff

Committee Administrator

John Reich296-7175

Committee Legislative Assistant

Christopher Kwapick296-6586

Labor and

Consumer Protection Division

545 State Office Building296-0173
Meets: Fridays at 10:30 a.m. in Room 200*

Members: 11

Chair: Davnie-DFL

Vice Chair: Fritz-DFL

Republican Lead: Murdock-R

Lillie-DFL	Simon-DFL
Mack-R	Solberg-DFL
Mahoney-DFL	Zellers-R
Nelson-DFL	Atkins-DFL
Sanders-R	ex-officio**

Staff

Committee Administrator

Christine Murphy296-5491

Committee Legislative Assistant

Mary Faust.....296-4321

Telecommunications Regulation and Infrastructure Division

549 State Office Building296-4201
Meets: Fridays at 8:30 a.m. in Room 10*

Members: 11

Chair: Johnson-DFL

Vice Chair: Masin-DFL

Republican Lead: Hoppe-R

Beard-R	Kiffmeyer-R
Brown-DFL	Lillie-DFL
Doepke-R	Sailer-DFL
Gardner-DFL	Atkins-DFL
Juhnke-DFL	ex-officio**

Staff

Committee Administrator

John Reich296-7175

Committee Legislative Assistant

Mary Faust.....296-4321

This list is subject to change.

**Non-voting member

Member Assignments as of 1/14/09

*Rooms in State Office Building

All area codes are 651

Environment Policy and Oversight

575 State Office Building296-9918
Meets: Tuesdays and Thursdays at 4:30 p.m.
in Room 5*

Members: 18

Chair: Eken-DFL

Vice Chair: Gardner-DFL

Republican Lead: McNamara-R

Anderson, P.-R	Loon-R
Cornish-R	Paymar-DFL
Dill-DFL	Persell-DFL
Drazkowski-R	Sailer-DFL
Falk-DFL	Sterner-DFL
Hackbarth-R	Thissen-DFL
Hansen-DFL	Wagenius-DFL
Juhnke-DFL	

Staff

Committee Administrator

Kirk Koudelka296-6937

Committee Legislative Assistant

Diogo Reis296-3889

Game, Fish and Forestry Division

571 State Office Building296-2190
Meets: Mondays at 4:30 p.m. in the Basement
Hearing Room*

Members: 11

Chair: Dill-DFL

Vice Chair: Sailer-DFL

Republican Lead: Cornish-R

Falk-DFL	Murdock-R
Hackbarth-R	Persell-DFL
Hansen-DFL	Thao-DFL
McNamara-R	Thissen-DFL

Staff

Committee Administrator

Kirk Koudelka296-6937

Committee Legislative Assistant

Diogo Reis296-3889

Ethics

343 State Office Building296-2676
Meets: At the call of the chair in (No Room
Assigned)*

Members: 4

Chair: Murphy, M.-DFL

Vice Chair: Smith-R

Holberg-R	(A)Liebling-DFL
Simon-DFL	(A)Shimanski-R
	(A)-Alternate

Staff

Committee Legislative Assistant

Phil Chen296-5360

Finance

479 State Office Building296-4255
Meets: Mondays at 10:30 a.m. or call of the
chair in Room 200*

Members: 33

Chair: Carlson-DFL

Vice Chair: Benson-DFL

Republican Lead: Buesgens-R

Brod-R	Lenczewski-DFL
Champion-DFL	Murphy, M.-DFL
Clark-DFL	Paymar-DFL
Emmer-R	Pelowski-DFL
Garofalo-R	Peppin-R
Greiling-DFL	Rukavina-DFL
Hackbarth-R	Shimanski-R
Hausman-DFL	Simon-DFL
Hilty-DFL	Slawik-DFL
Howes-R	Smith-R
Huntley-DFL	Solberg-DFL
Juhnke-DFL	Thissen-DFL
Kahn-DFL	Wagenius-DFL
Kiffmeyer-R	Winkler-DFL
Knuth-DFL	Seifert-R
Kohls-R	ex-officio**

Staff

Committee Administrator

Joanna Dornfeld.....296-9302

Committee Legislative Assistant

Lill Pohlkamp296-9552

Agriculture, Rural Economies and Veterans Affairs Finance Division

485 State Office Building296-6206
Meets: Tuesdays and Wednesdays at 10:30 a.m.
in the Basement Hearing Room*

Members: 14

Chair: Juhnke-DFL

Vice Chair: Hamilton-R

Republican Lead: Magnus-R

Anderson, P.-R	Shimanski-R
Brown-DFL	Torkelson-R
Doty-DFL	Welti-DFL
Eken-DFL	Carlson-DFL
Falk-DFL	ex-officio**
Faust-DFL	Solberg-DFL
Hosch-DFL	ex-officio**
Otremba-DFL	

Staff

Committee Administrator

Andrew "AJ" Duerr.....296-9468

Committee Legislative Assistant

Will Hailer296-5992

Capital Investment Finance Division

453 State Office Building296-3824
Meets: Tuesdays and Thursdays at 2:45 p.m.
in the Basement Hearing Room*

Members: 22

Chair: Hausman-DFL

Vice Chair: Scalze-DFL

Republican Lead: Howes-R

Anderson, B.-R	Mahoney-DFL
Carlson-DFL	Mullery-DFL
Clark-DFL	Murphy, M.-DFL
Dauids-R	Pelowski-DFL
Dean-R	Rukavina-DFL
Eastlund-R	Scott-R
Hansen-DFL	Solberg-DFL
Juhnke-DFL	Urdahl-R
Lanning-R	Wagenius-DFL
Lieder-DFL	

Staff

Committee Administrator

Jenny Nash.....296-4122

Committee Legislative Assistant

Laurie Nistl.....296-5497

Cultural and

Outdoor Resources Finance Division

343 State Office Building296-2676
Meets: Mondays at 4:30 p.m. and Wednesdays
at 8:30 a.m. in Room 5*

Members: 14

Chair: Murphy, M.-DFL

Vice Chair: Morgan-DFL

Republican Lead: Davids-R

Brown-DFL	Wagenius-DFL
Eken-DFL	Carlson-DFL
Hausman-DFL	ex-officio**
Haws-DFL	Hansen-DFL
Howes-R	ex-officio**
Lillie-DFL	Kahn-DFL
Loeffler-DFL	ex-officio**
Mack-R	Solberg-DFL
Torkelson-R	ex-officio**
Urdahl-R	

Staff

Committee Administrator

Kerry Kinney Fine.....296-7427

Committee Legislative Assistant

Phil Chen296-5360

Early Childhood Finance and Policy Division

403 State Office Building296-7807
Meets: Tuesdays and Thursdays at 4:30 p.m.
in Room 200*

Members: 14

Chair: Slawik-DFL

Vice Chair: Rosenthal-DFL

Republican Lead: Downey-R

Bly-DFL	Nornes-R
Buesgens-R	Peterson, S.-DFL
Greiling-DFL	Ward-DFL
Hamilton-R	Carlson-DFL
Jackson-DFL	ex-officio**
Laine-DFL	Solberg-DFL
Mack-R	ex-officio**
Mariani-DFL	

Staff

Committee Administrator

Sara Benzkofer296-4305

Committee Legislative Assistant

Matthew Collie296-4483

Energy Finance and Policy Division

559 State Office Building296-4308
Meets: Mondays and Wednesdays at 2:45 p.m.
in the Basement Hearing Room*

Members: 21

Chair: Hilty-DFL

Vice Chair: Falk-DFL

Republican Lead: Westrom-R

Anderson, B.-R	Knuth-DFL
Atkins-DFL	Magnus-R
Beard-R	Nornes-R
Bly-DFL	Obermueller-DFL
Brynaert-DFL	Persell-DFL
Gunther-R	Sailer-DFL
Hackbarth-R	Wolti-DFL
Hoppe-R	Carlson-DFL
Jackson-DFL	ex-officio**
Johnson-DFL	Solberg-DFL
Kalin-DFL	ex-officio**

Staff

Committee Administrator

Andy Pomroy296-4180

Committee Legislative Assistant

Rebekah Smith296-8879

Environment and Natural Resources Finance Division

449 State Office Building296-4200
Meets: Tuesdays and Thursdays at 8:30 a.m.
in Room 5*

Members: 17

Chair: Wagenius-DFL

Vice Chair: Persell-DFL

Republican Lead: Hackbarth-R

Anderson, S.-R	Knuth-DFL
Anzelc-DFL	Lillie-DFL
Clark-DFL	McNamara-R
Dill-DFL	Scalze-DFL
Doty-DFL	Torkelson-R
Gunther-R	Carlson-DFL
Hamilton-R	ex-officio**
Hansen-DFL	Solberg-DFL
Hortman-DFL	ex-officio**

Staff

Committee Administrator

Jenna Duenhoegger296-1774

Committee Legislative Assistant

Melissa Hysing296-3367

Health Care and Human Services Finance Division

585 State Office Building296-2228
Meets: Tuesdays, Wednesdays and Thursdays
at 1:00 p.m. in Room 200*

Members: 22

Chair: Huntley-DFL

Vice Chair/

Republican Lead Health Care Finance:

Abeler-R

Republican Lead Human Services Finance:

Dean-R

Anzelc-DFL	Peppin-R
Brod-R	Peterson, S.-DFL
Bunn-DFL	Ruud-DFL
Emmer-R	Scalze-DFL
Fritz-DFL	Slawik-DFL
Gottwalt-R	Thao-DFL
Hayden-DFL	Thissen-DFL
Hosch-DFL	Carlson-DFL
Kiffmeyer-R	ex-officio**
Liebling-DFL	Solberg-DFL
Murphy, E.-DFL	ex-officio**
Otremba-DFL	

Staff

Committee Administrator

Jenn Holcomb296-6422

Committee Legislative Assistant

Jan Horner296-5496

Higher Education and Workforce Development Finance and Policy Division

477 State Office Building296-0170
Meets: Tuesdays and Thursdays at 1:00 p.m.
in Room 5*

Members: 21

Chair: Rukavina-DFL

Vice Chair: Bly-DFL

Republican Lead Workforce: Anderson, S.-R

Republican Lead Higher Ed.: Nornes-R

Atkins-DFL	Norton-DFL
Brynaert-DFL	Obermueller-DFL
Clark-DFL	Poppe-DFL
Dettmer-R	Reinert-DFL
Downey-R	Slocum-DFL
Eastlund-R	Wolti-DFL
Gunther-R	Carlson-DFL
Haws-DFL	ex-officio**
Mahoney-DFL	Solberg-DFL
McFarlane-R	ex-officio**
Murphy, M.-DFL	

Staff

Committee Administrator

Kerry Kinney Fine296-7427

Committee Legislative Assistant

Sue Scott296-8827

Bioscience and Workforce Development Policy and Oversight Division

591 State Office Building296-4277
Meets: Tuesdays and Wednesdays at 10:30
a.m. in Room 200*

Members: 14

Chair: Mahoney-DFL

Vice Chair: Obermueller-DFL

Republican Lead: Gottwalt-R

Anderson, B.-R	Norton-DFL
Beard-R	Peppin-R
Brynaert-DFL	Poppe-DFL
Haws-DFL	Slocum-DFL
Hilty-DFL	Winkler-DFL
Mack-R	

Staff

Committee Administrator

Joanna Dornfeld296-9302

Committee Legislative Assistant

Dianne Ruppert296-4279

Housing Finance and Policy and Public Health Finance Division

471 State Office Building296-0294
Meets: Tuesdays and Wednesdays at 10:30 a.m. in Room 5*

Members: 14

Chair: Clark-DFL

Vice Chair: Laine-DFL

Republican Lead: Severson-R

Benson-DFL	Rosenthal-DFL
Bly-DFL	Sailer-DFL
Hayden-DFL	Scott-R
Howes-R	Carlson-DFL
Huntley-DFL	ex-officio**
McFarlane-R	Solberg-DFL
McNamara-R	ex-officio**
Morgan-DFL	

Staff

Committee Administrator

Brooke Bordson296-5528

Committee Legislative Assistant

Jacob Johnson.....296-5998

K-12 Education Finance Division

381 State Office Building296-5387
Meets: Tuesdays, Wednesdays and Thursdays at 2:45 p.m. in Room 10*

Members: 21

Chair: Greiling-DFL

Vice Chair: Ward-DFL

Republican Lead: Garofalo-R

Anderson, P-R	Marquart-DFL
Anzelc-DFL	McFarlane-R
Benson-DFL	Morgan-DFL
Brown-DFL	Newton-DFL
Buesgens-R	Slocum-DFL
Davnie-DFL	Swails-DFL
Demmer-R	Tillberry-DFL
Dettmer-R	Carlson-DFL
Dittrich-DFL	ex-officio**
Doepke-R	Solberg-DFL
Mariani-DFL	ex-officio**

Staff

Committee Administrator

Shannon Patrick.....296-5098

Committee Legislative Assistant

Elizabeth Mandelman.....296-9676

Public Safety Finance Division

543 State Office Building296-4199
Meets: Tuesdays and Thursdays at 8:30 a.m. in Room 10*

Members: 17

Chair: Paymar-DFL

Vice Chair: Olin-DFL

Republican Lead: Kohls-R

Bigham-DFL	Liebling-DFL
Cornish-R	Reinert-DFL
Eastlund-R	Severson-R
Haws-DFL	Smith-R
Hilstrom-DFL	Ward-DFL
Hosch-DFL	Carlson-DFL
Kelly-R	ex-officio**
Laine-DFL	Solberg-DFL
Lesch-DFL	ex-officio**

Staff

Committee Administrator

Melanie McMahon.....296-4141

Committee Legislative Assistant

Libby Wyrum296-5999

State Government Finance Division

365 State Office Building296-4257
Meets: Tuesdays and Thursdays at 2:45 p.m. in Room 5*

Members: 14

Chair: Kahn-DFL

Vice Chair: Winkler-DFL

Republican Lead: Peppin-R

Bigham-DFL	Poppe-DFL
Downey-R	Sanders-R
Holberg-R	Simon-DFL
Kalin-DFL	Carlson-DFL
Kath-DFL	ex-officio**
Kiffmeyer-R	Solberg-DFL
Koenen-DFL	ex-officio**
Masin-DFL	

Staff

Committee Administrator

Brian Shekleton.....296-4110

Committee Legislative Assistant

Krysta Niedernhofer296-7173

Transportation Finance and Policy Division

423 State Office Building296-5091
Meets: Tuesdays and Thursdays at 4:30 p.m. in Room 10*

Members: 20

Chair: Lieder-DFL

Vice Chair: Champion-DFL

Republican Lead: Beard-R

Demmer-R	Newton-DFL
Doepke-R	Reinert-DFL
Hausman-DFL	Scott-R
Holberg-R	Severson-R
Hornstein-DFL	Swails-DFL
Hortman-DFL	Wolti-DFL
Magnus-R	Carlson-DFL
Masin-DFL	ex-officio**
Morgan-DFL	Solberg-DFL
Morrow-DFL	ex-officio**
Nelson-DFL	

Staff

Committee Administrator

Abbey Mahin.....296-5413

Committee Legislative Assistant

Susie Maher296-5494

Transportation and Transit Policy and Oversight Division

437 State Office Building296-9281
Meets: Wednesdays at 1:00 p.m. in Room 5*

Members: 16

Chair: Hornstein-DFL

Vice Chair: Swails-DFL

Republican Lead: Urdahl-R

Champion-DFL	McFarlane-R
Davids-R	Morrow-DFL
Hausman-DFL	Rosenthal-DFL
Holberg-R	Torkelson-R
Hortman-DFL	Wolti-DFL
Lieder-DFL	Zellers-R
Masin-DFL	

Staff

Committee Administrator

Abbey Mahin.....296-5413

Committee Legislative Assistant

Susie Maher296-5494

Health Care and Human Services Policy and Oversight

351 State Office Building296-5375
Meets: Tuesdays, Wednesdays and Thursdays
at 2:45 p.m. in Room 200*

Members: 20

Chair: Thissen-DFL

Vice Chair: Liebling-DFL

Republican Lead: Abeler-R

Brod-R	Laine-DFL
Bunn-DFL	Loeffler-DFL
Emmer-R	Mack-R
Fritz-DFL	Murphy, E.-DFL
Gardner-DFL	Norton-DFL
Gottwalt-R	Ruud-DFL
Hayden-DFL	Thao-DFL
Huntley-DFL	Torkelson-R
Kelly-R	

Staff

Committee Administrator

Kate Perushek.....296-3244

Committee Legislative Assistant

Urszula Gryska296-5492

Licensing Division

359 State Office Building296-5158
Meets: Fridays at 8:30 a.m. in Room 200*

Members: 8

Chair: Thao-DFL

Vice Chair: Bunn-DFL

Republican Lead: Dean-R

Abeler-R	Norton-DFL
Emmer-R	Ruud-DFL
Murphy, E.-DFL	

Staff

Committee Administrator

Kate Perushek.....296-3244

Committee Legislative Assistant

Vickie Benson.....296-5526

K-12 Education Policy and Oversight

563 State Office Building296-9714
Meets: Tuesdays, Wednesdays and Thurs-
days at 8:30 a.m. in the Basement Hearing
Room*

Members: 22

Chair: Mariani-DFL

Vice Chair: Kath-DFL

Republican Lead: McFarlane-R

Abeler-R	Loon-R
Benson-DFL	Murdock-R
Brynaert-DFL	Newton-DFL
Davnie-DFL	Nornes-R
Demmer-R	Norton-DFL
Dittrich-DFL	Obermueller-DFL
Doepke-R	Peterson, S.-DFL
Downey-R	Slawik-DFL
Faust-DFL	Swails-DFL
Greiling-DFL	

Staff

Committee Administrator

Christina Gosack.....296-5524

Committee Legislative Assistant

Celeste Marin296-9115

Public Safety Policy and Oversight

379 State Office Building296-3709
Meets: Tuesdays and Thursdays at 1:00 p.m.
in Room 10*

Members: 17

Chair: Hilstrom-DFL

Vice Chair: Bigham-DFL

Republican Lead: Anderson, B.-R

Cornish-R	Lesch-DFL
Drazkowski-R	Masin-DFL
Jackson-DFL	Mullery-DFL
Johnson-DFL	Olin-DFL
Kath-DFL	Paymar-DFL
Kelly-R	Rosenthal-DFL
Kohls-R	Shimanski-R

Staff

Committee Administrator

Peter Strohmeier296-5069

Committee Legislative Assistant

Erin Huppert.....296-2585

Crime Victims/Criminal Records Division

537 State Office Building296-4224
Meets: Fridays at 8:30 a.m. in Room 5*

Members: 8

Chair: Lesch-DFL

Vice Chair: Shimanski-R

Bigham-DFL	Kohls-R
Hilstrom-DFL	Loon-R
Kath-DFL	Olin-DFL

Staff

Committee Administrator

Patrick Baldwin296-4283

Committee Legislative Assistant

Erin Huppert.....296-2585

Rules and Legislative Administration

459 State Office Building296-0172
Meets: At the call of the chair in (No Room
Assigned)*

Members: 23

Chair: Sertich-DFL

Vice Chair: Hayden-DFL

Republican Lead: Gunther-R

Anderson, B.-R	Loeffler-DFL
Carlson-DFL	Magnus-R
Dettmer-R	Murphy, E.-DFL
Dill-DFL	Pelowski-DFL
Hilstrom-DFL	Peterson, S.-DFL
Hoppe-R	Seifert-R
Hortman-DFL	Simon-DFL
Howes-R	Solberg-DFL
Juhnke-DFL	Westrom-R
Lillie-DFL	Winkler-DFL

Staff

Committee Administrator

Lisa Radzak.....296-2909

Committee Legislative Assistant

Thomas Dicklich.....296-9183

State and Local Government Operations Reform, Technology and Elections

491 State Office Building296-8637
Meets: Tuesdays, Wednesdays and Thursdays
at 8:30 a.m. in Room 200*

Members: 19

Chair: Pelowski-DFL

Vice Chair: Poppe-DFL

Republican Lead: Emmer-R

Anderson, P.-R	Lanning-R
Buesgens-R	Marquart-DFL
Gottwalt-R	Morrow-DFL
Hilty-DFL	Nelson-DFL
Hornstein-DFL	Sanders-R
Kahn-DFL	Simon-DFL
Kalin-DFL	Sterner-DFL
Kiffmeyer-R	Winkler-DFL

Staff

Committee Administrator

Mark Mallander296-5389

Committee Legislative Assistant

Kathy Anderson.....296-3806

Local Government Division

569 State Office Building296-3751
Meets: Mondays at 4:30 p.m. in Room 200*

Members: 11

Chair: Nelson-DFL

Vice Chair: Sterner-DFL

Republican Lead: Eastlund-R

Beard-R	Lanning-R
Buesgens-R	Scalze-DFL
Hilty-DFL	Winkler-DFL
Hornstein-DFL	Pelowski-DFL
Kalin-DFL	ex-officio**

Staff

Committee Administrator

Christine Murphy296-5491

Committee Legislative Assistant

Jennifer Witt296-7881

Taxes

509 State Office Building296-4218
Meets: Mondays at 2:45 p.m. and Tuesdays and
Wednesdays at 10:30 a.m. in Room 10*

Members: 30

Chair: Lenczewski-DFL

Vice Chair: Reinert-DFL

Republican Lead: Brod-R

Anderson, S.-R	Lanning-R
Carlson-DFL	Lesch-DFL
Dauids-R	Liebling-DFL
Davnie-DFL	Loeffler-DFL
Demmer-R	Loon-R
Dill-DFL	Marquart-DFL
Dittrich-DFL	Mullery-DFL
Downey-R	Murphy, E.-DFL
Eastlund-R	Rukavina-DFL
Gardner-DFL	Ruud-DFL
Garofalo-R	Solberg-DFL
Hilstrom-DFL	Tillberry-DFL
Koenen-DFL	Zellers-R
Kohls-R	

Staff

Committee Administrator

Sarah Carlson Wallrath296-8826

Committee Legislative Assistant

Sasha Bergman296-2955

Property and Local Sales Tax Division

597 State Office Building296-6829
Meets: Wednesdays at 1:00 p.m. in Room 10*

Members: 11

Chair: Marquart-DFL

Vice Chair: Dittrich-DFL

Republican Lead: Lanning-R

Dettmer-R	Loeffler-DFL
Garofalo-R	Mullery-DFL
Koenen-DFL	Scott-R
Lenczewski-DFL	Tillberry-DFL

Staff

Committee Administrator

Sarah Carlson Wallrath296-8826

Committee Legislative Assistant

Paul Cumings296-5380

Ways and Means

443 State Office Building296-2365
Meets: Mondays at 10:30 a.m. or call of the
chair in Room 200*

Members: 27

Chair: Solberg-DFL

Vice Chair: Faust-DFL

Republican Lead: Holberg-R

Abeler-R	Lenczewski-DFL
Brynaert-DFL	Mahoney-DFL
Bunn-DFL	Mariani-DFL
Carlson-DFL	McNamara-R
Dauids-R	Nelson-DFL
Dean-R	Otremba-DFL
Demmer-R	Ruud-DFL
Eken-DFL	Scalze-DFL
Hamilton-R	Swails-DFL
Hilstrom-DFL	Tillberry-DFL
Hoppe-R	Westrom-R
Huntley-DFL	Seifert-R
Kahn-DFL	ex-officio**

Staff

Committee Administrator

Brian Shekleton296-4110

Committee Legislative Assistant

Gerrie Boice296-5388

Monday, Jan. 12

HF1-Sertich (DFL)

Finance

State partnership created with federal efforts to restore the American economy, federal Economic Rescue and Recovery Act supplemented, bonds issued and money appropriated.

HF2-Greiling (DFL)

Finance

School finance system modified and new education funding framework created.

HF3-Welti (DFL)

State and Local Government Operations Reform, Technology and Elections

Unnecessary state mandates eliminated.

HF4-Mahoney (DFL)

Commerce and Labor

New base period for calculating benefits and a limited extension of benefits provided.

HF5-Kalin (DFL)

Finance

Green infrastructure state plan development required by the commissioner of commerce, funding provided for energy-efficient residences, public buildings, renewable energy for public schools, green industrial parks and a solar certification laboratory.

HF6-Solberg (DFL)

State and Local Government Operations Reform, Technology and Elections

Budget recommendation development specified and state agencies required to provide information, fiscal note request disclosure required, state budget requirement modified, General Fund cash flow forecast required, notice of deficiency requests deadline imposed, whistleblower protection provided for state employees, budget-working group required and obsolete requirements eliminated.

HF7-Winkler (DFL)

State and Local Government Operations Reform, Technology and Elections

Laws prohibiting misuse of state funds clarified and strengthened.

HF8-Simon (DFL)

Civil Justice

Minnesota False Claims Act established.

HF9-Davnie (DFL)

Commerce and Labor

Minnesota Subprime Borrower Relief Act of 2009 provided.

HF10-Doty (DFL)

Finance

2008 Green Acres law changes repealed.

HF11-Sertich (DFL)

Finance

State partnership created with federal efforts to restore the American economy, federal Economic Rescue and Recovery Act funding outlined, bonds issued and money appropriated.

HF12-Mahoney (DFL)

Commerce and Labor

Unemployment compensation definitions modified.

HF13-Juhnke (DFL)

State and Local Government Operations Reform, Technology and Elections

State designer selection board abolished.

HF14-Hamilton (R)

State and Local Government Operations Reform, Technology and Elections

Jackson County; process provided to make office of county auditor-treasurer appointive.

HF15-Slawik (DFL)

Finance

Early childhood program established for at-risk four-year-olds.

HF16-Dettmer (R)

Finance

Hugo; grant provided for tornado relief.

HF17-Sertich (DFL)

State and Local Government Operations Reform, Technology and Elections

Central Iron Range Sanitary Sewer District authorized.

HF18-Hansen (DFL)

Finance

Lessard Outdoor Heritage Council support provided.

HF19-Mullery (DFL)

Commerce and Labor

Postponement provided for property sales.

HF20-Winkler (DFL)

State and Local Government Operations Reform, Technology and Elections

Web site required with a searchable database of state expenditures.

HF21-Juhnke (DFL)

Agriculture, Rural Economies and Veterans Affairs

Farm unit conservation plan program created, conservation plan required for participation in a state cost-share program and farmland conservation task force created.

HF22-Juhnke (DFL)

Environment Policy and Oversight

Anglers permitted to use two lines to take fish.

HF23-Norton (DFL)

Finance

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

HF24-Peppin (R)

Energy Finance and Policy Division

New nuclear-powered electric generating plant need for construction certificate ban repealed.

HF25-Thissen (DFL)

Health Care and Human Services Policy and Oversight

Children's therapeutic services and supports modified.

HF26-Juhnke (DFL)

Environment Policy and Oversight

Fish spearing from a dark house allowed for non-residents.

HF27-Brod (R)

Taxes

Taxable value limited for reconstructed homes in a disaster area.

HF28-Fritz (DFL)

Finance

Wind generator at the Minnesota State Academies funding provided.

HF29-Benson (DFL)

Finance

Inflationary adjustment limitation removed.

HF30-Benson (DFL)

Finance

Alternative teacher compensation revenue inflationary adjustment added.

HF31-Hansen (DFL)

State and Local Government Operations Reform, Technology and Elections

Presidential primary required to be held on the first Tuesday in February, public official definition expanded in campaign finance and public disclosure law, primaries required for election of soil and water conservation district supervisors.

HF32-Benson (DFL)

Finance

Special education revenue formulas full funding provided and appropriation for special education aid made open and standing.

HF33-Anderson, B. (R)

Energy Finance and Policy Division

New nuclear power plant certificate of need prohibition abolished.

HF34-Lesch (DFL)

Commerce and Labor

Mandatory arbitration clauses regulated.

HF35-Benson (DFL)

Finance

Referendum allowance limit eliminated.

HF36-Kohls (R)

Public Safety Policy and Oversight

Life imprisonment sentence provided for those convicted of three or more violent felonies.

HF37-Mullery (DFL)

Taxes

Research credit extended to individual income tax and portion of credit made refundable.

HF38-Benson (DFL)**Finance**

Location equity index created, general education revenue formula modified, and revenue for some school districts increased.

HF39-Slawik (DFL)**State and Local Government Operations Reform, Technology and Elections**

Election required to fill a vacancy in the office of governor, special election procedure changed to fill a United States Senate vacancy, and constitutional amendment proposed.

HF40-Peterson (DFL)**K-12 Education Policy and Oversight**

Quality rating and improvement system created for high-quality early learning and care programs.

HF41-Lesch (DFL)**Environment Policy and Oversight**

Plastic bag recycling provided.

HF42-Thissen (DFL)**Health Care and Human Services Policy and Oversight**

Four-month waiting period waived for unemployed people for MinnesotaCare.

HF43-Lesch (DFL)**Health Care and Human Services Policy and Oversight**

Public awareness campaign established for postpartum depression.

HF44-Lesch (DFL)**Taxes**

Housing opportunity area tax abatement program provided.

HF45-Bigham (DFL)**Public Safety Policy and Oversight**

Penalty provided for careless driving resulting in death and providing for revocation of violator's driver's license.

HF46-Mullery (DFL)**Civil Justice**

Grandparent visitation rights on behalf of the child provided, grandparent visitation rights expanded, procedures specified and mediation required.

HF47-Juhnke (DFL)**Finance**

Kandiyohi County veterans home funding provided.

HF48-Bigham (DFL)**Finance**

Red Rock Corridor Transit Way funding provided.

HF49-Morgan (DFL)**Finance**

Alternative teacher pay calculation for intermediate school districts modified.

HF50-Mullery (DFL)**State and Local Government Operations Reform, Technology and Elections**

Absentee ballot treatment provided following a vacancy in nomination because of death or catastrophic illness.

HF51-Thissen (DFL)**Taxes**

Student loan payment credit allowed.

HF52-Mullery (DFL)**Taxes**

Additional city aid base provided for certain cities, limit on city aid appropriation increased, and aid required to be used for police and city attorney's office.

HF53-Murphy, E. (DFL)**Health Care and Human Services Policy and Oversight**

Pharmacy practice provision changed in administering influenza vaccines.

HF54-Hamilton (R)**Finance**

Jackson County; regional environmental science and nature education center funding provided.

HF55-Falk (DFL)**Finance**

Lac qui Parle Valley; transfer of funds authorized for ISD 2853.

HF56-Hosch (DFL)**Finance**

Stearns County; grantee for parks appropriation corrected.

HF57-Emmer (R)**State and Local Government Operations Reform, Technology and Elections**

Voters required to provide picture identification before receiving a ballot, issuance of voter identification card provided at no charge, and provisional balloting procedure established.

HF58-Mullery (DFL)**K-12 Education Policy and Oversight**

Middle school students taught about the juvenile and criminal justice systems and the consequences of delinquent and criminal conduct.

HF59-Mullery (DFL)**Environment Policy and Oversight**

Environmental Justice Act established.

HF60-Hamilton (R)**Environment Policy and Oversight**

State trail established.

HF61-Mullery (DFL)**Taxes**

Health insurance premiums subtraction allowed.

HF62-Atkins (DFL)**Taxes**

Inver Grove Heights; sales tax exemptions provided for the expansion, remodeling, or improvement of the public safety building and city hall.

HF63-Atkins (DFL)**Finance**

Inver Grove Heights; appropriating money for the completion of Heritage Village Park.

HF64-Atkins (DFL)**Transportation Finance and Policy Division**

Dakota County; Rock Island Swing Bridge removal prohibited for two years.

HF65-Mullery (DFL)**K-12 Education Policy and Oversight**

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

HF66-Mullery (DFL)**Public Safety Policy and Oversight**

Misdemeanor penalties increased.

HF67-Mullery (DFL)**Public Safety Policy and Oversight**

Gross misdemeanor created for assaulting a utility employee or contractor.

HF68-Mullery (DFL)**Public Safety Policy and Oversight**

Consecutive sentencing allowed when an offender commits one or more additional crimes between the time of the commission of one crime and the time of sentencing on that crime, and Sentencing Guidelines Commission directed to make consistent guidelines.

HF69-Mullery (DFL)**Public Safety Policy and Oversight**

Violent offender's consent for on-demand searches provided as a condition of being released on probation, supervised release or parole.

HF70-Mullery (DFL)**Public Safety Policy and Oversight**

Pharmacies required to provide certain drug purchase information to law enforcement.

HF71-Greiling (DFL)**State and Local Government Operations Reform, Technology and Elections**

Conference committee communications required to be open to the public, budget negotiations required, and bill and budget negotiations between governor and legislative leaders required to be open to the public.

HF72-Norton (DFL)**Finance**

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

HF73-Lieder (DFL)**Finance**

General Fund money transfer to state airports fund required.

HF74-Mullery (DFL)**Civil Justice**

Attorney fees provided for invalid medical assistance liens.

HF75-Brown (DFL)**Finance**

Pupil unit count increased for all-day, every day kindergarten pupils.

HF76-Lesch (DFL)**Housing Finance and Policy and Public Health Finance Division**

Uniform residential tenant reports provided.

HF77-Mullery (DFL)**Housing Finance and Policy and Public Health
Finance Division**

Tenant applicant screening fee provisions modified.

HF78-Eastlund (R)**Finance**

2008 Green Acres law changes repealed.

HF79-Brown (DFL)**Finance**

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

HF80-Mullery (DFL)**Commerce and Labor**

Consumer credit score or history use prohibited by insurers in underwriting automobile insurance policies.

HF81-Lesch (DFL)**Commerce and Labor**

Discrimination in auto insurance based upon geographical area prohibited.

HF82-Mullery (DFL)**Commerce and Labor**

Discrimination in auto insurance based upon geographic location within the Twin Cities metropolitan area prohibited.

HF83-Huntley (DFL)**Finance**

Duluth; new terminal facilities funding provided for the Duluth airport.

HF84-Mullery (DFL)**Commerce and Labor**

Consumer fraud regulated.

HF85-Juhnke (DFL)**Public Safety Policy and Oversight**

Mounting global positioning systems on windshields authorized.

HF86-Hortman (DFL)**Environment Policy and Oversight**

Carbon intensity reduction standard established for transportation fuels.

HF87-Mullery (DFL)**State and Local Government Operations Reform,
Technology and Elections**

Judicial candidate voluntary conduct restrictions established, and ballot format for judicial elections modified.

HF88-Atkins (DFL)**Commerce and Labor**

State and airline company full agreement enforcement required.

HF89-Kohls (R)**State and Local Government Operations Reform,
Technology and Elections**

Immigration law enforcement noncooperation ordinances and policies prohibited, and immigration-related data use provided.

HF90-Mullery (DFL)**Civil Justice**

General exemption provided for certain property owned by a debtor.

HF91-Slocum (DFL)**Finance**

Health and safety revenue modified to include elevator repair costs.

HF92-Murphy, M. (DFL)**Finance**

Duluth; Lake Superior Zoo facility repairs funding provided.

HF93-Mullery (DFL)**Public Safety Policy and Oversight**

Courts permitted to impose consecutive sentences for certain repeat offenders.

HF94-Mahoney (DFL)**Finance**

Bikeway directed to be added to Lafayette Bridge when rebuilt.

HF95-Lenczewski (DFL)**Taxes**

Health insurance premium credit created.

HF96-Lesch (DFL)**Health Care and Human Services Policy and
Oversight**

Clinical trial registration provided.

HF97-Solberg (DFL)**Commerce and Labor**

Convention centers authorized to obtain liquor licenses.

HF98-Hamilton (R)**Finance**

Windom; Fourth Avenue bridge replacement funding provided.

Thursday, Jan. 15**HF99-Atkins (DFL)****Taxes**

Minnesota Land Conservation Property Tax Law created.

HF100-Winkler (DFL)**Civil Justice**

I-35W Bridge collapse survivor compensation process provisions clarified, indemnification rights specified, records of the special master panel access limited, testimonial privileges specified and third-party subrogation or recovery claims prohibition clarified.

HF101-Kalin (DFL)**State and Local Government Operations Reform,
Technology and Elections**

Taylors Falls; border city development zone powers established.

HF102-Slawik (DFL)**Taxes**

Oakdale; technical corrections made in the city's authority to establish tax increment financing districts.

HF103-Atkins (DFL)**Civil Justice**

Single occurrence liability cap removed and cross references conformed.

HF104-Dittrich (DFL)**Finance**

Permanent school fund revenue required to be set aside for school technology purposes.

HF105-Dittrich (DFL)**K-12 Education Policy and Oversight**

Financial literacy curriculum incorporated into the economics course required for high school graduation and money appropriated.

HF106-Swails (DFL)**K-12 Education Policy and Oversight**

P-20 education partnership established.

HF107-Emmer (R)**Finance**

School boards authorized to spend staff development revenue on CPR and automatic external defibrillator training and first aid certification.

HF108-Thissen (DFL)**Finance**

Seat belt violation made a primary offense in all seating positions regardless of age.

HF109-Dettmer (R)**Environment Policy and Oversight**

Watershed districts and watershed management organizations required to submit information to counties.

HF110-Anzelc (DFL)**Finance**

Irv Anderson Memorial Highway designated.

HF111-Winkler (DFL)**State and Local Government Operations Reform,
Technology and Elections**

Divestment required from certain investments relating to Iran.

HF112-Nelson (DFL)**Health Care and Human Services Policy and
Oversight**

Intermediate care facilities for persons with developmental disabilities licensure authorized to replace one larger facility, and transition period rate and payment rate for the new facilities established.

HF113-Dean (R)**Finance**

Professional education loan forgiveness program expanded for child mental health professionals.

HF114-Garofalo (R)**Transportation Finance and Policy Division**

Interstate 35E speed limit designated as 55 mph from West Seventh Street to marked Interstate 94 in St. Paul.

HF115-Lesch (DFL)**Public Safety Policy and Oversight**

Dog owners required to take responsible dog owner classes and pass certain tests, and database required.

HF116-Ward (DFL)**Transportation Finance and Policy Division**

Type III school bus driver qualifications modified.

HF117-Solberg (DFL)**Finance**

Deficiency funding provided for Public Safety and Human Services departments.

HF118-Hosch (DFL)**Public Safety Policy and Oversight**

Emergency vehicle status accorded to vehicles operated by protective agent for escorting funeral procession or oversized loads.

HF119-Hosch (DFL)**State and Local Government Operations Reform, Technology and Elections**

Local governments authorized to regulate use of escort motorcycles or vehicles by licensed protective agents.

HF120-Hosch (DFL)**Health Care and Human Services Policy and Oversight**

Rural health cooperative arrangement oversight established.

HF121-Sailer (DFL)**Finance**

Clearwater County Veterans Memorial Highway designated.

HF122-Dill (DFL)**State and Local Government Operations Reform, Technology and Elections**

Disability benefit application deadline exception provided for general state employees retirement plan of the Minnesota State Retirement System.

HF123-Dill (DFL)**Finance**

General Fund money required to be transferred to state airports fund.

HF124-Liebling (DFL)**Finance**

High-speed rail line between Chicago and the Twin Cities through Rochester funding provided.

HF125-Fritz (DFL)**Finance**

Minnesota state academies campus graduate housing funding provided.

HF126-Mahoney (DFL)**Energy Finance and Policy Division**

Nuclear power plant certificate of need prohibition abolished.

HF127-Holberg (R)**Commerce and Labor**

Motor vehicle definition clarified in statutory provision deeming the driver to be the agent of the owner in case of accident.

HF128-Dill (DFL)**Environment Policy and Oversight**

Bow and gun case requirements removed.

HF129-Bigham (DFL)**Public Safety Policy and Oversight**

Electronic devices prohibited to sexually solicit children.

HF130-Bigham (DFL)**Public Safety Policy and Oversight**

Predatory offenders prohibited from accessing and using social networking Web sites which require registration.

HF131-Swails (DFL)**K-12 Education Policy and Oversight**

Temporary, alternative graduation requirements established for high school seniors who do not receive a passing score on a state GRAD test, and notations of high school student achievement authorized.

HF132-Cornish (R)**Environment Policy and Oversight**

All-terrain vehicle operation allowed on county roads.

HF133-Garofalo (R)**Finance**

Dakota County; Highway 3 funding provided.

HF134-Garofalo (R)**Public Safety Policy and Oversight**

Careless driving resulting in death classified as a gross misdemeanor.

HF135-Bly (DFL)**Health Care and Human Services Policy and Oversight**

All necessary health care availability and affordability guaranteed for every Minnesotan, establishing Minnesota Health Plan, Minnesota Health Board, Minnesota Health Fund, Office of Health Quality and Planning, patient advocacy ombudsman and inspector general for the Minnesota Health Plan.

HF136-Koenen (DFL)**Taxes**

Emergency services special taxing district sunset date eliminated.

HF137-Otremba (DFL)**Taxes**

Agricultural products for purposes of property taxation definition expanded.

HF138-Morrow (DFL)**Finance**

School finance system modified and new education funding framework created.

HF139-Doty (DFL)**Public Safety Policy and Oversight**

Domestic violence awareness month designated for month of October.

HF140-Garofalo (R)**Taxes**

Certain pet sales exempted from sales taxes.

HF141-Hackbarth (R)**Energy Finance and Policy Division**

Nuclear power plant certificate of need moratorium abolished.

HF142-Kalin (DFL)**Finance**

Lindstrom; Trunk Highway 8 funding provided.

HF143-Kalin (DFL)**Finance**

Chisago County; nursing facilities payment rate increased to geographic group III median rate.

HF144-Dittrich (DFL)**Transportation Finance and Policy Division**

Transportation commissioner directed to enter into agreements with radio and television media for public service announcements in exchange for traffic information.

HF145-Hilstrom (DFL)**Public Safety Policy and Oversight**

Methamphetamine precursor drug logs maintained by retailers retention time period specified and inspection of logs provided to be open to law enforcement.

HF146-Doty (DFL)**Finance**

Upsala; regional community center funding provided.

HF147-Doty (DFL)**Finance**

Motley; Tri-County Regional Services Center funding provided.

HF148-Doty (DFL)**Finance**

Pierz; Highway 25 reconstruction funding provided.

HF149-Demmer (R)**Taxes**

Residential heating fuel sales tax exemption expanded.

HF150-Anzelc (DFL)**Environment Policy and Oversight**

All-terrain vehicle use allowed by the disabled along certain trails, and hunting provisions for disabled hunters modified.

HF151-Mahoney (DFL)**Taxes**

Apprenticeship training facilities property tax exemption extended to land on which the building is located.

HF152-Juhnke (DFL)**Finance**

Seed potato inspection fee statute technical changes made.

HF153-Davids (R)**Finance**

2008 Green Acres law changes repealed.

HF154-Hansen (DFL)**Finance**

Highway 52 barrier replacement funding provided.

HF155-Anzelc (DFL)**Commerce and Labor**

Sunday liquor sales allowed; tax receipts dedicated to county social services for children, and fund created.

HF156-Doty (DFL)**Finance**

Morrison County; New Platte River Watershed dam funding provided.

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

Budget Trends continued from page 10

sure you have enough of a reserve in place to make necessary changes. If you have a budget reserve, you should be able to use it in times like these, but you don't have one."

Kiedrowski, a former state finance commissioner, said therein lays the problem. "The beauty of this (report) is it's all in the fundamentals. This is absolutely the right time to put these recommendations to use because there is no pressure. The public doesn't want to implement them because when times are good they want you to spend and reduce taxes." But, he said, the good times never go on forever.

He added that commission members found the report very sobering. "There's a harsh reality facing us. It would be nice to have recommendations to grow the economy faster in Minnesota. We have a structural imbalance."

- Some final recommendations include:
- releasing a demographic forecast at the start of each biennium;
 - creating a permanent long-range planning function in state government;
 - if the budget reserve is depleted in the current biennium, it should be replenished within two biennia; and
 - the governor and Legislature should create a structurally balanced budget for the current and following biennia.
- "The reality is that these recommendations don't mean anything unless you follow through," Goodno said. "You have the ability to change those statutes. It's up to you to decide if there's a will to do that."

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In addition to more review and security steps, Lori Mo, assistant commissioner with the accounting services division, said the department has asked agencies to further review employees that have incompatible accounting system duties, and remove access where possible.

Sen. Ann Rest (DFL-New Hope) sponsors SF57 that would, in part, require legislative auditor recommendations be tracked by the finance commissioner to ensure implementation. The bill, which has no House companion, awaits action by the Senate State and Local Government Operations and Oversight Committee.

What else can the Legislature do?

Rep. Steve Simon (DFL-St. Louis Park) lamented that the Legislature doesn't have the time to do oversight as well as it should. "We rely very heavily on you and others to bring to our attention these lapses and opportunity for

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reform. It's even more important this year. ... If we're trying to strive for maximum taxpayer value this is a way to get it."

Nobles said the best thing members can do is continue to support office efforts, be explicit in expectations on agency spending, keep a focus on the issue, and be mindful of position eliminations due to budget cuts. Cutting an agency from three account clerks to one, he said, could make separation of duties more difficult.

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political science, public policy, history or international relations in college. The program isn't necessarily about forming future politicians, Zekowski said, but active citizens.

"I think it makes people want to step up

and do something," he said. "Even if you're not interested in pursuing a political career, it makes people better voters and better constituents to their legislators."

Adults involved with Youth in Government say the teenagers' enthusiasm offers a sure cure for jaded attitudes.

Rhonda Fox, an advisor to the Henry Sibley High School group and parent of a participant, said she's impressed with how deeply engaged students become in the program. "This is becoming their home. They will know how to effect change. They won't be afraid to try."

"It breaks down cynicism," said Program Manager Chris Rasinen.

After 17 years with the program, first as a participant, then a volunteer and now a staff member, he looks forward to a new session every January. "It's cold and you smell the bus fumes. It's time to go to the Capitol. It's that time of year."

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— M. COOK

Sources: Presentations by Grant Duwe, Corrections Department research and evaluation manager, and Suzanne Alliegro, executive director of the Minnesota Sentencing Guidelines Commission, to the House Public Safety Policy and Oversight Committee Jan. 13; Minnesota Sentencing Guidelines Commission Report to the Legislature, January 2009; Minnesota Board of Pardons Annual Report to the Legislature, February 2008; Department of Corrections Web site.

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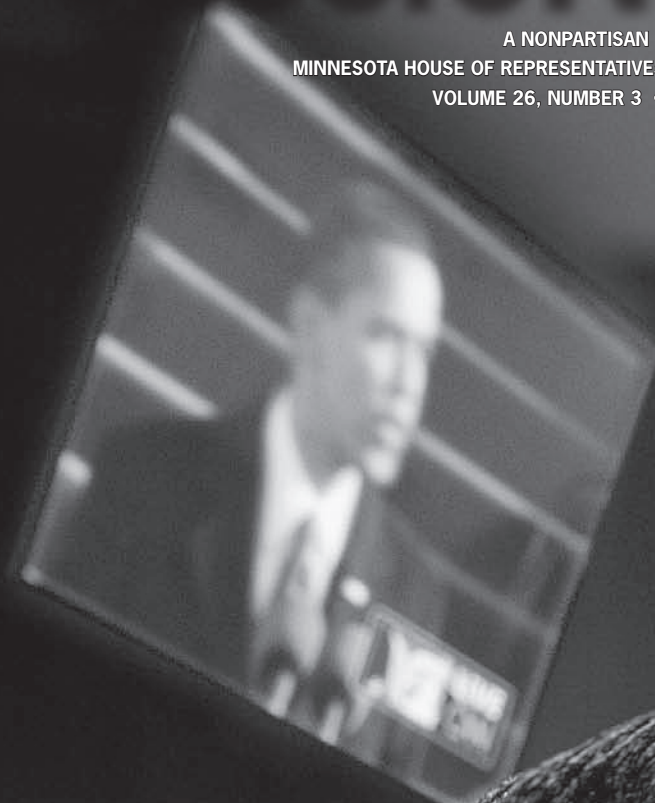
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NEW MEMBER PROFILES

GREEN ACRES — NOT SO GREEN

COST-CUTTING — BIG AND SMALL IDEAS

HOUSING TRENDS PAINT TROUBLING PICTURE

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SESSION WEEKLY

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On the cover: Mnwabisi Mbangata, a junior at Roseville Area High School taking part in the High School Page Program, watches a television panel on one side of a House hearing room Jan. 20 as Barack Obama gives his inaugural address after being sworn-in as the 44th President of the United States of America.

— Photo by: Tom Olmscheid



PHOTO BY ANDREW VONBANK

Deb and Neil Krueger, who run a Christmas tree farm in Lake Elmo, testified Jan. 21 before the House Agriculture, Rural Economies and Veterans Affairs Finance Division during discussion of the problematic Green Acres legislation.

Maybe not the place for me

Green Acres provision in the 2008 tax law becomes problematic

By SONJA HEGMAN

Neil and Deb Krueger raise Christmas trees on land in Lake Elmo that's been in their family for more than 50 years. But because their land is considered non-agriculture land, or non-productive land, they could face penalties down the road when they transfer it to their children, under changes to the Green Acres program.

"We've taken the steps and have a plan in place to pass our farm onto our children," Neil Krueger told the House Agriculture, Rural Economies and Veterans Affairs Finance Division Jan. 21. "We have always run an environmentally friendly, sustainable Christmas tree farm. We don't want our

children penalized. I think the transferring process in place needs to change."

The division heard testimony from several people on the Green Acres program because of changes made to the law in 2008, changing the definition of land allowed in the program.

Deb Krueger described their tree farm as

a "complete ecosystem of marshes, wetlands, streams and woods. It is a complete ag unit and it is not non-productive land." She said it takes 10 to 15 years to grow an average sized Christmas tree, and for every tree that is cut down, two or three are planted to replace it. "Everything is equal part in our farm to the whole system. Sometimes fields will sit idle for a while to give the soil a chance to rest. We choose to keep our farm open, green and complete."

According to the 2008 changes, any land considered "non-productive" will face penalties of up to seven years of back taxes once that "non-productive" land is transferred or sold to someone else. The changes do not apply to "productive" land, or land considered

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tillable. So any land currently enrolled, productive or not, is grandfathered in and taxes will remain at the Green Acres value. The only way penalties will arise is if the non-productive land is transferred or sold.

"I believe there is a synergistic relationship between the acres where crops might actually be planted and the surrounding landscape in that unit," said Rep. Al Juhnke (DFL-Willmar), division chairman. "It doesn't matter if you're housing bugs and bees to help pollinate or whether you're preventing soil and other things from eroding off into the wetlands. I think we have to recognize that a farm unit or a production unit isn't necessarily just the tillable acres."

Juhnke said the division will hear several bills on the Green Acres issue the week of Jan. 26, which will then be combined and sent on to the House Taxes Committee.

What happened?

At the beginning of the 2008 legislative session, the Office of the Legislative Auditor presented its audit of the more than 40-year-old Green Acres program to the House Tax Relief and Local Sales Tax Division. The report found several problems with the program, said Rep. Paul Marquart (DFL-Dilworth), division chairman. "They found it wasn't doing what it was supposed to do," he said. "Somehow we allowed the program to change into something it was not intended for."

In a lot of instances this property tax benefit was benefitting wetlands and hunting and recreation land, which it was never intended to do, he said. Also, not all counties were using the program when they had land that could be enrolled.

After the property tax division heard the report, Marquart directed Rep. Lyle Koenen (DFL-Clara City) and Rep. Randy Demmer (R-Hayfield) to work on the issue. Their recommendations were a part of the property tax division report, which then became a part of the omnibus tax bill that left the House floor and was ultimately signed into law, Marquart said. "No one should have been caught off guard that we were making changes to Green Acres."

"In tough economic times and times where property taxes are going up around the state, it's vitally important that our programs are benefitting and doing what they're supposed to be doing and not unfairly putting higher property taxes on others. That's the real key," he said.



PHOTO BY ANDREW VONBANK

John Kaproth, who farms near Foley, testifies before the House Agriculture, Rural Economies and Veterans Affairs Finance Division Jan. 21 in support of repealing the Green Acres legislation that was included in last year's omnibus tax law.

Controversy

According to some legislators, controversies over the 2008 changes arose after being signed into law, though there were ample opportunities to voice concern before that. Nine public hearings on the program's proposed changes were held during the 2008 session.

Rep. Ann Lenczewski (DFL-Bloomington), House Taxes Committee chairwoman, said a lot of people misunderstood what happened from the beginning. She said some of the issue is that many legislators don't understand that the state doesn't pay for Green Acres — other property taxpayers do.

"They think, 'OK, now my constituents are losing this tax preference that the state needs to pay for them, and they want it back.' That's not accurate," she said. "The state has never paid for it. It is a shift between local property taxpayers. So who's been paying for it? Their neighbors."

In 2007, Green Acres shifted \$35 million to local property taxpayers who live near land enrolled in the program. Next year, it is projected to shift \$55 million.

2008 Legislative changes to Green Acres ... in a nutshell

- A new class of property was created called "rural vacant land." This is defined as rural undeveloped land not being used for agricultural production. Rural vacant land has the same class rates as agricultural land so it should not result in any changes to tax burdens. It will just be categorized and tracked separately for valuation purposes.
- Land in the new rural vacant land classification will no longer be allowed into the Green Acres program for future enrollments. This is also true for land in government-sponsored conservation programs, such as Reinvest in Minnesota and Conservation Reserve Program.
- All land currently enrolled in the Green Acres program was "grandfathered in" to the program for as long as it stays under its current ownership, with two provisions:
 - when land classified as rural vacant land is removed from the program, it will be subject to a seven-year back tax payment compared to the three-year payment under the old law; and
 - in the future, landowners will not be permitted to withdraw small tracts of rural vacant land from the program in a piecemeal fashion. If any rural vacant land is withdrawn, all of it will have to be withdrawn at that time and will be subject to the seven-year back tax payment.
- A provision was also adopted that allows taxpayers to remove some or all of their rural vacant land from the Green Acres program in 2009, before the major components of the reform are fully implemented, and subject to the three-year payback under the old law rather than the seven-year payback under the new law. This was to allow owners who anticipated selling or transferring their rural vacant land in the relatively near future to do so under the old rules and avoid the higher payback.
- Landowners had to state only their intent to withdraw their land from the program by Jan. 2, 2009, in order to take advantage of the three-year payback under the old law. County assessors have until sometime this summer to estimate the amount of back taxes due and notify taxpayers of that amount. If the taxpayer decides to withdraw their land after receiving the estimate, they have until Nov. 15, 2009, to pay those back taxes.

Information from the House Research Department

"If we're going to do that, it better be legitimate," Lenczewski said. "We found out it wasn't. We're not taking it away from the purpose of the program; we just want people to follow the rules. We don't want people in equal situations paying extremely different taxes." For land in the Twin Cities

Green Acres continued on page 23

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Jan. 15-22. 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.

BONDING

Wrong name now righted

Stearns County was slated to receive \$492,000 through last year's capital investment law for acquisition of land for new parks and trails.

However, the agency named as the fund recipient, the Central Minnesota Regional Parks and Trails Coordination Board, cannot own land.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph), HF56 makes a technical correction to the law by appropriating the money directly to Stearns County, so that 23 acres adjacent to Warner Lake Park can be integrated into the Central Minnesota Parks and Trails System.

It was approved Jan. 21 by the House Finance Committee and Jan. 22 by the House Ways and Means Committee. It now awaits action on the House floor.

A companion, SF55, sponsored by Sen. Michelle Fischbach (R-Paynesville), awaits action by the Senate Finance Committee.

— L. SCHUTZ

BUSINESS

What's the development plan?

At a Jan. 20 hearing on the state's economic outlook, the chairman of a House division questioned why the Department of Employment and Economic Development has no comprehensive, statewide economic development plan.

"DEED doesn't have a plan. Has it ever had a plan? Does it ever plan to have a plan?" asked Rep. Tim Mahoney (DFL-St. Paul), chairman of the House Bioscience and Workforce Development Policy and Oversight Division.

Commissioner Dan McElroy responded that Minnesota has a diverse business climate with many different regional economies, and said it makes more sense to pursue "regional strategies" within the state rather than a single overarching plan.

"I do not believe that in a state as diverse as Minnesota, a single economic development

strategy is appropriate. We have a cluster of related economic development strategies in a diverse economy," McElroy said.

The two spoke at the hearing on how recent national economic trends have impacted the state's business activity. No action was taken.

McElroy and Commerce Department Commissioner Glenn Wilson testified that the state's credit markets have tightened in response to the recent housing market crash and the ensuing Wall Street bailout, causing an economic slowdown. Mahoney suggested the state should have a unifying plan to promote an economic recovery.

"Can you explain to me how you go to businesses in the state — or businesses on the east coast, west coast, Sweden, wherever — and say, 'We don't have a plan, but we'd really like you to come and create a business in Minnesota?' I don't follow that," Mahoney said.

McElroy countered that the department's programs had been developed over a long period of time, and that many were designed to meet specific needs. He said changing or consolidating programs might not be advisable.

"It is a big and complex state, so having a lot of programs, we do our best to make them fit the needs where we can," he said.

Meanwhile, Rep. Steve Gottwalt (R-St. Cloud), the division's Republican lead, suggested that any economic recovery plan should include some kind of tax relief to businesses. He argued that the state's corporate tax rate is more burdensome than in competing states.

— N. BUSSE

CONSUMERS

DTV transition concerns heard

Minnesotans have until Feb. 17 to ready their televisions for the switch-over to digital.

Bill Freedman, Federal Communications Commission associate bureau chief, told the House Telecommunications Regulation and Infrastructure Division members the 18 percent of Minnesotans — 21 percent of Duluth-Superior area viewers — who count on analog-only TV for news and entertainment will need to take one of three steps to keep watching: purchase a new television with a built-in digital tuner; connect their analog television to a converter box; or subscribe to a satellite or cable

television service. Some viewers may also require a new antenna.

Information and instructions, including how to install a converter box and how to request a \$40 government-issued coupon, are available at www.dtv.gov. But members were especially concerned whether their senior constituents could handle the changes alone.

Although Chairman Rep. Sheldon Johnson (DFL-St. Paul) endorsed the online help options at the division's Jan. 16 meeting, Rep. Brita Sailer (DFL-Park Rapids) said, "Most likely the folks that will be having the most trouble with this do not have access to the Web site."

Rep. Mary Kiffmeyer (R-Big Lake) painted the picture of a "70-year-old lady crawling behind the TV" to try to read the fine print to see if it's digital-ready. Providing one-to-one help is "the crux of the issue for my people."

Jim du Bois, president and CEO of the Minnesota Broadcasters Association, said "boots on the ground" including 4-H groups and ham radio operators have been recruited to offer hands-on help. Best Buy Government Relations Specialist Mike Hiltner said the company's outreach efforts include training staff in community organizations, such as Meals on Wheels, with direct ties to people in their homes.

"TV stations provide a vital link and lifeline to a lot of folks, particularly people that live in remote areas," Freedman said. "We just want to make sure that on Feb. 18, the day after the scheduled transition date, that everybody has access to their television programming."

— K. BERGGREN

CRIME

Paying for short-term offenders

Parties on both sides of an issue hope a long-term solution can be found in a short time.

At issue is the housing of short-term offenders — felons with six months or less to serve on their sentence or probation violators who are incarcerated for less than six months.

Enacted during the 2003 budget shortfall, current law requires these individuals be housed in county jails, rather than a Department of Corrections facility.

Dakota County Commissioner Nancy Schouweiler called it a way for the state to solve its budget problems by using "the counties' checkbooks."

At the time, it was suggested the plan would

save state dollars and that the inmates would be better served in a local facility. It also included a \$1.2 million appropriation to help counties cover the additional costs.

But from the start, state reimbursement fell far short of covering actual costs.

For example, it cost Hennepin County an additional \$805,966 to house the short-term offenders in Fiscal Year 2004 and \$1.5 million three years later. The state increased its daily reimbursement to \$27.24 per inmate in Fiscal Year 2008, but the county still faced an additional \$933,063 in taxpayer costs. The state's daily reimbursement rate decreased to \$8-\$10 in Fiscal Year 2009.

Tom Merkel, director of community corrections and rehabilitation for Hennepin County, told the House Public Safety Finance Division Jan. 15 that the program needs to "either be dramatically changed or discontinued."

Rep. Michael Paymar (DFL-St. Paul), the division chairman, called the funding "unfair," saying the problem needs to be solved this year. "We've been kicking this around for years."

According to nonpartisan House Fiscal Analysis, "If the Legislature completely funded the local impact at an average per diem rate of \$55 using the current average of 360 beds, the estimated cost to the state would be \$7.227 million per year or \$5.62 million per year in new money."

In addition to cost concerns, Merkel said short-term offenders housed in the Hennepin County facility have had a 74 percent recidivism rate after three years, 60 percent of which were felonies. He said that is in part because the Corrections Department provides effective reentry services.

— M. Cook

ENVIRONMENT

Plan raises eyebrows, not corn

A Jan. 22 presentation of the Minnesota Statewide Conservation and Preservation Plan raised a few eyebrows among legislators from agricultural and wetland districts.

Deborah Swackhamer, an environmental chemist at the University of Minnesota and one of the plan's authors, highlighted a few of the recommendations at a joint meeting of the House Environment and Natural Resources Finance Division and House Cultural and Outdoor Resources Finance Division. No action was taken.

Swackhamer said that corn production, because of its pesticide use and excess soil erosion, impairs water quality. Pressure to

AG TOUR



PHOTO BY ANDREW VONBANK

Members of the House Agriculture, Rural Economies and Veterans Affairs Finance Division get a look at the laboratories at the Department of Agriculture during a Jan. 20 tour.

grow more corn for ethanol production also has prompted corn planting on less than optimal land and puts stress on the environment, she added. The plan recommends that perennial plants be grown for production of cellulosic ethanol, a biofuel produced from wood, grasses or the non-edible parts of plants.

That recommendation did not sit well with Rep. Greg Davids (R-Preston), whose district includes agriculture land and a corn ethanol plant. He asked if the plan advocates for replacing such plants with cellulosic ethanol production.

Swackhamer said the plan is not that “black and white.” Rather, it addresses estimates that by the year 2015, Minnesota corn growers will not be able to keep pace with the demand for corn ethanol production. Cellulosic ethanol is viewed as a way to fill that gap and its production methods are less harmful to the environment.

One of the plan’s “critical findings” is a dramatic loss of wetlands and its effect on wildlife habitats.

Rep. Sarah Anderson (R-Plymouth) questioned the accuracy of the data used for the findings. Through personal experience with a family farm, Anderson said mistakes can occur. She requested to see the criteria that researchers used to define a wetland. The age of the data used could also be a factor.

Released in November 2008, the plan took two years to complete and included more than 170 researchers. It was funded by the Environmental and Natural Resources Trust Fund and is an assessment of the health of the state’s natural resources.

— S. HEGARTY

FAMILY

Child care assistance falls short

Many low-income Minnesotans needing subsidized child care don’t have equal access to quality care.

That was the focus of members’ questions during an overview of Department of Human Services early learning and child care assistance programs given to the House Early Childhood Finance and Policy Division Jan. 15.

Cherie Kotilinek, DHS child care assistance program manager, said one program fully subsidizes child care costs for parents enrolled in the Minnesota Family Investment Plan, the state’s cash assistance program to the poorest families. Another, Basic Sliding Fee child care assistance, helps low-income working parents pay for child care through a partial fee reimbursement to care providers — but its waiting list of 7,159 families isn’t likely to be reduced to zero any time soon.

Rep. Mindy Greiling (DFL-Roseville) wondered what parents who are stuck on the list do instead. Kotilinek said her department doesn’t track waiting families, but that community studies indicate they use up savings or “max out” credit cards to pay for care and sometimes just quit their jobs.

While the sliding fee program’s intent is to equalize access to quality care, members were concerned about its limitations.

Kotilinek said reimbursement rates were frozen in 2003 and, although raised by 6 percent in 2006, have not kept pace with market rates in many parts of the state. Parents must pay providers a co-payment of up to 14 percent of their income, but sometimes the sum of subsidy and parent co-pay falls short of the provider’s market rate. Kotilinek said providers may fund raise to make up the difference, “otherwise it’s the parent’s responsibility.”

The disparity “raised a red flag” for Rep. Carlos Mariani (DFL-St. Paul). “We may be driving lower income people out of access, because if I am a provider would I accept a frozen lower rate when the market is going to pay a better rate?”

“I think that’s a question we should all think about and struggle with,” said Rep. Nora Slawik (DFL-Maplewood), the division chairwoman. “It’s hard especially with the fiscal environment now.”

— K. BERGGREN

GOVERNMENT

Compensation fund modifications

What was deemed a technical cleanup bill brought back openness issues.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley), HF100 would make a handful of modifications to the compensation process for victims of the Interstate 35W bridge collapse.

It was approved Jan. 21 by the House Civil Justice Committee on a divided voice vote and sent to the House floor.

A 2008 law appropriated funds and established a claims structure for survivors of the Aug. 1, 2007, collapse that killed 13 people and injured 85 others. A special master panel is to make offers to each claimant by the end of next month. In return for accepting compensation, survivors will release the state from further liability. If they choose not to accept compensation, they can pursue a lawsuit against the state that would be subject to all existing statutory terms and conditions.

To alleviate some concerns raised by the panel, the bill:

Mark your calendars

On Jan. 28, the following special events will be broadcast live via streaming video through the House Web site:

- A summit on early childhood care and education will occur in the House Chamber from 4 p.m. to 5:30 p.m. All House and Senate members have been invited to attend.
- Members of the House Finance Committee and House Ways and Means Committee are scheduled to convene at 6:30 p.m. to review Gov. Tim Pawlenty’s budget recommendations (pending their official release sometime next week).

The events will also be available for viewing at a later time through the House Web video archives. Visit www.house.mn and use the audio and video navigation links on the left-hand side of the page.

- provides that records and data created by panel members are not subject to the Minnesota Official Records Act or the Minnesota Government Data Practices Act, except for the settlement agreement and documentation of the panel’s administrative costs;
 - prohibits a panel member from testifying in any civil or administrative action related to their service, unless a statement or conduct could constitute a crime;
 - clarifies the prohibition on third-party subrogation and recovery; and
 - clarifies that panel members are state employees for the purposes of indemnification.
- “They don’t want to be exposed to legal liability for performing the task we assigned to them,” Winkler said.

Rep. Mary Liz Holberg (R-Lakeville), who voted no last year, again objected. She said more information should be available to taxpayers to provide justification for the settlement amounts.

“We’re just supposed to blindly accept that it was a fair process and everybody got their due,” she said. “There’s way too much hidden information.”

Winkler said hearings would be held later this session on how the process worked.

A companion bill, SF94, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the Senate Judiciary Committee.

— M. COOK

Going after state defrauders

Knowingly defrauding state taxpayers is never a good thing.

A bill sponsored by Rep. Steve Simon (DFL-St. Louis Park) could provide an assist in going after such perpetrators.

"This would allow whistleblowers to bring claims on behalf of the government," he said. "The attorney general's office would then have the option to intervene in that case. ... If there's a successful judgment or if there's a settlement, that whistleblower would be entitled to a share of the ultimate settlement or recovery, and the state would be entitled to an amount up to three times the amount of its provable damages."

Following Jan. 21 approval on a split voice vote by the House Civil Justice Committee, HF8 goes to the House Commerce and Labor Committee.

A companion bill, SF82, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the Senate Judiciary Committee.

Because a similar federal law does not cover fraud against state governments, 21 other states have adopted so-called "False Claim Act" to go after defrauders.

"These states have collected hundreds of millions of dollars that would never have been discovered, never have been obtainable, that go directly to the taxpayers," Simon said.

Simon said much success has been in programs jointly administered by state and federal government, such as Medicaid. In 2006, Congress passed a law whereby states passing a False Claims Act would get a 10 percent bonus on all Medicaid fraud recoveries.

"We've only seen the tip of the iceberg in health care fraud," said Neil Thompson, a pharmacist who helped expose Walgreens for defrauding Medicaid. "You'll never see these big awards if you don't protect whistleblowers and you don't incentivize them some way."

A number of opponents, primarily from the health care area, spoke against the bill. They argued the federal law is already an effective weapon; the state now has authority to sanction public health care program vendors; and that the bill would actually cost money, particularly in Medicaid issues.

"The state will be forced to pay an average 20 percent of its total recovery to the whistleblower," wrote Jonathan Diesenhaus, a partner with the Hogan & Hartson law firm in Washington D.C. "This payment to the whistleblower, which the state does not pay currently, would result in a net loss for the state because the payment will be larger than the state's increased share of the fraud recovery."

— M. Cook

HUMAN SERVICES

Fetal alcohol syndrome awareness

An invisible disease often goes untreated, but changes could be forthcoming.

"Having the ability to recognize signs and characteristics of any disorder, specifically one as dramatically impactful as (Fetal Alcohol Syndrome) has been imperative to the working relationship established not only between the kids that I work with, but their families as well," said Wade Lennox, a juvenile probation officer with Kanabec County Court Services.

He was one of four testifiers to speak in support of additional fetal alcohol syndrome training at a Jan. 20 joint hearing of the House Public Safety Finance Division and the House Public Safety Policy and Oversight

Committee. No action was taken.

Sara Messelt, executive director of the Minnesota Organization on Fetal Alcohol Syndrome, said approximately 8,500 Minnesota babies are born annually with brain damage caused by prenatal alcohol exposure.

People affected by the disease can suffer from poor judgment, functioning at a level much younger than their age, not understanding consequences of their actions and a lack of ability to learn from their mistakes.

Messelt cited a study of youth ages 12-21 with the disease that showed 60 percent had legal trouble and 32 percent had been incarcerated.

"If we have a juvenile that gets into the correctional system and we don't assess them accurately we're going to see them

over and over and over again," said Rep. Debra Hilstrom (DFL-Brooklyn Center), chairwoman of the oversight committee.

Linda Walinski, a Kanabec County psychologist and registered nurse, said it would help if probation officers, social workers and those in similar professions were to receive additional training. A training manual already exists, but Messelt called training across the state "very hit and miss."

"Currently, we're not required to receive any training," Lennox said, adding some people get guidance on their own.

Calling the testimony "compelling," Rep. Paul Kohls (R-Victoria) nonetheless questioned adding more unfunded mandates.

Rep. Rob Eastlund (R-Isanti) countered that the state often does this, and said it seems as though this training could be easily added. "Every time we add licensing to a real estate broker we don't pay for it."

— M. Cook



PHOTO BY ANDREW VONBANK

Sara Messelt, right, executive director of the Minnesota Organization on Fetal Alcohol Syndrome, answers a question about Fetal Alcohol Syndrome during a Jan. 20 joint meeting of the House Public Safety Finance Division and House Public Safety Policy and Oversight Committee. Psychologist Linda Walinski, left, also testified and took questions.

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RECREATION

DNR budget review scrutinized

The grandest project depends on the success of its smallest component.

This was the proverbial message directed to Bob Meier, Department of Natural Resources assistant commissioner, Jan. 20 by the House Environment and Natural Resources Finance Division. Or, put another way, members might have asked, "Is the devil in the details?"

Meier, armed with charts, graphs and budget review materials, explained his agency's performance-based strategy for developing its new biennial budget. The only problem was that division members wanted more details than were readily available.

For example, the number of people who fish, hunt, boat and visit state parks each year has declined during the past decade, according to agency measurements. Should opportunities be cut, or should parents be allowed to fish for free if they bring along their children, as a means to entice more outdoor recreation?

As the state's population shifts and baby boomers retire, what effect might this have on outdoor recreation offerings? Twenty- to 40-year-olds aren't showing up on Minnesota lakes or in the parks as often these days. How many people use the system of trails in Minnesota, a measuring tool that was missing from the recreation chart? As it turns out, trail use is steady or on the rise, according to staff. Perhaps that is where the 20- to 40-year-olds can be found, said division members.

Division Chairwoman Rep. Jean Wagenius (DFL-Mpls) said there are aspects of DNR-budgeted programs that need more in-depth study. She'd like to hear from constituents as well.

In addition to outdoor recreation, the DNR also grapples with protecting natural resources, such as land reclamation issues and the economic development of natural resources, such as the forest and mining industries.

— S. HEGARTY

TAXES

Tax fix gets members stirred up

Heads butted during two House Taxes Committee hearings over a bill that would retroactively correct a mistake.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington), HF95 makes changes to the 2008 tax law as specified in a letter sent by House and Senate leadership to the governor after the Legislature adjourned last May. The leaders agreed to the change so the legislation

would not get a governor's veto.

The bill was approved by the committee Jan 21, and by the House Ways and Means Committee on Jan. 22. It now awaits action on the House floor.

The bill replaces two employer credits intended to encourage employers to provide section 125 plans for health care and to credit certain individuals participating in those plans. It also would repeal a provision that suspends all state maintenance of effort and matching fund requirements for counties while levy limits are in effect.

"I have a problem with leadership binding us to votes," said Rep. Tina Liebling (DFL-Rochester) during the Jan. 20 hearing. Rep. Tom Rukavina (DFL-Virginia) also spoke in support of members having a say.

Discussion on the bill continued the next day when Rep. Greg Davids (R-Preston) tried to shift the scope of the bill through an amendment focused only on the county funding requirements.

Although the amendment failed, it prompted comments from several testifiers about county funding mandates and the need for change.

Lenczewski said the topic would likely be revisited throughout session.

A companion bill, SF49, sponsored by Sen. Tom Bakk (DFL-Cook), was heard Jan. 22 by the Senate Taxes Committee.

— S. HEGMAN

TRANSPORTATION

Spending airport money properly

Aviators want money returned that they believe was hijacked last May.

Included in last session's plan to resolve the state's biennial budget deficit was a \$15 million transfer from an airport development and assistance fund to the state's General Fund. It was a last-minute insertion after being in neither the House or Senate budget-balancing proposal.

Sponsored by Rep. Bernie Lieder (DFL-Crookston), HF73 would return the money to the State Airports Fund. It was approved Jan. 20 by the House Transportation Finance and Policy Division and sent to the House Finance Committee.

"This is a trust issue," said Rep. Dan Severson (R-Sauk Rapids).

The bill would also repeal a portion of the 2008 law that reduced the base appropriation for airport development from \$20.3 million to \$14.3 million. The fund helps pay for improvements at airports outside the governance of the Metropolitan Airports Commission.

Three taxes comprise the fund dollars: an aircraft fuel tax, aircraft registration tax and an airline flight property tax.

Payers of those taxes want assurance the money gets used for its intended purpose. Supporters note that 41 projects scheduled for this year — from reflective centerline striping to maintaining navigation aids — are now in a holding pattern.

"What is hard to explain to our management is the fact that it cost \$300 to register a 1995 Citation VII in Boise, Idaho, and \$51,000 for the same aircraft in Minnesota," said Jon Krall, aviation director at Supervalu Inc. and a board member of the Minnesota Business Aviation Association. "I explain that the money does go directly into the State Airports Fund to maintain the great system of airports in Minnesota. Well, I used to be able to say that."

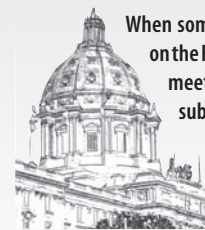
In the 2003 budget crisis, \$15 million was also taken from the fund, and it had yet to be fully replenished. More projects have been delayed since then.

"Is it too much to ask that the \$185,000-plus collected from our company goes to support the Minnesota airport system? I don't think so," Krall said.

A companion bill, SF15, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

— M. COOK

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Housing trends paint troubling picture

Roof overhead takes a greater percentage of resident's wages

By SUSAN HEGARTY

“We’re No. 1” resonates differently when it’s said about housing trends in Minnesota than when it’s shouted at a sporting event.

Yet, that’s exactly where Minnesota ranks among other states for the increasing rate at which homeowners are spending their incomes to put a roof over their heads.

During testimony presented to the House Housing Finance and Policy and Public Health Finance Division Jan. 21, Chip Halbach, executive director of Minnesota Housing Partnership, called the ranking a key indicator of “severe distress.”

“If you’re paying more than half of your gross income for housing you are likely cutting back on other essential family and household expenses, like purchase of food, health care, day care and other things that are critically important to daily life,” Halbach said.

The division took no action.

Currently, one in eight Minnesota households spends more than 50 percent of its income on housing. In 2007, 12.3 percent, or 250,000 Minnesota households spent the majority of their wages on housing. By comparison, 12.7 percent of Wisconsin households and 19.7 percent of Florida households spend 50 percent or more for housing.

Another trend is a widening gap between home prices and income, Halbach said.

Between 2001 and 2007, home prices rose 34 percent while household income among owner occupied homes rose only 12 percent. Likewise, rent and utilities rose 12 percent while tenants, on average, saw only a 4 percent increase in their wages.

Affordability and availability remain top agenda items for housing advocacy groups.

Affordable rental properties, calculated at \$700 or less per month, began to disappear and the average rent has now increased to more than \$900 per month, according to Halbach. Duluth and St. Cloud have the highest rates of rent increases compared to incomes, he added.

“That’s one of the reasons we see much more demand for these super scarce federal rent subsidies,” said Halbach. At one point, there were 14,000 applicants for 30 subsidies.

Some renters are waiting as long as 10 years for Section 8 housing vouchers and fewer recipients are willing or able to relinquish those vouchers, which have no time usage limitations.

Homeless

“No community is improved by having people living under its bridges, and these kinds of barriers can be overcome,” Patrick Wood, policy advocate with the Minnesota Coalition for the Homeless, told the division.

Between 2002 and 2006, there was a downward trend in the number of Minnesotans who were homeless, but today these numbers have risen above 2002 levels. A 2006 Wilder Research study estimated that 9,000 individuals were homeless in Minnesota. The typical risk factors and reasons why someone becomes homeless remain — divorce, job loss

and health issue — but ballooning adjustable rate mortgages have forced people out of their homes and contributed to the rise in homelessness, according to Halbach. In St. Paul, foreclosures are estimated to grow from 2,200 in 2008 to 4,000 in 2009.


Foreclosures

During the next 24 months, a second wave of homeowners are at risk of losing their homes when their Alt-A subprime loans reset at higher rates, according to Cecile Bedor, co-chair of the Minnesota Foreclosure Partners Council. More than \$500 million in Alt-A loans have been granted throughout Minnesota, with a high concentration inside the 11-county Twin Cities metropolitan area, Bedor said. Some estimate that up to 70 percent of Alt-A borrowers will default on their loans, she said.

Legislators question the statistic, saying the problem stems from deregulation in the mortgage industry and lenders who prey on vulnerable borrowers.

“Lack of regulation and subprime loans, meaning they didn’t have the money,” said Rep. Carolyn Laine (DFL-Columbia Heights). The problem is exacerbated due to a “lack of decency” among lenders, she added.

To fully understand the plight of homeless people in the state, legislators were invited to tag along when staff and volunteers in the “A Day in the Life” program make site visits to homeless people on the street and in transitional housing.

“It is truly an experience that if you haven’t had, and you’re on a committee, that you’re deciding housing decisions for your constituents, then you need to be out there and see what they see and feel what they feel. It will change how you think of this, how you relate to it,” said Melanie Magee, a program volunteer from Prior Lake. 

Reforming education, saving money

Bipartisan support shown for mandate reduction and shared services

By KRIS BERGGREN

Ideas for reforming K-12 education with the best chance of bipartisan support, given the enormous and growing deficit, are pragmatic, such as improving cost efficiencies through sharing services and collective purchasing among districts and mandate reductions.

"We are simply not going to have as much money as we want to spend," said Rep. Pat Garofalo (R-Farmington), Republican lead on the House K-12 Education Finance Division. "Whether we raise taxes or not, we are simply not going to be able to spend more money. That is not a position; that is just math."

On the other hand, Rep Mindy Greiling (DFL-Roseville), the division chairwoman, believes there will ultimately be a tax increase this session, which will help fund the three top education priorities of the House, Senate and governor. They are, respectively:

- a start to implementing HF2, commonly referred to as the New Minnesota Miracle;
- appropriations for special education funding; and
- expanding Q-Comp, the teacher incentive fund linked to student progress.

"I think in the end this will get so ugly there will be three Republicans who join the Democrats" to approve a tax increase, Greiling said.

A number of reform ideas were offered to the division at its Jan. 20 hearing, and to the House K-12 Education Policy and Oversight

Committee the following day. No action was taken.

For now, both Garofalo and Greiling favor reducing burdensome mandates and sharing services. Greiling said the division will form groups to sift through dozens of suggestions gleaned from hearings, recommendations from a June 2008 legislative auditor's report and constituent input.

"Many will be stabbed with many daggers before they see the light of day," Greiling said, but some will make it into legislation.

Sharing services saves money

One idea proffered by education advocates was lowering costs through bulk purchasing of everything from pencils to payroll services.

In addition to creating a lending library of math and science materials, Grace Kelliher, director of governmental relations for the Minnesota School Boards Association, suggested a traveling team of specialists as a means of sharing resources and expertise, an idea she said is working in Alabama.

Earl Athman, business manager for the Minnesota Association of School Business Officials, suggested collectively purchasing utilities rather than paper or other materials that require storage.

Rep. Carol McFarlane (R-White Bear Lake) noted many districts now share services and talent to mixed reviews. "My intermediate district asked if they could testify it is an effective way to save and do things," she said.

Mandate reductions widely sought

An eight-page laundry list of legislative mandates compiled by education advocates highlights the sheer volume of rules governing daily district business which can erode tight budgets and sometimes instructional time.

While no single mandate is unreasonable, Charlie Kyte, executive director of the Minnesota Association of School



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty and legislative leaders say that education funding remains a top priority. As education reform ideas are considered, early learning is called the "backbone of future learning."

Reform continued on page 23

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 is 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's 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.

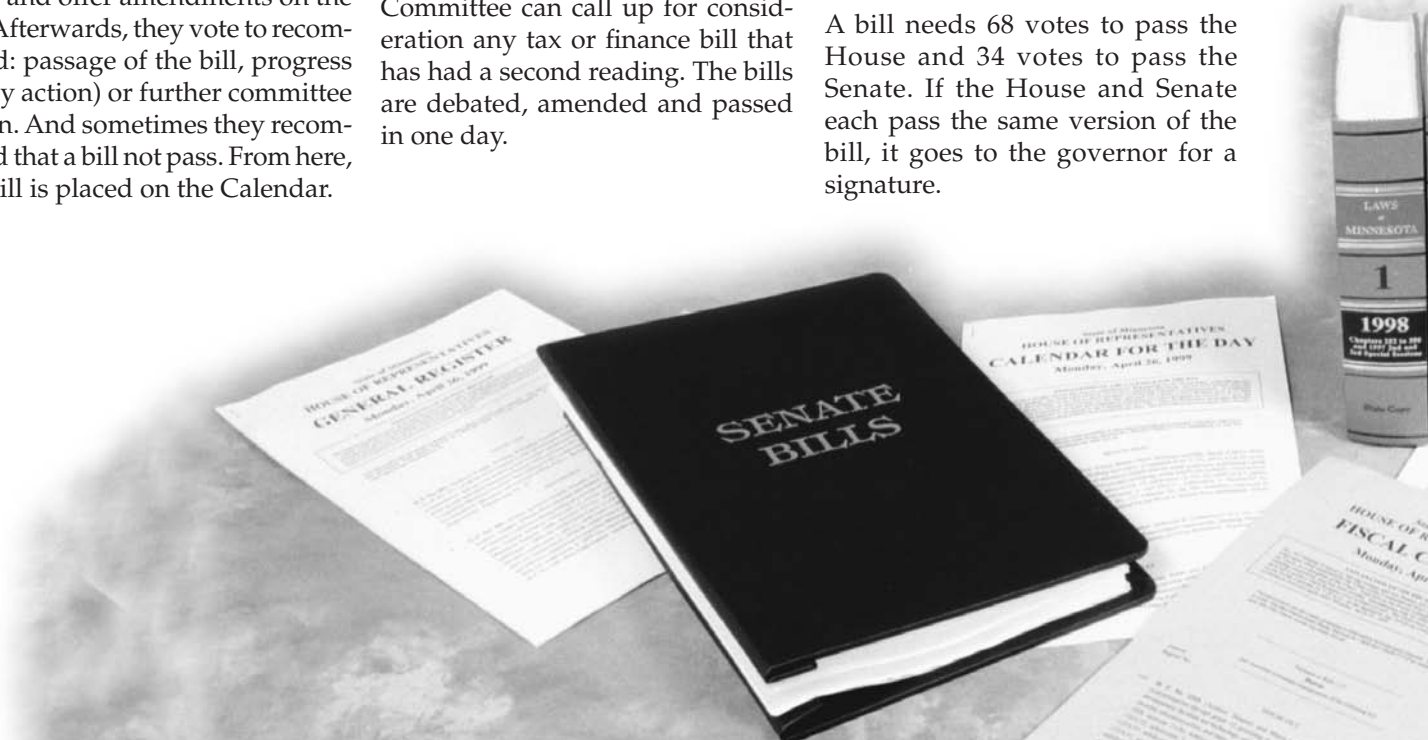
In the Senate, a different procedure is used. Bills are listed on the General Orders agenda. Senate members, acting as the "committee of the whole," have a chance to debate the issue and offer amendments on the bill. Afterwards, they vote to recommend: passage of the bill, progress (delay action) or 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 sponsor of the bill introduces it in the House; the chief Senate sponsor 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 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. ▼



Doing greater good

Jackson views public service as a calling

By NICK BUSSE

With the state facing a historic budget crisis, some people seem to wonder whether Rep. Gail Kulick Jackson (DFL-Milaca) got more than she bargained for when she ran for office.



Rep.
Gail Kulick Jackson

“People will practically offer their condolences,” Jackson says, “like, ‘Oh, boy, I know you wanted this, but ...’”

Far from being disappointed, however, the lawyer and mother of three says she’s happy to be in St. Paul during such difficult times. What’s more, she says she came to the Capitol with a mission: to keep a human face on the tough decisions that lie ahead.

“This is not about just doing math,” she says about fixing the budget deficit. “If it were, it would be really easy. We would just change the math for the state to balance the budget. But everything is going to have an impact on people.”

Jackson says she understands those impacts well. Through her experience as a volunteer attorney — as well as her time on the local school board, chamber of commerce and the board of a health care nonprofit — she’s gained an appreciation of what state funding, or a lack thereof, can mean to her community.

“I know a lot of the people whose lives have been held together, either temporarily or permanently, by programs that the state of Minnesota provides. And when I picture those families and those faces without that — and what could happen to them — that’s the information that I better keep in front of

DISTRICT 16A
<p>Population: (2007 est.) 43,641 Largest City: Princeton Counties: Benton, Mille Lacs, Morrison, Sherburne Top Concerns: Jobs, Health Care and “keeping a human face” on issues that affect Minnesotans</p>

me when I make these decisions,” she says.

Jackson, who sang opera and studied classical music before pursuing a law career, hopes to address issues unique to rural Minnesota, such as a lack of jobs with health benefits and a struggling rural health care industry. She says she’s done what she can on the local level, but hopes to leverage more resources as a state lawmaker.

“There’s only so much you can do with very limited small-town resources — and yet I see this gigantic need. ... You realize that, boy, there are bigger things to be done.”

A heritage of involvement

Kiffmeyer brings lifelong work ethic to her seat

By KRIS BERGGREN

As the oldest of 14 children, Rep. Mary Kiffmeyer (R-Big Lake) is no stranger to responsibility. She grew up caring for her siblings in their tiny hometown of Peters, near Brainerd, even buying them pajamas when her parents couldn’t afford Christmas gifts.



Rep. Mary Kiffmeyer

“It was always my job to be in charge and get things done,” said Kiffmeyer, already well-known at the Capitol as secretary of state from 1999-2006. Now, as the representative for District 16B, she’s turned her can-do attitude to the needs of her Sherburne County constituents.

Repealing last year’s changes to the so-called “Green Acres” law is easily “the hottest,

biggest issue on my radar screen,” Kiffmeyer said. In her district, where farmland meets exurban bedroom communities and strip malls, the lines between agricultural and commercial development tracts can blur, and nailing down tax classification is critical to generating property tax revenue.

Other key issues include stemming home foreclosures, which hit many counties outlying the Twin Cities metropolitan area in a big way; transportation, including completing the Northstar commuter rail; and education equity.

Cooking for her large family instilled a lifelong passion for baking. Kiffmeyer is famous for the homemade bread with honey cinnamon butter she served to legislators on special occasions in the House Retiring Room when her husband, Ralph Kiffmeyer, was in office in 1985-86.

Colleagues should note Kiffmeyer put fiscal

DISTRICT 16B
<p>Population: (2007 est.) 49,745 Largest City: Big Lake Township County: Sherburne Top Concern: Repealing 2008 Green Acres legislation</p>

conservatism into practice through supply-side scaling: She buys her wheat by the ton and grinds it herself. She used to purchase through a grassroots cooperative — then switched to a Red River Valley source no longer in business. Now she buys nitrogen-packed wheat from Montana farmers through a Minnesota buying club and stores it in a pole barn at her Big Lake home.

Kiffmeyer is proud of the heritage of community involvement she and her husband have passed on to their four children and 14 grandchildren who are active in Boy Scouts, their churches and nonprofit organizations. Formerly a registered nurse, Kiffmeyer owns an organizational consulting business.

Passionate about business

Loon calls for economic recovery through job creation

By KRIS BERGGREN

Rep. Jenifer Loon (R-Eden Prairie) had long considered running for public office but thought she'd wait until her daughters,



Rep. Jenifer Loon

Erica, a high school sophomore, and Rachel, a sixth-grader, were older, perhaps off to college. However, she saw a rare opportunity when former Rep. Erik Paulsen decided to run for the congressional seat vacated by former

U.S. Rep. Jim Ramstad.

"An open seat doesn't come along every day," Loon said.

Furthermore, she welcomed the chance to be a role model. "As a mom of two girls, I want them to know you can have a family and a professional life. I want them to know the door is never closed to them."

Though new to the House, Loon is a political pro who was "always interested in the legislative process." The South Dakota native majored in government and international relations at Augustana College, took an internship in then U.S. Sen. Larry Pressler's office, and was later hired there as a legislative assistant. She also worked for the Small Business Committee of the U.S. House of Representatives.

Loon believes her passion for small-business growth makes her a "good fit" for a district where, she said, "there are 2,200-2,400 businesses; most are small or sole proprietorships." Nurturing small businesses will stimulate economic recovery through job creation faster than any other measure, she believes. Specifically, she's interested in "tax and regulatory issues, access to capital and government regulation related to small business, especially women- and minority-

DISTRICT 42B
Population: (2007 est.) 41,805
Largest City: Eden Prairie
County: Hennepin
Top Concern: Job growth/small business development

owned businesses."

Another top priority is education. Loon, an active member of parent-teacher organizations, said Eden Prairie schools, like many districts statewide, are educating a growing number of English language learners and children of color, and she's concerned about the achievement gap.

Even though the budget crisis threatens to overshadow idealism, Loon wants to promote "a top-notch education for our kids in Minnesota. We can't say 'Down the road we will figure out how to better educate our kids.' This could be a good year to dig into policy, not things that are monetary-driven."

No shortcut to service

Newton relishes opportunity to make tough decisions

By SUSAN HEGARTY

Rep. Jerry Newton (DFL-Coon Rapids) traveled a lot of miles, many overseas, before landing a House seat in St. Paul.



Rep. Jerry Newton

After attending Osseo High School, Newton began a 23-year career in the military that took him to France, Belgium, Turkey and Vietnam. His children attended NATO schools while Newton steadily achieved the rank of

command sergeant major. He returned to Minnesota in 1985 and inherited his father's grocery store business.

His experience with foreign school systems gave him a broad perspective on education finance and policy, both public and private. Newton drew from that knowledge when he

served for eight years on the Anoka-Hennepin School Board. He counts an anti-bullying policy among his top accomplishments.

Now, he couldn't be happier than to serve on both K-12 education committees during his first term as a state legislator. His district is experiencing declining school enrollments and an inequitable source of school funding, he said.

"I'm a strong supporter of the 'New Minnesota Miracle' and seeing that over a period of time phased in. ... It does provide for the equity I'm looking for in school finance," Newton said.

Newton also serves as vice chairman for the House Veterans Affairs Division. Besides a concern for the welfare of veterans home residents, Newton said he would like to ensure that returning veterans are welcomed home with health care options to help them deal with their physical and emotional pain.

DISTRICT 49B
Population: (2007 est.) 37,788
Largest City: Coon Rapids
County: Anoka
Top Concern: Budget deficit

While serving on the Coon Rapids City Council, Newton helped shape legislation that is now a national standard for railroad safety, and at the same time, quieted train whistles in residential neighborhoods. He also helped form the Highway 10 Corridor Coalition to ease traffic congestion, two experiences that will serve him well on the House Transportation Finance and Policy Division.

After 21 years in the grocery business, Newton is now retired and spends his leisure time tracing his family's roots, which carries him back overseas in mind, if not body. "I prefer to be here (at the Legislature) at this time rather than any other time because it's a mess. I'm hoping I can make an impact."

Working to unite

Obermueller hopes to represent by connecting

By MIKE COOK

All-inclusive could describe the governing philosophy of Rep. Mike Obermueller.

The first-term Eagan DFLer, who ran on the theme of “Working for You,” wants ideas from his constituents, and he will do his darndest to make sure they are received.



Rep.
Mike Obermueller

Like most members, Obermueller plans to have listening sessions throughout the year, but unlike many, he also plans to door-knock in the interim. “I enjoy talking to people one-on-one about the issues that are important to them. ... I think that’s what this job is all about. I think people generally will say, ‘If I understand what’s going on and why you spent money here and you

didn’t spend money here, although it’s painful for me and I think it’s the wrong choice, at least I know you were thinking about it and not just throwing darts at the wall.”

Obermueller, whose hometown includes a number of large employers, including Thomson Reuters, Blue Cross Blue Shield and Delta Dental, puts job creation and maintaining current jobs atop his priority list. Among his assignments, he is vice chairman of the House Bioscience and Workforce Development Policy and Oversight Division.

“It’s all about figuring out how we can make both a short-term and long-term recovery. Stimulating job growth in the short term is the big key so that we can put people back to work, but also not short-changing the future with our decisions. Try to fix our immediate problems without throwing it on the backs of our kids.” He and his wife, Sara, have two sons.

DISTRICT 38B

Population: (2007 est.) 38,708
Largest City: Eagan
County: Dakota
Top Concern: ‘Job creation is Job 1.’

He said open space and education are also among his priorities.

After losing to Lynn Wardlow by 163 votes in 2006 when 16,401 votes were cast, Obermueller beat the three-term Republican incumbent by 519 votes out of 20,905 cast in 2008.

“He did a lot of good things for vets in this state and his heart was in the right place on education,” Obermueller said. “We joked around and actually kind of became good friends, especially the second time around. We used to joke that ‘I wouldn’t run against you, Lynn, but I want your job and this is the only way to get it.’”

Walking the talk

Persell models stewardship of the environment

By SUSAN HEGARTY

Rep. John Persell (DFL-Bemidji) was content with his 30-year career as an environmental policy analyst, but something President Ronald Reagan did upset him. Rather than get mad, he’s now ready to get even.



Rep. John Persell

In 1986, Reagan took solar panels off the roof of the White House that Jimmy Carter put up. “I became very frustrated,” Persell said. So in the 1990s, he began his political involvement, garnering all 87 votes to become a Frohn Township board supervisor.

Persell said people have digressed from stewardship of the environment during the past 50 years. However, he is happy with progress made regarding the treatment of

mercury as a toxic substance. “Minnesota began to lead the way, much to their credit.”

He serves as vice chairman of the House Environment and Natural Resources Finance Division and is pleased to be a member of the House Environment Policy and Oversight Committee. “I’ve been involved in policy, particularly environmental quality policy. That’s been my career for 30 plus years with tribal government.”

Also a member of the House Energy Finance and Policy Division, he is insistent about the need to develop renewable energy sources. “We have to have sustainable management. It’s not just a use it or lose it kind of mentality,” he said.

He walks the talk, too. Persell lives on six acres in Bemidji and produces 60 percent of his own residential electricity from the wind turbine in his yard, the only one of its kind in Beltrami County.

DISTRICT 4A

Population: (2007 est.) 36,836
Largest City: Bemidji
Counties: Beltrami, Cass, Itasca
Top Concern: Sustainability of the environment

An avid outdoorsman and member of the House Game, Fish and Forestry Division, Persell fishes and hunts deer for food, and he cleans his own catch. He said he’s sympathetic to proposed legislation that would ban lead bullets, which proponents say may be harmful to wildlife who ingest the lead shot from discarded carcasses.

Though he doesn’t serve on education committees, the father of three and grandfather of six also supports early childhood education. “It pays us back 12:1 for every dollar we invest.” As a Greater Minnesota representative, he added, “We need to restructure the education funding formula so that rural districts get their cut.”

Making a difference

Tired of complaining, Rosenthal decided to get involved

By Nick Busse

Most lawmakers come to St. Paul hoping to make their mark in some way, but not many can say they literally changed the landscape of



Rep.
Paul Rosenthal

Minnesota's capital city. Rep. Paul Rosenthal (DFL-Edina) managed to do it before he even ran for office.

Rosenthal, a currency trader by day, has spent the last several years aiding in the preservation of the St. Paul Municipal Grain

Terminal — a historical landmark located about a mile from the Capitol, along the Mississippi River.

"It's the oldest farmers' cooperative grain elevator in the country," he explains, adding

that saving the building, which had been slated for demolition, involved multiple government agencies and "a whole series of craziness."

It was as good a training as any, perhaps, for the Legislature. Rosenthal, a newcomer to public office, said he ran because he had reached a point in his life where he was tired of talking about political issues and ready to do something about them.

"I got tired of hearing myself complain. I wanted to show my kids — who were also tired of hearing me complain, and my wife and friends — that if you believe in something, you have to work at it really hard and try and make a difference," he said.

Originally from New York, Rosenthal began his professional career there dealing in commercial real estate. After moving to

DISTRICT 41B

Population: (2007 est.) 36,548
Largest City: Bloomington
County: Hennepin
Top Concerns: Health Care, transportation and the economy

Minnesota nearly two decades ago, he met and married his wife, Elizabeth. The couple have two boys, Jack and Eddy, and ran a paint-your-own-pottery business together for several years before selling it.

He was always drawn to Minnesota, he said. As a child, he remembers his parents working on national campaigns for Minnesota politicians like Hubert Humphrey and Eugene McCarthy.

"Minnesota's always that sort of beacon on the hill: socially progressive and fiscally responsible," Rosenthal said, adding that he thinks that reputation has slipped. "We need to try and grasp that mantle again."

Taking the chance

With open seat, Scott knew now is her time to serve

By Mike Cook

A party activist for years, Rep. Peggy Scott (R-Andover) now has a greater opportunity to push forth her beliefs.



Rep. Peggy Scott

"I truly believe in conservative principles: smaller government, more power to the individuals and keep the government out of our lives as much as possible," she said.

She replaces Chris DeLaForest, who spent six years in the seat and door-knocked for Scott's campaign.

"I've kind of always had it in the back of my mind that I wanted to do this, but I never thought Chris was going anywhere," she said. "When he decided to step down, I kind of said

'It's probably now or never.'"

Scott brings a unique perspective to two of her assignments: the House Housing Finance and Policy and Public Health Finance Division and the House Property and Local Sales Tax Division. She and her husband, David, operate a small real estate business from their home.

"We pay non-resident property taxes on the rental properties that we own," she said. "For instance, in the city of St. Paul the property taxes have just increased so much in the last few years that it's difficult to break even."

To encourage a friendlier business climate, Scott suggests reducing the business tax rate, which she said is the highest in the five-state area. "We can not only encourage our businesses to grow, but to help keep their heads above water in this economy."

For many businesses, a good transportation system is crucial. That's one reason Scott

DISTRICT 49A

Population: (2007 est.) 42,753
Largest City: Andover
County: Anoka
Top Concern: 'I'm really, really adamant about getting through this crisis without raising taxes.'

plans to push for a widening of Highway 10 and completion of Highway 610, both located in her district. She'll be able to do that from a seat on the House Transportation Finance and Policy Division. "There's no fast way to get to Anoka County," she said.

Scott also hopes to work on behalf of divorced fathers, who, she says can often get the short end of things when it comes to custody issues, an issue that affected her in-laws.

"I'm a firm believer that children need both parents in their lives and every other weekend and one night a week just doesn't cut it," she said.



PHOTO BY TOM OLMSCHIED

Some vending machines in the State Office Building, like the one being used by Steve Munos, facility services supervisor for the House Sergeant-at-Arms office, are fitted with an energy-saving device that reduces refrigeration during late evening and early morning hours.

Leading by example

At their own 'House,' legislators take cost-saving measures to heart

BY SUSAN HEGARTY

As Minnesotans struggle to save money and cut expenses at home and on the job, many might wonder what their elected officials are doing as stewards of their tax dollars to model smart spending and careful conservation at their own "House."

The State of Minnesota employs 134 state representatives, 67 senators and one governor, in addition to more than 50,000 state workers. Focus the lens on any of these facets of government, and it shines a light both on areas of success and areas where there is room for improvement.

It starts at the top

In a bipartisan move, Minnesota Gov. Tim Pawlenty and Wisconsin Gov. Jim Doyle crossed party and state lines Jan. 13 by directing their respective state agencies to draft cooperative work agreements. For example, the two states could leverage lower

pricing by placing larger orders together. The joint purchasing power is aimed at avoiding nearly \$5 billion deficits in each state. Agency heads have until Feb. 27 to report their suggestions.

Hours after the duo held press conferences, Pawlenty gave a suggestion of his own: state workers should accept a two-year wage freeze.

Legislation is in the works to curb misuse of public funds by government workers, too. Sponsored by Rep. Ryan Winkler (DFL-Golden Valley), HF7 would toughen penalties for state employees who misappropriate public funds, to making the crime punishable by up to one year in jail and a \$3,000 fine. It

Leading continued on next page

awaits action by the House State and Local Government Operations Reform, Technology and Elections Committee. A companion bill, SF107, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate State and Local Government Operations and Oversight Committee.

House-keeping

At the start of the 2009 session, House Republicans asked fellow legislators to lead by example and amend the temporary joint rules to lower legislators' per diem reimbursements.

Instead, House Majority Leader Tony Sertich (DFL-Chisholm) referred it to the House Rules and Legislative Administration Committee, which passed several other resolutions regarding House member allocations on Jan. 7. For example, reimbursement for telephone, Internet and other communication expenses were cut from \$125 to \$75 per month.

When written communication is preferred to electronic, there is the option of using personal stationery. But before returning legislators place their stationery order, they may want to see what's left from last session. Apparently there are "closets filled" with outdated letterhead, according to Rep. Melissa Hortman (DFL-Brooklyn Park).

"What happens is people order new stationery when they're on new committees," Hortman said. She suggested that members omit their committees on stationery and simply include their name and district.

Rep. Erin Murphy (DFL-St. Paul) urges members to reduce postage costs by using more electronic mail.

"In my district, there's a high premium placed on electronic communication," she said.

House members are also encouraged to use a postage meter for large mailings; however, they may ask for rolls of stamps "for convenience" for smaller mailings, said House Controller Paul Schweizer. As a whole, House members never use the entire postage allowance, and if they did, Schweizer said it would only add to the deficit because he takes that into account when he prepares the budget.

Paper(less)

The paper trail in state government is enormous. There are green sheets for this and yellow sheets for that. Paper size varies from standard 8.5 x 11 inch sheets to legal-size 8.5 x 14 inch sheets. But that is changing, according to House Chief Sergeant-at-Arms Sandra Dicke, whose duties include monitoring

Share your ideas

Do you have an idea about how the state can cut costs to help balance the budget? House representatives would like to hear it. Submit ideas at www.house.mn/budgetsuggestions.asp.

House paper use.

"Paper use has gone down considerably. So many things that we used to have hard copy for — meeting notices, bills, journals, anything you wanted — is now online," Dicke said.

Two House committees are testing a new policy that, if successful, may be expanded next year. They are printing reports on standard-size paper rather than legal size. Standard paper is less expensive and the copy machines used for printing standard size paper are less expensive than multi-size paper printers.

Paper cutbacks transcend the boardroom to the bathroom at the State Office Building. Those who drop by the first-floor bathrooms can contribute to the cause when drying their hands. The Dyson Airblade hand dryers in both the men's and women's restrooms blast air at 400 mph. The 12-second drying time is estimated to reduce energy use by up to 80 percent over typical dryers, still used on other floors. The paper towel dispensers are still available, but not recommended.

"They're inefficient. You try to pull one down and eight come down," Dicke said. As older hand dryers wear out, they will be replaced with the energy-saving style, she said.

The three R's


In the basement supply room of the State Office Building, shelves are filled with used office supplies. Need a three-ring binder? They've got it. Need an electrical cord? Just ask.

Previous policymakers passed legislation that requires state workers to reduce, reuse and recycle through the Resource Recovery Program. Waste amounts are carefully monitored. For example, occupants of the State Office Building generated 26,000 more pounds of waste between July and December 2008 than they did during the same six months of 2007, according to David Fielding, director of the Department of Administration's Plant Management Division.

"While an increase in total waste is not necessarily good news, the fact that 98 percent of that increase was recycled waste is another instance of leading by example," Fielding said.

The program's Web site offers ways that employees can save money or acquire used government-issued goods.

Rep. Brita Sailer (DFL-Park Rapids) said she is preparing to publish an electronic newsletter that will remind House staff and visitors about ways to curb expenses in the Capitol Complex. She expects to distribute the first issue within the next week to Republican and DFL members, staff, visitors and lobbyists.

State employees who already adhere to the three Rs — reduce, reuse, recycle — don't go unnoticed. Each year, the most efficient employee groups from around the state are recognized at the MnGREAT (Minnesota Government Reaching Environmental Achievements Together) Awards. A list of past recipients, such as the Duluth Entertainment Convention Center and the Rice Creek Watershed District, is available online at www.pca.state.mn.us. 

Minnesota State Agencies

Administration	651-201-2555
Agriculture	651-201-6550
	800-967-2474
Commerce	651-296-4026
Corrections	651-361-7200
Education	651-582-8200
Employment and	
Economic Development	651-259-7114
	800-657-3858
Enterprise Technology	651-296-8888
Explore Minnesota Tourism	651-215-9041
	800-657-3535
Travel Info	888-868-7476
Health	651-201-5000
	888-345-0823
Higher Education Services	651-642-0567
	800-657-3866
Housing Finance Agency	651-296-7608
	800-657-3769
Human Rights	651-296-5663
	800-657-3704
Human Services	651-431-2000
Iron Range Resources	218-744-7400
	800-765-5043
Labor and Industry	651-284-5005
	800-342-5354
Management and Budget	651-201-8000
Mediation Services	651-649-5421
Metropolitan Council	651-602-1000
Military Affairs	651-268-8919
Natural Resources	651-296-6157
	888-646-6367
Pollution Control Agency	651-296-6300
	800-657-3864
Public Safety General Information	651-201-7000
Revenue General Information	651-296-3403
Transportation	651-296-3000
	800-657-3774
Veterans Affairs	651-296-2562

Thursday, Jan. 22

HF157-Mullery (DFL)

State & Local Government Operations Reform, Technology & Elections

Zoning for owner-occupied residential uses authorized.

HF158-Peppin (R)

State & Local Government Operations Reform, Technology & Elections

Per diem payments prohibited to members during certain special sessions.

HF159-Simon (DFL)

Commerce & Labor

Alcohol control device sale allowed at exclusive liquor stores.

HF160-Simon (DFL)

Environment Policy & Oversight

Cass County; private sale required of surplus state land bordering public water.

HF161-Thissen (DFL)

Health Care & Human Services Policy & Oversight

Medical response unit reimbursement pilot program established, emergency medical services programs funded.

HF162-Hansen (DFL)

Environment Policy & Oversight

Drainage system provisions modified.

HF163-Bly (DFL)

Finance

Rice County; nursing facilities designated as metro for purposes of determining reimbursement rates.

HF164-Falk (DFL)

Finance

State plan required for a green infrastructure, funding provided to create energy-efficient residences, bonds authorized to fund energy-efficient public buildings, renewable energy for public schools, green industrial parks, and a solar certification laboratory.

HF165-Emmer (R)

State & Local Government Operations Reform, Technology & Elections

Certain public fund use and government contracts prohibited.

HF166-Sanders (R)

Commerce & Labor

Retail sales of recalled toys prohibited.

HF167-Gardner (DFL)

State & Local Government Operations Reform, Technology & Elections

Ethnic and cultural diversity activity authority extended.

HF168-Emmer (R)

State & Local Government Operations Reform, Technology & Elections

Fiscal emergency declaration authorized for governor, and fiscal emergency declaration effect specified on legislative procedures.

HF169-Emmer (R)

Commerce & Labor

Labor union membership prohibited as a condition of employment, and constitutional amendment proposed.

HF170-Gardner (DFL)

Commerce & Labor

Residents allowed to decline reception of local telephone directories.

HF171-Emmer (R)

Health Care & Human Services Policy & Oversight

Freedom of choice in health care constitutional amendment proposed.

HF172-Hilstrom (DFL)

State & Local Government Operations Reform, Technology & Elections

Affirmation of oath for election judge clarified.

HF173-Hilstrom (DFL)

Finance

Map of money used to support children required.

HF174-Thissen (DFL)

Health Care & Human Services Policy & Oversight

Minnesota health security account created, Minnesota health security program established, eligibility criteria, covered services, and administrative procedures specified, program expansion and service delivery report required, health care access for all adults ensured.

HF175-Thissen (DFL)

Health Care & Human Services Policy & Oversight

Chemical dependency treatment fund eligibility expanded.

HF176-Emmer (R)

Health Care & Human Services Policy & Oversight

Death record replacement required when ordered by the court.

HF177-Thissen (DFL)

Health Care & Human Services Policy & Oversight

Moratorium on radiation therapy facility construction extended in certain counties.

HF178-Morrow (DFL)

Finance

American Red Cross special license plates established.

HF179-Davnie (DFL)

Early Childhood Finance & Policy Division

Head Start program modified.

HF180-Paymar (DFL)

Public Safety Policy & Oversight

Heads of law enforcement agencies penalty established for those who allow nonlicensed employees and peace officer agents to carry firearms.

HF181-Thissen (DFL)

Health Care & Human Services Policy & Oversight

MinnesotaCare eligibility provisions modified.

HF182-Hilty (DFL)

Finance

Carlton County; water main improvements funding provided.

HF183-McNamara (R)

State & Local Government Operations Reform, Technology & Elections

Long-distance phone records approved.

HF184-Dettmer (R)

Finance

Green Acres law 2008 changes repealed.

HF185-Hilty (DFL)

Finance

Carlton; water and sewer utility improvement project funding provided.

HF186-Hilty (DFL)

Finance

Willow River; wastewater treatment facility funding provided.

HF187-Hilty (DFL)

Finance

Barnum; well improvement funding provided.

HF188-Hilty (DFL)

Finance

Carlton County; water distribution improvements funding provided.

HF189-Anzelc (DFL)

Finance

Big Fork; pond rehabilitation and expansion grant provided for sewer projects.

HF190-Anzelc (DFL)

Finance

Coleraine, Bovey, Taconite; aerobic digester grant provided.

HF191-Anzelc (DFL)

Finance

Rainy River Community College asset preservation funding provided for tuck-pointing on the gymnasium building.

HF192-Hilstrom (DFL)

Taxes

Imposition and refund of sales tax on capital equipment eliminated and obsolete provision eliminated.

HF193-Norton (DFL)

Finance

Rochester; National Volleyball Center funding provided.

HF194-Norton (DFL)**K-12 Education Policy & Oversight**

Labor Day school start provision repealed.

HF195-Norton (DFL)**K-12 Education Policy & Oversight**

Labor Day school start provisions modified for two years.

HF196-Nelson (DFL)**Finance**

Hennepin County; Highway 610 funding provided.

HF197-Brod (R)**Taxes**

New Prague; wastewater treatment facility construction materials exempted.

HF198-Brod (R)**State & Local Government Operations Reform, Technology & Elections**

Reapportionment method established.

HF199-Brod (R)**State & Local Government Operations Reform, Technology & Elections**

State expenditures searchable database required, and state and local government transparency and openness required.

HF200-Abeler (R)**Health Care & Human Services Policy & Oversight**

Broker use for medical transportation services prohibited, county social workers allowed to make level of need determinations, special transportation services renamed and medical transportation requirements modified.

HF201-Thao (DFL)**State & Local Government Operations Reform, Technology & Elections**

County publication of individual claim threshold amount increased.

HF202-Brod (R)**State & Local Government Operations Reform, Technology & Elections**

Deceptive or misleading contribution solicitations prohibited.

HF203-Slawik (DFL)**Finance**

Minnesota child savings account initiative established.

HF204-Winkler (DFL)**Taxes**

Establishing housing improvement districts without special legislation deadline removed.

HF205-Anzelc (DFL)**Finance**

Nashwauk; wastewater infrastructure grant provided.

HF206-Anzelc (DFL)**Finance**

George Washington State Forest, Kabetogama State Forest; forest bridge replacement funding provided.

HF207-Anzelc (DFL)**Finance**

Effie; wastewater infrastructure grant provided.

HF208-Dill (DFL)**Commerce & Labor**

Secured creditor mailed notification type changed required in connection with foreclosure of a mechanics lien on a motor vehicle.

HF209-Slawik (DFL)**Finance**

Unique identification number assignment required for all Minnesota children upon enrollment.

HF210-Slawik (DFL)**Health Care & Human Services Policy & Oversight**

Autism spectrum disorder pilot program, task force, and surveillance system and registry established.

HF211-Swails (DFL)**Civil Justice**

Statutory housing warranties recovery for breaches regulated.

HF212-Simon (DFL)**Public Safety Policy & Oversight**

Pretrial filing of a transcript for admission into evidence of law enforcement vehicle recordings prerequisite eliminated.

HF213-Mullery (DFL)**Public Safety Policy & Oversight**

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

HF214-Bly (DFL)**Finance**

School boards authorized to form business entity solely for wind energy projects and production tax exemption provided.

HF215-Morrow (DFL)**Taxes**

North Mankato; tax increment financing district requirements changed.

HF216-Faust (DFL)**Finance**

Minnesota agricultural property tax law modified.

HF217-Faust (DFL)**Finance**

Minnesota agricultural property tax law modified.

HF218-Ruud (DFL)**Taxes**

Minnetonka; city and economic development authority authorized to extend the duration of a tax increment financing district.

HF219-Brynaert (DFL)**Taxes**

Mankato; tax increment financing district requirements changed.

HF220-Juhnke (DFL)**Finance**

Eurasian water milfoil control pilot project required.

HF221-Tillberry (DFL)**Commerce & Labor**

Gross receipt tax on pull-tabs and tipboards provided to be imposed and paid on a site-by-site basis.

HF222-Slawik (DFL)**State & Local Government Operations Reform, Technology & Elections**

Multiple unit residences allowed certain persons for campaign and election purposes.

HF223-Slawik (DFL)**Finance**

Words Work grant provided for early childhood literacy.

HF224-Simon (DFL)**State & Local Government Operations Reform, Technology & Elections**

Retention elections for judges established, judicial performance commission created and constitutional amendment proposed.

HF225-Ward (DFL)**Finance**

Brainerd State Hospital campus funding provided for building to serve as a veterans nursing home.

HF226-Ruud (DFL)**Finance**

Intermediate school district operating a day treatment program authorized to be considered a care and treatment day program.

HF227-Benson (DFL)**Finance**

Cost-of-living revenue provided and operating cost differential of state school districts study required.

HF228-Koenen (DFL)**Finance**

Montevideo; wastewater treatment facility funding provided.

HF229-Koenen (DFL)**Finance**

Olivia; southwest area storm sewer system funding provided.

HF230-Magnus (R)**Environment Policy & Oversight**

Casey Jones Trail extended.

HF231-Lillie (DFL)**State & Local Government Operations Reform, Technology & Elections**

Teacher assistant employment excluded from retirement coverage to qualify for deferred annuities augmentation.

HF232-Brown (DFL)**Finance**

Rose Creek; sewer system upgrade funding provided.

HF233-Slawik (DFL)**Health Care & Human Services Policy & Oversight**

Autism spectrum disorder task force created, appointments provided and report required.

HF234-Slawik (DFL)**Health Care & Human Services Policy & Oversight**

Autism spectrum disorder coverage required.

HF235-Simon (DFL)**Energy Finance & Policy Division**

Public utility prohibited from acquiring non-utility company.

HF236-Hornstein (DFL)**Commerce & Labor**

Minneapolis-St. Paul International Airport airline operations maintained, and contractual obligations and rights enforced.

HF237-Demmer (R)**Transportation & Transit Policy & Oversight Division**

Rochester; permits issued to complete the construction of a new interchange at Highway 52 and 65th Street N.W.

HF238-Hornstein (DFL)**State & Local Government Operations Reform, Technology & Elections**

Metropolitan Airports Commission environmental planning required.

HF239-Gardner (DFL)**Commerce & Labor**

Homeowners permitted to recover all damages incurred due to faulty construction.

HF240-Norton (DFL)**Health Care & Human Services Policy & Oversight**

Licensure for physician assistants created.

HF241-Cornish (R)**Transportation & Transit Policy & Oversight Division**

Driver's license or Minnesota identification card photograph requirements modified.

HF242-Anzelc (DFL)**Finance**

Coleraine; downtown corridor redevelopment funding provided.

HF243-Anzelc (DFL)**Finance**

Bovey; sewer collection rehabilitation grant provided.

HF244-Anzelc (DFL)**Finance**

Itasca County; Balsam Lake dam repair funding provided.

HF245-Brynaert (DFL)**Taxes**

Public safety radio equipment exemption expanded.

HF246-Slawik (DFL)**Finance**

Child care assistance provider rates modified, quality and improvement system created and child care improvement grants modified.

HF247-Thissen (DFL)**Taxes**

Long-term care savings plan provided and income tax subtraction provided for contributions made to the long-term care savings plan.

HF248-Paymar (DFL)**Public Safety Policy & Oversight**

Existing domestic fatality review team continuation authorized and all judicial districts permitted to create domestic fatality review teams.

HF249-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Emeritus status requirements modified for licensed psychologists, inactive licensure status for licensed psychologists created, licensed psychologists authorized to provide a final determination not to certify, and licensed psychologist added to Health Care Reform Review Council.

HF250-Knuth (DFL)**Health Care & Human Services Policy & Oversight**

Children protected from toxic chemicals in products, disclosure required by manufacturers of children's products containing high concern chemicals, Pollution Control Agency authorized to designate priority chemicals and safe alternatives required, exemption process provided, interstate clearinghouse participation authorized, and implementation plans and safe product framework reports required.

HF251-Benson (DFL)**Public Safety Policy & Oversight**

Teri Lee Law specification designated.

HF252-Benson (DFL)**Finance**

State reimbursement increased for school lunch aid from 12 to 15 cents per meal.

HF253-Tillberry (DFL)**Public Safety Policy & Oversight**

Dog and cat breeder standards of care provided.

HF254-Thissen (DFL)**Public Safety Policy & Oversight**

Law enforcement required to provide violent crime alerts to citizens who request notification, and crime alerts required to be distributed in a format that disabled citizens can access.

HF255-Slawik (DFL)**State & Local Government Operations Reform, Technology & Elections**

Deceptive names of candidates, political committees and political funds prohibited.

HF256-Howes (R)**Finance**

Cass County; new hospital funding provided.

HF257-Howes (R)**Health Care & Human Services Policy & Oversight**

Smoking permitted in certain bars.

HF258-Murphy, M. (DFL)**Taxes**

Property tax refund program extended to residents of certain nursing homes.

HF259-Lillie (DFL)**Finance**

Minnesota to Chicago High Speed Rail Corridor funding provided.

HF260-Hausman (DFL)**State & Local Government Operations Reform, Technology & Elections**

Minneapolis Firefighters Relief Association surviving spouse benefit eligibility specified.

HF261-Otremba (DFL)**Finance**

Staples, Todd County; highway overpass funding provided.

HF262-Anzelc (DFL)**Finance**

Nashwauk; sewer extension and expansion project funding provided.

HF263-Hausman (DFL)**Finance**

Central Corridor Line funding provided.

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Green Acres continued from page 4

metropolitan area, the Green Acres program reduced the taxes of land enrolled in 2007 from an average of \$13,800 per acre to \$3,600 per acre. Which means about \$10,000 per acre was shifted to other property taxpayers.

Also, Green Acres was never a conservation program, or a “green” program, like we think of it today, Lenczewski said. “It’s actually the anti-green. It’s till-everything-up-and-throw-dirt-to-the-wind. It was never a conserve program. But there is a common purpose of conserving ag land for the future so that if someday we need to feed our people we have a way to do it.” But, according to the current law and its original intent, ag land does not include wetlands or wooded areas used for recreation.

“So,” Lenczewski said, “you can imagine if you’re the next property over and you don’t have producible ag land, you may already resent that you’re paying your neighbor’s taxes. Now you find out they’ve got a whole bunch of land in there that’s not supposed to be in there and you’re paying for that too.”

Some legislators wanted to eliminate the program, Lenczewski said, but instead it was brought back to what it was intended to be.

“What’s the net effect of that? You’re probably going to hear in the hearings from people who were getting the benefit and are not getting it now,” she said. “What you won’t see are all the people who’ve been paying for it because they’re not tracking this.” 🐾

Education continued from page 11

Administrators, said, “In total it’s smothering the school districts.”

Themes emerged throughout the hearings.

For example, the desire to reduce mandates limiting local control over the school calendar. Advocates said that could open the door to a four-day week — which has saved some districts transportation costs — to summer school or other extended-day options to enhance learning and retention or to adjust start times to “when it’s best for kids,” as Kelliher put it.

The business officials association would eliminate state support for nonpublic textbooks, school nurse services and counseling. The school board association suggests discontinuing transporting charter and non-public school students on the state’s dime or charge parents a fee for transportation services.



PHOTO BY TOM OLMSCHIED

Roger Aronson, legislative counsel for the Minnesota Elementary School Principals’ Association, testifies Jan. 20 before the House K-12 Education Finance Division on recommendations for education investment, reductions and reform.

Other reform ideas on the table

There is also at least some bipartisan support for a third reform — charter schools.

They’re considered by some an entrepreneurial way to test new ideas in education or create learning environments that work well for certain groups of students, though some traditionalists perceive them as an end run around the system that drains money from districts.

“We have to be open to anything that helps children,” said Rep. Jim Abeler (R-Anoka). He admits charters must sharpen their fiscal accountability including their leasing arrangements, sponsorship relations and oversight practices. He promised “some action this session” on improving charters’ fiscal accountability.

Early learning also made the list of reform ideas.

Seen as the backbone of future learning, principals and school administrators want to see their future students get a head start. Roger Aronson, legislative counsel for the Minnesota Elementary School Principals’ Association, called all-day kindergarten and early childhood education “reforms sitting on the shelf waiting to happen.”

Accountability remains a thorny issue in

the reform discussion.

While testing has established a baseline from which to build, and more rigorous standards have set the bar higher, some accountability measures deeply trouble those charged with administering them, such as the Education Department’s Graduation Requirement Assessment for Diploma.

Student progress is a condition of the governor’s proposal to boost Q-Comp funding and other financial incentives to districts, but legislators and educators have differing views on how best to measure gains. 🐾

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MINNESOTA INDEX

Giving time

Estimated number of Minnesotans who volunteered each year from 2005 to 2007, in millions	1.6
Estimated million hours of service per year	175.7
Average volunteer rate for Minnesotans between 2005 and 2007, as percent	39.7
National rank	3
National average, as percent	27.2
State volunteer rate in 2004, as percent	41.1
Percent in 1989	34.8
Average volunteer hours per capita per year	43.7
State rank	14
Midwest 2007 volunteer ranking among regions	1
Percentage rate for volunteering	32.2
Millions of Americans who volunteered through or for an organization at least once between September 2006 and September 2007	60.8
Total hours volunteered, in billions	8.1
Minneapolis-St. Paul Metropolitan Statistical Area 2007 volunteer ranking nationally	1
Estimated annual number of volunteers in 2007	900,700
In 2005	927,600
In 2004	994,300
In millions, number of hours donated in 2007	116.3
In 2005	117.5
In 2004	117.8
Estimated annual economic contribution, in billions, by Minnesota volunteers	\$3.4
By Minneapolis-St. Paul Metropolitan Statistical Area volunteers	\$2.1
Percentage of Minnesota volunteers who volunteer for a religious organization	35.7
Percent for educational organization	24.9
Percent for social services	13.5
Percent of state volunteers who perform fund-raising duties	29
Percent who collect/distribute food	28.3
National volunteer retention rate, as percent	64.3
Percent in Minneapolis-St. Paul Metropolitan Statistical Area	77.1
By percentage, those 45 years and older who say they volunteer out of personal responsibility to help others	65
Percentage who say volunteering makes life more satisfying	58

— L. SCHUTZ, M. COOK

Resources: Volunteering in America, Amherst H. Wilder Foundation, AARP survey on volunteering, Bureau of Labor Statistics, Corporation for National and Community Service.

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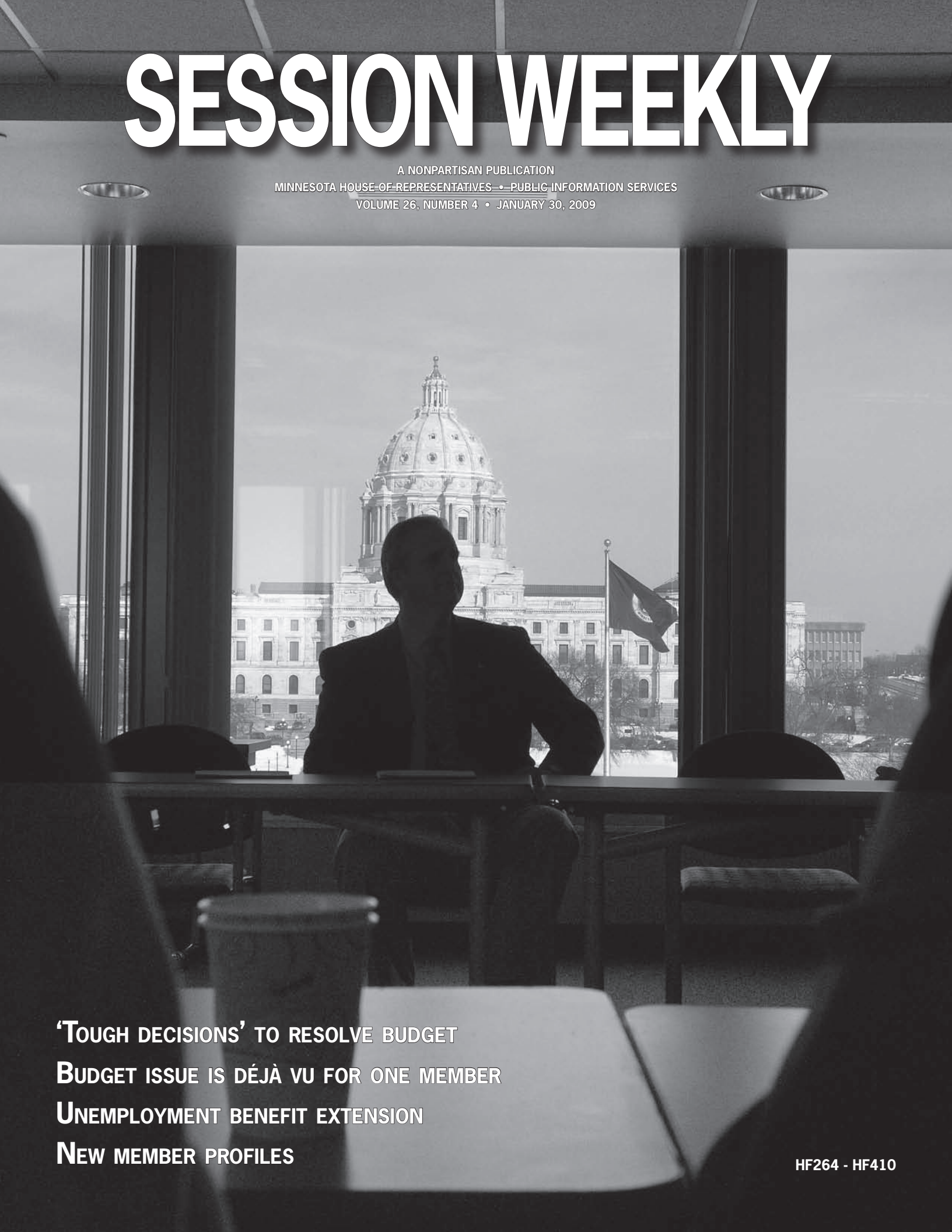
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SESSION WEEKLY

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'TOUGH DECISIONS' TO RESOLVE BUDGET
BUDGET ISSUE IS DÉJÀ VU FOR ONE MEMBER
UNEMPLOYMENT BENEFIT EXTENSION
NEW MEMBER PROFILES

HF264 - HF410

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 Legislative Session, each issue reports House action between Thursdays of each week, lists bill introductions and provides other information. No fee.

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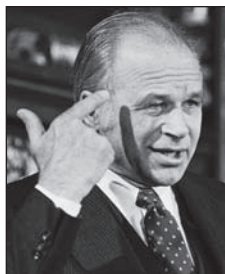
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On the cover: Chairman Al Juhnke and members of the House Agriculture, Rural Economies and Veterans Affairs Finance Division meet in the fifth floor conference room of the Veterans Service Building during a Jan. 28 tour and overview of the Department of Veterans Affairs.

— Photo by: Andrew VonBank

'Tough decisions'

Governor proposes spending cuts, accounting shifts to solve \$4.8 billion deficit

By Nick Busse

Gov. Tim Pawlenty presented his preliminary answer to the state's \$4.8 billion question on Jan. 27.

His proposal? Fix the state's projected budget deficit with \$2.5 billion in spending cuts, \$1.3 billion in accounting shifts, nearly \$1 billion in "tobacco appropriation bonds" and an unknown amount of federal stimulus dollars.

The math is complicated, but the result would be to shrink state government by 2.2 percent, or \$750 million, from current biennial spending levels. Pawlenty said his plan balances fiscal responsibility with the needs of the state.

"This budget involves some tough decisions; we realize that. But we also believe they are the decisions that reflect the priorities needed to position Minnesota for the future," he said.

Among the areas hardest-hit by the governor's plan would be health and human services. Although health spending would technically increase 9.6 percent under the governor's plan, spending would be significantly lower than the 22 percent increase that was projected. As a result, approximately 84,000 fewer adults would be eligible for state health care programs over the next two years — although no children would be affected.

Local government aid and higher education would see reductions of 5.4 percent and 8.2 percent, respectively, while most state agencies would see an across-the-board 5 percent reduction in their operating budgets. The resulting savings, however, would be at least partially offset by \$287 million in tax cuts aimed primarily at businesses. Pawlenty said making the state's tax climate more business-friendly would help the economy recover.

Not everything in the governor's plan consists of cuts. K-12 education would actually

see a slight funding increase, with an emphasis on pay-for-performance programs; however, accounting shifts in the form of delayed aid payments to schools are also called for to provide temporary savings.

Legislative leaders reacted cautiously to the governor's plan. House Speaker Margaret Anderson Kelliher (DFL-Mpls) said she and other DFL lawmakers will travel around the state in the coming weeks and seek public input on how the proposals would affect their communities. She also expressed skepticism about some of the governor's ideas, such as the K-12 accounting shifts.

"This budget appears to be full of some gimmicks, and we are going to take a close look at that," she said, adding, "It is a concern that if you build a budget completely out of those things, the long-term financial stability of the state could be at risk."

Among concerns addressed by House Majority Leader Tony Sertich (DFL-Chisholm) was that the governor's budget would lead to

First Reading continued on page 4



PHOTO BY TOM OLMSCHIED

House Majority Leader Tony Sertich tells reporters during a Jan. 27 news conference that specific issues in Gov. Tim Pawlenty's budget proposal would be examined closely, and that he and Senate Majority Leader Larry Pogemiller, left, look forward to seeing the governor's proposed bills to rectify the state's projected budget shortfall.

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increased property taxes, higher tuition for college students and the loss of health care benefits for some Minnesotans. He also expressed doubt about the governor's plan to raise nearly \$1 billion in one-time money by bonding future revenues from the state's decade-old tobacco settlement — the so-called “tobacco appropriation bonds.” He said nothing like it had ever been tried in Minnesota.

“This is something that we’re going to look at and see if it would work, and if it does not, that would put in serious jeopardy the governor’s proposal,” he said.

‘The blueprint’

The governor’s proposals lay out “the blueprint,” in Sertich’s words, for the issue that will dominate the remainder of the legislative session; however, that blueprint is likely to change before lawmakers even get started on their own version.

To start with, the governor’s plan assumes a \$920 million “placeholder” for funds from a forthcoming federal stimulus package. That legislation is expected to be passed by Congress and signed by President Barack Obama in the coming months; however, the final dollar amount of Minnesota’s share is yet to be determined, and is likely to be different — possibly much larger — than \$920 million. Pawlenty said his budget proposals would be adjusted when state officials have a better idea of how much stimulus money will actually be available to shore up the General Fund.

The other event that will likely force a review of the governor’s budget proposals is the release of the February budget forecast, which state officials have hinted may predict an even worse financial situation for the state. More budget cuts might be necessary if state officials forecast a \$6 billion or \$7 billion deficit; however, Pawlenty said more federal stimulus dollars might help cancel out a larger deficit.

Republican leaders criticized the DFL majority for not offering their own ideas to fix the budget. House Minority Leader Marty Seifert (R-Marshall) said the Democrats were taking too long to come up with their own plan to counter the governor’s proposals, and urged them not to wait longer.

“They’ve had two months of time to listen to the public. We’ve had the (budget) forecast on our desks now since November. We know what the problem is, so now we need solutions, and we need leaders,” Seifert said.

Similarly, Senate Minority Leader David Senjem (R-Rochester) compared the budget



PHOTO BY TOM OLMSCHIED

Following the Jan. 27 release of Gov. Tim Pawlenty’s budget proposal, House Minority Leader Marty Seifert tells reporters that he hopes the legislative majority will come up with their budget ideas early so the session can end on time.

process to a card game in which the governor had laid his first card on the table. Now, he said, the DFL leadership should lay down one of their own.

“We now want to see what the other proposals are,” Senjem said. “We would ask the other party to come along now, play along with the governor in terms of this process, and let’s move forward and make sure that we’re done on time, because we don’t need to be here in July or August trying to figure this out.”

Other reactions

Reaction to the governor’s proposals from House committee and division chairs was mixed.

Rep. Paul Marquart (DFL-Dilworth), chairman of the House Property and Local Sales Tax Division, said he respects the governor’s budget proposals, and sees them as an attempt to set priorities amid “a very dire situation.” His main concern is making sure that any cuts to local government aid are done in a way that is geographically balanced and that protects middle class interests.

“Too many times, as we’ve balanced the budget, we’ve done it on the backs of those who can afford it the least,” he said.

House K-12 Education Finance Division Chairwoman Rep. Mindy Greiling (DFL-Roseville) criticized the K-12 accounting shifts. She said that rather than solving budget problems, they would actually create more problems for the Legislature to deal with in the future.


“I hate shifts,” Greiling said. “It will flat-line

schools for quite a while, I think, because it means that whenever we get money we have to keep taking huge chunks of it to pay this back. And it looks like we got money, but we did not.”

Rep. Paul Thissen (DFL-Mpls), chairman of the House Health Care and Human Services Policy and Oversight Committee, said the governor’s proposed health care cuts would cancel out some improvements that were made last session. He specifically mentioned the Statewide Health Improvement Program, which helps communities develop strategies to support healthy behaviors. It would see its funding reduced from the anticipated \$47 million for the 2010-2011 biennium to \$24 million, spread out over four years.

“This seems totally contrary and going absolutely against the governor’s own perspective on wanting to control the growth in health care spending,” Thissen said.

House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) said her committee would try to find as much common ground as possible with the governor, but that she personally would prefer more “permanent solutions” to the state’s budget woes.

“We’ll look at what we might want to take from the governor and use, and other places where we’ll need to negotiate. We’re trying to keep an open mind, but it’s difficult to imagine how we’re going to structurally deal with the deficit,” she said. 

— KRIS BERGGREN, SUSAN HEGARTY, SONJA HEGMAN AND LEE ANN SCHUTZ ALL CONTRIBUTED TO THIS ARTICLE.

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Jan. 22-29. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

BUSINESS

Covenant change sought

Thousands of jobs could remain in the state thanks to a new airline agreement.

A 1991 agreement called for the Metropolitan Airports Commission to issue \$270 million in bond debt for Northwest Airlines provided the carrier keep its headquarters in the Twin Cities metropolitan area, maintain a hub at the Minneapolis-St. Paul International Airport and retain a specified level of employees.

Violation of any clause could force automatic repayment of the remaining debt.

With Delta Air Lines' recent acquisition of Northwest, if the MAC were to enforce the covenants, there would be no guarantee of service to the airport or of jobs remaining in the state once the bonds were paid.

The commission's board approved 9-1 terms of a new deal Jan. 26.

Agreement details were shared at a Jan. 22 joint meeting of the House Commerce and Labor Committee, House Transportation Finance and Policy Division, House Transportation and Transit Policy and Oversight Division and the House Local Government Division. No action was taken.

"I think this a glass half-full or half-empty kind of thing," said Rep. Mary Liz Holberg (R-Lakeville). "The MAC has done a good job of renegotiating this."

Terms of the deal include:

- the hub commitment would be set at an average of 400 flights per day (approximately today's level), at least 250 of which must be on aircraft with more than 70 seats;
- a minimum 10,000 jobs remain in the state until the bonds are paid off;
- Delta's headquarters for its regional airline management would be in Minnesota, including the moving of Compass Airlines headquarters from Virginia;
- reservation centers would remain in Chisholm and the Twin Cities metropolitan area; and
- the bonds would be paid off in 2016, six years earlier than required.

Rep. Frank Hornstein (DFL-Mpls) and Rep.

Jeremy Kalin (DFL-North Branch) remain concerned about agreement clauses that could result in job outsourcing after three years.

"I'd feel a lot more comfortable with this agreement if we could have an ironclad commitment that there will not be outsourcing of Minnesota flight attendants, Minnesota pilots, reservation agents and others," Hornstein said.

Ben Hirst, general counsel for Delta Air Lines, said he has heard of no plans to outsource any functions that will be housed in Minnesota.

— M. COOK

EDUCATION

A disaster waiting to happen?

School officials told the House K-12 Education Finance Division Jan. 28 they'd rather shift than cut.

That is, they'd rather live with the governor's proposed accounting shifts to the education finance formula than make outright cuts to staff

and programs. But they said such shifts are really a short-term solution to a perennial problem of an untenable education funding formula.

School districts now receive 90 percent of school aid revenue in the fiscal year in which it is appropriated and 10 percent the next fiscal year. The governor has proposed an 80-20 split for the 2010-2011 biennium that would reduce the General Fund operating deficit by "borrowing" \$1.3 billion from school districts by withholding an extra 10 percent of 2010 aid until 2011.

Increasing the split means school districts must draw from budget reserves or borrow to meet financial obligations. Districts in statutory operating debt may apply for an exemption.

Rep. Mindy Greiling (DFL-Roseville), the division chairwoman, said the governor's proposal is a tactic that undercuts education funding increases and imposes debt on districts.

"I hate shifts," she said. "It will delay funding things like the New Minnesota Miracle. It will flat-line schools for quite a while, I think."

Peggy Ingison, Minneapolis Public Schools chief financial officer and a former state finance commissioner, said shifts should be used as a "last resort."

"If I had a choice of side A, raising revenue or cutting spending, and over here is choice B, where you are doing shifts, wouldn't you recommend side A rather than side B?" asked Rep. Pat Garofalo (R-Farmington).

Ingison said the size of the projected state deficit means looking at "tax increases, spending cuts and shifts" to find a "balanced approach."

Superintendent Joe Brown of the 376-student Grand Meadow district said he has already made difficult staff and program cuts, increased revenues and enrollment, has low transportation costs and high energy efficiency – and still had to cut \$300,000 to balance this year's budget.

Although he likes the governor's budget and ideas about education, Brown said shifts aren't the answer. "I think this is a disaster waiting to happen."

— K. BERGGREN

CAREER READINESS



PHOTO BY TOM OLMSCHIED

Mike Cohen, president of Achieve, Inc., listens as Rep. Kim Norton asks a question about Cohen's presentation on college and career readiness during the Jan. 27 meeting of the House K-12 Education Policy and Oversight Committee.

Retirees risk districts' fiscal health

An issue that could cost school districts billions of dollars received mixed reviews.

At a joint meeting Jan. 26, the House K-12 Education Finance Division and House Taxes Committee considered benefits and risks of a law allowing school districts and other

government jurisdictions to fund liabilities for Other Post-Employment Benefits by creating trusts and issuing bonds that aren't subject to voter approval.

Benefit costs overall are estimated at \$3.3 billion, mostly in health care expenses.

A few districts have huge benefit liabilities compared to their total revenue. But Jody Hauer, a project manager with the Office of the Legislative Auditor, said even districts that don't pay retiree benefits are liable for "implicit rate subsidies," because retiring employees are eligible to retain employer-sponsored health care insurance. Premium costs are pooled, however, so active employees subsidize retirees. These "implicit rate subsidies" are absorbed into districts' general operating revenue.

Hauer said an evaluation of nine districts found implicit rate subsidies cost an average of \$1,300 per student and could cost all school districts \$1.1 billion over the next 30 years.

Thomas Wieczorek, Alexandria Public Schools business director, said his district drew from its trust to cover outright liabilities. Trust earnings also offset implicit subsidy expenses in its general fund, thereby freeing money to implement district goals such as offering free all-day kindergarten and improving classroom technology. This arrangement is legal, but it highlighted concerns about risk and inequity.

"In effect, you have unequalized general education levy," said Rep. Paul Marquart (DFL-Dilworth), who chairs the House Property and Local Sales Tax Division. "I don't think the intent of this law was to use these benefits and this levy authority to put money back into the classroom."

Rep. Tina Liebling (DFL-Rochester) questioned the risk of borrowing critical funds only to invest in an unpredictable market.

The meeting was intended to surface these concerns and as a "precursor of how the education finance committee and the tax committee can work more closely on overlapping issues," said Rep. Mindy Greiling (DFL-Roseville), who chairs the education finance division.

— K. BERGGREN

EMPLOYMENT

Career paths for students

Should high school freshmen be required to develop a plan for their future careers?

The idea, part of a set of policy recommendations developed by the Governor's Workforce Development Council, was debated Jan. 28 by the House Bioscience and Workforce Development Policy and Oversight Division.

No action was taken.

Executive Director Brenda Norman presented the recommendation that every Minnesota student, from ninth grade on, should have an annually reviewed plan to guide them down an educational and occupational path of their own choosing.

"We know that high school students make choices that are sometimes informed and sometimes uninformed, but we prefer that they make informed choices," Norman said.

Rep. Steve Gottwalt (R-St. Cloud) criticized the recommendation, comparing it to a European-style system where students are forced from a very young age to pursue a predetermined career path.

"I get awfully concerned when we're talking about mandating things on ninth graders and graduates in high school," Gottwalt said. "The fact that we might require them to start building a career path too early or too arbitrarily is a bit of a concern."

Rep. Joyce Peppin (R-Rogers) agreed, saying that many ninth graders are unlikely to possess the maturity or confidence needed to start making long-term career choices.

Mo Amundson, a member of the council, countered that the goal of the recommendation is simply to have children "not wait until they've already wasted two years in college and spent a lot of money" before they consider their career options.

"What our vision was is that students, starting in ninth grade, at least think about something that they might want to do and start exploring — not pigeonholing them, not putting them in a track, anything like that," she said.

Rep. Jeanne Poppe (DFL-Austin) agreed with Amundson, arguing that students need to start preparing themselves for careers as early as possible.

"Ninth grade, to me, is almost too late to be thinking about where they want to be going," she said.

— N. BUSSE

ENVIRONMENT

Water as valuable as oil?

Once water is as valuable as Mideast oil, people will start to see it as a commodity.

This is according to Michael Osterholm, director of the Center for Infectious Disease Research and Policy at the University of Minnesota. "We don't have a futuristic view about our water," he told a joint meeting of the House Cultural and Outdoor Resources and Environment and Natural Resources finance divisions Jan. 28. "The value has to change or we'll be here 20 years from now in more dire circumstances than we are now."

Minnesotans get 90 percent of their drinking water from the state's groundwater supply, which is significantly greater than the rest of the country, said Gene Merriam, president of the Freshwater Society.

He said groundwater is running short in some areas of the state. Also, the water has become polluted from things like nitrogen compounds used in farm fertilizers.

"Whatever we use as chemicals in our society is finding its way into our water," Osterholm said.

Rep. Rick Hansen (DFL-South St. Paul) said today's issues are the same ones he learned about as a graduate student 20 years ago.

"Was it a question of funding about why we still have the same problems, or was it a question of the consensus being wrong in the procedures that we chose of going with best management practices and education and not achieving the results or the outcomes that were desired? If we do provide money in these committees will we look for another 20 years and have the slides be the same?"

"I don't think there was enough money to adequately address the questions," Merriam said. "It's important that the money used today gets spent in a way that will make a difference 25 years from now, and having a way to track that."

Solutions to current issues include intensifying the monitoring and protection of aquifers and educating the public about environmental impacts.

"We've got to change what we're doing," Merriam said. "It's so easy to focus on cleaning up the problems, but it's so much easier and cheaper to keep them from happening in the first place."

A study by the Freshwater Society Guardianship Council also found that:

- groundwater buried thousands of years ago by glaciers is high quality, but newer water being recharged in shallow aquifers contains chemicals from modern land use;
- perfluorochemicals are being found in lakes and wells in the Twin Cities metropolitan area and in treated wastewater throughout the state;
- 40 percent of septic systems do not comply with state standards and threaten ground and surface water;
- sand plains of central Minnesota and some areas near Hastings are particularly vulnerable to contamination; and
- atrazine is being found in wells throughout the state. Concentrations are decreasing but detection frequency is increasing. This is due, in part, to increased ethanol production.

— S. HEGMAN

GAME & FISH

Anglers criticize spear-fishing bill

"How do you catch and release a speared fish?" asked Rep. David Dill (DFL-Crane Lake), chairman of the House Game, Fish and Forestry Division.

"You don't," replied Shawn Kellett, president of the Muskies Inc. Twin Cities Chapter.

The exchange took place during a Jan. 26 hearing on HF26 that would amend state fishing laws to allow non-residents to take fish by spearing them from a dark house, which is typically a portable canvas tent placed over the ice.

The division took no action on the bill sponsored by Rep. Al Juhnke (DFL-Willmar). A companion bill, SF220, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

Rep. Denny McNamara (R-Hastings) said the change would allow former residents who return to the state on vacation to participate in this form of recreation.

Vern Wagner, chairman of Anglers for Habitat, opposes the bill because of the shortage of trophy-sized Northern Pike. "We need to fix Northern Pike and we don't fix Northern Pike by sticking forks in them," Wagner said.

Juhnke cautioned division members not to think of the bill as a conservation issue.

"If conservation of species is the case, please pull the cameras out of the water today. And take the fish finders off the boat today," he said.

Rather, it's a reciprocity issue. Border states don't allow Minnesotans to hunt waterfowl in their states. So Minnesota doesn't allow their residents to spear fish in its waters.

"South Dakota and North Dakota are kind of famous for their waterfowl. I know their population is less than a million in each state and we've got 5.7 (million). I get that they don't want us over there en masse," Dill said.

Department of Natural Resources Assistant Commissioner Bob Meier agreed that it's a "social issue about how we are treated in other states." If enacted, the law would not significantly impact the fisheries, Meier said.

Rep. Tom Hackbarth (R-Cedar) compared the issue to other recreational opportunities, saying there are a few anglers who could give the sport a "bad name" and that they could "ruin spearing for our residents." For that reason, he did not support the bill.

— S. HEGARTY

One fish, two fish

Debate about whether two fishing lines are better than one on Minnesota lakes and streams drew both support and opposition during Jan. 26 testimony.

If enacted, HF22 would allow anglers to use two lines to fish year-round.

Minnesota law currently only allows two lines per person when ice fishing. Rep. Al Juhnke (DFL-Willmar), who sponsors the bill, presented supportive arguments to the House Game, Fish and Forestry Division, which took no action. There is no Senate companion.

From a competitive viewpoint, bordering states allow anglers to use more than one line, which may cause tourism dollars from boaters, campers and serious fishermen to be diverted to those locales, Juhnke said. Plus, potential revenue from the purchase of a two-line stamp could number in the millions, he added.

But some anglers are not as excited to drop another line in the water. Rather, they argue that two lines will deplete some lakes of fish and put an undue burden on the state's fisheries. "We need to maintain the quality of our fishery. Is \$1 million enough to restock our lakes?" asked John Underhill, co-chair of the Minnesota Muskie Alliance. When walleye numbers dropped in Leech Lake, "people stopped coming," Underhill said.

Studies from bordering states indicate that up to 50 percent more fish are caught when two lines are used rather than one, according to Ed Boggess, deputy director of the Fish and Wildlife Division of the Department of Natural Resources.

There are emergency measures the DNR can take to solve this problem, Boggess said. Action can be taken to close the lake, reduce the number of lines temporarily, lower limits of fish taken and other conservation solutions.

— S. HEGARTY

HEALTH

Colorectal cancer screening funds

Minnesota could be in position to receive federal funds to screen 200 to 400 uninsured or underinsured people for colorectal cancer.

Called the Minnesota Colorectal Cancer Prevention Act, HF293 is sponsored by Rep. Maria Ruud (DFL-Minnetonka). It would provide matching funds for a possible federal grant to support a demonstration project for colorectal cancer screening at Hennepin County Medical Center and through the MeritCare system serving the northwest part of the state. The amount of state dollars has yet to be determined.



PHOTO BY ANDREW VONBANK

Tim Church, an environmental health sciences professor at the University of Minnesota School of Public Health, testifies before the House Health Care and Human Services Policy and Oversight Committee Jan. 27 in support of a bill that would provide colorectal cancer screening for the uninsured. Rep. Maria Ruud, the bill's sponsor, listens to the discussion.

Colorectal cancer is a leading cause of cancer death in the state, claiming the lives of more than 850 Minnesotans annually, according to the American Cancer Society.

"This is a very small demonstration project, but the potential impact, if we can bring this kind of access to more Minnesotans who need it, can be quite large," said Tim Church, a professor of environmental health sciences at the University of Minnesota School of Public Health. He would oversee the project.

Approved by the House Health Care and Human Services Policy and Oversight Committee Jan. 27 and sent to the House Finance Committee, the bill would also provide an unspecified amount in fiscal year 2010 to the University of Minnesota to evaluate the demonstration project.

The bill has no Senate companion.

— L. SCHUTZ

Health insurance for every child

Having every child in Minnesota covered by health insurance would be the ideal outcome of a bill sponsored by Rep. Paul Thissen (DFL-Mpls).

But the idea had some members of the House Health Care and Human Services

RELAY FOR LIFE



PHOTO BY ANDREW VONBANK

Family and friends of those who have battled cancer joined cancer survivors to walk around the Star of the North in the State Capitol Jan. 27 during the American Cancer Society's Relay for Life in the Rotunda. The event is designed to celebrate the lives of those who have battled cancer and remember loved ones lost to the disease.

Policy and Oversight Committee Jan. 28 questioning who would ultimately pay the costs.

Nonetheless, HF174 was approved and sent to the House Finance Committee.

The bill would establish the Minnesota Health Security Act and would provide dental, vision and medical insurance for people under age 21, regardless of income or immigration status, including the unborn child of a pregnant woman.

Thissen said that for the past several years lawmakers have considered bills that would ensure that every Minnesota child could see a doctor. With 80,000 state children without health insurance, he said, "We still have a lot of work to do on insuring kids and ultimately making sure that all Minnesotans have access to affordable health care." Despite the budget problems, he contends the state has "a larger moral and political obligation to consider all the options."

The program would mirror services offered through Medical Assistance, and would have no enrollee premiums or cost-sharing. The bill would also ensure that all Minnesota adults would have access to comprehensive, affordable health care coverage by Jan. 1, 2012.

While there seemed to be agreement on the ideal, it was the practicalities that several members questioned, such as the cost to the state. This led Rep. Steve Gottwalt (R-St. Cloud) to say that a responsible policy discussion has to include the consequences.

Rep. Julie Bunn (DFL-Lake Elmo) said the ethical discussion of health care coverage needs to continue; but she is concerned that the state budget may already not be able to sustain programs enacted last session that have specific goals and dates attached.

Its companion, SF9, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action by the Senate Health, Housing and Family Security Committee.

— L. SCHUTZ

HIGHER EDUCATION

Students plead for financial help

A group of University of Minnesota students pleaded with lawmakers to consider their classmates' financial and educational needs as they consider budget cuts to higher education.

Kristi Kremers, president of the Graduate

and Professional Student Assembly and a first-generation college student, urged legislators to consider the potential impact of budget reductions on students' ability to pay tuition.

"I feel very privileged to be where I am, and I want to make sure future generations — that my own children — have these same opportunities. But they won't, with the increasing amount of debt we're having to take out to pay for our student loans," Kremers said.

Kremers and other student legislative advocates testified Jan. 27 before the House Higher Education and Workforce Development Finance and Policy Division. No action was taken.

Alex Tenenbaum, a student in the College of Liberal Arts, said many of his classmates are having to work long hours at menial jobs to pay for their education, which not only takes away from study time but also prevents them from participating in leadership programs, community service and unpaid internships.

Tenenbaum has mixed feelings about Gov. Tim Pawlenty's proposal to cap tuition rates at the university.

Although he likes the idea of not having

his tuition raised, Tenenbaum said he also knows that “if we’re going to be putting a cap and cutting funding, then we’re going to have to cut a lot of programs that mean a lot to people.”

Rep. Bob Dettmer (R-Forest Lake) asked what level of funding cuts the students thought would be fair, given the size of the state’s projected budget deficit. Kremers declined to answer the question directly, and instead pointed out that many states facing similar budget problems are opting to protect higher education funding.

Martin Chorzempa said budget cuts would detract from students’ quality of life. He said that even cuts that only affected athletic programs, for example, would harm the school’s atmosphere and discourage alumni involvement.

Rep. Roger Reinert (DFL-Duluth) responded, “I’m thrilled to have a top-20 basketball team, but I’d be more thrilled to have first-generation college students leaving with less than \$20,000 in debt.”

The students also criticized a plan by the governor to greatly expand the role of online classes in the Minnesota State Colleges and Universities system. Kremers argued that online education “just does not compare to the quality of what you experience inside the classroom.”

— N. BUSSE

HOUSING

Funding to stabilize neighborhoods

The Minnesota Housing Finance Agency is expected to appropriate \$38.8 million in February to cities, counties and community housing organizations in an effort to stabilize neighborhoods hit hard by foreclosures.

Speaking before the House Housing Finance and Policy and Public Health Finance Division Jan. 27, Chip Halbach, executive director of Minnesota Housing Partnership, said the funds are part of a cash outlay called the Neighborhood Stabilization Program from the U.S. Department of Housing and Urban Development. Organizations hoping to receive their share were required to submit applications to the state agency by Jan. 28.

Another \$20 million was previously awarded to Anoka, Hennepin and Dakota counties and the cities of Minneapolis and St. Paul, according to Jeanette Blankenship, an agency housing policy specialist.

Despite available resources, it’s still not enough to meet the needs of today, Halbach said.

“Even though the amount of federal resources coming to the state is large, it’s not

making a sizable dent in some of the goals that were laid out before we had the impact of the foreclosure crisis,” Halbach said.

Reasons for the unmet goals include failed foreclosure prevention programs, he said. For example, the Hope for Homeowners Program relied on banks to voluntarily reduce the principal on mortgage loans, which didn’t happen enough. Also, a \$7,500 tax credit for first-time homebuyers isn’t popular because it has to be paid back.

Going forward, agency officials are mindful that some federal funding resources, such as the Neighborhood Stabilization Program, have shifted from guaranteed funding formulas to a competitive grant process that does not necessarily mean continued funding.

“So the dollars available from the state are very critical to fill in around what the federal government is making available,” Halbach said.

— S. HEGARTY

HUMAN SERVICES

Two views on radiation treatment

Chairs of two House health committees are on opposite sides of an issue that one described as “a fight between two groups.”

Rep. Paul Thissen (DFL-Mpls) sponsors HF177 that would extend the current moratorium on construction of new radiation oncology facilities from 2011 to 2014.

It’s an issue that has been the subject of extensive hearings over the years, Thissen, who chairs the House Health Care and Human Service Policy and Oversight Committee, told members Jan. 27.

“The Legislature has made the decision, on repeated occasions, that limiting the expansion of these machines is the right public policy for us to be pursuing,” He pointed to information from the Minnesota Hospital Association and individual providers showing there are more radiation services available than needed, based on 2007 capacity. “This is in a large part about controlling costs,” he said.

But the chairman of the House Health Care and Human Services Finance Division has a different take on the matter and encouraged committee members to vote against the bill.

“It’s a fight between two good groups of radiation oncologists, both of them do a good job, but one of them wants to keep the other out of the business,” said Rep. Thomas Huntley (DFL-Duluth).

He said that one group owns their machines and leases space in hospitals. The other uses a model where the oncology professionals act

as a team. Its machines could be in hospitals or in separate facilities. Huntley argued the latter provides greater access for patients.

Rep. Steve Gottwalt (R-St. Cloud) questioned whether a trigger mechanism had ever been proposed that would address need and what best serves the cancer patient without political input. “That our committee should constantly have to be deciding on an extension of moratoriums seems to be a little counterproductive.”

The bill was approved and now awaits action by the full House. Its Senate companion, SF162, sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the Senate Health, Housing and Family Security Committee.

— L. SCHUTZ

LOCAL GOVERNMENT

Jackson County office change

If a bill sponsored by Rep. Rod Hamilton (R-Mountain Lake) becomes law, Jackson County may soon have an appointed, rather than elected, auditor-treasurer.

HF14 would allow the Jackson County Board of Commissioners to make the position an appointed office, provided that 80 percent of the board votes in favor of a resolution. Jackson County Coordinator Janice Fransen said the change is needed because the job “has evolved into a highly specialized and technical position.”

“It is crucial that a highly qualified individual take this position,” Fransen said, adding that such a skilled individual might not want to campaign for office.

The House Local Government Division approved the bill Jan. 26 and referred it to the House State and Local Government Operations Reform, Technology and Elections Committee. A companion, SF41, sponsored by Sen. Jim Vickerman (DFL-Tracy), was approved the same day by the Senate State and Local Government Operations and Oversight Committee.

Rep. Rob Eastlund (R-Isanti) had reservations about what he sees as making elected officials appointed, arguing that it takes away a level of accountability to the voters.

“It’s the residents of Jackson County that we should be concerned about,” Eastlund said.

The bill does provide for a process by which voters in Jackson County could petition the board to put the proposal to a referendum, in which case the public could vote to keep the position an elected office.

— N. BUSSE

Taylors Falls seeks tax breaks

The city of Taylors Falls is having trouble competing for businesses with neighboring Wisconsin because of its property tax rates, and would like help from the Legislature.

HF101, sponsored by Rep. Jeremy Kalin (DFL-North Branch), would allow Taylors Falls to designate itself a border city development zone—a status that would let the city provide commercial and industrial property tax breaks.

The House Local Government Division approved the bill Jan. 26 and referred it to the House State and Local Government Operations Reform, Technology and Elections Committee. A companion, SF103, sponsored by Sen. Rick Olseen (DFL-Harris), awaits action by the Senate Taxes Committee.

Taylors Falls Mayor Michael Buchite said his city, which is located across the border from St. Croix Falls, Wis., has difficulty persuading businesses to move into town because of Wisconsin's comparatively generous property tax rates. He said Kalin's bill would "give us at least the opportunity to compete."

Buchite said businesses in St. Croix Falls pay property tax rates that are sometimes half of what comparable businesses pay in his city—something that he said has repeatedly thwarted the city's various efforts at economic development.

According to Minnesota Statutes, five other cities are permitted to use the border city development zone designation: Breckenridge, Dilworth, East Grand Forks, Moorhead and Ortonville.

Rep. Mark Buesgens (R-Jordan) said that while he appreciated what Kalin was trying to do for Taylors Falls, he hoped similar tax incentives could be applied on a statewide level. He argued it would make the state more competitive overall.

— N. BUSSE

TAXES

To modify or repeal Green Acres

Changes to the Green Acres tax benefit program could be repealed or fixed, under two bills approved Jan. 27 by the House Agriculture, Rural Economies and Veterans Affairs Finance Division.

HF10, sponsored by Rep. Al Doty (DFL-Royalton), that would repeal the 2008 changes, heads to the House Taxes Committee. A companion, SF238, sponsored by Sen. Lisa Fobbe (DFL-Zimmerman), awaits action by the Senate Taxes Committee. The bill will keep the class of land created by the 2008 changes—the rural vacant land class—but allows it to be enrolled in Green Acres.

In 2008, the Green Acres law was modified by changing the definition of land allowed in the program. These changes also included a seven-year tax payback if land is transferred or sold out of current ownership. The law was changed because it was found that land had been allowed into the program that should not have qualified. The taxes not paid by those in the Green Acres program are paid by local property taxpayers.

In 2007, Green Acres shifted \$35 million to local property taxpayers who live near land enrolled in the program. Next year, it is expected to shift \$55 million.

Sponsored by Rep. Tim Faust (DFL-Hinckley), HF217 would modify current law. It moves now to the House Environment Policy and Oversight Committee. A companion, SF286, sponsored by Sen. Rick Olseen (DFL-Harris), awaits action by the Senate Agriculture and Veterans Committee.

"This bill does two things," said Rep. Al Juhnke (DFL-Willmar), the division chairman. "It grandfathers in everyone that's in Green Acres up to today, which is the same rules as always, which is the same as (HF10). ... (HF217) makes the farm one productive unit instead of splitting it up."

So any land currently enrolled in Green Acres that is part of an agricultural homestead may stay enrolled, but only half of the acreage can be classified as rural vacant land.

According to the nonpartisan House Research Department, the bill would also:

- reduce the seven-year payback for land withdrawn from the program to three, as it was before the 2008 changes;
- broaden the definition of agricultural products by including the commercial boarding of horses and trees sold for timber, lumber, wood or wood products, allowing that property to be eligible for agricultural classification;
- require that a farm must be capable of producing agricultural products worth at least \$1,000 per year; and
- provide that land enrolled in Reinvest in Minnesota, the Conservation Reserve Program or a similar government-sponsored conservation program may be enrolled in Green Acres only if the conservation acres constitute less than half of the total farm acreage.

— S. HEGMAN

Priorities for property taxes

Creativity might be the key to finding ways to balance the state's budget this year, and the House Property and Local Sales Tax Division is up to the challenge.

Last biennium, Rep. Paul Marquart (DFL-Dilworth), the division chairman, opened a

property tax hotline so residents could either phone or e-mail suggestions on how to improve the state's property tax system. At the division's Jan. 28 meeting, he announced the division will have three main priority areas this year, and there will be working groups for each.

The priorities are:

- state property tax system benchmarks and critical indicators, which will be chaired by Rep. Denise Ditttrich (DFL-Champlin). The goal is to provide state policymakers with the tools to create a more accountable and efficient property tax system;
- local government performance measurement and improvement program, which Marquart will chair. The goal is to provide taxpayers with greater value and enhance efficiency and performance of local governments; and
- local government decision-making flexibility and mandate reduction, which will be chaired by Rep. Morrie Lanning (R-Moorhead). The goal is to empower local decision-making and flexibility in local budgets.

The working groups will construct three separate bills that must be introduced by Feb. 26.

"My vision is that we will research each area and then develop a bill," Marquart said. In March, the division will reserve entire hearings for each of the bills. Working group chairs will put out a notice for their meetings. Division members are not assigned to groups, but are encouraged to attend any or all of the working group meetings.

— S. HEGMAN



NOTES

Budgeting basics?

Looking at state budget documents can be confusing and almost make one's head spin.

During a Jan. 29 overview to the House Public Safety Finance Division, House Fiscal Analyst Gary Karger tried to lighten things up by sharing something he read from an Illinois budget document.

"There was no education anywhere that can teach you the legislative budget process. You just have to go through it."

He later quoted another Illinois document that offered agencies some guiding budget principles.

"Number one is spend all your money and more if possible, otherwise the Legislature will feel it did not screen the request properly and will cut your next biennial budget," he said. "Avoid sudden increases or decreases. The changes should be small."

— M. COOK

A lifeline for the jobless

A law extending unemployment benefits highlights a growing problem

By NICK BUSSE

For Minnesotans who've recently been laid off from their jobs, the state's unemployment insurance program can be a lifeline. It helps them pay their bills, put food on the table and keep a roof over their head until they can find new work.

"It's the social safety net that keeps people from real devastation," said Rep. Tim Mahoney (DFL-St. Paul).

Unemployment benefits don't last forever, though — and as Minnesota plunges with the rest of the country into potentially the worst economic crisis since World War II, many will be unable to find new jobs before their benefits run out. The federal government recently extended those benefits, but many Minnesotans won't be eligible for the extension right away.

Mahoney didn't think they could afford to wait. Along with Senate President James Metzen (DFL-South St. Paul), he sponsored HF4/SF4*/CH1, which will plug the gap between the state's regular unemployment benefits and the federal extension. Passed by the House 117-11 on Jan. 29 and 65-0 by the Senate two weeks earlier, it was signed into law Jan. 29 by Gov. Tim Pawlenty.

The law will create a state-funded extension to supplement the federal one, and also make a larger number of Minnesotans eligible for the federal money.

"By and large, this (law) is really designed to get Minnesota's system ready to allow people to get on to the federal

extension," Mahoney explained.

Minnesota's unemployment insurance program was founded in 1936 at the direction of the federal government. To be eligible to receive benefits, a person must be physically and mentally able to work, ready and willing to accept a job in their industry, and actively seeking employment. Minnesotans who meet those criteria are entitled to unemployment benefits equal to half of their average weekly wage, up to a maximum of \$566. Typically, unemployment benefits run out after 26 weeks.

According to the Department of Employment and Economic Development, approximately 214,000 Minnesotans received

about \$1 billion in unemployment benefits in 2008. Department officials estimate that the state extension in the law will apply to approximately 3,000 people. In addition, the law will allow roughly half of Minnesotans who exhaust their regular benefits to qualify for the federal extension.

With as many as 260,000 Minnesotans expected to be out of work by Christmas, the state's unemployment insurance system is under heavy strain. Monthly unemployment claims in Minnesota are at their highest seasonally-adjusted levels in almost 27 years.

The state's unemployment insurance trust fund, which currently holds some \$500 million, is expected to go into deficit by the last week in December. It wouldn't be the first time it happened, but it would mean that the state would need to borrow money from the federal government to pay unemployment benefits. Department officials estimate that the law will cause the fund to go into deficit approximately three days earlier.

That idea has some Republican members concerned. Noting that the unemployment insurance program is funded by a payroll tax on employers, they point out that any interest owed to the federal treasury will ultimately be paid by Minnesota's business community.

"This will be \$16 million of additional expense that will be borne by the Minnesota businesses at some point in time," said Rep. Denny McNamara (R-Hastings), speaking at a Jan. 22 meeting of the House Ways and Means Committee. He added, "There is no free lunch."

Mahoney and DEED

Benefits continued on page 23

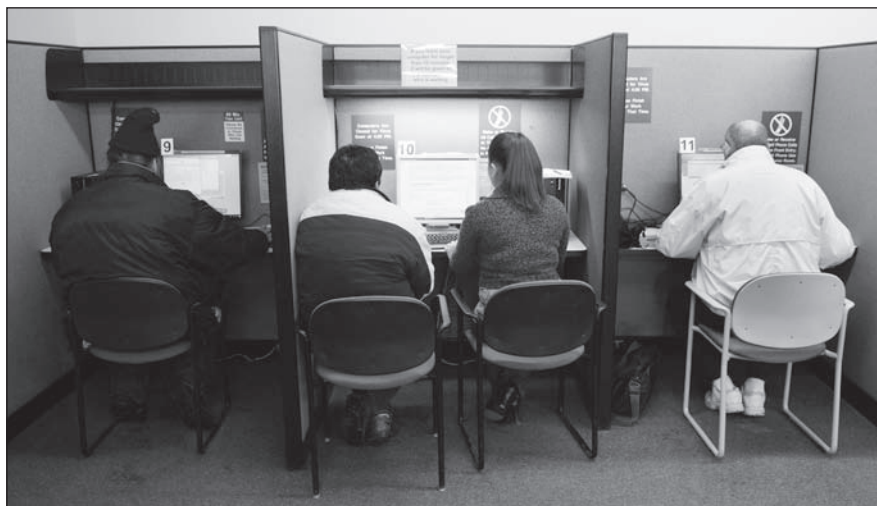


PHOTO BY TOM OLMSCHIED

A workforce employee assists a client with filling out a claim, while other clients search job postings on computers at a Workforce Center in St. Paul.

Been there, done that

House finance chair, former governor reflect on previous budget problem

BY LEE ANN SCHUTZ

Call it déjà Vu for Rep. Lyndon Carlson Sr. The Crystal DFLer was serving his fifth term in the House during the 1981-1982 biennium when the shoe dropped on the economy, sending Minnesota's unemployment numbers and interest rates skyrocketing, and the farm economy and state's budget into the tank.

With the state now facing a projected \$4.85 billion biennial deficit and increasing unemployment, for Carlson it's like history repeating itself.

As a member of the House Appropriations Committee and chair of its education division in 1981, he was in the thick of the discussion to balance the \$8.2 billion biennial General Fund budget that was sliding into a \$778 million hole.

Today, Carlson chairs the 2009 counterpart to the appropriations committee — the House Finance Committee, where any bill with fiscal implications (except for taxes) flows through, thus putting him, once again, smack in the middle of budget discussions. He is open to every piece of advice, but says the past can be a great teacher.

"When thinking about the deficit, I have a tendency to look back to what it took to solve various budgetary problems. You know the old saying that history has a tendency to repeat itself. The fiscal difficulties that we are currently facing

rank at least right up there with the early 80s in significance," Carlson said.

Some similarities can be drawn between the past and present:

- the state's prior years of financial growth and stability evaporated quickly;

- unemployment numbers began to climb in 1981 before reaching an historic high of nearly 200,000 in 1983; and
- Democrats controlled the House and Senate, and Republican Gov. Al Quie was adamantly against tax increases to solve the budget woes.

Looking back for solutions

Carlson said he is thinking a lot about his 1981-82 experience — especially the three-pronged approach it took to solve the budget problem, and the six special sessions and two regular sessions it took to do it.

"If we were to look at the early 80s, and I'm not saying that will be the model this time, it was a three-legged stool; there were shifts, mainly in K-12 funding, there were increases

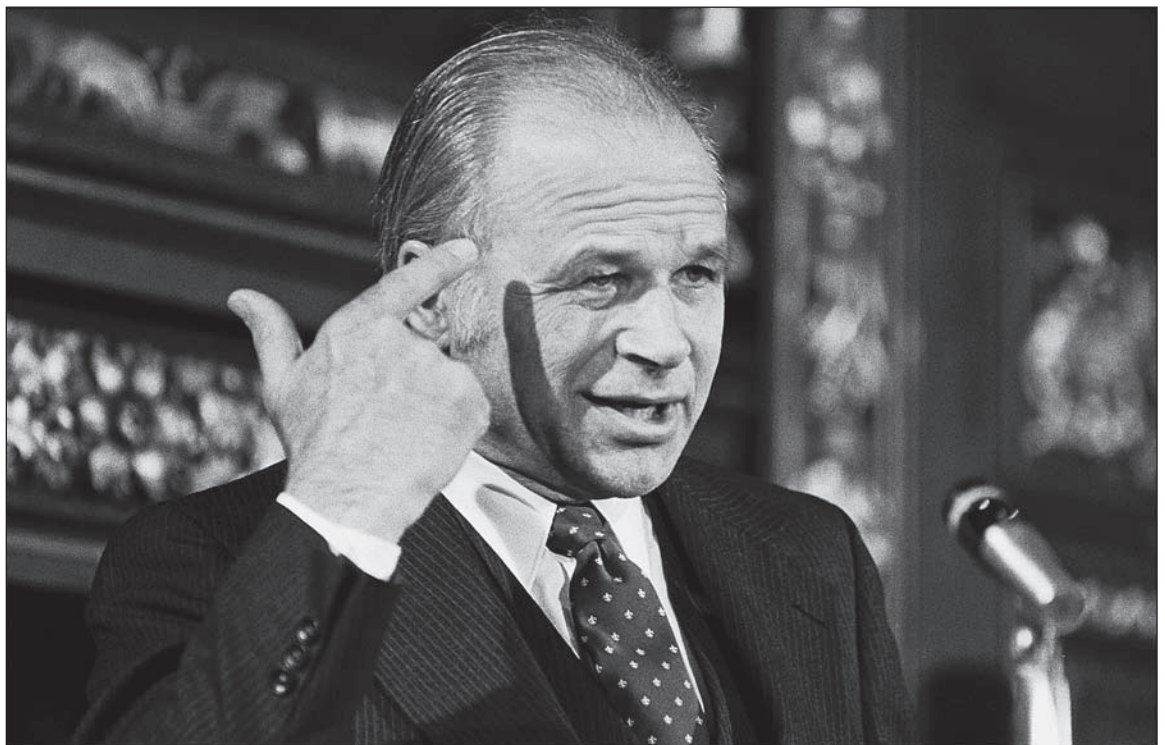


PHOTO BY TOM OLMSCHIED

"The gun was to your head. You finally have to decide what you're going to do," Gov. Al Quie said in 1982 as he allowed a budget-balancing bill to become law without his signature. The law erased a more than \$700 million budget deficit through tax increases and spending cuts.

‘One of the big problems we encountered in the 80s is that we lost time, thereby limiting options.’

— Rep. Lyndon Carlson Sr.
House Finance
Committee chairman

in revenue and there were budget reductions,” Carlson said.

Revenue-raising was the key to balancing the budget back then, but it also ended any hopes Quie had for re-election.

Quie had repeatedly stated that tax increases would not be part of any budget-balancing solution, but after the 1981 November Forecast, it was apparent that cuts and shifts weren’t going to be enough. Quie realized that tax increases — a move he knew would be political suicide — were needed to stave off further unacceptable cuts.

“It was the biggest battle I had inside of me,” Quie said in a recent interview.

“It was my calling to be in politics; it was the toughest thing for me to do, to not run. But the state was more important to me. I knew taxes had to be increased to solve the problem.”

By taking himself out of the discussion of raising taxes and the political fallout it would cause, legislators could focus on solving the problem through deferring payments, cutting expenditures and temporarily raising the sales tax and income tax, he said.

Advice for today

Quie advises legislators to stay true to their principles as they work to resolve today’s budget problems — for him those are funding education and infrastructure.

“Educating kids is a long process — preschool through their early 20s. Funding education is a long-term investment in the state’s future.” As for infrastructure, he said the state has the primary responsibility for maintaining our roads and bridges — another long-term investment that he said pays dividends.

Quie said that before the 1981 recession, Minnesota, because of its diversified economy, seemed insulated from any national economic downturn. But diversity proved no match for that recession, especially when the state was hit hard in farming and mining, and a policy change had left the state with little reserves.

“No one was prepared for a recession that

‘It was my calling to be in politics; it was the toughest thing for me to do, to not run. But the state was more important to me. I knew taxes had to be increased to solve the problem.’

— Former Gov. Al Quie



PHOTO BY TOM OLMSCHIED

Rep. Lyndon Carlson, chairman of the House Finance Committee, listens as Tom Hanson, commissioner of Minnesota Management and Budget, presents Gov. Tim Pawlenty’s 2010-2011 biennial budget proposal Jan. 28 to a joint hearing of the House Finance and Ways and Means committees.

went on and on,” Quie said. “I pushed my finance people to look further into the future.” It seemed as though the problem was solved

by one special session, but things just kept getting worse, he said.

This experience is not lost on Carlson.

If the February Forecast — expected to be released in the month’s final week — for the state budget is as dire as expected, Carlson recommends acting quickly to solve the problem. “One of the big problems we

encountered in the 80s is that we lost time, thereby limiting options. You can’t raise enough revenue in a short amount of time to offset the problem; you get down to the last few months, and you can’t necessarily downsize your workforce, because you don’t have enough savings to balance the budget,” he said.”

Looking forward

Carlson is optimistic this session can end on time, but he has no illusions of it being an easy process.

Special circumstance, special sessions

During the 1981-1982 biennium, six special sessions were held to deal with the state’s budget shortfall.

June 6, 1981

Four bills were enacted, including \$875 million in taxes, payment shifts and collection speedups, and expenditures of \$71.2 million for elementary and secondary education and Medical Assistance.

July 1-2, 1981

This session was called because of cash flow problems resulting from revenue shortfalls. Under law at the time, the state could not borrow more than \$100 million to avoid cash flow problems — a problem that exceeded that amount. A new law raised the limit to \$360 million.

Dec. 1, 1981-Jan. 18, 1982

This session was necessitated by an estimated revenue shortfall of \$869 million, causing a projected deficit of \$768 million. The budget was balanced with a package of tax increases, appropriation cuts, a payment shift and a tax collection speedup. At that time, a 7 percent temporary surtax on individual income tax was enacted.

March 30, 1982

This session was called to respond to changes in the federal unemployment compensation law. The Legislature appropriated money to pay interest on federal government loans used to pay unemployment compensation benefits.

July 9, 1982

The Legislature voted to release money from the Northeastern Minnesota Economic Protection Trust to help deal with the unusually high unemployment in northeastern Minnesota.

Dec. 7-10, 1982

Facing another revenue shortfall, this special session included a package of \$342 million in appropriation cuts and spending. The earlier enacted 7 percent tax surtax was increased to 10 percent and an earlier temporary sales tax increase was raised from 4 to 5 percent.

Information from the Minnesota Legislative Reference Library and Minnesota Senate Fiscal Review 1981-1984

“Some members will be opposed to accounting shifts and some will be opposed to any revenue increases. Those of us close to the budget are saying we have to keep all tools on the table, and hopefully reach consensus — and hopefully bipartisan consensus.”

He would caution members to “remain flexible — we have some very difficult decisions to make.” 🍷

A young, rural voice

Falk to keep push for renewable energy policies

By SONJA HEGMAN

Age was and is not a factor for Rep. Andrew Falk (DFL-Murdock).

"I've got two of the three oldest population districts in the state and being the youngest member of our majority caucus and the second-youngest member of the body, it shows we can still be progressive out there," he said.



Rep. Andrew Falk

A lifelong resident of Murdock, population 303, Falk is the fifth generation on his family's 100-year-old farm. He raises soybeans and does processing for seed companies and domestic exports. He also works as a renewable energy developer, which helps

him in his role as vice chairman of the House Energy Finance and Policy Division.

"We need a voice to represent young people and what we can do to revitalize rural America," he said. "I think renewable energy is one of the best ways of doing that."

Professionally, Falk has completed commercial scale wind projects since 2005 and worked with Aaron Peterson, his House predecessor, on a lot of his renewable energy policies and renewable energy standards. When Peterson said he wasn't going to seek re-election, Falk decided to run for his seat, "And here I am." Falk was Peterson's campaign manager at one point.

Like many small-town legislators, Falk said he is concerned about what the loss of Local Government Aid could do to the towns and cities in his district.

DISTRICT 20A

Population: (2007 est.) 34,045
Largest City: Benson
Counties: Big Stone, Lac qui Parle, Lincoln, Swift and Yellow Medicine
Top Concerns: Energy, LGA, education

"These towns provide the fabric to hold together a rural economy, and LGA helps support an ag-based economy which benefits the entire state," he said. "We need to make sure we support the rural parts of the state."

Above all, Falk said he and his colleagues need to be honest about what cuts will do to the quality of life for state residents.

"It's a challenging time, but we have a tremendous opportunity to do some real good for the citizens of the state," he said. "Our constituents are the best source of new ideas that help us do our job."

A political education

After years of teaching about politics, Kath leads by example

By NICK BUSSE

As a political science and economics teacher, Rep. Kory Kath (DFL-Owatonna) has spent the last nine years helping develop his students at Owatonna High School into the next generation of leaders. When the opportunity arose to represent his district as a member of the House, Kath decided it was time to lead by example.



Rep. Kory Kath

"I was very concerned about education policy. I was very concerned about the state of our state itself. And I said, 'You know what? This is the time. This is the time to get in there and provide that next generation of leadership that needs to step up,'" he said.

Although he's never held an elected office before, it would seem that Kath's entire career has been pointing him toward the Capitol. He studied political science at Gustavus Adolphus College, where he developed a passion for debating policy. Hoping to instill the same interest in young people, he opted for a career in education and moved back to his home district, where he became active in promoting student government and youth leadership programs.

Kath, who said he was "never really that active" in party politics prior to running for office, is the first DFLer to represent his district since 1982; however, he played down the partisan significance of his electoral upset.

"I'm not very partisan. I'm a good listener. I love to listen to people, on both sides of the aisle and everywhere in between, about

what are the issues we're facing and how can we come to some common solutions for problems," Kath said.

The husband and father of two said his hopes for the legislative session include reforms that will bolster the state's economic growth and help bring about solutions to the current budget deficit. He would like to see the state, federal and local governments form partnerships to address the problem, and hopes lawmakers can work together on a bipartisan basis to that end.

"Right now we are at a crossroads, and it's so important for us to reach across party lines," he said.

DISTRICT 26A

Population: (2007 est.) 39,558
Largest City: Owatonna
Counties: Steele, Waseca
Top Concerns: Education, health care, fixing the budget deficit

The deficit is top priority

Kelly promotes fiscal responsibility

By KRIS BERGGREN

Rep. Tim Kelly's new office walls are bare, but there are some family photos of his wife and four children displayed on his desk and bookshelves. There is also a framed colored pencil drawing of a football player who appears to be intercepting a pass. It's a picture of Kelly, a former strong safety for Minnesota State University, Mankato, drawn by his son. The team won the conference championship two seasons after he graduated.

"We were in the building years," he said. Perhaps Kelly (R-Red Wing) feels similarly now, as he and his House colleagues face a



Rep. Tim Kelly

monster budget deficit that will likely take months or years to tackle. "The situation we're in is so front-page," Kelly said. "People believe government has to live within its means. That is what I heard going door to door." That's why his number one concern is fiscal responsibility.

A financial advisor, Kelly decided to run after serving on the Red Wing School Board for five years. There he wrestled with equitable funding for the district and made tough cuts "without diminishing the product."

Lifting a ban on nuclear energy is also a big priority. Kelly's father worked at the Prairie Island nuclear plant for 30 years and shared his impressions of the plant's "fantastic results" and "impeccable" safety record. Last year's spike in gas prices and current green energy concerns make nuclear energy worth

DISTRICT 28A
Population: (2007 est.) 37,899 Largest City: Red Wing Counties: Goodhue, Wabasha Top Concern: State deficit

revisiting as a renewable, local source of energy, he said. "We should definitely look at advancing that technology and use what's there."

Kelly was reassured to hear that House members on both sides of the aisle take the "family is first" attitude seriously. Although he lives outside the 50-mile radius of the State Capitol, making him eligible for the housing per diem, Kelly commutes daily to and from his Red Wing home and, at least for now, shares carpooling duty to his children's athletic events with his wife, Sue. He's grateful to her for managing their household as an at-home parent.

"I have the easy job," he said.

A global view in St. Paul

Mack was page, intern, now member

By SUSAN HEGARTY

Rep. Tara Mack (R-Apple Valley) may be a new legislator, but she's a veteran when it comes to navigating the Capitol.



Rep. Tara Mack

Previously Mack worked as a page on the House Ways and Means Committee and served as an intern for former House Speaker Steve Sviggum.

"My internship taught me a lot about just how much people's daily lives are affected in St. Paul. Everything from the schools kids are going to, the roads we're driving on, property taxes, business climate — so much is determined in St. Paul. That was eye-opening for me," Mack said.

Her path toward public service began as a high school senior, when she attended the

National Young Political Leaders Conference in Washington D.C. She later graduated from the University of Minnesota with a bachelor's degree in political science and global studies. While in college, she studied for a year at a university in Italy and interned with the Master in Peace Keeping Management program.

"It was a tremendous opportunity. I lived with an Italian woman who spoke no English," said Mack, who thankfully had taken one year of language classes.

She also has worked as a volunteer coordinator on an Iowa ranch where abused and foster children "get out of the environment they've been in and get to be a kid for awhile."

The House Early Childhood Finance and Policy Division is one place she'll be able to apply those experiences. Mack also serves on the House Health Care and Human Services

DISTRICT 37A
Population: (2007 est.) 39,190 Largest City: Apple Valley County: Dakota Top Concerns: Growing jobs, reforming healthcare and educating students for a global economy

Policy and Oversight Committee. She counts reducing costs and increasing health care choices among her top priorities. Creating jobs and ensuring that Minnesota schools are equipping students to thrive in a global economy are important too, according to Mack.

"Kids are being educated for jobs that haven't even been invented yet," she said.

Mack and her husband, Justin, are active in mission work through their church. "We do live in a privileged nation, and we have a lot of things that a lot of the world doesn't have. I think it gives us great global perspective," she said.

Honored to serve

Sanders focuses on kitchen-table issues

By KRIS BERGGREN

Rep. Tim Sanders (R-Blaine) recently described growing up on the Wright Patterson Air Force Base near Dayton, Ohio, one of several



Rep. Tim Sanders

Midwestern bases where his Air Force father was stationed. The “strong” military community offered a positive sense of identity, plus tangible thrills. “You’re out there playing Little League and there are fighter jets going over. It’s a

childhood I’m so glad I had,” he said. He clearly admires his father, who retired with the rank of major, then went to medical school, and also his brother, an Air Force pilot “qualified for any mission the Air Force can fly.” One of Sanders’ “prized possessions” is the framed Minnesota flag on his office wall,

a gift from his brother upon Sanders’s election to the Blaine seat, intended as “an emblem of my service to the state.” He’s proud to bring his personal background to his assignment on the House Veterans Affairs Division.

But the economy — especially kitchen-table issues such as job security, health insurance and good schools — is of primary concern to the young families and retirees in his district. Sanders, who has taken a leave from his job in the insurance industry for the session, is among those young families; he and his wife, a nurse, have a 10-month-old son.

“That’s the top concern I’m hearing every day: what are we going to do about the budget? My entire campaign was focused on the economy,” he said.

Sanders also hopes to reform voting and election laws in Minnesota, and is pleased to sit on the House State and Local Government

DISTRICT 51A

Population: (2007 est.) 46,270
Largest City: Blaine
County: Anoka
Top Concern: Fixing the economy

Operations Reform, Technology and Elections Committee.

“Obviously, we look at the situation with Coleman and Franken,” he said. “Whatever side you’re on, people feel it’s a compromise. You shouldn’t see that inside a democracy.”

Sanders, who majored in political science at the University of Minnesota, learned the “non-glamorous” side of public life, including the long days, as an intern in former U.S. Rep. Jim Ramstad’s Minnetonka office. He admired Ramstad’s ability to work across the aisle and “stay close to his party while representing his constituents. Working with Jim got me to the point of ‘I love this.’”

Waiting years for his seat

Sterner looks to prove his bipartisan background

By MIKE COOK

Rep. Phil Sterner (DFL-Rosemount) is finally scratching a political itch.



Rep. Phil Sterner

He’s always been active in politics, including an internship with former Rep. Howard Knutson, but by age 26 he had four children and knew that being a father came first. However, he remained active in the party.

“I knew I wanted to do this at some point,”

he said.

When former Rep. Dennis Ozment, a Republican, decided to retire after 24 years, Sterner took the chance.

Throughout his campaign, Sterner said he met constituents who told him they had never voted for a DFLer, but they would give

him a try. “Now the pressure’s on,” he said, smiling.

Part of that is because Ozment did not always vote the Republican party line, rather thinking what was best for his constituents.

“We told people you have to vote for a D instead of an R, but if you like how Dennis did overall, that’s what you’re getting. You’re getting a moderate that’s open-minded,” Sterner said. “A lot of people took my bipartisan theme and said, ‘OK, Sterner, you got two years. Let’s see how bipartisan you really are and see what you can do for our district.’”

Sterner, an insurance agency owner, said his community involvement was an asset in his win. In addition to serving on the Rosemount City Council and being active in the chamber of commerce, Sterner has a lifetime of volunteerism experience, including Boy Scouts, Girl Scouts, church, youth

DISTRICT 37B

Population: (2007 est.) 45,077
Largest City: Apple Valley
County: Dakota
Top Concern: “Education is real important to the people in my district.”

athletics and in the schools where his duties included being a site council president and coordinating a band booklet.

The economy and education rank high among constituent concerns as does green job growth. However, Sterner, whose campaign slogan was “Engaging in a new community conversation about what’s best for all,” knows neither he nor his colleagues have all the answers.

“I think everybody has a stake in their representative. We want to make sure we’re not focusing on a targeted group,” he said. “It’s not about Phil. It’s about what the voters want. ... I need to be open-minded on things.”

Monday, January 26

HF264-Clark (DFL)

Health Care & Human Services Policy & Oversight

Health insurance coverage of durable medical equipment required to include coverage of items necessary to reduce asthma symptoms, and state health care program coverage required for certain items necessary to reduce asthma symptoms.

HF265-Hortman (DFL)

Health Care & Human Services Policy & Oversight

Property collection by affidavit provided, Darlene Luther Revised Uniform Anatomical Gifts Act and other statutes amended to clarify and conform inconsistent provisions, and other corrections and clarifications made relating to disposition of items on death.

HF266-Fritz (DFL)

Finance

Parental fees modified for services for persons with developmental disabilities.

HF267-Hortman (DFL)

Transportation & Transit Policy & Oversight Division

Motor vehicle restraint required for child passengers under age 8 and shorter than 4 feet 9 inches tall.

HF268-Welti (DFL)

Taxes

Published delinquent tax list correction permitted.

HF269-Welti (DFL)

State & Local Government Operations Reform, Technology & Elections

Out-of-state travel policy requirements changed.

HF270-Morrow (DFL)

Finance

Environmental impact statement completion required, funding provided for right-of-way acquisition, design, construction and reconstruction of Trunk Highway 14.

HF271-Lesch (DFL)

Finance

Mississippi River license plate created.

HF272-Shimanski (R)

Health Care & Human Services Policy & Oversight

Public assistance program finger imaging system established to identify applicants and recipients.

HF273-Sailer (DFL)

Finance

Independent School District 38, Red Lake, maximum effort capital loan provided.

HF274-Howes (R)

Finance

Shingobee Connection Trail funding provided.

HF275-Laine (DFL)

Commerce & Labor

Homeowner's insurance non-renewal prohibited when based on certain nonpaid claims, and premium increases prohibited when based on certain factors.

HF276-Slawik (DFL)

Taxes

Dependent care credit modified.

HF277-Fritz (DFL)

Finance

State cemetery improvement funding provided.

HF278-Reinert (DFL)

Finance

Duluth; sanitary sewer overflow storage facility construction funding provided.

HF279-Huntley (DFL)

Finance

Duluth; nursing facility payment rate increased.

HF280-Otremba (DFL)

Agriculture, Rural Economies & Veterans Affairs

MinnesotaCare; resubmission for federal approval requested of the elimination of depreciation add-back for self-employed farmers.

HF281-Kahn (DFL)

Commerce & Labor

Augsburg College on-sale liquor license authorized.

HF282-Reinert (DFL)

Public Safety Policy & Oversight

Peace officer reciprocity licensing exam eligibility criteria broadened to include certain persons in active military service.

HF283-Brynaert (DFL)

Finance

Southern Minnesota Women's Hockey Exposition Center and performing arts center funding provided.

HF284-Clark (DFL)

Commerce & Labor

Credit or debit cards; unreasonable blocks prohibited on customer's access to credit capacity.

HF285-Clark (DFL)

Health Care & Human Services Policy & Oversight

WIC coupons allowed to be used to purchase organic food.

HF286-Clark (DFL)

Health Care & Human Services Policy & Oversight

Acupuncture equal access provided and services required by certain group policies and subscriber contracts, Edith R. Davis memorial provided, claim determinations required regarding acupuncture services made or reviewed by acupuncture practitioners and acupuncture referral reporting required to acupuncture practitioners and reimbursement rates.

HF287-Emmer (R)

Public Safety Policy & Oversight

Implied Consent Law repealed.

HF288-Emmer (R)

Commerce & Labor

Labor organization payroll deduction and certain expenditure authorization required.

HF289-Sanders (R)

Environment Policy & Oversight

Game and fish lottery and drawing preferences expanded for service members.

HF290-Peppin (R)

Health Care & Human Services Policy & Oversight

Medical record retention and composition regulated relating to abortion.

HF291-Westrom (R)

Transportation & Transit Policy & Oversight Division

Mini-truck titling, registration and operation regulated.

HF292-Rukavina (DFL)

Health Care & Human Services Policy & Oversight

Medical marijuana use provided, civil and criminal penalties provided.

HF293-Ruud (DFL)

Health Care & Human Services Policy & Oversight

Colorectal cancer screening provided for the uninsured.

HF294-Ruud (DFL)

Taxes

Minnetonka; tax increment financing district duration extended.

HF295-Loeffler (DFL)

Finance

Consumer-directed community supports modified.

HF296-Kahn (DFL)

State & Local Government Operations Reform, Technology & Elections

Office of lieutenant governor abolished, and constitutional amendment proposed.

HF297-Hansen (DFL)

Environment Policy & Oversight

Twin Cities metropolitan area regional dog park and matching grant program created.

HF298-Gardner (DFL)

Health Care & Human Services Policy & Oversight

Day training and habilitation insurance provisions changed, liability limits set, age limit changed for operators of vehicles for hire, commissioner directed to seek a federal waiver and a sales tax exemption allowed for certain vehicles.

HF299-Kalin (DFL)**Finance**

Lindstrom; Allmensrat Wilderness Park funding provided.

HF300-Davnie (DFL)**State & Local Government Operations Reform, Technology & Elections**

Major political party precinct caucuses; certain privileges applied to caucuses held in first-class cities during odd-numbered years.

HF301-Hosch (DFL)**Environment Policy & Oversight**

Fishing contest permit requirements modified.

HF302-Hosch (DFL)**Public Safety Policy & Oversight**

Secured treatment facility definition expanded for purposes of fourth-degree assault to include locked psychiatric hospitals.

HF303-Lillie (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Congress of the United States memorialized to appoint an independent counsel to investigate the Prisoner of War - Missing in Action issue.

HF304-Hackbarth (R)**Environment Policy & Oversight**

Either-sex deer permit provided for recently discharged service members.

HF305-Kalin (DFL)**State & Local Government Operations Reform, Technology & Elections**

Development credits bank transfer authorized for local government.

HF306-Swails (DFL)**State & Local Government Operations Reform, Technology & Elections**

Non-campaign disbursements specified.

HF307-Bly (DFL)**Transportation & Transit Policy & Oversight Division**

Dan Patch commuter rail line planning and development restrictions removed.

HF308-Haws (DFL)**Taxes**

Public safety radio equipment exemption expanded.

HF309-Olin (DFL)**Finance**

Livestock and crop depredation payment funding provided.

HF310-Peppin (R)**Taxes**

Biotechnology research credit increased.

HF311-Peppin (R)**Agriculture, Rural Economies & Veterans Affairs**

Ethanol producer payment program and minimum ethanol content requirement repealed.

HF312-Seifert (R)**State & Local Government Operations Reform, Technology & Elections**

State conferences required to be conducted electronically to the extent possible.

HF313-Seifert (R)**State & Local Government Operations Reform, Technology & Elections**

Out-of-state travel expenses prohibited with certain exceptions.

HF314-Mariani (DFL)**K-12 Education Policy & Oversight**

Compulsory attendance age increased to 18.

HF315-Johnson (DFL)**Finance**

Ramsey County; workforce development funding provided for adjudicated youth reentering the community and at-risk youth.

HF316-Johnson (DFL)**Finance**

St. Paul; Union Depot funding provided.

HF317-Nornes (R)**Public Safety Policy & Oversight**

Adult certification for juveniles age lowered, and violent juvenile offense defined.

HF318-Nornes (R)**State & Local Government Operations Reform, Technology & Elections**

Service credit purchase authorized for a period of past due omitted contributions.

HF319-Nornes (R)**Finance**

Fergus Falls; Tower Road Bridge project funding provided.

HF320-Dettmer (R)**K-12 Education Policy & Oversight**

School districts allowed to pay the costs of conducting a criminal history background check on an employee, contractor or volunteer.

HF321-Dettmer (R)**Finance**

Independent School District 831, Forest Lake, fund transfer authorized.

HF322-Nornes (R)**K-12 Education Policy & Oversight**

Signature requirement increased for an election to revoke an operating referendum.

HF323-Davids (R)**Health Care & Human Services Policy & Oversight**

Medical response unit reimbursement pilot program established and emergency medical service programs funding provided.

HF324-Buesgens (R)**State & Local Government Operations Reform, Technology & Elections**

Corporation definition broadened.

HF325-Nornes (R)**Finance**

Glendalough State Park new trail funding provided.

HF326-Clark (DFL)**Health Care & Human Services Policy & Oversight**

Bisphenol-A prohibited in products for young children.

HF327-Murphy, E. (DFL)**Health Care & Human Services Policy & Oversight**

Birth record disclosure affidavit required, and non-identifying medical history update required.

HF328-Murphy, E. (DFL)**Health Care & Human Services Policy & Oversight**

Adoption record and original birth certificate governing provisions modified.

HF329-Reinert (DFL)**Commerce & Labor**

Boiler operation regulation exception provided.

HF330-Scalze (DFL)**Commerce & Labor**

Homeowners provided with a longer period within which to notify contractors of construction defects.

HF331-Nornes (R)**K-12 Education Policy & Oversight**

Seat belt requirements amended for motor coaches used in school-related transportation.

HF332-Jackson (DFL)**Commerce & Labor**

Death deed transfer clarifying, technical and conforming changes made; common element certificates of title expanded to include planned communities; designated transfer requirements exempted; cartways in cities procedures established; and power of attorney provision modified relating to real property transactions.

HF333-Mullery (DFL)**Commerce & Labor**

Minnesota Foreclosure Remediation Fee Act provided.

HF334-Hilstrom (DFL)**Civil Justice**

Prejudgment garnishment prohibited in certain circumstances.

HF335-Mullery (DFL)**Civil Justice**

Trespass and scrap metal sale provisions provided.

HF336-Gardner (DFL)**State & Local Government Operations Reform, Technology & Elections**

Pesticide application warning requirements modified that apply in cities with pesticide application ordinances.

HF337-Fritz (DFL)**Health Care & Human Services Policy & Oversight**

Home care tax credit established, long-term consultation team amended and caregiver burden scale established.

HF338-Kalin (DFL)**Finance**

Minnesota agricultural property tax law modified, and new property tax law classification established for preservation and legacy land.

HF339-Emmer (R)**Taxes**

City local government aid program repealed and Minnesota fair plan created.

HF340-Hosch (DFL)**Finance**

Minnesota agricultural property tax law modified.

HF341-Dettmer (R)**Finance**

Minnesota agricultural property tax law modified.

HF342-Kahn (DFL)**Commerce & Labor**

State lottery authorized to lease space for, and operate, a casino in the main terminal of the Minneapolis-St. Paul International Airport.

HF343-Hausman (DFL)**Finance**

Living-at-home/block nurse program additional base funding provided.

Thursday, January 29

HF344-Haws (DFL)**Health Care & Human Services Policy & Oversight**

Recovery of money requirements modified by adding group residential housing.

HF345-Hansen (DFL)**Finance**

Minnesota Conservation Corps funding provided for parks, natural resource protection and restoration, and flood protection contracts.

HF346-Urdahl (R)**State & Local Government Operations Reform, Technology & Elections**

Pension benefit costs required to be recognized for purposes of calculating nursing facility payment rates.

HF347-Lenczewski (DFL)**State & Local Government Operations Reform, Technology & Elections**

Mandatory retirement age eliminated for administrative law judges and compensation judges.

HF348-Lesch (DFL)**Civil Justice**

Law prohibiting sheriffs, deputy sheriffs and coroners from practicing law repealed.

HF349-Kath (DFL)**Taxes**

Owatonna; transfer of sales and use tax proceeds authorized to a qualified project.

HF350-Demmer (R)**Finance**

Minnesota agricultural property tax law modified.

HF351-Fritz (DFL)**Finance**

Long-term care provider rate increases provided.

HF352-Anzelc (DFL)**Finance**

Memorializing the president and Congress to take early action on the weakened economy to promote a healthy Minnesota economy.

HF353-Olin (DFL)**Environment Policy & Oversight**

Lake of the Woods; Lake of the Woods Water Sustainability Foundation referred by the Minnesota Legislature to the International Joint Commission for examination and report.

HF354-Hilstrom (DFL)**Commerce & Labor**

Mortgage foreclosure proceedings notice and mandatory mediation required prior to commencement on homestead property, and homestead-lender mediation account created.

HF355-Solberg (DFL)**Environment Policy & Oversight**

Itasca County; apportionment proceeds from the sale of certain tax-forfeited land provided.

HF356-Gardner (DFL)**Finance**

Minnesota manufactured home relocation trust fund changed.

HF357-Falk (DFL)**Energy Finance & Policy Division**

C-BED contracts provided.

HF358-Ruud (DFL)**Health Care & Human Services Policy & Oversight**

Excessive co-payments on multiple sclerosis drugs limited.

HF359-Norton (DFL)**Health Care & Human Services Policy & Oversight**

Autism spectrum disorders coverage required.

HF360-Simon (DFL)**Taxes**

St. Louis Park; tax increment financing district duration extended.

HF361-Simon (DFL)**Taxes**

St. Louis Park; tax increment financing district duration and time extended for certain activities.

HF362-Knuth (DFL)**Commerce & Labor**

Homeowner's written notice requirement to building contractor of construction defect eliminated.

HF363-Zellers (R)**Taxes**

Corporate income tax rate gradual phase out provided beginning in 2010.

HF364-Pelowski (DFL)**Finance**

Port development assistance funding provided.

HF365-Morgan (DFL)**State & Local Government Operations Reform, Technology & Elections**

Minnesota Constitution amendment method changed, and constitutional amendment proposed.

HF366-Paymar (DFL)**Public Safety Policy & Oversight**

POST board powers and duties clarified.

HF367-Urdahl (R)**Finance**

Howard Lake; grant provided for ditch work.

HF368-Urdahl (R)**Energy Finance & Policy Division**

New nuclear power plant certificate of need existing prohibition abolished.

HF369-Urdahl (R)**Finance**

Annandale Tactical Training Center grant provided.

HF370-Urdahl (R)**Finance**

Dassel-Cokato; ISDN 466 bicycle trail funding provided.

HF371-Howes (R)**Environment Policy & Oversight**

Private property owners rights stated regarding groundwater, lakes and watercourses.

HF372-Bigham (DFL)**Taxes**

South St. Paul; tax increment financing district duration extension authorized, and expenditure of increments provided.

HF373-Murphy, M. (DFL)**Finance**

Northern Lights Express Passenger Rail funding provided.

HF374-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Special transportation services renamed, medical transportation requirements modified and reimbursement modified.

HF375-Zellers (R)**Finance**

Highway 610 completion funding provided.

HF376-Dill (DFL)**Environment Policy & Oversight**

Trails added to the grant-in-aid snowmobile trail system.

HF377-Thissen (DFL)**K-12 Education Policy & Oversight**

State grant program created to pay for a portion of the facility costs of certain community partnership programs.

HF378-Slawik (DFL)**Finance**

Early childhood education funding provided.

HF379-Slawik (DFL)**Health Care & Human Services Policy & Oversight**

Smoking prohibited in a vehicle transporting a child under age 18.

HF380-Simon (DFL)**Commerce & Labor**

Residential building contractor investigation discontinuance prohibited when homeowner makes a warranty claim.

HF381-Eken (DFL)**Finance**

Red River watershed flood protection farmstead ring levee construction funding provided.

HF382-Marquart (DFL)**Finance**

Red River flood hazard mitigation project funding provided.

HF383-Simon (DFL)**Finance**

Southwest Transit Way Corridor environmental impact statement and preliminary engineering funding provided.

HF384-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Technology standards and tools developed to exchange information electronically between groups, and benefit assignment for health and medical savings accounts required.

HF385-Anderson, B. (R)**Health Care & Human Services Policy & Oversight**

Human services appeals oversight board established.

HF386-Anderson, B. (R)**Public Safety Policy & Oversight**

Drug paraphernalia crime amended to change the mental state requirement, specifically address sales of drug paraphernalia, and certain drug paraphernalia crimes consolidated into a single statutory section, and possession of certain items associated with controlled substance use prohibited.

HF387-Anderson, B. (R)**Finance**

Green Acres Law 2008 changes repealed.

HF388-Bigham (DFL)**Health Care & Human Services Policy & Oversight**

Clinical drug trial participation prohibited.

HF389-Greiling (DFL)**Public Safety Policy & Oversight**

Model penal code provisions adopted relating to criminal responsibility of persons with a mental disease or defect.

HF390-Kalin (DFL)**Finance**

Rush Line Corridor bus service funding provided.

HF391-Kalin (DFL)**Finance**

Rush Line Corridor funding provided.

HF392-Lenczewski (DFL)**Taxes**

Internal Revenue Code federal update made.

HF393-Johnson (DFL)**Taxes**

Land constituting an intermediate airport reattached to the city and school district where the property is located.

HF394-Urdahl (R)**Taxes**

Farm machinery definition expanded, and construction and other materials used in livestock farming operations exempted.

HF395-Lenczewski (DFL)**Commerce & Labor**

Location of state-operated or state-licensed gambling facility prohibited in a city unless the voters of the city have approved the facility in a referendum.

HF396-Kohls (R)**Public Safety Policy & Oversight**

Aggravated forgery law clarified to cover documents associated with federal I-9 employment eligibility verification forms.

HF397-Urdahl (R)**Finance**

Dassel-Cokato bicycle funding provided for pavement overlay.

HF398-Hilty (DFL)**Commerce & Labor**

Incorporation of socially responsible for-profit business corporations provided.

HF399-Anderson, S. (R)**Transportation & Transit Policy & Oversight Division**

Fuel-efficient vehicles allowed to be operated on high-occupancy vehicle lanes.

HF400-Anderson, S. (R)**Taxes**

Income tax credit provided for telecommuting conversion expenses and ongoing telecommuting expenses.

HF401-Solberg (DFL)**Taxes**

Solicitor defined for nexus purposes.

HF402-Thao (DFL)**Health Care & Human Services Policy & Oversight**

Regulation system established for technicians performing body art procedures and for body art establishments.

HF403-Gardner (DFL)**Environment Policy & Oversight**

Yard waste containers required to be compostable, and biodegradable standard for certain plastics established.

HF404-Buesgens (R)**Environment Policy & Oversight**

Personal watercraft operational requirements modified.

HF405-Brod (R)**Taxes**

Individual income tax rates reduced.

HF406-Brod (R)**Taxes**

Individual income tax rates reduced.

HF407-Brod (R)**Taxes**

Federal exemption amount conformed.

HF408-Brod (R)**State & Local Government Operations Reform, Technology & Elections**

Staggered terms of office for senators provided, and constitutional amendment proposed.

HF409-Brod (R)**Taxes**

Alternative minimum tax repealed.

HF410-Norton (DFL)**Health Care & Human Services Policy & Oversight**

Plasma protein therapies and home nursing services coverage required, and Medical Assistance coverage of plasma protein therapies required.

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Benefits continued from page 11

officials point out that while this is true, the situation will not cause an increase in the payroll tax. Moreover, Mahoney said that the expected federal stimulus package may include a provision that allows states to borrow unemployment funds interest-free.

Whatever the case may be, Mahoney said that workers who lose their jobs aren't interested in the complexities of unemployment funding; they just need the help.

"The guy walking down the street who just got unemployed, he doesn't understand the extensions and, you know, Minnesota's trust fund vs. the federal trust fund. ... He understands that he's unemployed and he needs to pay the bills," Mahoney said. 

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EARLY CHILDHOOD SUMMIT



PHOTO BY ANDREW VONBANK

David Lawrence, Jr., president of The Early Childhood Initiative Foundation and "University Scholar for Early Childhood Development and Readiness" at the University of Florida, gives the keynote address at the Early Childhood Summit in the House Chamber Jan. 28. He and other speakers talked about their involvement in early childhood development and school readiness issues.

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MINNESOTA INDEX

Employment or lack thereof

State unemployment percentage rate in December	6.9
National rate, as percent	7.2
Last year Minnesota had a greater than 6 percent unemployment rate	1985
State, national unemployment percentage rates in December 2007	4.7, 4.8
State unemployment percentage rate in December 2005	4.3
State unemployment percentage rate in December 2000	3.3
Jobs cut by Minnesota employers in past year, as approximate	55,400
Minnesota's labor force in December 2008	2,951,753
In December 2007	2,933,786
Unemployed Minnesotans in December 2008	202,814
In December 2007	137,360
In December 2006	127,187
Median hourly wage in Minnesota in the third quarter of 2008	\$17.20
National average	\$15.67
Median wage in the seven-county Twin Cities metropolitan area	\$18.94
In southeast, southwest Minnesota	\$16.02, \$14.13
In central, northeast, northwest Minnesota	\$14.94, \$15.32, \$13.95
Projected wage increase, as percent, statewide between 2006 and 2016	9.8
New Minnesota jobs in the health care and social assistance sector in 2007	15,100
In 2008	9,000
Projected in 2009	5,000
Anticipated state job loss between the third quarters of 2008 and 2009	29,600
Percent of job cutbacks concentrated in five industries: nondurable-goods manufacturing, administrative and support services, construction, durable-goods manufacturing and retail	66
Between third quarters of 2008 and 2009, industries expected to increase job numbers	4
Industries expected to lose jobs	19
Estimated 2009 Minnesota job openings generated by replacement needs and employment growth	67,000
Percent increase, from July 2008 to July 2012, in the number of Minnesota workers turning age 62	30
Customers served in 2008 by the state's 47 WorkForce centers, as estimate	100,000
Approximate number of Minnesotans who received Unemployment Insurance benefits in 2008	214,000
Billions of dollars received, as estimate	1

— M. Cook

Sources: Department of Employment and Economic Development; Minnesota Budget Trends Study Commission, *Commission Report to the Legislature*, Jan. 12, 2009.

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SESSION WEEKLY

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BONDING FOR WHAT?

HIGHER EDUCATION VS. LOWER FUNDING

Q COMP QUESTIONS

NEW TAX MONEY, NEW PROJECTS

HF411 - HF583

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: Charles Anderson of St. Paul peers into room 15 in the Capitol as U.S. Rep. James Oberstar addresses a joint hearing of the House Transportation Finance and Policy Division and the Senate Transportation Committee Jan. 29. Anderson is a frequent visitor to the House and Senate galleries to watch floor sessions.

— Photo by: Tom Olmscheid



PHOTO BY TOM OLMSCHIED

A construction project at the Minnesota Zoo is under way near Central Plaza. The zoo, along with several other entities, had some of its costs questioned in a recent bonding audit.

Bonding funds: Funding what?

Audit shows need for tightened policies and requirements

By SONJA HEGMAN

Nothing makes people run for the hills quite like an audit. It doesn't matter if you're an individual taxpayer or a business — that notice can come at any time. It can also come to recipients of the state's bond proceeds.

While most of the discrepancies found in the state's 2006 bonding law have been resolved or are working toward a resolution, the Office of the Legislative Auditor has advised the Legislature to examine its policies and possibly tighten its requirements to make sure future bonds are managed more responsibly.

"We prefer specificity (in the law) so we know exactly what you meant," Legislative Auditor James Nobles told the House Capital Investment Finance Division Jan. 29. "If there has been a change in what you want or the

entity wants, we ask that it be formalized." Otherwise, there may be a lawsuit because of an unauthorized use of bond funds.

"You would literally have to cancel the bonds and reissue them for a different purpose," said Rep. Alice Hausman (DFL-St. Paul), division chairwoman.

Being good stewards

Nobles said the audit was conducted because it was an area that needed more attention. Because of cost, his office will not

be able to do this kind of audit on an annual basis. He also said a bond audit hasn't been completed "in a long time."

"This hearing says that you take it seriously," he said. "You need to make sure you give proper heed to the law. You need to make sure your procedures are working."

Since bonding money comes with tighter parameters and strings attached and a lot of the discussion taking place up front, Nobles said the discussion needs to be followed through the entire process as entities spend the money to avoid any confusion.

"There are lots of things one can learn from an audit," Hausman said. "One of the things we need to ask ourselves is if rigidity is built in. Does language allow for flexibility? That's the question that occurs to me as to our role in this."

First Reading continued on page 4

First Reading continued from page 3

Nobles and Jim Riebe, the audit manager, said that even though they haven't been doing much audit work in the bond area, they wouldn't call this audit bad.

"We found that controls were generally good," Nobles said. "Some things just need some tightening. Agencies are out there trying to do the right thing; this is just a complicated area."

Riebe said he felt, "very strongly that in each case (the entities) thought they were being good stewards with the money."

But he and Nobles also said Minnesota Management and Budget needs to play a larger role by doing various things, including:

- verifying the sufficiency of political subdivision matching funds, as required by state statute;
- developing a process to track property purchased or bettered with general obligation bond proceeds and ensure that entities file declarations with the applicable county to protect the state's interests;
- monitoring actual use of bond funds by reviewing financial activity recorded on the state's accounting system and/or requiring periodic and final accounting reports for each capital project; and
- providing better guidance to entities that grant bond funds to political subdivisions as to the level of fiscal monitoring required, and periodically review entity practices to ensure oversight agencies adequately monitor political subdivision grants.

What they found

The audit looked at 25 entities and examined 60 bond appropriations. Capital projects authorized in the 2006 bonding law totaled about \$1 billion. As of March 31, 2008, about \$460 million had been spent, and of that, \$385 million was audited. Of the \$385 million, there were \$1.5 million in questioned costs.

MnSCU

Minnesota State Colleges and Universities' use of general obligation bond proceeds for the purchase and leaseback of a building may not comply with state constitutional and other legal requirements.

In August 2006, MnSCU acquired an existing building for St. Cloud Technical College and leased 85 percent of the building

back to the previous owner for three and a half years. While the college plans to remodel and use the space for classrooms when the lease expires in 2010, during the lease term, 85 percent of the building is being used by a nonprofit organization for a private, commercial purpose. The Minnesota Constitution requires that all general obligation bond proceeds be used for a "public purpose," and state statutes require

that property acquired with general obligation bond funds be used to support a "government program."

These requirements still apply when the building and property is leased to another entity. In this case, Riebe said the use of the leased space had no connection to a government program or public purpose.

MnSCU financed 95 percent of the \$3.5 million purchase with general obligation bond proceeds by using its appropriation of \$3.4 million from the law and used other funds for the remainder of the purchase price.

MnSCU must return revenues from the lease to Minnesota Management and Budget as required by statute. The lease revenues were deposited in the college's operating account and total lease revenues over the three and a half year term of the lease will total more than \$1 million.

Riebe said it is recommended that MnSCU pay 95 percent of the revenues from the lease to Minnesota Management and Budget to be in compliance with statute.

Minnesota Zoo

The Minnesota Zoo may not have complied with restrictions on bond funds designated for asset preservation for some expenditures, and did not submit reports on asset preservation projects to the Legislature, as required by statute.

The zoo used asset preservation bond funds for the following questionable expenses, according to the report:

- \$160,000 for a new holding pool and surrounding area;
- \$107,000 to purchase and situate newly acquired portable classrooms to replace classrooms that had been demolished as a

result of the new Central Plaza construction; and

- \$431,000 for new construction and additional space for the zoo's Minnesota trail exhibit, as a part of major improvements to the exhibit. The zoo requested \$1.9 million in asset preservation funds for this exhibit. However, neither the zoo nor Minnesota Management and Budget had evidence that justified the zoo's use of asset preservation funds to finance the new construction portion of the trail renovations.

In addition, the zoo did not submit reports on asset preservation projects to the Legislature, as required. Although the zoo is generally exempt from this statute, it was unaware that the 2006 law specifically required compliance with this provision.

Using bonds for payroll


Some entities used bond funds for internal project management costs without clearly connecting those costs to authorized capital projects.

Riebe said Minnesota Management and Budget did not have a formal, written policy regarding the eligibility of paying internal project management costs from bond funds. Several entities charged payroll costs and, in some cases, supplies to bond funds; other entities charged a fixed percentage of payroll costs to bond accounts.

The Minnesota Zoo, the Historical Society, and Minnesota State University, Mankato periodically charged their appropriations for payroll for various employees. As of March 31, 2008, these three entities had budgeted a total of \$659,000 for these types of costs.

Rep. Al Juhnke (DFL-Willmar) said he was

troubled to see any bonding money going to internal salaries.

"So we're paying salary and benefits for that person to be there anyway, and then if you put bonds on top of that we're paying twice to that entity or billing it through the department and they're using it internally for other things, clearly," he said. "But even above that you're paying more because bond funds have interest to pay back. Now you're paying a salary you have to pay back over 20 years and it costs you more. I think it is troubling and we need to be very careful." 

'We found that controls were generally good. Some things just need some tightening. Agencies are out there trying to do the right thing; this is just a complicated area.'

— James Nobles
Legislative Auditor

AGRICULTURE

Ag21 program funding questioned

A successful grant program that received one-time funding last year could see further funding, but at the expense of another program.

Overall the Department of Agriculture's 2010-2011 biennial budget would see a 5 percent General Fund decrease (\$1.6 million) to \$77.9 million, under a plan proffered by Gov. Tim Pawlenty.

However, the plan includes nearly \$9 million in new Clean Water Legacy program spending for pesticide monitoring and assessment, and more than \$4 million in new funding for the Pesticide and Fertilizer Management Division.

But it is the proposed diversion of funds from a popular grant program that caught the attention of House Agriculture, Rural Economies and Veterans Affairs Finance Division members Feb. 3.

Last year the state provided one-time money for the Livestock Investment and Next Generation Energy grant programs to advance the agricultural and renewable energy industries.

Pawlenty's proposed budget calls for continuing the investment by redirecting funds to a new initiative called the 21st Century Agricultural Reinvestment Program.

In each year of the next two biennia, the governor would redirect \$500,000 from the Dairy Profitability and Enhancement Program for livestock producer grants. The program's current funding is a little more than \$1 million annually.

Rep. Andy Welti (DFL-Plainview) is concerned about taking funds from the successful dairy program. "I know that program has kept a lot of farmers on the farm."

Quinn Cheney, director of policy development for the Agriculture Department, said the funding shift was made in consultation with the dairy industry, but she would not be specific about which groups gave input.

Rep. Al Juhnke (DFL-Willmar), the division chairman, said the concept sounds like an "either, or situation" — either shift the funds to livestock grants or lose it. "We've had \$150 million of applications for livestock investment grants ... realize that \$500,000 isn't getting us very far. We need to come up with some ideas to get some money into the program this year."

He said one source could come from the \$50 million in tax credits the governor is recommending for Main Street businesses. "Ten million of that could be directed to the livestock investment grant. ... That is jobs on the ground and will support local industries," he said.

Funding to support the Next Generation Energy grants, as proposed by the governor in the Ag21 program, would come from the scheduled phase out of the Ethanol Producer Payment Program.

— L. SCHUTZ

BONDING

Tool for 'extraordinary time'

As one solution to ease budget woes, Gov. Tim Pawlenty has a proposal to borrow

against the state's future tobacco settlement proceeds.

"This is a one-time budgeting tool in extraordinary times," Tom Hanson, Minnesota Management and Budget commissioner, told the House Capital Investment Finance Division Feb. 3.

Hanson said sale of the state appropriation bonds would provide nearly \$1 billion for the 2010-2011 biennium. The tobacco settlement money would be considered appropriation bonds, which differ from general obligation bonds in that there isn't the same promise to repay the bonds. But the governor's proposal would give the assurance that bond payments would be made regardless of what happened to tobacco settlement revenues. The proceeds from these bonds would be used directly for one-time, non-operating costs.

Because the state cannot constitutionally borrow long-term to pay today's debts, the Legislature would have to vote for a special authorization to pass this measure, said Kathy Kardell, assistant commissioner at the agency.

And some members aren't thrilled with the idea.

"This is a change in public policy to have the next generation pay for our debt," said Rep. Jean Wagenius (DFL-Mpls). "We need to keep that foremost in our minds."

Rep. Al Juhnke (DFL-Willmar) agreed, saying that he is troubled with the 20-year payback time.

"None of us are getting out of here without raising some revenue," said Rep. Tom Rukavina (DFL-Virginia). "The question is are we gonna be honest about it. I think it's shameful we are even sitting here today discussing this proposal."

Committee deadlines set

Legislators will have about three weeks from the anticipated March 4 release of the February Forecast to the first committee deadline. And they could be at the Capitol, instead of on a lake, for the state's fishing opener.

The House approved a resolution Feb. 5 designating five committee deadlines for the 2009 session:

- March 27 at 8 p.m., committees to act favorably on bills in the house of origin;
- April 7 at 11:59 p.m., committees to act favorably on bills, or companions of bills, that met the first deadline in the other body;
- April 16, divisions of House and Senate finance committees to act favorably on omnibus appropriation bills;
- April 22, House and Senate finance and taxes

committees, and the House Ways and Means Committee, to act favorably on omnibus appropriation and tax bills; and

- May 7, conference committees on omnibus appropriations and tax bills must report bills to the floor.

The first and second deadlines do not apply to the House Finance, Ways and Means, Taxes or Rules and Legislative Administration committees, or the Senate Capital Investment, Finance, Taxes, or Rules and Administration committees.

"If the process runs smooth we will be done ahead of time, or at least on time," House Majority Leader Tony Sertich (DFL-Chisholm) said at the Feb. 4 House Rules and Legislative Administration Committee meeting.

Although not in the resolution, Sertich and Sen-

ate Majority Leader Larry Pogemiller (DFL-Mpls) said the intention is to have all budget, finance and tax bills sent to the governor by May 12, six days before members must constitutionally adjourn. Members often find themselves at the Capitol for a weekend or two before adjournment to finish their work. The state's fishing opener is May 9 and Mother's Day is one day later.

Pogemiller said the second deadline is before a nearly weeklong break. "The intent is, and I don't think it has been totally finalized, but we're either going to start the Easter/Passover break that Tuesday at midnight, or there may be a reason for a session to process paper on Wednesday. ... So the Easter/Passover break is probably that Wednesday 'til the following Tuesday at noon."

— M. COOK



PHOTO BY TOM OLMSCHEID

Chairman Rep. Tom Rukavina shows members of the House Higher Education and Workforce Development Finance and Policy Division Feb. 3 the amount of information that was presented in the higher education budget books for 1987-88, left, compared to the amount of information on the higher education budget today.

Although the payments for the appropriation bonds wouldn't technically impact the state's 3 percent debt service guideline, they may count toward broader measures of state indebtedness used by rating agencies, Kardell said.

"You can say this is revenue or an increase in tax," said Rep. Larry Howes (R-Walker). "We're borrowing money to keep from taking money from the people of Minnesota. This may not be the right measure, but it's a starting point."

— S. HEGMAN

illnesses. "Every case of a food-borne disease can be considered a failure somewhere in our system."

Rep. Kent Eken (DFL-Twin Valley) and other members asked about the state departments' interaction with their federal counterparts. For example, he said the recent peanut butter case was sourced to a Georgia processor. "While we may be doing a good job here, we can't do anything about the problems there."

Ben Miller, supervisor for dairy and food inspections with the Department of

Agriculture, explained the challenge they face because ingredients can be international or domestic in origin. "When you look at the way ingredients are manufactured and distributed worldwide, and all the products they end up in — for instance, in the peanut butter outbreak over 800 distinct products had been recalled — one of the biggest challenges is simply understanding where those key ingredients come from and where all those products go."

— L. SCHUTZ

CONSUMERS

The frontlines of food-borne illness

The recall of many food products containing peanut butter is an example of the increasing number of food-borne illnesses. And the Departments of Health and Agriculture are on the frontlines of safeguarding the food supply and identifying problems when these outbreaks occur.

Annually about 7,500 food processors, grocery stores and delis across the state are inspected to ensure the safety of food products.

"In spite of our very best efforts, about 78 million people (nationwide) per year get ill with a food-borne and diarrheal disease," John Besser, head of the Department of Health's clinical laboratory, told the House Agriculture, Rural Economies and Veterans Affairs Committee at a Feb. 2 informational hearing. He clarified, however, that the increase in reported outbreaks may also relate to better reporting and tracking methods.

He said their work centers on identifying the underlying problems that can lead to these



PHOTO BY ANDREW VONBANK

During a Feb. 2 joint presentation by the Departments of Agriculture and Health on food safety and food-borne outbreaks, members of the House Agriculture, Rural Economies and Veterans Affairs Committee examine the "Smoking Tub," the actual tub that contained salmonella-laced peanut butter.

Keeping children from chemicals

Protecting children from potentially toxic chemicals in products they use is the intent of a bill sponsored by Rep. Kate Knuth (DFL-New Brighton).

The Toxic Free Kids Act would not place an outright ban on the use of chemicals designated as “high concern” in children’s products, but would authorize the Pollution Control Agency to publish a list of these chemicals, if found, and require replacement with a safer alternative, if one is available.

The scope of regulation included in HF250 came into question when the bill was heard Feb. 3 by the House Health Care and Human Services Policy and Oversight Committee.

“Who is going to be doing the monitoring?” asked Rep. Steve Gottwalt (R-St. Cloud).

Knuth stressed the bill asks for no new assessments of chemicals, but only study and evaluation of existing data of about five chemicals.

A mother of two, Heidi Niziolek told committee members of her frustration in locating healthy products for her children and information about toxins that could be harmful to them.

“I cannot tell you how many times we brought something home and found out that it contained something harmful. And we subsequently threw them away or disposed of them properly — probably thousands of dollars worth of things, pacifiers, toys, even furniture.”

She said that parents should not have to

worry about the safety of products designed for children’s use. “As consumers, the cost of the item should contain the cost that ensures their safety.”

The bill was approved and referred to the House Environment Policy and Oversight Committee, where it is scheduled to be heard Feb. 10. Knuth said that would be the second of several expected committee stops.

A companion, SF225, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Environment and Natural Resources Committee.

— L. SCHUTZ

CRIME

Crime alert notification assurance

Clarence Schadeegg wants to know when a crime alert is issued for his Richfield neighborhood.

Because he is blind, it has not always been easy to learn of alerts.

“Any of us with a disability need to be informed when these incidents happen,” he told the House Crime Victims/Criminal Records Division Jan. 30. “The best way for us to be informed is to receive a crime alert formatted as a Word document.”

The problem, Schadeegg said, is that the e-mail notification often comes as a PDF file attachment, something that is not compatible with all reader software.

“If a PDF is sent out as the only formatted document of a crime alert, then it singles us out as people who cannot read, and therefore we’re not informed,” he said. Schadeegg has gotten the Richfield Police Department to send its alerts with both a PDF and Word file attached.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF254 states, “If a law enforcement agency provides a crime alert to citizens within its jurisdiction, the alerts and any accompanying documents must be in a form that a disabled person can access with commercially available text-based screen reader software.”

It received division approval and was sent to the House Public Safety Policy and Oversight Committee.

Its companion, SF265, sponsored by Sen. Ken Kelash (DFL-Mpls), awaits action by the Senate Judiciary Committee.

The bill would also classify as private the names and contact information of citizens requesting a crime alert.

Rep. Paul Kohls (R-Victoria) said he is “sympathetic” to the reasoning behind the bill, but is concerned about issuing a local government mandate without accompanying dollars. “Cities that are currently doing crime alerts may elect not to do them if the costs are going to increase for doing it. They may just say ‘We’re not going to do this,’ and then don’t we have a whole group of people who are getting information now that is useful to them not getting it?”

— M. COOK

Domestic Abuse Awareness Month

An issue few people like to talk about could get a greater focus.

Sponsored by Rep. Al Doty (DFL-Royalton), HF139 would officially designate October as Domestic Violence Awareness Month in Minnesota.

Approved Jan. 30 by the House Crime Victims/Criminal Records Division, the bill was sent to the House Public Safety Policy and Oversight Committee.

Its companion, SF87, sponsored by Sen. Paul Koering (R-Fort Ripley), awaits action by the Senate Judiciary Committee.

“We have over 37,000 women and children that are served by community advocacy programs, and over 2,600 domestic assault cases a year in Minnesota,” Doty said, noting that more than 12,000 Orders for Protection are issued annually. “In a year when we are not going to be spending much money, increasing awareness is something that may prevent us from ruining a lot of lives and spending a lot of money.”

Cyndi Cook, executive director of the



PHOTO BY ANDREW VONBANK

Heidi Niziolek testifies before the House Health Care and Human Services Policy and Oversight Committee Feb. 3 in support of a bill that would protect children from toxic chemicals in products aimed for children’s use.



PHOTO BY TOM OLMSCHIED

Karl Porisch of Marshall stops at the shirt of Angela Vigen that was hanging in the Capitol Feb. 2 as part the Clothesline Project. Each shirt is created to visually memorialize the casualties of domestic violence to women and children. Vigen was killed on Oct. 27, 2008, by her boyfriend, who had a history of domestic violence.

Minnesota Coalition for Battered Women, said the federal government already recognizes October as Domestic Violence Awareness Month and, although not in law, governors have bipartisanly proclaimed the same in Minnesota. "Having a month that highlights the issue has given us an opportunity to increase public awareness to support events across the state."

Johnnie Barthel, who works with women in domestic violence relationships, said many people would rather avoid the issue when they hear fighting next door or see a bruised woman. "It's easier to turn up the volume on the television or radio than to pick up the phone and call 911," she said. "It is easier for us to stand in a crowd of onlookers and watch a neighbor being taken away in an ambulance or a coroner's car."

While supportive of the measure, Rep. Paul Kohls (R-Victoria) is concerned it may not have much impact on such a troubling issue. "Hopefully we'll do something more to get some awareness of the issue. ... We have to be getting at the actual problem, and I'm not sure this is going to get us as far as we should go."

— M. Cook

EDUCATION

Schools favor local calendar control

Giving school districts local control over their calendar year is what Rep. Kim Norton (DFL-Rochester) intends with two bills approved by the House K-12 Education Policy

and Oversight Committee Feb. 5.

State statute prohibits a school district from starting the school year before Labor Day, unless a specific exception applies.

HF195, as amended, would impose a moratorium on mandatory post-Labor Day school starts for two years and authorize a study of the impact of repealing the school-start law on Minnesota's tourism industry. Findings would be reported to the House K-12 Education Finance Division and House K-12 Education Policy and Oversight Committee by January 2011. Supporters say district control over school calendars would help deliver higher quality education to students. "This is one of the top non-economic issues our boards want to see [happen] this year," said Kirk Schneidawind, Minnesota School Boards Association associate director of governmental relations.

Resort owners testified that allowing a pre-Labor Day start would push school sports practices earlier into August, compounding a trend of declining resort business in the important month. "The Minnesota school calendar defines our season," said Paul Bugbee, owner of the Bug-Bee Hive Resort in Paynesville. He said "the great Minnesota tradition" of family resort vacations is "going, going, gone."

HF195 was sent to the House Finance Committee with the recommendation the bill be re-referred to the House K-12 Education Finance Division.

The committee also approved HF194, which would repeal the prohibition of starting the school year before Labor Day, and referred

it to the House Finance Committee with the recommendation it be re-referred to the House Higher Education and Workforce Development Finance and Policy Division.

The companion bills, SF22 and SF23, both sponsored by Sen. Chuck Wiger (DFL-North St. Paul), await action by the Senate Education Committee.

— K. BERGGREN

FAMILY

Ratings for child care programs

The role of state government in rating child care programs was touted by some and questioned by others at a Jan. 29 hearing of the House Early Childhood Finance and Policy Division.

HF40, sponsored by Rep. Sandra Peterson (DFL-New Hope), and HF246, sponsored by Rep. Nora Slawik (DFL-Maplewood), would expand and fund efforts to improve child care quality. Both bills were held over for possible inclusion in an omnibus early childhood finance bill.

HF40 would create a statewide child care quality rating modeled after Parent Aware, a system that is currently in the pilot stages in the cities of Minneapolis, St. Paul, Wayzata, and Blue Earth and Nicollet counties.

Lisa Thompson, president of Child Care Providers Together, a union of family caregivers, said her peers have mixed feelings about quality ratings. Thompson, who has 15 years of experience running a licensed in-home child care program, said the ratings "could be the best thing that ever happened to family child care and the children and families we serve," but should not be "one size fits all."

Parent Aware rates care settings on a four-star scale. Thompson suggested the ratings may be biased toward larger centers which may have more expansive facilities or lower adult-to-child ratios. Accredited Head Start programs and centers automatically rate four stars.

HF246 would "allocate an additional \$250,000 per year above the amount allocated in fiscal year 2009 in federal child care and development funds for Parent Aware star rating tool activities," Thompson said it would help providers make technical improvements to boost their rating.

Opponents of a public rating system said it would unfairly drive the market. "When you expand regulations you raise the cost of doing business," said Tom Prichard, president of the Minnesota Family Council. He also believes "the standard drives the system" and would reduce choice and options.

Peterson reiterated the rating system

would remain voluntary for parents and for providers.

A companion to HF40, SF72, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Education Committee. There is no companion to HF246.

— K. BERGGREN

GAME & FISH

Guaranteeing a license

A man who mentors disabled military veterans is hoping for legislative support of a bill that would give first preference to a greater number of veterans who seek hunting licenses.

Sponsored by Rep. Tim Sanders (R-Blaine), HF289 would amend the lottery system used by the Department of Natural Resources when selecting individuals for fish and game permits and licenses.

Those who are either currently serving in the U.S. armed forces (including the National Guard), or those who have served during the past 24 months now get preferential treatment.

The bill would add Purple Heart medal recipients and servicemen and servicewomen with a disability rating of 70 percent as defined by the U.S. Veterans Administration. Such persons could obtain a license to hunt turkey, bear and antlerless deer without going through the lottery process. The bill was held over Feb. 2 by the House Game, Fish and Forestry Division for possible inclusion in its omnibus bill. It has no Senate companion.

Under the bill, the commissioner would be required to give preference to service members and veterans. The commissioner can give preference now, but it is not required.

Ray LaPresto, who volunteers for a mentoring program through the United States Military Academy at West Point, said one of his mentees would like to hunt turkeys on LaPresto's Dennison farm.

"I was afraid he wouldn't get picked (in the lottery)," he said.

— S. HEGARTY

GOVERNMENT

Iran divestiture bill approved

A House committee approved a bill that would require the state to divest its holdings in certain companies doing active business with Iran.

HF111, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), would require the State Board of Investment, which manages the state's retirement and trust funds, to sell its

investments in companies actively involved in Iran's energy sector. Winkler said the goal is to make it more difficult for Iran to develop nuclear weapons.

Following Feb. 4 approval by the House State and Local Government Operations Reform, Technology and Elections Committee the bill now goes to the House floor. A companion, SF131, sponsored by Sen. Terri Bonoff (DFL-Minnetonka), awaits action by the full Senate.

Afsheen John Radsan, a professor at William Mitchell College of Law and an expert on Iran policy, said the country is a state sponsor of terrorism and a destabilizing force in the Middle East. He explained that divestiture represents an "intermediate option" for discouraging Iran from pursuing nuclear weapons.

"I don't think we're ready for military action, but I don't think diplomacy enough will solve the problem," Radsan said, adding that President Barack Obama supports the idea.

Howard Bicker, the board's executive director, said the bill would affect approximately \$280 million worth of state investments, or slightly more than 1 percent of the state's total investment portfolio. He said the board has taken no official position on the bill; however, he stated his personal opinion that the bill might not be as effective as intended.

"Once you sell your stock, the company doesn't care who you are. You're gone. Your influence is gone on that day," Bicker said. He added that a shareholder initiative, which would require no legislative action, might be more effective in changing companies' behavior.

Rep. Mary Kiffmeyer (R-Big Lake), a former board member, expressed concern that the bill would "politicize" the SBI and distract it from its primary purpose of making good investments for the state's current and future pensioners.

"We have commitments to those retirees. They have expectations. We have responsibilities. And if this fund isn't as strong as it can be ... it will fall to us to make up that difference," Kiffmeyer said.

Winkler said he expects the Legislative Commission on Pensions and Retirement to hold a hearing on the bill before it comes up for a vote on the House floor.

— N. BUSSE

HEALTH

Legislators react to proposed cuts

Significant changes in services to the sick as a result of the governor's recommended

budget cuts were translated into real dollars and real people at a pair of House Housing Finance and Policy and Public Health Finance Division meetings.

On Feb. 3, Craig Acomb, chief financial officer for the Department of Health, reported that the budget reveals an increase to shore up prevention and treatment of tuberculosis, a growing problem, particularly in Ramsey and Nobles counties.

However, a \$47 million two-year Statewide Health Improvement Program approved last year would be reduced to \$24 million over the next four years, leaving only \$6 million each year to address obesity and tobacco use issues.

Rep. Thomas Huntley (DFL-Duluth) hopes that this part of the governor's budget does not prevail. "If we're ever going to get a grip on health care spending, maybe we ought to keep going after it. I don't think we can wait."

The next day, stakeholders argued that the reduction will end up costing taxpayers more.

"A reduction in (the Statewide Health Improvement Program) will have long-term ripple effects on other parts of the state budget. We're going to continue seeing escalating health care costs in other parts of the state budget because of it," said Julie Ring, director of the Local Public Health Association.

Rep. Dan Severson (R-Sauk Rapids) said the division is going to need to make some difficult choices to solve the budget deficit. "I appreciate the fact that this is one of those programs that is effective, but we're going to have to become very creative in how we approach this budget deficit."

— S. HEGARTY

SAFETY

Seeing meth precursor log data

A pair of bills that would help law enforcement agents track potential methamphetamine manufacturers have some members questioning the potential for invasion of privacy.

Sponsored by Rep. Joe Mullery (DFL-Mpls) and Rep. Debra Hilstrom (DFL-Brooklyn Center), respectively, HF70 and HF145 were held over Jan. 29 by the House Public Safety Policy and Oversight Committee for possible omnibus bill inclusion.

Current law requires business establishments that sell over-the-counter methamphetamine precursor drugs to have the buyer, in part, "sign a written or electronic document detailing the date of the sale, the name of the buyer, and the amount of the drug sold."

Bob Bushman, Statewide Gang and Drug

Task Force coordinator for the Department of Public Safety, said some task force members have had difficulty obtaining transaction information. "When the changes were made to this a couple years ago, there was no language put in there that requires them to retain that log information that they get when they sell the stuff, and there was no requirement that they make the logs available to law enforcement."

Mullery's bill would require businesses to keep the log for five years from the date of purchase. It would also provide immunity to the business or employee from any liability that comes from releasing sales information. Hilstrom's measure would require the log "be open to the inspection of any law enforcement agency."

Rep. Paul Kohls (R-Victoria) said this gets close to invasion of privacy on people's health care. "It's not prescription medication; but nonetheless, I'm not sure how I feel about law enforcement gathering information on my Sudafed purchases when there's no reason to suspect that I'm involved in the manufacture of methamphetamine."

Bushman said the goal is to get at individuals or groups of people who buy their limit at one store and go to more stores over a number of days. They then put the product together to manufacture the illegal drug. "When you look at the logs, it's very apparent," he said.

A companion to Mullery's bill, SF173, sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits action by the Senate Health, Housing and Family Security Committee. A companion to Hilstrom's bill, SF30, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Judiciary Committee.

— M. Cook

TAXES

Tax cut plan criticized

Some members of a House division questioned the wisdom of Gov. Tim Pawlenty's proposal to cut corporate taxes during a Feb. 3 hearing on the Department of Employment and Economic Development's proposed 2010-2011 biennial budget.

Rep. Ryan Winkler (DFL-Golden Valley) was among several members of the House Bioscience and Workforce Development Policy and Oversight Division who criticized the governor's plan to cut the corporate franchise rate in half over the next six years.

Winkler said that while the tax cut is intended to stimulate economic growth, there is no guarantee that it will; meanwhile, he noted, the governor also plans a 10 percent General Fund reduction for DEED programs that have already proven to be an economic boon to the state.

"I still don't have an understanding of where the economic analysis comes from that we should be putting hundreds of millions of dollars for cutting this corporate tax," Winkler said. "We could be using that money for lots of other good things that you're doing."

Rep. Larry Haws (DFL-St. Cloud) said that if the corporate tax cuts are intended to stimulate the economy, then measurable economic goals should be included in the governor's plan.

"We're getting rid of some things that are working, and I'm not too sure that the other is going to work," he said.

Republican division members defended the governor's plan.

"I've spent a number of years visiting manufacturers and employers in our area of the state and asking them specifically, 'What are your challenges?' And in almost every single instance tax and regulatory climate come up," said Rep. Steve Gottwalt (R-St. Cloud).

Rep. Joyce Peppin (R-Rogers) said Minnesota is well-known to have the "third-highest" business tax rate in the industrialized world. She also challenged DFLers to come up with a budget plan of their own, rather than just criticizing the governor's proposals.

DEED Commissioner Dan McElroy said that Minnesota's business climate is multifaceted and that taxes are not the only issue to consider; however, he predicted that the governor's plan would make Minnesota more competitive with neighboring states over the long term.

— N. Busse

Full funds for tax filers

With time running out to make changes to the state's tax law for the current filing season, Rep. Ann Lenczewski (DFL-Bloomington) wants to make sure Minnesota conforms to most of the federal changes enacted since Feb. 13, 2008, that Minnesota references for state tax administration purposes.

"(HF392) will keep people from having to file amended tax returns if this bill is passed later," Lenczewski told the House Taxes Committee Feb. 3. "The timing only benefits the taxpayer."

Approved by the committee, it now awaits action by the House Ways and Means Committee.

A companion, SF252, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Taxes Committee.

The changes include:

- counting nontaxable combat pay as earned income for members of the military for purposes of claiming the earned income credit and working family credit;
- allowing direct transfers to charities from

traditional IRAs and Roth IRAs for tax years 2008 and 2009;

- extending of the special rule for contribution of conservation property by qualified farmers and ranchers;
- apportioning the exclusion of gain on the sale of an individual's principal residence for time periods after Jan. 1, 2009, when the residence was not used as the principal residence;
- extending various provisions related to depreciation and expensing;
- providing preferential tax treatment within the Midwestern Disaster Relief Area and within other federally designated disaster areas; and
- changing requirements for employer-sponsored group health plans to qualify for the employee income exclusion.

— S. HEGMAN

Corporate tax cut concerns

It might not be the right time for cutting the corporate franchise tax with the state facing a deficit, according to some House Taxes Committee members.

While Rep. Ann Lenczewski (DFL-Bloomington), the committee chairwoman, said this kind of tax is flawed, her issue is more with the timing of the proposal that is part of Gov. Tim Pawlenty's budget.

"I didn't hear a positive response from the governor when I wanted to do this last year," she said during a Feb. 4 meeting. "It's a very expensive ticket item and it's very difficult because we have a deficit."

The cut would take the business tax rate from 9.8 percent to 4.8 percent over six years beginning in 2010.

She added that a sales tax cut would help businesses more because they pay more in sales tax than in corporate franchise tax.

Revenue Commissioner Ward Einess said the governor wanted to do more than just satisfy the constitutional requirement to balance the budget and "just get by" for the biennium.

The cut would give the state a more competitive rate, which would help encourage businesses to grow and invest in Minnesota, Einess said. The current rate is one of the highest in the nation.

"When you say you're reducing a tax by 50 percent that gets noticed not only here, but around the country," he said. "We want to change the climate in Minnesota."

Rep. Diane Loeffler (DFL-Mpls) agreed that the issue is timing. "We have long-term goals and things that we need to fix. We have to talk about which long-term goals should get implemented."

Rep. Laura Brod (R-New Prague) said stopping at Minnesota's borders was not the

answer either. "We need to look at this on a worldwide basis. We are in uncharted waters," she said. "China is on the move like it never was before."

Lenczewski agreed that more discussion would be needed on a variety of things.

"I think we're going to have this debate for a long, long time this year," she said.

— S. HEGMAN

LGA, renter concerns shared

Cities could see cuts in local government aid and renters' refunds if Gov. Tim Pawlenty's budget proposal becomes law.

It would reduce LGA by 23 percent — \$77.8 million in Fiscal Year 2010 and \$168 million in Fiscal Year 2011. Even with the reduction, 763 cities will divide \$823 million in LGA for the biennium.

"LGA is going to be a big issue," said Rep. Paul Marquart (DFL-Dilworth), chairman of the House Property and Local Sales Tax Division, which heard the proposal Feb. 4. "I appreciate what the governor has put out here as his way to balance the budget, but is it fair? My concern is disparity."

This proposal is coupled with market value credit reductions and is structured to fairly and evenly distribute the reductions across all cities, said Revenue Commissioner Ward Einess. The reduction would first come from certified 2009 LGA and then from the market value homestead credit if there is not enough aid.

Einess said a lot of time was spent looking at geographic disparity.

"The reality is what do you take when you're taking everything they've got? We did our best to spread cuts around."

"Haven't our cities and local units of governments taken more than their share of the burden?" said Rep. Denise Dittrich (DFL-Champlin). "I think they have been treated unfairly."

Cities have limits to how much they can levy, but cities can go to their voters to increase their levies whenever they want to.

"We made some very tough decisions," Einess said. "It's not true that all the cities are taking the brunt of this. This is not an indictment of local governments at all."

Rep. Morrie Lanning (R-Moorhead) has never really liked levy limits.

"I have argued against them repeatedly," he said. "They're hard to argue when you have increases in aid. But when you have cuts in aid, it's hard to justify the continuation of levy limits."

Another issue that arose was the reduction of the renter's credit.

Currently, renters receive 19 percent of rent paid in the form of a refund. Under the

governor's proposal this would be reduced to 15 percent.

Rep. Diane Loeffler (DFL-Mpls) did not like this proposal.

"There's real inequity when you just pick a number," she said. "One-size-fits-all doesn't really fit anybody. I don't think our tax system should create so many winners and losers."

— S. HEGMAN

TRANSPORTATION

Mounting navigation devices

Some drivers struggle to watch where they are going while, at the same time, looking at a device telling them which route to take.

Rep. Al Juhnke (DFL-Willmar) admits he has taken his eyes off the road to look down at a global positioning system. He sponsors HF85, which would allow GPS or other navigation systems to be mounted or located near the bottom-most portion of a windshield.

Approved Jan. 29 by the House Public Safety Policy and Oversight Committee, the bill now awaits action by the House Transportation Finance and Policy Division. A companion, SF323, sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Transportation Committee.

State law currently allows rearview mirrors, sun visors and electronic toll collection devices be mounted on a vehicle's windshield, but many drivers illegally have their GPS unit attached as well.

"Take a gander as you're driving home or as you're commuting and notice how many GPS units are out there now, and how many you see either on the dash or on the lower part of the windshield mounted," Juhnke said.

Rep. Tony Cornish (R-Good Thunder) successfully amended the bill to require the mounting be on lowest part of the windshield.

"It's a good thing," Juhnke said. "I don't have to ask for directions anymore. Not that I did ever anyway."

— M. COOK

Stimulus for state projects

State leaders got a readiness warning from a man with some pull in our nation's capitol.

U.S. Rep. James Oberstar told a Jan. 29 joint meeting of the House Transportation Finance and Policy Division and the Senate Transportation Committee that the state had best be ready with some transportation projects that could be funded with part of the proposed economic stimulus package approved one day earlier by the U.S. House of Representatives.

"We want to create jobs within 90 days,"

said Oberstar, chairman of the House Transportation and Infrastructure Committee. He said the bill, which contains \$66 billion for transportation purposes — including \$477 million for Minnesota — would put 12,000 Minnesotans to work on transportation and infrastructure projects by June.

"With this investment, we expect to lay a base and get people back working," Oberstar said, adding the workers would be off the unemployment rolls, paying taxes again and spending money in the marketplace.

The money would go for projects that are ready to go, except for funding. He said the projects would be funded solely with federal dollars, instead of the normal 80 percent federal-20 percent state split. The Department of Transportation provided Oberstar a preliminary list of projects that could be funded through the stimulus package. They include asphalt and concrete work, bridge replacements and an expansion of Highway 610 in Brooklyn Park and Maple Grove. The Twin Cities metropolitan area/Greater Minnesota split is about 50-50.

If awarded dollars are not used for specific projects, they will be returned and distributed to other states that are ready to put those dollars to work.



U.S. Rep. James Oberstar told a joint hearing of the House Transportation Finance and Policy Division and the Senate Transportation Committee Jan. 29 that the proposed economic stimulus package approved one day earlier by the U.S. House of Representatives contains \$66 billion for transportation purposes. He said Minnesota's projected share could result in 12,000 jobs by June.

"I don't want Minnesota to be stumbling around," he said.

Oberstar said states would be expected to advertise bids for projects within 30 days of the bill's signing into law. Projects are to be awarded, and contractors are to be on site, within 60 days of signing. Forty-seven days from signing Oberstar said there would be a hearing of his committee to receive from every state the list of contracts that have been awarded, the number of jobs on-site, description of those jobs and the payroll. Subsequent lists will be required every 30 days until the funds are expended.

— M. Cook

Type III bus driver change

Allison Porter said a 2008 law is having a negative impact on her school days this year.

Through an interpreter, Porter told the House Transportation and Transit Policy and Oversight Division Feb. 4 that she and her Minnesota North Star Academy classmates have fewer opportunities for learning experiences because of vehicle driver requirements.

"In the past teachers could drive us where we needed to go, but now they can't," she said. "Now they also can't use the vans to drive us to games in other states so our team can play against other deaf teams. Now we have to rent a bus to go to games, to go on field trips, go to our transition classes and any other school events."

Rep. John Ward (DFL-Brainerd), the sponsor of HF116, said last year's law required bus drivers to comply with a number of requirements, including a physical and drug test. However, the previous sponsors intended to exempt "temporary or incidental Type III school vehicle drivers" because driving would not be part of their "normal duties." But he said the Department of Public Safety interpreted the law whereby anyone who might drive a Type III vehicle must meet the requirements.

Type III vehicles are passenger autos, vans and buses that hold no more than 10 people, and whose maximum gross weight is 10,000 pounds. They are used, for example, when a fine arts coach drives their team to a meet.

"The last thing we want is a district to either

cut the program or, even worse, tell students they are to start driving themselves to events and meets," Ward said.

While not jeopardizing safety provisions in the 2008 law aimed at persons with a school bus endorsement, the bill would allow a district employee with any class of commercial driver's license to operate a Type III vehicle without having the physical exam or passing a drug and alcohol test. Drivers would need to have their license annually verified by an employer and they must notify the employer if convicted for certain DWI and traffic regulation offenses.

Representatives from Education Minnesota and the Minnesota School Boards Association spoke in support of the bill.

Approved by the division, the bill awaits action by the House Public Safety Policy and Oversight Committee.

Its companion, SF33, sponsored by Sen. Rick Olseen (DFL-Harris), awaits action by the Senate Judiciary Committee.

— M. Cook

NATIVE PRAYER



PHOTO BY ANDREW VONBANK

With eagle feathers in hand, Raymond Owen, spiritual leader of the Prairie Island Indian Community, opens the Feb. 2 House floor session with an invocation and American Indian song.

Higher education, lower funding

Minnesota colleges resist tuition cap, brace for budget cuts

By Nick Busse

U.S. college tuition rates have skyrocketed over the last two decades, and Minnesota has not bucked the trend. No one knows this better than Jennifer Weil.

Weil, a student and working mother of two, is about to graduate from Minnesota State University Moorhead, approximately \$40,000 in debt. Testifying before members of a House division Feb. 3, she said the loans she took out to pay for school were a necessary investment in her future, but she regrets the price tag.

“Looking forward, I know that I’m not going to be able to purchase a home for my family and have a yard for my kids to play in very soon,” Weil said. “It’s going to take a lot of years.”

Weil is not alone. According to the University of Minnesota’s Office of Institutional Research, undergraduate resident tuition at the university’s Twin Cities campus increased by nearly 400 percent over the last 20 years, with the Crookston, Duluth and Morris campuses all faring similarly. Schools in the 54-campus Minnesota State Colleges and Universities system remain a less expensive option, but the overall trend is the same, often forcing students to take out tens of thousands of dollars in loans to get their degrees.

This year, Weil and other debt-saddled students probably have little to look forward to in the way of relief. With the state facing a projected deficit of at least \$4.8 billion, another round of budget cuts to higher education appears likely. In his budget proposal, Gov. Tim Pawlenty called for a reduction of nearly 11 percent to the state’s higher education funding, with a cut of approximately \$151 million to the University of Minnesota and \$146 million to MnSCU.

This plan mirrors similar cuts that were made during the state’s last major budget crisis in 2003, the net result of which was four consecutive years of double-digit tuition rate

increases at the state’s public colleges and universities.

“Students are still paying the price today for

the cuts that were made in 2003,” Weil said. She added that the additional burden has come at a time when student debt “has become a problem for nearly every student in our system.”

Capping tuition

To protect students from similar increases this time, the governor has called for the Legislature to cap tuition increases at an inflationary rate; however, college administrators and many lawmakers don’t like the idea.

“A freeze on tuition would be absolutely devastating,” University of Minnesota President Bob Bruininks said at a Jan. 22 hearing. Although he hopes to minimize any tuition increases, Bruininks said he and other

Higher ed continued on page 23



PHOTO BY TOM OLMSCHIED

Minnesota State University Student Association Vice-Chairwoman Jennifer Weil, center, testifies about tuition costs before the House Higher Education and Workforce Development Finance and Policy Division Feb. 3. Also testifying before the division were Aaron Olson, right, a student at Southwest State University, and Cody Nelson, left, a Bemidji State University graduate.

Spending new proceeds

Lessard Outdoor Heritage Council considers projects for new tax receipts

BY SUSAN HEGARTY

Last November, more than 55 percent of voters approved raising the state sales and use tax by three-eighths of 1 percent and dedicating the additional money to improving the environment and preserving the state's cultural heritage.

This month, some of those voters will go a step further and present their ideas on spending the new tax dollars. They'll address the Lessard Outdoor Heritage Council, the statutory body responsible for sorting through some of the proposals in order to make recommendations to the Legislature.

By March, the council is to supply the House Cultural and Outdoor Resources Finance Division with recommended projects to receive funding. A bill will be drafted for those projects, and it must be signed into law for funding to be allocated.

Some misconceptions about the scope and authority of the council have surfaced. Council members say it's important to note that they are charged with making recommendations for only 33 percent of the dedicated tax revenue — specifically, funded projects that should “restore, protect and enhance wetlands, prairies, forests and habitat for game, fish and wildlife.”

The remaining money will be debated among other stakeholders and divided into the

following three new funds: the Clean Water Fund (33 percent), the Parks and Trails Fund (14.25 percent), and the Arts and Cultural Heritage Fund (19.75 percent). Proposals for these categories bypass the Lessard Council and are directly heard by the House Cultural and Outdoor Resources Finance Division.

Although the tax won't begin being collected until July 1, the division plans to introduce legislation this year so that initial projects are funded for 2010. Money will be appropriated each year through June 2034.

Rep. Rick Hansen (DFL-South St. Paul), a council member, co-sponsored the constitutional amendment that authorized the tax increase.

“I think we'll have more presentations than there is money,” Hansen said.

Revenue projections keep dropping due to the harsh economic conditions, but the first round of appropriations will be key, Hansen said. “It's important that this first year voters can look and say, ‘Yes, that's what I voted for.’”

Council name honors champion of the outdoors



Former Sen. Bob Lessard

A bipartisan council that will recommend millions in environmental improvement expenditures for the next 25 years bears the name of one of the state's most noted environmental advocates — former Sen. Bob Lessard (DFL-Int'l Falls). Lessard, who represented

District 3 from 1977 through 2002, is an avid outdoorsman who lobbied unsuccessfully during his tenure in the Legislature to let the voters decide whether to dedicate part of the sales and use tax to preserving and protecting the environment. Last November, he finally got his wish.

“He is the consummate outdoor sportsman. He has led the state in a lot of ways to enhance and create a better environment for hunting and fishing,” said Rep. Bob Gunther (R-Fairmont).

Photo by David Oakes courtesy of the Minnesota Senate

Lessard Council Hearing Schedule

Presentations are scheduled to begin Feb. 9 about how 33 percent of the new dedicated sales tax could be spent to restore, protect or enhance wetlands, prairies, forests and habitats.

The Lessard Outdoor Heritage Council meetings are open to the public and begin at 8 a.m. in room 500N of the State Office Building, across from the State Capitol. Space is limited and those wishing to present a proposal are asked to register in advance.

Monday, Feb. 9
Prairie Resources
Wetland Resources

Monday, Feb. 23
Forest Resources
Fish Habitat

To present a proposal, contact LOHC Acting Executive Director Bill Becker at bill.becker@state.mn.us or 651-259-5527. For more information, visit www.lohc.state.mn.us.

— S. HEGARTY

Council composition

The council consists of 12 members with staggering terms. Four members were appointed by the governor; two citizens were appointed by the Speaker of the House; two citizens were appointed by a Senate subcommittee; and one DFL and one Republican legislator were chosen to serve from both the House and Senate: Hansen, Rep. Bob Gunther (R-Fairmont), Sen. Ellen Anderson (DFL-St. Paul) and Sen. Bill Ingebrigtsen (R-Alexandria). The council's administration duties fall under the auspices of the Department of Natural Resources.

Although formal presentations are scheduled to begin Feb. 9, there was preliminary testimony in late January when authors of a Statewide Conservation and Preservation Plan spoke before the House Environment and Natural Resources Finance Division.

Commissioned by the Legislative-Citizen

Lessard continued on page 23

Q Comp found wanting

Performance measure has perks, but is it affordable?

By KRIS BERGGREN

Is Q Comp, Gov. Tim Pawlenty's preferred school reform measure, truly a breakthrough that will bring Minnesota schools up to grade, or is it just the mandate du jour?

Skeptics say Q Comp, as the Quality Compensation for Teachers alternative compensation program is commonly known, is a stick that burdens school districts with greater costs, paperwork and compliance requirements and threatens collective bargaining agreements. Supporters think of it as a carrot that provides a much-needed monetary incentive promoting teacher professional development, improving classroom instruction and boosting students' academic proficiency. Additional annual compensation paid to teachers in Q Comp has ranged from \$68 to \$2,500.

However, a program evaluation by the Office of the Legislative Auditor released Feb. 3 found "the effect of Q Comp on student achievement can't be adequately measured with existing data."

The report also highlights inconsistencies in application and oversight between districts. Judy Randall, a program evaluator with the Legislative Auditor's office, said that smaller districts in particular have difficulty finding time and money to even apply for Q Comp.

Currently 44 school districts, or 13 percent of districts statewide, and 28 charter schools, 18 percent of all charter schools, partake in Q Comp plans. Participating districts receive up to an additional \$250 per pupil beyond the regular education funding formula. Each district's plan is self-determined within Education Department guidelines and must be approved by teachers.

Rep. Marsha Swails (DFL-Woodbury), an Advanced Placement English teacher in Woodbury, a Q Comp district, said she has enjoyed both the pay increase and collegiality from Q Comp, but said she is "very troubled" by the lack of "conclusive evidence that this is

increasing to student performance."

Rather, she said investing in early childhood education and all-day kindergarten are "proven" with "sound data" to make that difference in student achievement.

Randall said the lack of conclusive results is partly due to the small sample size and short period of implementation — only 11 of the 72 districts and charter schools now participating in Q Comp have done so for all three years of its existence. Randall said it is "not statistically possible" to isolate the effects of Q Comp from other initiatives such as curriculum changes, class size reduction or other professional development programs many districts are simultaneously implementing.

For example, Swails said Woodbury teachers use the Professional Learning Communities model, widely used by districts nationwide including many Minnesota Q Comp districts,

which incorporate the model into their Q Comp plans.

"It's easy and inexpensive," said Swails. There is a one-time cost for training, and teacher teams spend 45 minutes of staff time a week in small groups.

The report did find evidence Q Comp helps districts fund professional development opportunities, and that instills confidence in some legislators about its merits.

About half the teachers in Q Comp schools responding to a survey agreed Q Comp "has improved professional relationships among teachers at my school," while 43 percent said Q Comp "improved classroom teaching." Administrators in Q Comp schools had higher praise: 85 percent said professional relationships had improved and 83 percent said teaching had improved.

"Does (Q Comp) really help student performance? I say yes because I see it every day in some of my students," LaCrescent-Hokah Public Schools second-grade teacher Jon Steffes told the House K-12 Education Policy and Oversight Committee Feb. 4. Although "there is more work involved" as a Q Comp participant, he estimates two-thirds of teachers "embrace Q Comp in our school. It helps them become better teachers, focus their instruction."

Although Q Comp is often referred to as a merit pay program, Rep. Randy Demmer (R-Hayfield) said "the staff development part is

probably just as revolutionary for the entire teaching staff" and "probably as effective for



PHOTO BY TOM OLMSCHIED

Jon Steffes, a second-grade teacher in the La Crescent-Hokah Public Schools, tells the House K-12 Education Policy and Oversight Committee Feb. 4 about the effect of Q Comp on his classroom.

Q Comp continued on page 23

Keeping it local

Anderson wants to help constituents from a different chair

By SONJA HEGMAN

Rep. Paul Anderson (R-Starbuck) is no stranger to the difficulties counties and other local governments face.



Rep. Paul Anderson

Before running for state representative, Anderson was a Pope County commissioner.

"I saw a lot of frustration with how the state deals with local units of government," he said. "I came to the conclusion that I could

maybe do more for the people back home working on issues down here."

When former Rep. Bud Heidgerken (R-Freeport) retired, Anderson thought this would be a good opportunity for him to run for office.

His biggest concern is cuts to local government aid. With more than 20 towns

in his district, LGA has become a large part of their budgets. While some towns were exempted from the cuts that have occurred the last few years, Anderson said he's worried about what might happen this year. "They need some direction pretty soon as to how much they can count on or how much they are going to lose," he said.

Nursing homes are another concern for Anderson. He has five or six in his district, which are sometimes the biggest employers in smaller towns.

"Our rural nursing homes are really hurting in terms of pay equity and keeping up with inflation," he said. A local newspaper in his district reported the state took over two nursing homes in rural Minnesota because the facilities were unable to meet their payrolls.

"I know funding is going to be really tight, but I really hope we can somehow find a way to give our nursing home employees some kind of an inflation bump (in their salaries)," he said.

DISTRICT 13A

Population: (2007 est.) 37,567
Largest City: Sauk Centre
Counties: Kandiyohi, Pope, Stearns
Top Concerns: LGA, agriculture, nursing homes, K-12 education

Agriculture is also a passion of Anderson's. He and his wife, Faith, raise corn, soybeans and wheat. When their three children were young, they had cattle as well, "but when my kids left home, there went my help, so the cattle were gone soon thereafter."

His son, the Rev. Matt Anderson, who preaches at Calvary Lutheran Church in Golden Valley, is scheduled to be the House chaplain Feb. 9.

The elder Anderson said the state needs to let "our farms and agribusiness do their jobs and maybe pull back on some of the mandates and regulations they face. The ag economy has held up really well. It's kind of buffering us from some of that national doom and gloom. Sometimes I think that's forgotten."

Facing complex problems

For Champion, jobs are the starting point

By LEE ANN SCHUTZ

Too many streets in north Minneapolis are dotted with homes in foreclosure, making the housing crisis very real for Rep. Bobby Joe Champion (DFL-Mpls).



Rep. Bobby Joe Champion

The housing issue is among a host of "complex problems" faced by his constituents, Champion said. An attorney, born and raised in his district, he hadn't considered running for public office, but the

issues brought him to his own personal "crossroads": be part of the solution or keep hoping someone else would step in and work for change.

"I felt like we needed a voice that was going to seek to make sure that issues important to

our district are at least on the table," he said.

The issues facing his district are interwoven, but it all starts with jobs or, more specifically, the lack of available work for many of his constituents. "If I don't have a job, I don't have housing. And I can't pay for medical expenses or for my child to go to college," he said.

Transportation can be a problem for those seeking work as well. Over the years, the job growth in the Twin Cities metropolitan area has occurred primarily in the suburbs. His district's transportation needs are not well served, he said, and those relying on public transportation may not be able to get to the jobs.

Public safety is part of the mix, too, he said. Crime can stigmatize a neighborhood and make it an undesirable place to live if people perceive it is unsafe, no matter how affordable the housing. "We can't arrest the problem away; we need to make substantial

DISTRICT 58B

Population: (2007 est.) 36,687
Largest City: Minneapolis
County: Hennepin
Top Concerns: Housing, jobs, education and public safety

investments in the lives of people," he said.

Married and the father of three, Champion's law career has been diverse. He has served as an assistant attorney general under Skip Humphrey and Mike Hatch, and in-house counsel to music producers Jimmy Jam and Terry Lewis. But it is his involvement with several community organizations that prompts him to further his community to action.

A firm believer in communicating to face challenges, he plans to increase the number of town hall meetings; and at the Legislature, he sees the importance of reaching across the aisle to improve the quality of life for people in his district.

Planning for the future

Downey hopes to offer proactive ideas for state's future

By SONJA HEGMAN

There wasn't a specific catalyst that motivated Rep. Keith Downey (R-Edina) to run for office. "Mine was a much more gradual



Rep. Keith Downey

process," he said. But his concern over how the state is preparing itself for the future was the motivator that got him thinking about public service.

"I looked at our state and thought very strongly that we weren't preparing ourselves for the 21st Century," he said. "What was happening globally and nationally; we weren't keeping pace. Our state is modeled after '60s, '70s and '80s programs and I really felt that we have an opportunity here in Minnesota."

Downey worked for an accounting and consulting firm, where he consulted with state and local government personnel for eight years before running for office. He is not working there during session, and is unsure about his future at the firm.

Downey won party endorsement over the nine-term incumbent, Ron Erhardt, who chose to run as an Independent. Downey beat Erhardt by 4.79 percent and his DFL opponent by 5.34 percent, on Election Day.

The main issues Downey sees for his district are: "The economy and how do we recover," he said. "Education really is probably the most important, absent of current economic conditions. Then it would be transportation and how we improve our infrastructure."

He said Edina residents, in general, do not

DISTRICT 41A
Population: (2007 est.) 37,407
Largest City: Edina
County: Hennepin
Top Concerns: Education, transportation, economy

mind paying higher taxes provided they are getting a good return for their investment. He hopes his appointment to the House Taxes Committee will serve his district well.

Although he comes from a business and tax background, he said he has a lot to learn especially "in terms of broader policy dimensions and the direction we should be going."

Downey also serves on three education committees and state government finance. "I think they fit me, they fit my district and they interestingly are at the very center of things considering the budgetary issues we face."

'Honesty, common sense'

Murdock comes to St. Paul with an open mind, no agenda

By NICK BUSSE

Politics has always been in the back of Rep. Mark Murdock's mind. The Ottertail Republican has been wrapped in elections



Rep. Mark Murdock

since childhood, when his mother, a DFL activist, campaigned for Democrats like former President Harry Truman.

"She still likes me even though I'm a Republican," Murdock said.

In fact, when Murdock was asked last year to run for the seat vacated by former Rep. Dean Simpson (R-Perham), his mother even donated to his campaign. Murdock said he hopes his fellow lawmakers will cross party lines in a similar way to deal with the state's budget deficit.

"We're all going to have to work together. There's going to be a lot of pain out there. There's going to be a lot of cuts," he said. "We just have to suck it up, watch our expenses and get through this thing."

Murdock, a hardware store owner for 25 years, said he comes to the Capitol with no political agenda other than "honesty and common sense and an open mind." He is guided by the philosophy that there is a difference between a real "representative" and a mere "politician:" a willingness to do what's right for his constituents, regardless of politics.

"Politician, I think, sometimes might be a job, a career. ... Representative, I think, is the proper term. It's what I want to be," Murdock said.

According to Murdock, the number one issue for his constituents is jobs and the

DISTRICT 10B
Population: (2007 est.) 37,234
Largest City: Wadena
Counties: Becker, Otter Tail, Wadena
Top Concerns: Jobs, economy

economy. As a business owner, he has been forced to reduce his employees' hours. He supports Gov. Tim Pawlenty's proposal to reduce taxes on businesses, arguing it will stimulate job growth — although he notes it will do more for larger employers than it will for small employers like him.

"Well, you can't fix a budget by raising taxes. Raising taxes creates job loss," Murdock said.

Murdock, an avid outdoorsman, lives on Round Lake near Perham with his wife of 34 years, Pat. They have two adult sons and are expecting their first grandchild in August.

Altitude adjustment

Ag and water issues linked for Torkelson

By **SUSAN HEGARTY**

A fourth-generation farmer, Rep. Paul Torkelson's move to St. Paul to serve in the Legislature hasn't been easy, especially living



Rep. Paul Torkelson

on the 28th floor of a downtown high-rise.

"It's an adjustment for a country boy to come live in the city. There is no place in Brown, Redwood or Watonwan counties that you could even get to the 28th floor, unless you go up the grain elevator or water tower," said Torkelson (R-Nelson Township).

He's no stranger to adjusting, however. About 20 years ago, he changed careers.

Torkelson earned a degree in instrumental music education from Gustavus Adolphus College, and taught music for a few years before the opportunity arose to live and work

on his great-grandfather's 1878 homestead. He now farms 1,400 acres. Music remains a part of his life; he's the percussionist with a local area band called Attitude.

Torkelson has been interested in agricultural issues for years and recently served as vice president of the Minnesota Farm Bureau. Last March, he completed an 18-month study in the Minnesota Agriculture and Rural Leadership program.

Former district Rep. Brad Finstad (R-Comfrey) hand-picked Torkelson to run for his seat.

"My wife and I sat down and got out the sheet of paper with plus on one side and minus on the other. With my wife's blessing, it all added up to 'Yes, we'll give this a shot,'" he said.

He hopes to be a voice for rural Minnesota and serves on the House Agriculture, Rural Economies and Veterans Affairs Finance Division.

DISTRICT 21B

Population: (2007 est.) 35,672

Largest City: New Ulm

Counties: Brown, Redwood, Watonwan

Top Concerns: Agricultural and clean water issues

As a member of the Clean Water Council since its inception in 2006, Torkelson intends to leverage that experience while serving on the House Environment and Natural Resources Finance Division and the House Cultural and Outdoor Resources Finance Division.

"Both of those committees will be working closely with the funds generated by the new constitutional amendment so I hope to have maximum input on how that all comes together, especially the clean water portion of it," Torkelson said.

At the close of the 2009 session, Torkelson is looking forward to riding his 1999 Harley Davidson Road King once again across rural landscape.

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Monday, February 2

HF411-Olin (DFL) Finance

Board of Animal Health prior appropriation modified to allow certain payments.

HF412-Bunn (DFL) Commerce & Labor

Home owner warranty statute of repose adjusted.

HF413-Bunn (DFL) State & Local Government Operations Reform, Technology & Elections

Demographic trend analysis required with forecast of state revenue and expenditures.

HF414-Kahn (DFL) Health Care & Human Services Policy & Oversight

Synthetic turf use limited on certain athletic fields, crumb rubber health impact study required, schools allowed to use health and safety revenue to evaluate use of synthetic turf and reports required.

HF415-Howes (R) Public Safety Policy & Oversight

Right of citizens to bear arms provided to be fundamental and shall not be abridged, and constitutional amendment proposed.

HF416-Thissen (DFL) Commerce & Labor

Interior designer certification requirements changed to licensing.

HF417-Atkins (DFL) Commerce & Labor

Damage recovery and attorney fees provided for breach of insurance policy.

HF418-Gardner (DFL) Agriculture, Rural Economies & Veterans Affairs

Buckthorn eradication ordinance adoption allowed for municipalities.

HF419-Davnie (DFL) Health Care & Human Services Policy & Oversight

Lead Poisoning Prevention Act modified.

HF420-Laine (DFL) Commerce & Labor

Existing statutory implied residential construction warranties required to be made as express warranties and be provided to the buyer in writing, and warranty waivers prohibited.

HF421-Hansen (DFL) Finance

Wildlife area land acquisition and improvement and publicly owned dams funding provided.

HF422-Obermueller (DFL) State & Local Government Operations Reform, Technology & Elections

Minnesota Fallen Firefighters Memorial Day designated as the first Sunday in October.

HF423-McNamara (R) Rules & Legislative Administration

Legislative employee reduced commuting provided to help reduce carbon emissions.

HF424-Hansen (DFL) Environment Policy & Oversight

Critical Areas Act of 1973 modified.

HF425-Hilstrom (DFL) Finance

School district integration revenue formula modified.

HF426-Drazkowski (R) K-12 Education Policy & Oversight

Mandated school district reserve revenue for staff development programs permanently repealed.

HF427-Hilstrom (DFL) Finance

Two-year waiver authorized from the special operating plan for districts in statutory operating debt.

HF428-Welti (DFL) Finance

State aid increased for the debt service equalization aid program.

HF429-Hilstrom (DFL) Finance

School districts in statutory operating debt levy authorized.

HF430-Demmer (R) K-12 Education Policy & Oversight

Pupil transportation included within the meaning of public transit assistance, and transfers of money directed from transit assistance fund and allocation from metropolitan area sales tax for transit pupil transportation.

HF431-Smith (R) Public Safety Policy & Oversight

Illegal immigrant hiring penalties provided, aggravated forgery documents added, aggravated forgery penalty increased and sex trafficking established as a separate crime from the promotion of prostitution.

HF432-Mullery (DFL) Commerce & Labor

Layoff or termination benefit payments modified.

HF433-Obermueller (DFL) Agriculture, Rural Economies & Veterans Affairs

Medal of Honor Day designated as March 25.

HF434-Laine (DFL) Health Care & Human Services Policy & Oversight

Doula services definition modified, and health care providers required to provide information on pain relief and medical interventions as part of prenatal care.

HF435-Wagenius (DFL) Environment Policy & Oversight

Cost-share program rulemaking and authority modified.

HF436-Drazkowski (R) Environment Policy & Oversight

Deer hunting season extended.

HF437-Drazkowski (R) Agriculture, Rural Economies & Veterans Affairs

Open lot agreement deadline extended.

HF438-Ruud (DFL) Health Care & Human Services Policy & Oversight

Medical assistance coverage modified to include consultations with psychologists, and medical assistance reimbursement rate increased for critical access mental health services.

HF439-Norton (DFL) K-12 Education Policy & Oversight

Statewide academic standards required for physical education.

HF440-Eken (DFL) State & Local Government Operations Reform, Technology & Elections

Executive officer, judge, or legislator required to be elected by a majority of the votes cast at the general election for the office, and constitutional amendment proposed.

HF441-Rukavina (DFL) Higher Education & Workforce Development Finance & Policy Division

President and Congress memorialized to enact a "New Deal for the New Millennium for Higher Education" to enable states to rebuild public higher education and to increase access to higher education.

HF442-Swails (DFL) Civil Justice

Data release to legal representative provided.

HF443-Swails (DFL) Taxes

Washington County; construction materials and equipment used to construct courts facility exempted, and obsolete provision removed.

HF444-Thissen (DFL) Health Care & Human Services Policy & Oversight

State's suicide prevention plan modified.

HF445-Zellers (R) Taxes

Five-year tax exemption allowed for new facilities and expansions.

HF446-Peppin (R) State & Local Government Operations Reform, Technology & Elections

Women's economic status duties repealed.

HF447-Davids (R) Commerce & Labor

State equity-indexed annuity continuation provided as an insurance product and not as a security, regardless of federal law or policy.

HF448-Mullery (DFL) Public Safety Policy & Oversight

Emergency 911 systems allowed to include referral to mental health crisis teams.

HF449-Mullery (DFL) Public Safety Policy & Oversight

Crisis intervention team grants established.

HF450-Liebling (DFL) Finance

Rochester; Mayo Civic Center Complex design and construction improvement funding provided.

HF451-Murdock (R) Taxes

Small wind power generator installations tax credit provided.

HF452-Murdock (R) Finance

Gold Star license plate created for family members of military personnel who died in active service and plate fee exempted for certain survivors.

HF453-Fritz (DFL) Health Care & Human Services Policy & Oversight

MFIP and food stamp provisions modified.

HF454-Murphy, E. (DFL)
Health Care & Human Services Policy & Oversight
Deceased person disposition provisions modified.

HF455-Dean (R)
Health Care & Human Services Policy & Oversight
Minnesota Hope Act implemented, and state policy for stem cell research established.

HF456-Johnson (DFL)
State & Local Government Operations Reform, Technology & Elections
Indian Affairs Council allowed to conduct meetings by telephone or electronic means.

HF457-Gardner (DFL)
Health Care & Human Services Policy & Oversight
Mortuary science provisions changed.

HF458-Thissen (DFL)
Environment Policy & Oversight
Consumer product development and regulation advisory council created; comprehensive framework established for consumer products that protect, support and enhance human health, the environment and economic development; appointments provided.

HF459-Reinert (DFL)
Commerce & Labor
Duluth; on-sale intoxicating liquor license authorized for the Duluth Entertainment and Convention Arena during intercollegiate hockey games.

HF460-Liebling (DFL)
Health Care & Human Services Policy & Oversight
Crisis nursery grant program established.

HF461-Welti (DFL)
Energy Finance & Policy Division
Farm or ranch natural gas sales exempted from surcharges for utility low-income affordability programs.

HF462-Urdahl (R)
K-12 Education Policy & Oversight
Advisory task force established on improving teacher quality and identifying institutional structures and strategies for effectively integrating secondary and post-secondary academic and career education.

HF463-Urdahl (R)
K-12 Education Policy & Oversight
Students expected to be present and participate in school safety drills.

HF464-Rukavina (DFL)
Transportation & Transit Policy & Oversight Division
Speed limit modified when passing.

HF465-Thissen (DFL)
Civil Justice
Joint and several liability allocated in certain civil actions relating to the illegal sale of an alcoholic beverage.

HF466-Carlson (DFL)
K-12 Education Policy & Oversight
State Board of Education established.

HF467-Davnie (DFL)
Taxes
First tier of commercial-industrial property exempted from state general tax.

HF468-Abeler (R)
Civil Justice
Medical liability actions regulated, and inadmissibility provided of certain health care provider statements, gestures or conduct.

HF469-Greiling (DFL)
Health Care & Human Services Policy & Oversight
Mental health provisions changed, criminal justice and public safety amended, public safety grants created, children's mental health services amended, loan forgiveness program created, additional medical assistance coverage provided for mental health issues, rate increases provided, fatality review team created, studies required and mental health funding provided.

HF470-Thissen (DFL)
Taxes
Participation fee and program fee requirements amended, and credit allowed for contributions to pre-kindergarten scholarship granting organizations.

HF471-Solberg (DFL)
Finance
Grand Rapids; wastewater treatment facility reconstruction funding provided.

HF472-McNamara (R)
Finance
Hastings; ISDN 200 allowed to participate in the alternative facilities bonding and levy program.

HF473-Thissen (DFL)
Health Care & Human Services Policy & Oversight
Health care professionals task force established.

HF474-Thissen (DFL)
State & Local Government Operations Reform, Technology & Elections
Bounce-back annuity allowed when provided for by a marriage dissolution decree.

HF475-Winkler (DFL)
Taxes
Start-up and emerging Minnesota businesses credit for investment provided.

HF476-Kohls (R)
Taxes
Full property tax early payment discount provided.

HF477-Thao (DFL)
Environment Policy & Oversight
Portable bear stands allowed to be left overnight in wildlife management areas, and barrel use allowed when baiting bear.

HF478-Kahn (DFL)
Commerce & Labor
Direct wine shipment restrictions repealed.

HF479-Lenczewski (DFL)
Taxes
Revenue commissioner required to conduct a study of the metropolitan fiscal disparities program.

HF480-Rukavina (DFL)
Higher Education & Workforce Development Finance & Policy Division
Mountain Iron economic development authority authorized to form a limited liability company.

HF481-Kahn (DFL)
Taxes
Minneapolis downtown taxing area modified and deposit of certain tax revenues provided.

HF482-Smith (R)
Environment Policy & Oversight
Licenses to take deer and angle without a fee provided upon discharge from military service.

HF483-Lesch (DFL)
Finance
Nonprofit organization grant provided to provide emotional support and help to families and friends of persons who have died by homicide, suicide or accident.

HF484-Lanning (R)
Public Safety Policy & Oversight
Salvia divinorum added to Schedule I of the controlled substance schedules.

HF485-Anderson, P. (R)
Finance
Pope/Douglas waste-to-energy facility funding provided.

HF486-Eastlund (R)
Transportation & Transit Policy & Oversight Division
Trunk highway system routes removed or altered.

HF487-Hackbarth (R)
Environment Policy & Oversight
Non-resident all-terrain vehicle operators required to possess a state trail pass.

HF488-Kohls (R)
Taxes
Additional aid to certain cities provided.

HF489-Kohls (R)
State & Local Government Operations Reform, Technology & Elections
Periodic sunset and evaluation of state agencies provided.

HF490-Olin (DFL)
Finance
Saint Vincent; flood hazard mitigation funding provided.

HF491-Liebling (DFL)
Health Care & Human Services Policy & Oversight
Prescription information prohibited for marketing of pharmaceutical products.

HF492-Kahn (DFL)
Commerce & Labor
Certain persons under the age of 21 allowed to drink alcohol under certain conditions.

HF493-Kahn (DFL)
State & Local Government Operations Reform, Technology & Elections
Provisional certificate of election provided in certain circumstances.

HF494-Bunn (DFL)
Finance
Closed landfill cleanup appropriation changed from revenue bond proceeds to user-financed general obligation bond proceeds.

HF495-Kalin (DFL)
State & Local Government Operations Reform, Technology & Elections
Reimbursement of certain costs provided of the Campaign Finance and Public Disclosure Board by individuals who file frivolous complaints.

HF496-Scalze (DFL)
Finance
Metropolitan Regional Parks System funding provided for operation and maintenance.

HF497-Mullery (DFL)
Civil Justice
Firearm data access authorized by parole and probation authorities.

HF498-Murphy, E. (DFL)
Health Care & Human Services Policy & Oversight
Tuberculosis case investigation state funding required.

HF499-Murphy, E. (DFL)
Finance
Heart disease and stroke prevention funding provided.

HF500-Gardner (DFL)
Environment Policy & Oversight
Recycled water standards provided.

Thursday, February 5

HF501-Mariani (DFL)
K-12 Education Policy & Oversight
Alternative graduation means created for students who have not successfully passed the Minnesota basic skills test.

HF502-Brown (DFL)
Commerce & Labor
Video pull-tab game rules adoption authorized.

HF503-Persell (DFL)
Finance
Bemidji; veterans facility funding provided.

HF504-Kahn (DFL)
Health Care & Human Services Policy & Oversight
Women's heart health program established.

HF505-Poppe (DFL)
Higher Education & Workforce Development Finance & Policy Division
Minnesota State Colleges and Universities; applied science degree requirements modified.

HF506-Abeler (R)
Health Care & Human Services Policy & Oversight
Licensed mental health professional counselors included as qualified providers under medical assistance.

HF507-Paymar (DFL)
Agriculture, Rural Economies & Veterans Affairs
Ethanol producer payment program repealed.

HF508-Bly (DFL)
K-12 Education Policy & Oversight
Congress of the United States memorialized to not reauthorize the No Child Left Behind Act in its current form.

HF509-Hilstrom (DFL)
Public Safety Policy & Oversight
Public defender representation provisions modified.

HF510-Juhnke (DFL)
Agriculture, Rural Economies & Veterans Affairs
Pesticide control law, and the fertilizer, soil and plant amendment law provisions changed.

HF511-Marquart (DFL)
Taxes
Seasonal recreational property tax deferral program provided.

HF512-Simon (DFL)
State & Local Government Operations Reform, Technology & Elections
Agreement Among the States to Elect the President by National Popular Vote enacted.

HF513-Davids (R)
K-12 Education Policy & Oversight
Ninth and 10th grade pupils allowed to participate in college in-school programs.

HF514-Mullery (DFL)
Finance
Minneapolis parkway improvement funding provided.

HF515-Peppin (R)
Public Safety Policy & Oversight
New penalties created for criminal neglect of a vulnerable adult.

HF516-Peppin (R)
Health Care & Human Services Policy & Oversight
New mandated health benefit moratorium established.

HF517-Severson (R)
Public Safety Policy & Oversight
Victim of criminal sexual conduct medical examination payment allocated and limited.

HF518-Atkins (DFL)
Ways & Means
Budget forecast date changed.

HF519-Nelson (DFL)
State & Local Government Operations Reform, Technology & Elections
Nonconforming lots in shoreland areas regulated.

HF520-Olin (DFL)
Finance
Native plant, forage and turf seed research funding provided.

HF521-Thissen (DFL)
Health Care & Human Services Policy & Oversight
Volunteer health practitioner provisions modified.

HF522-Hayden (DFL)
Finance
Bridges rental housing assistance program funding provided.

HF523-Bigham (DFL)
K-12 Education Policy & Oversight
School background check requirements modified relating to disciplinary actions.

HF524-Mullery (DFL)
Public Safety Policy & Oversight
County jail reentry project established.

HF525-Mullery (DFL)
Public Safety Policy & Oversight
Current DWI ignition interlock device pilot program expanded by two years and applied statewide.

HF526-Otremba (DFL)
Taxes
Tax filing requirements modified.

HF527-Juhnke (DFL)
Ways & Means
Budget projection statute technical change made.

HF528-Davnie (DFL)
Commerce & Labor
Reverse mortgage requirement eliminated, counseling by an independent housing agency mandated, lender default regulated, liability imposed on a subsequent purchaser of a reverse mortgage, right of rescission provided and suitability defined.

HF529-Sailer (DFL)
Finance
K-12 public school renewable energy project grant funding provided.

HF530-Nelson (DFL)
State & Local Government Operations Reform, Technology & Elections
Comprehensive plan reviews by adjacent governmental unit time period modified, and water management plan requirements clarified.

HF531-Winkler (DFL)
State & Local Government Operations Reform, Technology & Elections
Office of United States senator or congressional representative vacancy procedures modified.

HF532-Koenen (DFL)
Finance
Renville; wastewater treatment facility funding provided.

HF533-Koenen (DFL)
Finance
Montevideo; veterans home funding provided.

HF534-Davids (R)
Commerce & Labor
Certificates of insurance authorized and regulated.

HF535-Thao (DFL)
Health Care & Human Services Policy & Oversight
Health-related licensing board provisions modified.

HF536-Persell (DFL)
Environment Policy & Oversight
Local match requirements for certain grants modified.

HF537-Abeler (R)
Commerce & Labor
Timely utility payment criteria established.

HF538-Winkler (DFL)
K-12 Education Policy & Oversight
Shared services purchasing program established, school district and charter school participation required, Department of Education required to administer the program and enter a contract with a vendor, program deduction established, guidelines set, rating and improvement system created, annual report updated, definition clarified, teacher requirements made and money appropriated.

HF539-Slocum (DFL)
K-12 Education Policy & Oversight
Children with disabilities provisions modified, and safe school levy required to pay for costs of mental health crisis intervention team training for peace officers.

HF540-Koenen (DFL)
Taxes
Rural vacant land assessment provided, and recapture modified that applies to certain property in the green acres program.

HF541-Juhnke (DFL)
Agriculture, Rural Economies & Veterans Affairs
Eligibility time frame extended for the surviving spouses of disabled military veterans to receive the residential homestead market value exclusion.

HF542-Smith (R)
Civil Justice
Grandparent visitation rights on behalf of child provided, grandparent visitation rights expanded, procedures specified and mediation required.

HF543-Scott (R)
Civil Justice
Child support provisions and deadlines changed, and payment of child support redirected.

HF544-Faust (DFL)
Early Childhood Finance & Policy Division
Human services commissioner instructed to amend a rule.

HF545-Champion (DFL)
State & Local Government
Operations Reform, Technology & Elections
 Civil rights restoration notice required.

HF546-Nelson (DFL)
Commerce & Labor
 New class of brewer created and license fee established.

HF547-Lieder (DFL)
Finance
 Local match for federal stimulus grants requirement eliminated for airport project costs.

HF548-Lieder (DFL)
Finance
 State airport fund money appropriated.

HF549-Davnie (DFL)
Commerce & Labor
 Debt management and debt settlement services regulated.

HF550-Ruud (DFL)
Health Care & Human Services Policy & Oversight
 Sexually transmitted infections and teen pregnancy prevented, sexually transmitted infection prevalence and health care system cost studied and responsible family life and sexuality education program created.

HF551-Kalin (DFL)
Public Safety Policy & Oversight
 Predatory offender risk-level assessment process amended, penalties increased and training required regarding predatory offenders for those who care for children and vulnerable adults.

HF552-Norton (DFL)
Finance
 University of Minnesota and Mayo Foundation partnership research money appropriated.

HF553-Dittrich (DFL)
K-12 Education Policy & Oversight
 Online learning provider requirements modified.

HF554-Davnie (DFL)
Finance
 Minneapolis; emergency operations center and regional fire training center funding provided.

HF555-Anzelc (DFL)
Environment Policy & Oversight
 Utility permit money specified to be deposited in the permanent school fund, and exchanges of riparian lands administered by the commissioner of natural resources allowed for other lands administered by the commissioner without certain restrictions.

HF556-Morrow (DFL)
Finance
 Minnesota Assistance Council for Veterans grant provided for continued outreach to homeless veterans in Minnesota.

HF557-Severson (R)
Agriculture, Rural Economies & Veterans Affairs
 State procurement preferences authorized for veteran-owned small businesses and disabled veteran-owned small businesses.

HF558-Severson (R)
Taxes
 Military retirement pay subtraction provided and military retirement pay credit repealed.

HF559-Howes (R)
Environment Policy & Oversight
 Artificial lights used to locate animals provisions modified.

HF560-Hansen (DFL)
State & Local Government
Operations Reform, Technology & Elections
 Finance commissioner duties added.

HF561-Davids (R)
Taxes
 Class 4c property classification requirements modified.

HF562-Wagenius (DFL)
Finance
 Higher education asset preservation standards modified.

HF563-Urdahl (R)
Finance
 Livestock investment grant money appropriated.

HF564-Urdahl (R)
Agriculture, Rural Economies & Veterans Affairs
 Whey ethanol feasibility study and report required.

HF565-Abeler (R)
Health Care & Human Services Policy & Oversight
 Chiropractor license provisions changed.

HF566-Magnus (R)
Taxes
 Wind energy production tax inclusion removed.

HF567-Gunther (R)
Finance
 Bioscience business development public infrastructure grant program expanded.

HF568-Eken (DFL)
Transportation & Transit Policy & Oversight Division
 Becker County Veterans Memorial Highway designated on portions of marked Trunk Highways 34 and 87.

HF569-Sailer (DFL)
Environment Policy & Oversight
 Recycled paint pilot program implementation required by paint manufacturers.

HF570-Champion (DFL)
Transportation & Transit Policy & Oversight Division
 Rest area activities prohibited.

HF571-Sailer (DFL)
Transportation & Transit Policy & Oversight Division
 Mini truck titling, registration and operation regulated.

HF572-Haws (DFL)
Transportation & Transit Policy & Oversight Division
 Veteran status designation provided on drivers' licenses and Minnesota identification cards.

HF573-Juhnke (DFL)
Public Safety Policy & Oversight
 Minnesota Puppy and Kitten Mill Cruelty Prevention Act; dog and cat breeder required permit created.

HF574-Thissen (DFL)
Finance
 Special plates established remembering victims of impaired drivers.

HF575-Simon (DFL)
Transportation & Transit Policy & Oversight Division
 Home-school student driving instruction permit provisions modified.

HF576-Carlson (DFL)
Environment Policy & Oversight
 Plastic bag recycling provided.

HF577-Hosch (DFL)
Health Care & Human Services Policy & Oversight
 MFIP housing penalty repealed.

HF578-Hortman (DFL)
Commerce & Labor
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HF579-Olin (DFL)
Environment Policy & Oversight
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HF580-Hosch (DFL)
Health Care & Human Services Policy & Oversight
 MFIP family stabilization and work programs modified.

HF581-Hosch (DFL)
Health Care & Human Services Policy & Oversight
 Disabled children's available services under medical assistance definition expanded.

HF582-Lesch (DFL)
Public Safety Policy & Oversight
 Defendant waiver of jury trial requirement changed.

HF583-Severson (R)
Civil Justice
 Immunity provided for certain firearms safety instructors, course providers, sponsoring organizations and participants.

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university officials need to have all options on the table.

"I'm making a plea to you as we go through some really tough times together ... I'm hoping that you'll give us the kind of flexibility that we need to manage these changes in the most creative fashion," he said.

Another critic of the tuition cap proposal is Rep. Tom Rukavina (DFL-Virginia), chairman of the House Higher Education and Workforce Development Finance and Policy Division. Rukavina said a tuition cap would basically guarantee staff and faculty layoffs. Aside from putting people out of work, he said this would also damage the quality of education students receive.

"I don't think at this time, when people are getting laid off, losing their jobs and having to go back for retraining, that it's wise to be cutting our higher education institutions," Rukavina said.

Even some students are skeptical of the tuition cap idea. Alex Tenenbaum, a student legislative advocate for the University of Minnesota, testified at a Jan. 27 division meeting that although he would love to see tuition increases capped, he worries about what students would be giving up in return.

"There's a lot of great programs, and if we're going to be putting a cap and cutting funding, then we're going to have to cut a lot of programs that mean a lot to people. We're going to have to get rid of a lot of faculty," he said.

The root problem

The reasons behind the state's ever-rising college tuition rates are complex; to boil it

down to basics, the costs associated with running a higher education institution have increased dramatically while state funding has essentially failed to keep pace, forcing colleges to make up the difference by putting a greater share of the financial burden on the students.

The fact that students are paying more doesn't necessarily mean they're getting more for their money, however. A report released in January by the Delta Project on Postsecondary Education Costs, Productivity and Accountability found that despite the inflated price tag on higher education, spending on actual classroom instruction decreased slightly throughout the United States between 2002 and 2006.

This begs the question of what is driving up the actual cost of higher education. Research points to everything from expanded student services to higher building operation costs; however, the largest factor, by far, appears to be personnel.

According to a 2006 issue paper from the U.S. Department of Education, 75 percent of college costs on average are taken up by faculty and staff salaries and benefits. In Minnesota, this has led to some questions about how colleges and universities are spending their money.


Cindy Phillips, a business professor and president of the faculty association at MSU Moorhead, said at the Feb. 3 hearing that MnSCU's central administrative office was soaking up an increased amount of state funding at the same time campuses are being forced to make cutbacks. She said that if cuts were ultimately necessary, lawmakers should look at reprioritizing funds away from administration and toward actual classroom instruction.

"We would ask that when you make those cuts, you protect our core functions: the teaching and the learning — and that occurs on the campuses," Phillips said.

College officials deny that administrative costs are the problem. Laura King, vice chancellor and chief financial officer for MnSCU, said at a Jan. 29 hearing that MnSCU ranks 46th in the nation for administrative spending on a per-student basis. Still, some lawmakers are skeptical. Rep. Bud Nornes (R-Fergus Falls), the lead Republican on higher education issues, said he'd like to see more data.

"I would like to see some kind of graph or a chart that indicates how has everything else been going up, for example: salaries, contracts and other fixed costs," he said. "Have we just kind of fattened the system, so that it has to operate at that level? Or, 'you raise more money or you have to lay off a lot of people?'"


Rukavina's division has held a series of meetings in recent weeks to hear student and faculty reaction to the governor's higher education budget proposals. He too said he would like to see more openness and information provided by MnSCU and the university on how they spend their money; however, he also said the short-term solution to higher education funding lies in a broader discussion about how to solve the state's budget deficit.

"The way to fix this whole budget deficit is for the governor to come clean and say, 'We can't do this with just cuts.' We have to raise some revenue, and when we raise some revenue, we can be a little more fair to higher education," Rukavina said. 

Lessard continued from page 14

Commission on Minnesota Resources, the plan took 18 months to complete. Researched by dozens of institutions, including the University of Minnesota, it offers several recommendations based on an integrated assessment of the state's natural resources.

"I think it's challenging to look at all of these plans. We have to look at the testimony and at the credibility and capacity to do the projects. We have to look at whether it will result in an outcome," Hansen said. "I believe we need to look at some balance regionally within each of these funds and across the funds."

Gunther said some of the proposed projects, if funded, would utilize two-thirds of the estimated expenditures over the course of the funding. "I'm reluctant to say that I'd put all of my eggs in one basket," he said. He expects lively debate will ensue over which projects should get the council's nod. 


Q Comp continued from page 15

growth as the whole merit pay idea."

"I think what we are talking about is teacher empowerment," Rep. Keith Downey (R-Edina) said. He supports Q Comp, but won't yet say it should be mandatory.

Rep. Jim Davnie (DFL-Mpls), a middle school teacher, had harsh words for what he characterized as the prevailing mythology around merit pay. He told the House K-12 Education Policy and Oversight Committee Feb. 4 that he doesn't believe "that the one missing component of student performance is teacher pay. And that if you just offer to pay me more I will get off my duff and get to work. As a teacher, I think that's offensive but I also think it's a ham-handed understanding of human motivation." Yet, he said he is "still generally positive" about Q Comp's effects on "the culture of my profession."

But in a tough budget year, the anticipated increasing costs of Q Comp could help decide its future. Some legislators say the data simply doesn't support the governor's claims, and now is not the time to impose its costs — projected at \$66 million for the current fiscal year — on Minnesota taxpayers. Those numbers are expected to rise to a projected \$166 million (\$120 million in state aid, \$46 million in levy) in the upcoming biennium.

"Is now the time to be expanding this statewide?" asked Rep. Denise Ditrach (DFL-Champlin). "This is a huge policy shift for the state of Minnesota to be investing this much money and a certain portion of it property taxes, to fund teacher compensation." 

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MINNESOTA INDEX

Child abuse, neglect and protection

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— M. Cook

Sources: Jan. 22, 2009, presentation to the House Public Safety Finance Division by Judy Nord, staff attorney, State Court Administration Office; *Minnesota's Child Welfare Report, 2007; Report to the 2008 Minnesota Legislature*, Department of Human Services, Children and Family Services Administration, Child Safety and Permanency Division, August 2008; Prevent Child Abuse Minnesota.

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SESSION WEEKLY

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VOTER ID GETS ITS DAY

IS THERE A PAGE IN THE HOUSE?

THE STATE'S CONNECTIVITY

'MIRACLE' MAY TAKE A LEAP OF FAITH

WEIGH IN ON BUDGET WOES

HF584 - HF782

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: Perpich Center for Arts Education dancers, *clockwise top right*, Andria Melin, Davente Gilbreath and Megg Johnson perform "Trio" in the Capitol Rotunda Feb. 9. The student performances, as well as exhibits, were to show the tangible presence of the Golden Valley school in arts education, professional development and research.

— Photo by: Tom Olmscheid

Accountability funding for all

A 'New Minnesota Miracle' requires a leap of faith

By KRIS BERGGREN

Does more money deliver a better education? Many Minnesota schools are already doing more — or at least treading water — with less.

Consider the Minnewaska school district in rural Pope County. It has posted some admirable academic results, including 2007 Minnesota Comprehensive Assessment scores “significantly higher” than the state average. Also, it has a 99 percent graduation rate, despite a 43 percent free and reduced-cost lunch eligibility — a marker of poverty often linked with barriers to academic proficiency.

But the district has struggled to stay afloat, says Superintendent Greg Ohl, who calls himself a “fiscal conservative.”

The district pulled out of statutory operating debt in 2007 by cutting staff, programs and extracurricular activities. Ohl pulled triple duty last year to save money, serving as superintendent, district business manager and a site principal. After four attempts, a levy referendum was passed last year to buy new textbooks, fund all-day kindergarten and reduce class sizes.

A 32-year educator and district leader, Ohl says the “rollercoaster” of funding surges and deep cuts that have worsened since the 1980s is simply failing to meet actual needs, much less prepare his students to compete in a global economy.

He is among those endorsing the “New Minnesota Miracle,” a bill before the House to reform education funding — even if it takes a tax increase to enact.

“Because we do need to invest in education; it’s the best way to stimulate our economy,” said Rep. Mindy Greiling (DFL-Roseville), the bill’s sponsor. “Education is the key to productivity, according to Tom Stinson, our state economist.”

Looking for a miracle

The “New Minnesota Miracle,” or HF2, would return the bulk of education funding responsibility to the state as constitutionally required, and relieve taxpayers of funding local operating levies. It would also minimize competition among districts for a fixed amount of funding and build the education budget from the ground up based on actual needs.

If enacted, parents, students, teachers and administrators could see significant funding changes over time.

School districts forced to shift around their line items to cover things like special education and transportation would see relief in dedicated funding components.

Reine Shiffman, a board member of the West St. Paul-Mendota Heights-Eagan school district, told the House K-12 Education Finance Division on Feb. 10 that her district had to shift \$4.5 million last year from its general education revenue to compensate for special education, transportation and English language learner programs.

As numbers of non-English speaking students and those in poverty rise — as is projected in every corner of the state — districts could nip the achievement gap in the bud as early childhood education and all-day kindergarten would be funded through the bill.

First Reading continued on page 4



PHOTO BY TOM OLMSCHIED

Superintendent Michael Lovett, right, and Board Member Lori Swenson from the White Bear Lake Public Schools examine runs of potential funding levels for school districts as part of a proposed new education funding framework. They attended the Feb. 10 meeting of House K-12 Education Finance Division, where the “New Minnesota Miracle” was presented.

First Reading continued from page 3

Supporters of the bill say it is more transparent to the public.

Currently the process is so complicated that as Ohl put it, “When you talk about a proration of a proration it’s hard not to see farmers’ eyes glaze over at a truth in taxation hearing.”

Almost every legislator, school superintendent, school board member or principal in urban, rural and suburban districts alike finds something to like in the proposal, and many are willing to hold their noses and put up with what they don’t like.

But the plan would cost \$2.5 billion to fully implement, although it’s designed to be scalable, or phased in over time with any amount of new revenue.

“The current formula is totally busted. This [bill] absolutely is a step in the right direction. It’s absolutely an improvement,” said Rep. Pat Garofalo (R-Farmington). He likes the location equity index feature, and the change in how compensatory funding for children in poverty is dealt out, aspects that would benefit his largely suburban district.

“But the big problem is the cost. And that’s the part we really can’t get over. You can’t count on five billion Obama bucks coming into our state or whatever it is paying for it,” he said.

Advocates say the new formula would be worth the investment, even in these hard times. They know it could require a general tax increase — but most Minnesotans are already paying more taxes to fund education through school operating property tax levies, according to Mary Cecconi, executive director of Parents United for Public Schools, who said 91 percent of school districts have passed levy referenda.

But Garofalo argues that even if a tax increase raised \$3 billion, the Legislature would still be forced to make program cuts. “I wish I could suspend the laws of mathematics and make this possible, but this is a session where we have to be coming up with creative ideas to spend less, not more,” he said.

“Money isn’t everything,” Greiling said. “There are always things districts can do to change their culture and their philosophy and how they’re doing things with their existing

money. But in the end you still have to pay for things you care about and show your values that way.”

Greiling credits a statewide coalition of education organizations and parent

groups, PS Minnesota, with creating the bill’s blueprint — and that coalition “is the gift that PS Minnesota gave us.”

“They all support — every type of school district supports — this bill. They all have to plug their nose and not like parts of it. My district hates the levy referendum offset. If you have a large levy referendum you’re going to lose \$500 of it. But it will be paid for by the state so you get property tax relief. ... Some other

districts would like to get rid of the location equity index. So there’s just plenty of things in here that everybody doesn’t like, but everybody agreed the total is worth it, and that when they benefit, everybody benefits. There are no losers in this bill.”

‘The stability of a republican form of government depending mainly upon the intelligence of the people, it is the duty of the legislature to establish a general and uniform system of public schools. The legislature shall make such provisions by taxation or otherwise as will secure a thorough and efficient system of public schools throughout the state.’

— Article XIII, Section 1,
Minnesota Constitution

CHINCHILLIN’



PHOTO BY TOM OLMSCHEID

Several hands, including those of Emily Johnson, left, and Rachel Farber, reach out to touch a chinchilla during the Minnesota Zoo’s “Zoo Day” in the Capitol Rotunda Feb. 10. It was a way for zoo leaders to thank legislators for their continued funding support.

AGRICULTURE

Cows up, but profits down

Sadie Frericks is just the sort of person the dairy industry hopes to keep attracting.

She and her husband are young, educated, from dairy farm backgrounds, and they now maintain a 50-head herd on their farm near Melrose.

They also received help from two state programs designed to promote the dairy and livestock industry — programs that are poised to receive a substantial cut in Gov. Tim Pawlenty's budget at exactly the wrong time, dairy industry supporters say.

After four years of profitability and an increase in the number of cows and dairy farmers in the state, several factors are colliding that could be devastating to the industry's future.

Pat Lunemann, president of the Minnesota Milk Producers Association, brought Frericks to the House Agriculture, Rural Economies and Veterans Affairs Finance Division Feb. 10 as an example of how well the Livestock Investment Grant and the Dairy Profitability Enhancement Program work, and why full funding should continue.

"We are in a crisis at the moment created by a perfect storm," Lunemann told division



PHOTO BY ANDREW VONBANK

Pat Lunemann, left, president of the Minnesota Milk Producers Association, and Sadie Frericks, a dairy farmer from Melrose, speak to the House Agriculture, Rural Economies and Veterans Affairs Finance Division Feb. 10 about the state of the Minnesota dairy industry.

members on Dairy Day at the Capitol, the traditional time set aside for legislators to be updated on the dairy industry.

Milk prices may be up for consumers, but to the producer they are down to levels they haven't seen since 2002, while the cost of production is on the rise. The international banking crisis compounds the problem, Lunemann said, because purchasers can't get the credit to stock their inventories.

Curt Zimmerman, livestock supervisor for the Agriculture Department, said Minnesota is the fifth largest exporter of milk products in the nation.

Rep. Al Juhnke (DFL-Willmar), division chairman, promoted his idea to fund the two dairy programs through the governor's \$50 million small-businesses grant proposal. "Agriculture is one of the few things that is working in the state. ... We want to keep you strong."

— L. SCHUTZ

ARTS

Arts Board could become a nonprofit

The Minnesota State Arts Board could be turned into a nonprofit, if Gov. Tim Pawlenty has his way.

Weigh in on budget woes

The Minnesota House of Representatives and Senate plan to hold hearings across the state to hear from Minnesotans on Gov. Tim Pawlenty's budget recommendations. The schedule of town hall meetings follows. Those who wish to testify can sign up by going to www.house.mn, look for the brown banner near the top of the page and click on Town Hall Meetings.

Thursday, Feb. 19

Mankato – 6 p.m.
Mankato Intergovernmental Center–Mankato River Room
10 Civic Center Plaza

Rochester – 6 p.m.
Rochester Community and Technical College–Heintz Center Commons Area
1926 Collegeview Road S.E.

St. Cloud – 6 p.m.
St. Cloud City Hall–Council Chambers
400 Second St. S.

Willmar – 6 p.m.
Kennedy Elementary School
824 Seventh St. S.W.

Friday, Feb. 20

Albert Lea – 10 a.m.
Albert Lea City Hall–Council Chambers
221 E. Clark St.

Alexandria – 4 p.m.
Alexandria City Hall
704 Broadway

Bemidji – 3:30 p.m.
Bemidji State University–American Indian Resource Center Gathering Place
1620 Birchmont Drive

Brainerd – 10:30 a.m.
Washington Educational Services Building–Board Room
804 Oak Street

Duluth – 9:30 a.m.
Duluth City Hall–Council Chambers
411 W. First Street

Little Falls – 9:30 a.m.
Morrison County Government Center–Garden Level Meeting Room
213 First Ave. S.E.

Marshall – 2:30 p.m.
Southwest Minnesota State University Lecture Hall
1501 State St.

Moorhead (Senate Tax Committee) – 12:30 p.m.
Minnesota State University Moorhead–Comstock Union
1104 Seventh Ave. S.

Virginia – 1:30 p.m.
Mesabi Range Community and Technical College–Small Auditorium
1001 Chestnut St. W.

Winona – 3:30 p.m.
Winona City Hall–Council Chambers
207 Lafayette

Worthington – 10:30 a.m.
Worthington City Hall–Council Chambers
303 Ninth Street

Monday, Feb. 23
Woodbury – 6 p.m.
Central Park Amphitheater
8595 Central Park Place

Tuesday, Feb. 24
Bloomington – 7 p.m.
Bloomington City Hall
1800 W. Old Shakopee Road

Minneapolis – 6 p.m.
Minneapolis Park Board
2117 West River Road

Wednesday, Feb. 25
Burnsville – 7:30 p.m.
Fairview Ridges Hospital
201 E. Nicollet Blvd.

White Bear Lake – 6:30 p.m.
White Bear Lake High School–South Campus
3551 McKnight Road N.

Thursday, Feb. 26
Coon Rapids – 7 p.m.
Coon Rapids City Hall
11155 Robinson Drive

Forest Lake – 6:30 p.m.
Forest Lake City Hall
220 N. Lake St.

Plymouth – 7 p.m.
Plymouth City Hall
3400 Plymouth Blvd.

St. Paul – 6 p.m.
West Minnehaha Recreation Center
685 Minnehaha Ave. W.

The House Cultural and Outdoor Resources Finance Division heard its share of the governor's proposed budget Feb. 9. Presented by Minnesota Management and Budget, the governor has proposed a \$23.4 million cut from the 15 accounts overseen by the division.

"The governor is faced with very hard decisions with this budget situation," said Ryan Baumtroug, a budget officer with Minnesota Management and Budget.

One recommendation involves transitioning the arts board into a private nonprofit organization, with board funding phased out. No state funding would be available beginning with fiscal year 2012.

Concerns arose about the board's administration of grants, federal funding and competition with its partners.

Mike Roelofs, budget division team leader for Minnesota Management and Budget, said the transition to a nonprofit could reduce federal funding. They would still be able to administer grants, but because of funding, those grant amounts would be less.

Some of the governor's other recommendations include:

- eliminating all state funding to the Humanities Commission;
- an across-the-board cut of about 5 percent for the Council on Asian-Pacific Minnesotans, Council on Black Minnesotans, Chicano-Latino Affairs Council and Minnesota Indian Affairs Council;
- a 72 percent cut to the Amateur Sports Commission;
- no change in funding for the Minnesota and Duluth children's museums; and
- a 11.4 percent cut to the Minnesota Historical Society.

In addition, \$118.2 million expected as a part of the Clean Water, Land and Legacy constitutional amendment passed last November, would be split between the Department of Agriculture, Board of Water and Soil Resources, Department of Health, Metropolitan Council, Department of Natural Resources, Pollution Control Agency and Public Facilities Authority.

— S. HEGMAN

CRIME

Child solicitation contact changes

As technology changes, so do the ways that sexual predators can contact minors.

A bill held over Feb. 10 by the House Public Safety Policy and Oversight Committee for possible omnibus bill inclusion tries to keep pace with the electronic advancements.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove), HF129 closes a loophole

in a 2007 law prohibiting solicitation of minors online. It expands the crime of computer solicitation of children to include "an electronic communications system, or a telecommunications, wire or radio communications system, or other electronic device capable of electronic data storage or transmission."

"This bill adds cell phones as a result of some instances that have occurred because of text messaging and picture messaging," Bigham said. She said the proposed statutory language is intended to be over-inclusive.

Under the bill, an adult using a telephone to solicit a child for sexual contact, communicates in a "sexually explicit" manner or distributes "sexually explicit" material to a child would be guilty of a felony.

The bill also changes a heading in statute to "Electronic solicitation of children" to better reflect the expanded nature of the offense. It is currently titled "Internet or computer solicitation of children."

SECOND CHANCE

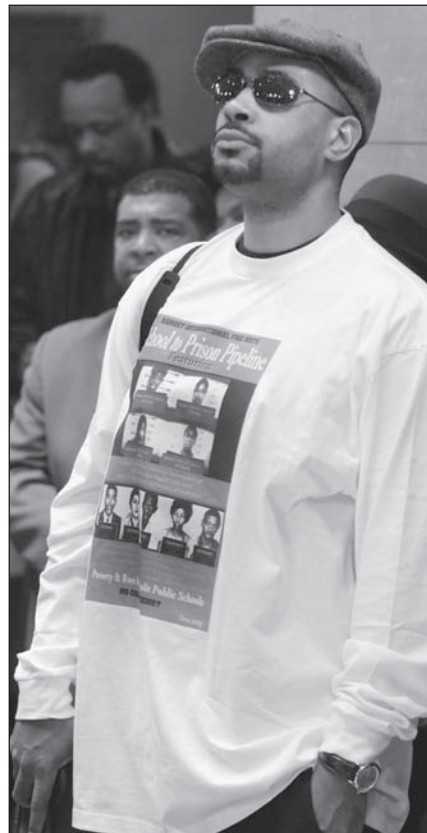


PHOTO BY TOM OLMSCHIED

Ralph Crowder of Minneapolis joined a consortium of nonprofit leaders and justice system advocates that invited ex-offenders, their families and supporters to the "Second Chance" rally Feb. 11 in the Capitol Rotunda. The event was designed to increase the awareness of the barriers facing individuals with criminal records.

A companion bill, SF415, sponsored by Sen. Mee Moua (DFL-St. Paul), was scheduled to be heard Feb. 12 by the Senate Judiciary Committee.

— M. COOK

Sex offenders off sites

Social networking sites, like Facebook and MySpace, are not only for people to keep in touch, but they can also be a place for unwelcomed guests.

For the second biennium, Rep. Karla Bigham (DFL-Cottage Grove) sponsors a bill prohibiting site access and usage by any registered sex offender.

Deputy Attorney General David Voigt noted that MySpace recently said more than 90,000 sex offenders have been removed from its site in recent years. "There is nothing to prevent them from going there in the first place," he said.

Approved Feb. 10 by the House Public Safety Policy and Oversight Committee, HF130 was sent to the House Civil Justice Committee. Last year's version failed to get out of a conference committee because of some unanswered questions.

In addition to the social networking sites, offenders would be prohibited from using instant messaging or chat room Internet sites.

"For example, if you're on an accessible network that would allow you to play cards with somebody via the Internet, and there are chat rooms allowed in these gaming rooms, we wanted to prohibit that as well," Bigham said. "That was a point of concern by Rep. (John) Lesch last year."

She said the most logical question concerns enforcement.

"When you are a registered sex offender, you are subject to unannounced searches of your person, house and car. We are going to extend that to the computer, PDAs and such," she said.

If enacted, the bill would not take effect until Aug. 1, 2010.

"Every year a registered sex offender is sent a notification letter," said Bigham, who has been told that adding this to the restriction list would have no additional cost. "Prosecutors have asked that we need to be able to prove they were notified in order to charge the case."

Awaiting action by the Senate Judiciary Committee is the bill's companion, SF403, sponsored by Sen. Mee Moua (DFL-St. Paul).

— M. COOK

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EDUCATION

Tougher licensing standards

A plan supported by Gov. Tim Pawlenty to tighten teacher licensure standards received mixed reviews from House K-12 Education Policy and Oversight Committee members on Feb. 10. No action was taken.

Under the governor's proposals, aspiring teachers would be required to pass their pre-professional skills test (known as PPST or Praxis I) before entering a teacher training program. Currently teachers can enter a program even if they fail the test — though they must eventually pass it in order to be licensed.

Additionally the governor's plan — part of his proposed "Teaching Transformation Act" — would raise the minimum passing score on the Praxis II certification exam that teachers take to gain licensure, and it would put an increased emphasis on technology skills.

Department of Education Assistant Commissioner Karen Klinzing said the proposals would ensure that those lacking the basic skills to be effective teachers are eliminated from teacher training programs up front.

John Melick, the department's director of educator licensing, said some teacher candidates accepted into training programs despite failing the PPST go through three years of teacher training only to be rejected for licensure because they still can't pass the test.

That observation caused Rep. Kory Kath (DFL-Owatonna) to question whether the PPST is really useful in determining who will make a good teacher.

"If you're getting these phone calls from superintendents saying, 'This is an excellent teacher. How can we get them to pass this test?' The question then is how is it a measurement of effectiveness of a teacher?"

Rep. Mindy Greiling (DFL-Roseville) asked whether it would be better to focus on getting as many new teachers into the field as possible at first and then cut some from the programs later if they're not effective.

Klinzing responded that it's easier to provide support to teacher candidates while they're in college than after they've already been in the classroom for three years but still don't qualify for a license.

— N. BUSSE

Recruiting SMART teachers

A proposal by Gov. Tim Pawlenty to recruit mid-career professionals to teach in K-12 classrooms was heard by members of a House committee.

The governor's proposal, known as SMART, for "State of Minnesota Alternative Route to Teaching," would implement a one-year teacher training program with the goal of recruiting mid-career professionals to teach math, science and other disciplines where there are shortages of qualified K-12 teachers.

"The thought is that mid-career individuals have very unique needs that are very different from an 18- to 20-year-old college student," said John Melick, director of educator licensing for the Department of Education.

Melick presented the governor's proposal to members of the House K-12 Education Policy and Oversight Committee on Feb. 11. No action was taken.

Under the SMART program, Melick said qualified individuals would attend a summer training program and then be provisionally employed as a teacher while receiving additional training at night and on the weekends. They would attend another summer program at the end of the school year, after which they would be eligible to receive their teaching license. The governor has recommended \$500,000 to fund the program.

Jan Alswager, a lobbyist for Education Minnesota, criticized the program as opening the door for unqualified teachers to enter the state's classrooms.

"It shouldn't be easy to be a teacher," Alswager said. "We don't want people experimenting with our children."

She warned that the program might compel small school districts to hire unqualified

teachers just because they don't want to go through the trouble of spending another year training a different teacher candidate.

Melick countered that a teacher candidate under the SMART program would be required to attain a license from a higher education institution, just like any other teacher.

Committee Chairman Rep. Carlos Mariani (DFL-St. Paul) said mid-career professionals could be a good source of math and science teachers, especially in an economy where high-tech career fields are experiencing layoffs.

— N. BUSSE

EMPLOYMENT

DEED cuts questioned

Members of two House divisions took testimony on — and criticized — budget cuts proposed by Gov. Tim Pawlenty for a variety of programs run by the Department of Employment and Economic Development.

Officials from DEED-funded programs told the House Bioscience and Workforce Development Policy and Oversight Division on Feb. 10 that the proposed budget cuts come at a time when demand for their services is increasing because of the economy.

"We've got a lot more clients because of the fact that more people are going onto welfare rolls, and people are being laid off that need new training," said Bill Means, executive director of the Opportunities Industrialization Centers, which would



PHOTO BY TOM OLMSCHEID

Matt Reinartz, center, director of the St. Paul Youth Job Corps Program, and Tamara Downs Schwei, right, of the Community Design Center of Minnesota, listen as St. Paul Police Sgt. Ray Jefferson talks about A Community Outreach Program. The House Bioscience and Workforce Development Policy and Oversight Division heard about several youth programs Feb. 10.

receive a \$250,000 reduction under the governor's plan.

The OIC is one of 23 DEED-funded programs slated for cuts. Many of the programs provide job opportunities to dislocated workers and other economically disadvantaged populations.

"Keeping kids engaged in positive activities like a job means that we have fewer youth who are recruited into gangs or committing crimes or doing other unproductive activities," said Deb Bar-Helgen, who helps run the Minneapolis Summer Youth Program, which provides job training to at-risk youth. It faces a \$650,000 reduction under the governor's proposals.

At a meeting of the House Higher Education and Workforce Development Finance and Policy Division later that day, DEED Commissioner Dan McElroy said the reductions were necessary to help balance the state's budget.

"These are all good programs. None of them were easy to make the decision not to fund," he said.

Bonnie Elsey, workforce development director for DEED, said programs that help the largest number of people are being given the highest priority under the governor's plan.

That didn't stop Rep. Joe Atkins (DFL-Inver Grove Heights) from questioning the fairness of cutting programs designed to help economically challenged people at the same time the governor is proposing tax cuts for businesses.

"What I'm still waiting to hear is how we're all sharing the pain," Atkins said.

— N. BUSSE

ENERGY

Stimulus funding bill gets division OK

When the federal stimulus funding arrives, the state's Office of Energy Security would be one of the local project administrators responsible for doling out money to create jobs and improve living conditions for low to moderate income residents.

The House Housing Finance and Policy and Public Health Finance Division approved HF680, the recovery bill, as amended Feb. 11 on a divided vote.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch), the bill establishes key principles for the use of the funds, including: money should be spent statewide; tracking of all expenditures; the amount of energy savings; number of jobs created; and the wages of those hired as a result of the federal funding.

No state funds are included in the bill, which relies on additional spending from utility companies that are mandated to reduce energy consumption, and corporations paying to help clean up polluted areas they helped cause, Kalin said.

An amendment successfully offered by Rep. Denny McNamara (R-Hastings) deleted references to "sole-source contracting" for building and improvement projects.

The bill also gives preference to projects that employ people "at a living wage." Kalin said trade workers and unions have said they won't be able to meet the immediate need for workers. McNamara and Rep. Dan Severson (R-Sauk Rapids) said the language was too restrictive and could lead to geographical imbalance.

Division Chairwoman Karen Clark (DFL-Mpls) declined Severson's motion to lay the bill over for the next meeting, saying that several other House committees are due to hear the proposal.

A companion bill, SF657, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

— S. HEGARTY

ENVIRONMENT

Trail extensions

Public trails in southern Minnesota could be expanded, under a pair of bills approved by the House Environment Policy and Oversight Committee Feb. 10.

Sponsored by Rep. Rod Hamilton (R-Mountain Lake), HF60 calls for the development of the Des Moines River Valley Trail, originating in Jackson County, extending northwest through Kilen Woods State Park and Cottonwood County. It would meet up with the Casey Jones Trail in Murray County.

An advocacy group called Friends of the Jackson County Trails would work with the Department of Natural Resources to develop the trail. Since 1998, the group has supported the expansion of trails in and around the city of Jackson, including securing \$50,000 from a private estate and by holding annual cookouts.

The committee also approved HF230, which provides for the extension of the Casey Jones Trail in Pipestone.

Sponsored by Rep. Doug Magnus (R-Slayton), it authorizes the DNR to work with Friends of the Casey Jones Trail with the goal of connecting the trail to Blue Mounds State Park and Schoneman Park near Luverne.

No specific appropriation amount is requested in either bill. Both were sent to the House Finance Committee.

Sen. Jim Vickerman (DFL-Tracy) sponsors the companion bills, SF34 and SF171, respectively. Each awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

Removing plastic from yard waste

More stringent rules about how Twin Cities metropolitan area residents dispose of yard waste is the subject of a bill approved Feb. 11 by the House Environment Policy and Oversight Committee.

Since 1992, consumers have been prohibited from commingling yard debris with their solid waste. Disposal methods vary throughout the state, but plastic bags are largely used to store the waste for removal. When plastic is shredded with the yard waste, it remains in the compost generated at the resource recovery facility. In addition, haulers must pay an additional tipping fee if plastic is mixed with the debris.

Sponsored by Rep. Paul Gardner (DFL-Shoreview), HF403 would, beginning Sept. 1, 2009, prohibit consumers, haulers and bag manufacturers from using or selling yard waste bags that do not meet American Society for Testing and Materials standards for compostable plastics.

Gardner said it's an attempt to have "truth in advertising" because there is a difference between compostable plastics and labeling practices do not differentiate between those that meet ASTM standards, he said. Keeping plastic out of the recycled commodity will also increase the quality and resale value of the compost.

The bill now goes to the House Finance Committee.

A companion, SF383, sponsored by Sen. Rick Olseen (DFL-Harris), is scheduled to be heard Feb. 16 by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

FAMILY

Potential care cuts evoke emotions

Child care users and providers told the House Early Childhood Finance and Policy Division Feb. 5 that the governor's proposed \$10.3 million cut to child care assistance could push children out of high-quality care settings and close providers' doors.

They object to the assumption there was a surplus last year in a sliding fee child care assistance program used by thousands of low-income working families. They said

the surplus is the result of technical issues regarding how funds are allocated based on prior year numbers that don't reflect actual need.

"We want to make it crystal clear to the members of this committee that there isn't a surplus in the child care assistance fund, but that, in fact, there are 7,000 families who are waiting for child care on the waiting list," said Susie Brown, executive director of Child Care WORKS.

Rep. Mindy Greiling (DFL-Roseville) called budgeting from the premise of underspent funds a "very bad trend."

Testifiers said a proposed 3 percent drop in child care reimbursement rates to providers plus a 3 percent increase in parents' co-payments will hurt both families and providers' businesses.

A tearful Molly Thoulous said that she and her husband, who have four children, work three jobs between them and earn \$50,000 annually, but still find themselves with a \$319 deficit each month and rely on the subsidy to cover child care costs.

Bridget Bicknel, who assists her mother, a licensed care provider in St. Cloud, said the state's reimbursement to a nationally accredited child care program in St. Paul is \$310 per week for an infant; it's only \$107 to her mother's program.

"If funds get cut more than they already have, we won't be able to sustain our business and we'll have to either not accept state-paid clients or we'll go out of business," Bicknel read from a letter her mother wrote to the division.

Susan Tenecyk-Stafki, executive director of Children's Corner, said cuts could have a "harsh" impact, especially on rural Minnesota where child care centers are few and infant care is even more scarce and costly.

— K. BERGGREN

Death record replacement required

One family's multi-year struggle to have their son's death certificate changed has resulted in a bill that would at least have the issue considered by a court.

Current law makes it nearly impossible to make certificate modifications once a cause of death has been determined by a medical examiner.

Sponsored by Rep. Tom Emmer (R-Delano), HF176 would make it possible for a court to consider a request to amend a death certificate if it is determined the information is incomplete or incorrect.

Mary Hoeft told the House Health Care and Human Services Policy and Oversight Committee Feb. 5 of her struggle to have her son's cause of death changed from suicide to accidental.

In November 2001, Ryan Hoeft, a former St. Louis Park police officer, was found dead from a gunshot in his police car at the base of a hill. The medical examiner ruled it a suicide. But Mary Hoeft believed her son's death was accidental and was determined to set the record straight.

Her trip to the committee began after consultation with a different chief medical examiner and the lead accident reconstructionist for the state who made a determination that Hoeft's death was accidental. Armed with the information, including a reenactment video, she again asked to have the cause of death changed. Her request was denied, and she took the issue to court, which said the statute would need to be changed for them to consider her request.

"For officers in the state of Minnesota who carry their weapons and chamber a bullet in their gun, and run the risk of death every day because that gun could accidentally misfire at anytime, this is for them; so their families don't have to go through what we did," Hoeft said.

Before being approved and sent to the House floor, the bill was amended to be retroactive to Jan. 7, 2001.

This would allow Hoeft's family to have a court consider whether a change of death statement should be amended on their son's death certificate.

The bill's companion, SF190, sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits action by the Senate Health, Housing and Family Security Committee.

— L. SCHUTZ

GAME & FISH

Deer hunt changes proposed

A pair of bills regarding deer hunting were held over Feb. 9 for possible inclusion in the House Game, Fish and Forestry Division's omnibus bill.

Sponsored by Rep. Steve Drazkowski (R-Wabasha), HF436, would require the Department of Natural Resources to extend the first of two deer hunting seasons in November from seven to nine days in Zone 3, which includes the southern portion of the Twin Cities metropolitan area and points southeast. In 2003, the DNR reduced the number of days to help increase the buck population. Now hunters want the two days reinstated so they can hunt over the course of two consecutive weekends.

Winona resident James Panek, a member of the Bluff Country chapter of the Minnesota Deer Hunters Association, said special interest groups pressured the DNR to reduce the

number of hunting days in 2003 to five days. Even with the seven-day compromise, more than 1,000 signatures were collected from hunters wanting the DNR to reinstate the nine-day period.

Currently, the DNR commissioner determines the number of hunting days, but the bill would change that rule to actual legislation. There is no Senate companion.

The second bill held over was HF304, sponsored by Rep. Tom Hackbarth (R-Cedar), which would let service members, including National Guard members, who have returned from federal active service within the past 24 months to receive a permit to hunt does. Hackbarth said many active service members are not present to apply for a doe permit during the application period. Current law states, "The commissioner shall issue, without fee, a deer license" for returning service members.

A companion bill, SF231, sponsored by Sen. Pat Parisseau (R-Farmington), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

GOVERNMENT

Reimbursement bill draws controversy

Proposed legislation designed to reimburse members of the Lessard Outdoor Heritage Council for expenses incurred since they began meeting last December was approved Feb. 10 by the House Environment and Natural Resources Finance Division.

Sponsored by Rep. Rick Hansen (DFL-South St. Paul), HF18 would authorize up to a \$150,000 transfer from the Department of Natural Resources' water recreation account to the council, charged with making spending recommendations for 33 percent of the new sales tax revenue generated by a constitutional amendment approved by voters last November.

The fund transfer would be used to reimburse council members for travel, lodging, meals and other expenses incurred as a result of serving on the council, as well as DNR staff, which has an unfunded mandate to provide staff support. The funding would serve as a stop-gap until the first sales tax receipts arrive in August. The constitutional amendment allows for 1 percent of the revenues generated for the Outdoor Heritage Fund to be spent on the council's administrative expenses.

Some think that's too much. Rep. Denny McNamara (R-Hastings) said he recalls last session there was discussion that only 0.5 percent should be spent on the council's administrative costs. "Don't be surprised if that shows up again," he said.

When the council receives its first installment of the Outdoor Heritage Fund, it would pay back the water recreation fund, Hansen said.

Rep. Sarah Anderson (R-Plymouth) requested an itemized list of council expenses. She is not opposed to reimbursing member expenses, but she advocated for accountability measures.

Previous plans to hire an executive director have been dropped, said Council Chairman Mike Kilgore, after some division members criticized the need for “more bureaucracy.”

Kilgore said another criticism of the process stems from the DNR having administrative duties for the council while also presenting requests for funding.

The bill’s companion, SF119, sponsored by Sen. Ellen Anderson (DFL-St. Paul), was passed Feb. 9 by the full Senate.

— S. HEGARTY

Time limit for debate goes on and on

A change to put a time limit on House Floor debate was expected to make for a long Feb. 12 for members.

Members debated changes to the Permanent Rules of the House for about an hour in the morning Feb. 12 before recessing until 7:30 p.m. As of press time, no vote had been taken.

This and other potential changes to House rules governing procedure and acceptable conduct were approved one day earlier by the House Rules and Legislative Administration Committee.

Some called the plan to place time parameters on a bill’s debate a way to gag the minority caucus, while others say that it will make for better and more informed debate.

The change would expand the House Rules and Legislative Administration Committee authority.

House Majority Leader Tony Sertich (DFL-Chisholm), who chairs the committee, said that as the committee sets the floor agenda, it would discuss how much time to allot to each bill’s discussion based on how many amendments to expect and how contentious the issue. When the time is up, however, “there would be no automatic mechanism to move us to a vote.” Amendments would be accepted “within the time-management we discuss,” he said.

House Minority Leader Marty Seifert (R-Marshall) called the plan “a dangerous precedent,” saying the floor, oftentimes, is the only place where concerns of minority caucus members can be heard. “If we have a bill that impacts my community, I’m going to stand there and defend my communities and my values. ... It is the custom and usage of this body to not limit the debate. It is our job to be here and debate.”

There was disagreement as well over the value of amendments offered on the floor.

Seifert said when large omnibus bills are considered, there is the potential for more amendments.

Rep. Gene Pelowski Jr. (DFL-Winona) countered that amendments offered on the floor leave little time for member review, and that the committee is the appropriate place for amendments to be considered.

— L. SCHUTZ

HEALTH

Sexual infection rates rising

Rates of sexually transmitted infections in Minnesota are rising at an alarming rate, David Johnson, an epidemiologist with the Minneapolis Department of Health and Family Support, told members of a House committee Feb. 11.

Johnson told the House Health Care and Human Services Policy and Oversight Committee the number of Chlamydia cases reported across the state has nearly doubled in the last 10 years. Chlamydia is now the most common disease in Minnesota — even among non-STI illnesses, like the flu, he said.

There were 17,057 STI cases reported to the Minnesota Department of Health in 2007, according to Johnson, of which 13,412 were Chlamydia; however, he noted that the actual number of people infected with STIs is

probably much higher. He said that because STIs often show no immediate symptoms, many incidences go unreported.

Johnson presented graphs showing that incidences of Chlamydia and gonorrhea are much higher in minority communities — particularly in black communities. Current data shows that infection rates are also much higher among women, but Johnson said this reflects the fact that women are more likely than men to be screened for STIs.

The statistics were presented as part of testimony on HF550, sponsored by Rep. Maria Ruud (DFL-Minnetonka), which would require the Minnesota Department of Health to make recommendations to the Legislature on how to reduce STI rates “significantly” by 2014. The committee approved the bill and referred it to the House K-12 Education Policy and Oversight Committee.

Committee members did not discuss Section 1 of the bill, which would make changes to the state’s sexual education policies for K-12 classrooms. That portion of the bill is expected to be discussed in other committees.

A companion, SF273, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Education Committee.

— N. BUSSE

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PHOTO BY ANDREW VONBANK

Deb Wilkens-Costello, executive director of the Family Tree Clinic in St. Paul, left, and Betty Nelson, president of SAFEPlan and executive director of Outlook Clinics in North Branch, testify before the House Health Care and Human Services Policy and Oversight Committee Feb. 11 in support of a bill that would help prevent sexually transmitted infections and teen pregnancy, study sexually transmitted infection prevalence and health care system costs, and create a responsible family life and sexuality education program.

HOUSING

Warrant enforcement attorney fees

Eighteen months after moving into their “dream home,” Steve Palmer and his family began to notice water intrusion.

More than two years later the Woodbury resident still has a case pending against the builder to honor a warranty and fix the problem. So far, he said it has cost him about \$40,000 in legal fees, and it’ll cost another \$50,000 to go to trial and possibly another \$12,000-\$13,000 if his family wins and the builder appeals. Then they may have to sue to get their awarded damages.

“I had a home warranty,” he told the House Civil Justice Committee Feb. 9 at Woodbury City Hall. “I bought a \$583,000 house. I never thought I’d have to spend \$40,000-\$90,000 to ensure my warranty.”

The committee road trip allowed members to hear from people that aren’t able to make it to the Capitol.

Palmer was one of a dozen people to speak in support of HF211, sponsored by Rep. Marsha Swails (DFL-Woodbury). It would allow homeowners who are successful in suing a builder or contractor for a home warranty violation to receive reasonable attorney fees and any other costs related to the suit. The committee took no action, but is expected to have a future hearing on the issue in St. Paul. There is no Senate companion.

The problem, Palmer and others said, is that builders, contractors and their insurance companies will drag out a case, hoping a homeowner will exhaust their financial resources and settle for less than needed to fix the problem.

Ed Seifert of Shoreview said it cost \$151,000 to fix water intrusion damage in his \$260,000 home that was under warranty. His contribution ended up being \$77,000 when legal fees and other costs were included.

“I thought a warranty meant something, when it’s nothing more than a piece of paper,” said Yvonne McGonigal of Woodbury.

Nobody testified against the bill.

A second bill, HF412, sponsored by Rep. Julie Bunn (DFL-Lake Elmo), would clarify intent of a 2004 law to provide that a lawsuit for a warranty violation must be brought within two years of the breach discovery, but cannot be filed more than 12 years from when the warranty took effect. Bunn said one subdivision in law has a 10-year maximum and some courts have used that shorter timeframe.

It was also held over for potential action. A companion SF470, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate Judiciary Committee.

— M. COOK

LAW

Transcribing video evidence

Action seen or heard on a tape should be able to speak for itself. But that is not always the case in some Minnesota courts.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park), HF212 would provide that a pretrial filing of a written transcript of a law enforcement vehicle’s audio or video is not a prerequisite for admission of that evidence in a criminal trial or a DWI license revocation hearing.

It was held over Feb. 5 by the House Public Safety Policy and Oversight Committee for possible omnibus bill inclusion. Its companion, SF333, sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits action by the Senate Judiciary Committee.

“There is no rule of evidence right now that requires a transcript as a condition of admitting a police audio or videotape,” Simon said.

Simon said all state patrol vehicles, and many other police vehicles, have dashboard cameras and there are “tens of thousands of cases” recorded annually. “If every judge were to do this, there would be virtual paralysis in law enforcement of having to produce a transcript each and every time.”

Other problems, Simon said, include transcriber error and inaudible statements made by the accused making it tough to certify the transcript. He also said the tape is the evidence, not the transcript.

“Why would you want to review the script of a movie when you can watch the actual movie?” asked State Patrol Maj. Mike Asleson. He said a videotape starts when the lights go on, and troopers are required to use a handheld audio during a DWI arrest.

Jill Garrison, a Second District Court reporter, said tapes can sometimes include inadmissible evidence, without transcripts jurors may think they heard something different, and the Court of Appeals and Minnesota Supreme Court have required transcripts of any audio or video recordings.

— M. COOK

LOCAL GOVERNMENT

One less mandate

One legislator called it “an awful small fish to fry,” but supporters say a bill approved by a House division will mean one less mandate for local governments.

HF269, sponsored by Rep. Andy Welti (DFL-Plainview), would eliminate a requirement that local governments annually review their out-of-state travel policies.

The House Local Government Division approved the bill Feb. 9 and referred it to the House State and Local Government Operations Reform, Technology and Elections Committee.

Speaking in favor of the bill, Metropolitan Inter-County Association Executive Director Keith Carlson called the requirement for annual reviews “a needless occupation of time on board agendas each year.”

Rep. Rob Eastlund (R-Isanti) questioned whether the bill would actually save local governments money, and suggested that the division may want to set its sights a little higher.

“This just seems like an awful small fish to fry here in the circumstances that we’re in,” Eastlund said.

Welti responded that the bill represented a first step toward giving local governments more flexibility.

A companion, SF307, sponsored by Sen. Rick Olseen (DFL-Harris), awaits action by the full Senate.

— N. BUSSE

METRO AFFAIRS

Dog park bill passes committee

Dubbed the “Mighty Dog” bill by its sponsor, Rep. Rick Hansen (DFL-South St. Paul), HF297 would authorize the Metropolitan Council to administer a regional dog park permit program in the Twin Cities metropolitan area.

Under the provisions, cities and counties could receive \$1 million in grants over the next two years to build, expand or maintain new or established dog parks. Currently there are approximately two dozen dog parks in the area. An 11-member advisory board would allocate the grants. Participating governmental units must provide \$1 for each \$2 received.

Approved by the House Environment Policy and Oversight Committee Feb. 5, the bill was referred to the House State and Local Government Operations Reform, Technology and Elections Committee. It has no Senate companion.

Park and recreation staff from Minneapolis and South St. Paul said that off-leash dog parks are an emerging trend that allows dogs to run off-leash and enables their owners to comply with city leash ordinances while still exercising their pets.

Chris Esser, South St. Paul parks and recreation director, said as owners gravitate to the parks at the same place and time, “Friends Groups” emerge.

“Some friends groups will tell you there

are just as many dogs as children (in their neighborhood)," Esser said. Separating pets that are off-leash and small children is a safety consideration.

The Minneapolis Parks and Recreation Board operates several dog parks, which generate more than \$100,000 in user fees, according to Brian Rice, board attorney. South St. Paul has sold 72 voluntary memberships to its dog park, Esser said.

Adoption of the program would be contingent upon legislators' funding support from the newly created Parks and Trails Fund, which resulted from voters passing the constitutional amendment to raise the sales and use tax.

"I would think that the first thing we would think about doing is putting some money in the maintenance of our trails and our parks throughout the state before we go off in this direction," said Rep. Denny McNamara (R-Hastings), who voted against the bill.

— S. HEGARTY

SAFETY

Crisis intervention training grants

Sue Hanson's 34-year-old son has schizophrenia.

"We've had police to our home at least eight times. It's involved three different suburban police departments and two different areas of the Minneapolis Police Department. ... The response is always different each and every time depending who you call," said Hanson, who sits on the National Alliance on Mental Illness of Minnesota Board of Directors.

Sponsored by Rep. Joe Mullery (DFL-Mpls), HF449 would provide \$144,000 to fund grants to local police departments to conduct crisis intervention training.

Training would have to be at least 40 hours, including at least eight hours of scenario-based role-playing. Other topics would include an overview of mental illness and the mental health system; an overview of psychiatric conditions, their manifestations and treatment; and visits to psychiatric receiving facilities.

Approved Feb. 5 by the House Public Safety Policy and Oversight Committee, the bill was sent to the House Health Care and Human Services Policy and Oversight Committee. Its companion, SF318, sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits action by the Senate Public Safety Budget Division.

Steve Wickelgren, president of the Minnesota Crisis Intervention Team Officer's Association, said the program has been implemented by the Minneapolis Police Department, a "small handful" of metropolitan area agencies are

getting officers trained, and Rochester has "a fairly established program."

"We know there is not parity regarding mental health issues; in law enforcement there is a lot of disparity," he said. "This training really brings up the expectations for officers."

According to the association's Web site, classes cost \$500 per attendee in the Twin Cities metropolitan area and \$675 outside the metro area.

Rep. Tony Cornish (R-Good Thunder), the Lake Crystal Police Chief, said the monetary request is "a drop in the bucket for what you'd really need," and many small towns couldn't afford to let their officers go for a week. He also believes that 99 percent of the cops that handle these types of situations handle them correctly, "whether it's use of force or deadly force."

— M. COOK

Mental health 911 assistance

When someone calls 911, it is usually for police, fire or ambulance service.

A bill sponsored by Rep. Joe Mullery (DFL-Mpls) would add mental health crisis teams to the list of emergency 911 responders, where available.

"I think we're all aware of the need for quick responses when somebody is having an emergency because of their mental illness, and we need to have them referred to a mental health crisis team," Mullery said.

Approved Feb. 5 by the House Public Safety Policy and Oversight Committee, HF448 was sent to the House Health Care and Human Services Policy and Oversight Committee. It has no Senate companion.

Sue Hanson, who sits on the National Alliance on Mental Illness of Minnesota Board of Directors, said there is no one general number to call for someone experiencing a mental health crisis.

She pointed to a collaboration between Grand Rapids public safety personnel that has resulted in a crisis team and police dispatched for all behavioral health emergency calls.

"Mobile crisis teams can go to a person's home, assess the situation and provide services to stabilize the individual who is in crisis," she said. "There are urgent and crisis services at mental health centers and clinics, crisis homes provide a safe place where people can live for a few days while they receive supportive therapy, stabilization, monitoring and transitions to other services. These are very cost-effective ways of dealing with a mental health crisis."

The bill would also permit the county or other governmental agency operating an emergency 911 system to include mental health crisis training among its system enhancements.

Rep. Michael Paymar (DFL-St. Paul) wondered what the costs would be to bring dispatchers "up to speed on this type of referral."

Mullery countered that the bill says the training may be offered, so if counties opt not to provide it for whatever reason they don't have to.

Rep. Debra Hilstrom (DFL-Brooklyn Center), the committee chairwoman, said fiscal implications will be evaluated as the bill goes through the process.

— M. COOK

TAXES

Tax priority discussion continues

In two meetings, the House Taxes Committee has gotten through only two provisions in the governor's proposed budget because of lengthy discussions.

During the committee's Feb. 10 meeting, Revenue Commissioner Ward Einess explained the reinvestment tax credit that would encourage job growth and new investments in Minnesota businesses. The credit would be capped at \$50 million and there would be a one-time General Fund revenue reduction in fiscal year 2010.

"Tax cuts are spending," said Rep. Ann Lenczewski (DFL-Bloomington), committee chairwoman. "So we either need to raise revenue or cut something else. It's about choices. I don't know that this is the right package."

The governor's plan would provide incentives for businesses that invest in their businesses quickly, Einess said. Qualifying investments would include things like machinery, equipment and furniture.

Rep. Randy Demmer (R-Hayfield) said, "We need to keep in mind about whether we're investing, or think we're investing, or whether it's an expense for something that's a service that we think people need to have." He added that a grant could create jobs, where a credit might only save jobs.

Rep. Tom Rukavina (DFL-Virginia) asked, "Where is there proof that cutting business tax leads to job creation?"

To which Rep. Kurt Zellers (R-Maple Grove) asked, "Where can you show that raising taxes actually produces jobs?" He used Broadway in New York City as an example of how increased taxes have hurt the theater district there.

"Tax increases aren't good for business," Lenczewski said. "I've done many of the things people on both sides have wanted for business."

Most people say they want a balanced approach, she said.

"It's so important to have the debate," Lenczewski said. "This is hard. We need bills that get signed in the end that balance the budget. We need to think it through a little bit."

—S. HEGMAN

Airport back on the tax rolls

Reattaching the St. Paul airport to the city and school district tax bases could give the state more money to balance its budget.

Held over Feb. 11 by the House Property and Local Sales Tax Division for possible omnibus bill inclusion, HF393, sponsored by Rep. Sheldon Johnson (DFL-St. Paul), would require that taxable property at the St. Paul intermediate airport, known as Holman Field, be considered part of the city and school district tax base for taxes payable after 2010. This property was "detached" from the two tax bases in 1996.

Properties at Holman Field now pay only for county and special taxing district property taxes, which is also the case for the Minneapolis-St. Paul International Airport. The difference is the international airport does not pay school or city property tax because it is federal property.

The state aid reduction for the city would be about \$60,000 for each fiscal year. The proposal would increase homestead property taxes, resulting in a small increase in property tax refunds paid by the state.

Wendy Underwood, St. Paul's chief lobbyist, said the city currently doesn't have a position on the bill. In lieu of taxes, the city receives a \$72,000 cash payment each year for fire and police coverage at Holman Field, she said. Property tax estimates for the airport would be just under \$100,000 to the city for 2009, but because levy limits have already been set, a change would affect the city's current projected budget.

"Unless we have a clear position from the city, it's hard for me to get in the middle of this when it should be a local issue," said Rep. Morrie Lanning (R-Moorhead).

A companion, SF167, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Taxes Committee.

—S. HEGMAN

TRANSPORTATION

Corridor route by Capitol questioned

Plans for the Central Corridor light rail line between Minneapolis and St. Paul can't be changed without wasting time and money the state doesn't have.

"To change the route would be a major fundamental change that would delay the

project for a year or two," Peter Bell, chairman of the Metropolitan Council, told the House Capital Investment Finance Division Feb. 5. Members asked if the line could be re-routed slightly near the Capitol because pedestrian access will be limited across University Avenue.

"I think others need to be brought into that conversation because it has a boomeranging effect on other potential designs down the road," Rep. Loren Solberg (DFL-Grand Rapids) said.

Capitol restoration plans have not been completed and members worried that the rail line could affect those plans as well.

Rep. Alice Hausman (DFL-St. Paul), division chairwoman, said some representatives recently discovered that the line is scheduled to go just north of the Capitol down University Avenue, through a trench that will have to be dug. It can't go too far down, she said, because there are tunnels there, but it's enough that there won't be pedestrian access across the street behind the Capitol. "That plus the fact that we won't have Capitol restoration completed; it has, of course, made some people a little nervous about the timing of our work not being ready for light rail."

Bell said a change to the route would mean a whole new batch of environmental analysis.

"We could make the most minor tweaks to the line at this point. Things that wouldn't cause a new environmental impact study."

Additionally the route gets a 50 percent match in federal funding, and the restrictions could cause other problems.

"Other states have bypassed the money and have said, 'We're building it ourselves,' because of the severe restrictions that the federal dollars bring," she said.

—S. HEGMAN

Keeping youngsters safe

Investing less than the cost of a tank of gas could better ensure a child has every opportunity afforded them.

For Brynn Duncan the legislation would come too late.

Restraint with only a seat belt, as required by state law, the 7-year-old was riding in her grandmother's car when it was involved in a crash on Aug. 18, 2008. The impact snapped Brynn's body in half, tearing her spinal cord at the waist, severing an intestine, bruising her heart and damaging a kidney. Doctors said she was fortunate to survive, but the Moorhead girl is paralyzed.

Current law says a child passenger restraint system is required for children under age 4, at which point they can be buckled in with



PHOTO BY TOM OLMSCHIED

Abbie Swanson, 6, properly sits in a car seat equipped with a booster seat, as Gail Weinholzer, director of public affairs for AAA Minnesota/Iowa, explains the proper positioning of the seat belt on a child. The House Transportation and Transit Policy and Oversight Division approved a bill Feb. 11 that would require usage of a child passenger restraint for certain youth.

a regular seatbelt. Minnesota is one of six states that does not have a supplemental child restraint law.

However, a bill sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Jim Carlson (DFL-Eagan) would require that youth be in a restraint system until their eighth birthday or they reach 4 feet 9 inches tall.

Approved Feb. 11 by the House Transportation and Transit Policy and Oversight Division, HF267 was sent to the House Public Safety Policy and Oversight Committee. A companion bill, SF99, awaits action by the Senate Finance Committee.

Gail Weinholzer, director of public affairs for AAA Minnesota/Iowa, said an improperly fitted adult safety belt could cause the lap belt to ride up over the stomach and the shoulder belt to cut across the neck. If the shoulder strap is uncomfortable, children often place it behind their backs, further defeating the safety benefits of the system.

Supporters said a backless booster seat, which raises a child so the belt properly goes across the shoulders and hips, costs less than \$20.

It would be a petty misdemeanor to violate the law, with the driver fined up to \$50. However, the fine would be waived if the driver proves within 14 days that a system has been purchased for use by the operator.

— M. Cook

Clearwater County vets highway

More than 28 miles of northern Minnesota trunk highway could honor those that have protected America.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids), HF121 was amended and approved Feb. 10 by the House Transportation Finance and Policy Division and sent to the House Finance Committee. A companion, SF451, sponsored by Sen. Rod Skoe (DFL-Clearbrook), awaits action by the Senate Transportation Committee.

"In 1999, Otter Tail County veterans designated a drive that ended in Becker County. In 2006-07, the Becker County veterans replicated and continued this road up to the top of Becker County, the bottom of Clearwater County," Sailer said. "In the spring of 2007, three veterans organizations in Clearwater County — the Bagley, Clearbrook and Gonvick American Legions — proposed to continue this highway in Clearwater County."

The proposed "Clearwater County Veterans Memorial Highway" would be about 1.5 miles of Trunk Highway 200 from County State-Aid Highway 39 to its junction with Trunk Highway 92 at Zerkul, and about 27 miles of Trunk Highway 92 from that intersection

north to County State-Aid Highway 5 in Clearbrook.

"The Bagley American Legion has the funds to pay for the signs," Sailer said.

An amendment successfully offered by Rep. Bernie Lieder (DFL-Crookston), would give the Department of Transportation permission to remove a memorial highway sign if it needs maintenance and a reasonable attempt has been made to obtain necessary funds from nonstate sources for repair or replacement.

"Sometimes it happens where in 20, 30 years the people that requested the sign are gone and no one else knows," he said.

— M. Cook

High-speed rail route funding

A potential route for a high-speed rail service between the Twin Cities to Chicago remains up for debate.

Supporters of one bill heard by the House Transportation Finance and Policy Division Feb. 10 want it to follow the corridor designated by the Midwest Interstate Passenger Rail Commission. However, a group from Rochester told the division not to forget about the state's third-largest city.

Both bills were held over for a possible referral to the House Capital Investment Finance Division.

Sponsored by Rep. Leon Lillie (DFL-North St. Paul), HF259 would authorize \$10 million in general obligation bonds for the state's share of an environmental analysis of a high-speed rail line between the Union Depot in St. Paul and the Windy City. As designated by the commission, the route would be through Hastings, Red Wing, Winona and La Crescent.

Michael Rogers, senior transportation planner for the Ramsey County Regional Railroad Authority, said the planned line would provide six daily trains to Chicago, create 1,570 permanent jobs and have \$1.6 billion in user benefits.

Rep. Alice Hausman (DFL-St. Paul) successfully amended the bill to require the analysis include costs of a future extension from the Union Depot to downtown Minneapolis.

Rep. Tina Liebling (DFL-Rochester) doesn't want her community forgotten as a possible stop. She sponsors HF124, which would authorize \$500,000 in general obligation bonds, so the Department of Transportation can conduct a feasibility study of a high-speed rail line between the Twin Cities and Chicago through Rochester.

Among points made by supporters of her bill are that the Mayo Clinic brings 500,000 people

to the state annually, and contributes roughly \$4 billion to the state's economy each year; a recent study indicates the city has the highest per-capita concentration of high-tech businesses in the country; and that a 2007 survey of southeast Minnesota residents indicated that 91 percent believe it is important that a high-speed route include a Rochester stop.

The companion bills, SF101, sponsored by Sen. Katie Sieben (DFL-Newport), and SF156, sponsored by Sen. Ann Lynch (DFL-Rochester), were scheduled to be heard Feb. 12 by the Transit Subdivision of the Senate Transportation Budget and Policy Division.

— M. Cook

Honoring a longtime legislator

A longtime representative and former speaker could have his name attached to a northern Minnesota highway.

"This is a special bill honoring a special person," said Rep. Tom Anzelc (DFL-Balsam Township).

He sponsors HF110, which would designate Trunk Highway 53 from Virginia to International Falls as the "Speaker Irvin N. Anderson Memorial Highway."

Amended and approved Feb. 10 by the House Transportation Finance and Policy Division, the bill was sent to the House Finance Committee. A companion, SF335, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), was passed 63-0 by the Senate Feb. 12.

"Speaker Anderson passed away in November," Anzelc said. "In one of those interesting conversations that I'll never forget, his spouse, Phyllis, asked about the possibility of doing this."

"My first thought was, 'Well, Phyllis, the Legislature really frowns on doing these kind of things, but because it's Irv, and because of his service to the entire state of Minnesota and his commitment to a multimodal transportation system I'll do my best.'"

First elected in 1964, Anderson spent 34 non-consecutive years in the Legislature, serving from 1964-82 and 1990 until retiring in 2006. He was House speaker from 1993-96.

Nonstate funds must be used for the design and maintenance of the memorial signs.

Rep. Bernie Lieder (DFL-Crookston), the division chairman, successfully amended the bill to give the Department of Transportation permission to remove a memorial highway sign if it needs maintenance and a reasonable attempt has been made to obtain necessary funds from nonstate sources for repair or replacement.

— M. Cook

Connecting the state

Study highlights Minnesota's technology needs

By KRIS BERGGREN

Minnesota's invisible resource — its bandwidth — could drive economic growth as the state's information technology infrastructure expands.

A broadband mapping survey commissioned in last year's omnibus energy law is underway, assessing statewide telecommunications provider capacity, connectivity access and connection speed. Final results are due in June, but preliminary findings show that 92 percent of Minnesotans now have potential residential access to at least one broadband platform. However, 8 percent, or 418,000 Minnesotans, don't, Brent Legg, vice president of state and local initiatives with Connected Nation, the nonprofit organization conducting the survey, told the House Telecommunications Regulation and Infrastructure Division Feb. 6.

Rep. Brita Sailer (DFL-Park Rapids) said that many constituents have expressed concerns about spotty or nonexistent Internet access that poses an obstacle to such business activities as making resort reservations, telecommuting or doing online research.

One constituent told Sailer that because of poor connectivity she had to drive 25 miles to town to file quarterly business tax forms until she signed up for satellite service. Although this solved the problem, it cost \$600 a year. Another was given permission to telecommute several days a week when gas prices reached record levels last year, "but she couldn't do it because she doesn't have high-speed service," Sailer explained. Federal Express is no longer fast enough for a Hubbard County photographer to get portfolio samples to clients, and he's losing business without the technology to send high-quality online images.

"When we're looking at an even playing field, it's sometimes about making sure economic development can happen even in areas where distance is a real impediment," Sailer said. "Broadband makes such a difference now

because it's just how so much of the world operates."

The Web-based survey compiles information from the approximately 150 telecommunications providers in Minnesota, and connectivity speed tests aggregated by a Connected National subcontractor from information entered by users at the Connect Minnesota Web site, www.connectmn.org.

Project results could position Minnesota to receive economic development funds from the anticipated federal economic stimulus funds and last year's federal Broadband Data Improvement Act, which is intended to boost broadband availability and connection quality in underserved areas. The act also provides for up to 80 percent of implementation costs to local municipalities or service providers building out access.

Ahead of the curve

Some cities have tried to get ahead of the curve by creating municipal broadband companies.

Rep. Michael Beard (R-Shakopee) recalled that a few years ago, Windom borrowed money, sought grants and passed a levy referendum to build out capacity using then state-of-the-art fiber optic lines to every home in the city — but the city suffered when residents didn't turn into customers.

"The city is saddled with millions in debt," Beard said, pointing to other cities, such as

Winona, that have run a successful broadband operation.


Beard said the mapping survey, useful as a "snapshot" of current broadband capacity, might guide entrepreneurs who want to get into the market of building out underserved areas, but he's cautious about committing public funds. "I would ask any (municipality) that's considering it to tread carefully. You are dealing with technology that's not going to be in the ground for 50 years. It's in the air."

Besides, he thinks the real growth area will be "G4" or next generation wireless technologies that can operate on bandwidth formerly used by analog television broadcasters. He said such telecommunications giants as Sprint and Nextel have paid \$16.4 million for wireless channels that will become available for development after the digital conversion is completed by June 12.

"While we're making plans to sell bonds and take bids on pulling fiber optic to the remote corners of the state like the Boundary Waters, once we get this conversion done and people are going to start deploying G4, wherever people get a TV signal you're going to get broadband service," Beard said.

Such new technologies as WiMax, short for Worldwide Interoperability for Microwave Access, could serve entire communities up to a 6-mile range in a sort of expanded version of Wi-Fi networks that allow Internet access in coffee shops or homes for a 100-yard range. WiMax networks could eventually combine for a panoply of voice, Internet and video services.

But Sailer isn't convinced the buildup of the old analog bandwidth will deliver the band-aid unconnected Minnesotans really need.

"I'm hearing when the digital conversion goes and this bandwidth is purchased everything will be wonderful," she said. "I have a little reservation. How many times a manufacturer, or a whole industry, has said something would happen and it didn't? I want to make sure it does occur and does in a way that is statewide." 

'When we're looking at an even playing field, it's sometimes about making sure economic development can happen even in areas where distance is a real impediment.'

— Rep. Brita Sailer

No ID required

House committee defeats proposal to require photo ID for voters

By Nick Busse

Rep. Tom Emmer (R-Delano) didn't waste time getting into the specifics of his voter ID bill for members of the House State and Local Government Operations Reform, Technology and Elections Committee on Feb. 12. Instead, he made a very simple pitch: it's about integrity.

Emmer argued that HF57, which would require all Minnesota voters to present a valid photo ID at their polling place on Election Day, would not only prevent voter fraud, but assure voters that the true outcome of any election is beyond doubt.

"If we're truly proud of our elections ... it's imperative that we do something as simple as require a voter ID," Emmer said.

Opponents of the bill, like Hamline University law professor David Schultz, disagreed. They argued that a photo ID requirement would make it more difficult for people to vote and thereby suppress turnout on Election Day. Moreover, Schultz and others said the problem that the bill seeks to prevent — voter fraud — is statistically insignificant to the point of being nonexistent.

They were familiar arguments on what has become an almost perennial issue. And the end result was also familiar: the bill was defeated on an 11-8 vote by committee members. With the exception of Rep. Phil Sterner (DFL-Rosemount), all DFLers voted against the bill and all Republicans for it.

It must have seemed like déjà vu to Emmer, who said he's baffled why voter ID has become such a partisan issue.

"We all want to maintain the integrity of our elections and make sure that people have the confidence in the legitimacy of the outcome — that if their candidate doesn't win, they know it was a fair and honest election," Emmer said.

Under the provisions of his bill, voters who don't already have a valid ID, such as a driver's license, would be able to obtain a special voter

ID card free of charge from their local county election officials. Additionally voters who are unable to present a valid photo ID at their polling place on Election Day could cast a provisional ballot that would later be counted if the voter could prove their identity.

Though the provisions are intended to assuage concerns about making it harder for people to vote, opponents argue Emmer's bill will do exactly that.

Keesha Gaskins, executive director of the League of Women Voters of Minnesota, said the bill adds another layer of complication to the voting process — one that will place an added burden on senior citizens, disabled persons and other demographics that already find voting a difficult endeavor.

"The problems we have seen in Minnesota's current election system are frequently a result of unnecessarily complicated systems that allow multiple opportunities for error. This bill adds another layer of responsibility and complication," Gaskins said.

Research on this subject has yielded mixed results. A study by Rutgers University and another by the California and Massachusetts institutes of technology indicated that voter ID laws do indeed discourage people from voting, especially among lower-income and lower-education demographics.

A University of Missouri study on a voter ID law in Indiana, however, found "no consistent or statistically significant evidence" that the law had a negative impact on voter turnout. In fact, it found that voter turnout had actually increased in Democratic-leaning areas following its enactment — though Schultz

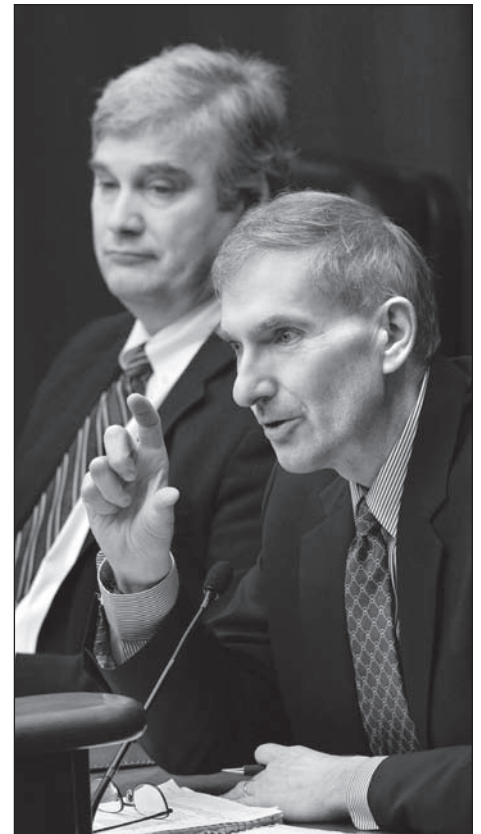


PHOTO BY ANDREW VONBANK

As Rep. Tom Emmer, left, the bill's sponsor watches, Hamline University Law Professor David Schultz, right, testifies before the House State and Local Government Operations Reform, Technology and Elections Committee Feb. 12 against a bill that would require voters to provide picture identification before receiving a ballot.

and others have accused the report of using a flawed methodology.

There are other, more practical objections to the bill. Gaskins said providing counties with the staff and equipment to produce voter ID cards would have an unknown and potentially huge cost to the state. Meanwhile, Secretary of State Mark Ritchie said that other states' experiences with the provisional balloting

Voter ID continued on page 23

Is there a page in the House?

They 'do what needs to be done'

BY KRIS BERGGREN

Arguably, the 24 House pages are the elbow grease that keeps the wheel of House business moving. Unexpected amendments to copy ASAP? Unscheduled testifiers to shepherd through a hearing? Temperamental overhead projector needs a calm hand? Need a bill jacket delivered pronto to a senator? Paperwork shuttled quickly to the chief clerk's office?

"I think I call the pages every single day at least three times," said Erin Huppert, legislative assistant to the House Public Safety Policy and Oversight Committee and to Reps. Debra Hilstrom (DFL-Brooklyn Center) and Kim Norton (DFL-Rochester). Pages may help compile information, and are "invaluable" in committee, Huppert said, handling all manner of unexpected tasks.

In Garrison Keillor's words, pages simply "do what needs to be done."

Political passion wanted

A page's job "can be a little monotonous, but if you're enjoying being here, it's not like work," said First Assistant Sergeant-at-Arms Eric Bergstrom, the page's supervisor. Not surprisingly, one quality he sought as he sifted through 150 applications for the 24 spots was an interest in politics.

Typical of those making the cut is Tricia Van Eschen, 22, a Hamline University graduate with a political science degree and job experience

with ACORN (Association of Community Organizations for Reform Now). Two trips to New Orleans where she befriended locals still trying to rebuild their city three years after Hurricane Katrina really fueled her fire to create wider access to the political system.

She is happy to be learning the inside game by serving the House committees: Commerce and Labor, Civil Justice, Public Safety Policy and Oversight and the House Labor and Consumer Protection Division. The job is "like no other" way to experience the "hands-on, nitty-gritty working of the political system," said Van Eschen.

Tongues in check

Most pages have partisan tendencies but appreciate the nonpartisan nature of their job.

Luke Leadbetter, 22, a University of Minnesota political science major, has sampled political jobs, including an internship with Sen. David Hann (R-Eden Prairie), and most recently, staffing the Ramsey County Elections office, where he was one of three employees that helped oversee the recount of 280,000 ballots. He saw his share of partisan sniping in the ensuing frenzy.

"I'm a big fan of nonpartisan jobs," Leadbetter said. "I prefer to try to see an issue from both sides before I tackle it from one."

Conversely, Liz Young, 25, admits she enjoys the "echo chamber" of a campaign office where she can speak her mind, but she is learning a lot from simply absorbing what goes on in committee hearings and getting to know legislative staff members.

Possibly the most fashion-forward page, Young wears her scarves knotted the French way and heels that don't prevent her from wheeling carts laden with folders through the tunnels of the Capitol Complex. As a Syracuse University French and political science major, she spent one year in France, then two years teaching in Japan, her mother's birthplace. But the Minnesota senate race drew her home to volunteer for the Al Franken campaign.



PHOTO BY ANDREW VONBANK

Among this session's two dozen pages are, from left, Luke Leadbetter, Tricia Van Eschen, Vitali Gueron and Elizabeth Young. Each comes to the House with a varied background.

Pages continued on page 23

Former teacher returns

Dauids is happy to be back after hiatus

By SUSAN HEGARTY

When is a freshman legislator not really a freshman?

Ask Rep. Greg Davids (R-Preston), who was elected to his ninth term in 2008 after a two-year hiatus. He lost the previous election by less than 60 votes, but prior to that, he served eight consecutive terms.

"It's kind of like riding a bike. You get knocked off the bike; you get back on the bike and start to peddle again. Little did I know that I'd be peddling into a \$7 billion budget shortfall," said Davids.

Even as a true freshman in 1991, he missed orientation because he was seated in February after a special election. With eight years each as a majority and minority legislator, he's still

acclimating to the changes in today's House.

"I haven't served with over 50 of the members," he said.

One thing that hasn't changed is his reason for returning to public service. As a retirement financial planner, he's accustomed to helping people plan for their futures. The same is true in public office.

"Being the elected official, you can do so much more to help people. For me, that's what it's all about," he said.

Of the six committees/divisions he is assigned to, serving as the Republican lead for the House Cultural and Outdoor Resources Finance Division has gained him the most popularity. He'll be deciding how to spend millions in dedicated tax receipts for the outdoor heritage funds. Oddly, he worked diligently against the constitutional amendment that authorized the tax increase, but now that it's passed, he said he'll do



Rep. Greg Davids

DISTRICT 31B

Population: (2007 est.) 36,538
Largest City: La Crescent
Counties: Fillmore, Houston
Top Concern: Equity in school district funding

his best to get voters the best bang for their money.

Though he isn't a member of any education committees, the former teacher said equality between rural and metropolitan area schools is his biggest concern. He's also sensitive to cuts in education. In 1982, "I became a budget cut of a downturn in the economy because of budget deficits, so when someone says, 'We're concerned about our jobs,' I understand it," said Davids.

He and his wife, Bonnie, have been married for 30 years and have three daughters, one of whom is also a teacher.

From NYC to Minnesota

Business brought Doepke to state, led to public service

By SONJA HEGMAN

Rep. Connie Doepke loves being a legislator.

"I'm thrilled and honored to be here," she said.



Rep. Connie Doepke

The first-term Republican from Orono said she knocked on 7,500 doors in her district after being endorsed in June to replace former Rep. John Berns (R-Wayzata).

Among her committee assignments are seats on the K-12 education finance and policy committees, an ideal fit for someone who has experienced the results of state action in the area.

Before running for legislator, Doepke spent nine years on the Wayzata School Board,

— eight years on the board and one year as a consultant. She had thought about being a legislator because she'd already spent several years in public service and enjoyed it.

"I found that I fell in love with public service," she said. Prior to being on the school board, Doepke spent 20 years working as an executive in the corporate sector.

"Being a working mother is one of the hardest things in the world to do. Being a mother in general is hard," she said. A time came when she needed to be at home more with her children, that's when she devoted her skills to the school district.

Originally from Michigan, a business opportunity with Sears, Roebuck and Co. led Doepke to New York City after college. She worked for several businesses during her 20 years in New York — Avon Products being one — as an executive and an officer. She

DISTRICT 33B

Population: (2007 est.) 37,450
Largest City: Orono
County: Hennepin
Top concerns: Small business, education, environment

then worked for a small company called New Hampton Inc., before Fingerhut "discovered" her and wooed her to Minnesota in 1993. She worked as Fingerhut's vice president of apparel until 2000.

She hoped to serve on an environment committee this year, but that did not happen. Nonetheless, she still plans to help in the environment area because it is important to her district, which includes part of Lake Minnetonka.

Doepke's father was an environmental scientist for the state of Michigan. "I understand the need to protect our environment for future generations."

Monday, February 9

HF584-Paymar (DFL) **State & Local Government** **Operations Reform, Technology & Elections**

New billboard statewide moratorium established, and existing billboards declared as nonconforming.

HF585-Drazkowski (R) **State & Local Government** **Operations Reform, Technology & Elections**

English designated as official state language.

HF586-Drazkowski (R) **State & Local Government** **Operations Reform, Technology & Elections**

Government employee salary and wage rate freeze instituted.

HF587-Murphy, E. (DFL) **Health Care & Human Services Policy & Oversight**

Sexual violence prevention demonstration grant funding provided.

HF588-Falk (DFL) **Finance**

Dawson-Boyd; ISDN 378; geothermal heating system funding provided.

HF589-Lesch (DFL) **Public Safety Policy & Oversight**

Driver's license reinstatement diversion pilot program created for individuals charged with driving without a valid license.

HF590-Brynaert (DFL) **Taxes**

Mankato; sales and use tax modified.

HF591-Hansen (DFL) **Environment Policy & Oversight**

Reinvest in Minnesota Resources law modified.

HF592-Thissen (DFL) **State & Local Government** **Operations Reform, Technology & Elections**

Teacher retirement provisions amended, contribution rates and state aid adjusted, and terms redefined.

HF593-Drazkowski (R) **Public Safety Policy & Oversight**

Firearm permit to purchase from federally licensed dealer renewal time period extended.

HF594-Liebling (DFL) **Health Care & Human Services Policy & Oversight**

Human services commissioner required to establish and administer a universal prescription drug program and prescription drug bulk purchasing program, dedicated fund established and money appropriated.

HF595-Paymar (DFL) **State & Local Government** **Operations Reform, Technology & Elections**

Billboard erection prohibited near roads and highways, and maintenance of advertising devices restricted.

HF596-Paymar (DFL) **State & Local Government** **Operations Reform, Technology & Elections**

Billboard nonconforming use provisions modified.

HF597-Slawik (DFL) **Finance**

Early childhood learning and child protection facility construction and rehabilitation funding provided.

HF598-Eken (DFL) **Agriculture, Rural Economies & Veterans Affairs**

Nursery law provisions changed.

HF599-Murphy, E. (DFL) **Health Care & Human Services Policy & Oversight**

Human services commissioner required to modify the reimbursement methodology for federally qualified health centers and rural health clinics and implement related initiatives.

HF600-Kalin (DFL) **Public Safety Policy & Oversight**

Controlled substance offense minimum fine disbursement authorized to juvenile substance abuse court programs.

HF601-Slawik (DFL) **Finance**

Pre-kindergarten exploratory projects continued; family, friend and neighbor grants continued; and school readiness service agreements continued.

HF602-Beard (R) **Energy Finance & Policy Division**

Audio electronic recordings provided, and cold weather rule technical corrections made.

HF603-Beard (R) **Energy Finance & Policy Division**

Public Utilities Commission proceeding provisions modified.

HF604-Beard (R) **State & Local Government** **Operations Reform, Technology & Elections**

Public employee definition modified.

HF605-Hortman (DFL) **Finance**

Transportation Department management, priorities, research and planning provisions modified.

HF606-Hortman (DFL) **Environment Policy & Oversight**

Fluorescent or high-intensity discharge lamp manufacturers required to organize collection and recycling programs for household generators, registration required, efficient lighting program modified and money appropriated.

HF607-Clark (DFL) **Environment Policy & Oversight**

Polybrominated diphenyl ether manufacture and sale restricted, and multi-state clearinghouse participation authorized.

HF608-Kahn (DFL) **Agriculture, Rural Economies & Veterans Affairs**

Industrial hemp industry development and regulation provided, possession and cultivation of industrial hemp defense provided and marijuana definition modified.

HF609-Newton (DFL) **Finance**

Armed Forces Expeditionary Medal license plate established.

HF610-Peterson (DFL) **K-12 Education Policy & Oversight**

Schools required to use environmentally sensitive cleaning and maintenance products, and guidelines and task force created.

HF611-Kahn (DFL) **Agriculture, Rural Economies & Veterans Affairs**

Disabled veteran-owned businesses designated as targeted group for purposes of awarding state and metropolitan agency contracts.

HF612-Lesch (DFL) **Commerce & Labor**

Sick leave minimum standards established.

HF613-Buesgens (R) **K-12 Education Policy & Oversight**

School districts enabled to focus on delivering academic services, and non-curricular athletic and fine arts activity responsibility transferred from school districts to local governments.

HF614-Buesgens (R) **K-12 Education Policy & Oversight**

No Child Left Behind Act implementation prevented.

HF615-Rukavina (DFL) **Finance**

Aurora; water treatment facility renovation funding provided.

HF616-Davnie (DFL) **Health Care & Human Services Policy & Oversight**

Reproductive privacy right established.

HF617-Garofalo (R) **Taxes**

Political contribution refund repealed.

HF618-Murphy, E. (DFL) **Health Care & Human Services Policy & Oversight**

Senior nutrition appropriation and client contribution use clarified.

HF619-Hornstein (DFL) **Finance**

Public Safety Department authorized to collect fuel decal fee for International Fuel Tax Agreement, and cost of decal rule removed.

HF620-Hornstein (DFL) **State & Local Government** **Operations Reform, Technology & Elections**

Metropolitan Council annual audit by private certified public accountants authorized.

HF621-Anzelc (DFL) **Environment Policy & Oversight**

Northern pike spearing slot limits eliminated.

HF622-Welti (DFL) **Public Safety Policy & Oversight**

Local law enforcement agency grant established to develop or expand lifesaver programs that locate lost or wandering persons who are mentally impaired, task force authorized and money appropriated.

HF623-Slocum (DFL) **K-12 Education Policy & Oversight**

Charter school provisions modified and charter school advisory council revived.

HF624-Downey (R) **Transportation & Transit Policy & Oversight Division**

Safe School Zone Law enacted, and clarifying and technical changes made.

HF625-Gardner (DFL) **Finance**

Public access to data allowed by state accounting and procurement systems.

HF626-Bly (DFL) **Commerce & Labor**

MFIP assistance extended, unemployment compensation modified, foreclosure provisions augmented, jobs creation program established, layoffs limited and money appropriated.

HF627-Juhnke (DFL) **Finance**

Veteran homes required to use Medicare Part D for pharmacy costs for eligible veterans.

HF628-Rukavina (DFL)**Commerce & Labor**

State lottery director authorized to establish video lottery terminals; powers and duties provided to the director; video lottery revenues provided; gambling taxes modified; and clarifying, conforming and technical changes made.

HF629-Juhnke (DFL)**Finance**

Veteran home federal certification application required.

HF630-Juhnke (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Animal cruelty prevention assistance restriction eliminated.

HF631-Kahn (DFL)**Commerce & Labor**

State lottery authorized to offer games involving sports wagering and sports wagering pools, sports bookmaking authorized under licenses issued by the director of the state lottery, licensed sports bookmaking tax imposed and a Minnesota active recreation fund created.

HF632-Jackson (DFL)**Civil Justice**

Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act enacted.

HF633-Buesgens (R)**Commerce & Labor**

State lottery director authorized to establish gaming machines and enter into a contract for the management and placement of the machines, powers and duties provided to the director, and gaming machine revenue provided.

HF634-Jackson (DFL)**Taxes**

Minnesota agricultural property tax law modified, new property tax classification established for preservation and legacy land, and property valuation modified.

HF635-Hosch (DFL)**Taxes**

Green Acres program 2008 changes delayed by one year.

HF636-Drazkowski (R)**Rules & Legislative Administration**

Per diem payments limited.

HF637-Hortman (DFL)**Finance**

Bottineau Transitway Corridor environmental review funding provided.

HF638-Scalze (DFL)**Environment Policy & Oversight**

Outdoor recreation system land sales prohibited.

HF639-Fritz (DFL)**Taxes**

Medford; local sales and use tax authorization imposed.

HF640-Rukavina (DFL)**Finance**

White; municipal water and wastewater treatment facility funding provided.

HF641-Peterson (DFL)**Finance**

Office of Early Learning created.

HF642-Kelly (R)**Taxes**

Solid waste management tax exemption provided for service charges imposed by certain cities.

HF643-Champion (DFL)**Health Care & Human Services Policy & Oversight**

Medical assistance required to cover doula services.

HF644-Champion (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Home rule charter or statutory city authorized to adopt a program requiring certain hiring practices in city contracts.

HF645-Mariani (DFL)**K-12 Education Policy & Oversight**

High school students required to have education and career plans, college readiness assessments allowed and post-secondary credits provided.

HF646-Seifert (R)**Health Care & Human Services Policy & Oversight**

MFIP electronic benefit transfers modified, and commissioner directed to apply for demonstration project to give bonus for buying Minnesota-grown foods.

HF647-Mullery (DFL)**Public Safety Policy & Oversight**

Sex trafficking provisions clarified by providing definitions of sexual trafficking and sexual trafficking victim.

HF648-Mariani (DFL)**K-12 Education Policy & Oversight**

Cardiopulmonary resuscitation and automated external defibrillator instruction guidelines established.

HF649-Abeler (R)**Taxes**

K-12 education subtraction and credit modified to apply to fees charged for extracurricular activities.

HF650-Abeler (R)**Health Care & Human Services Policy & Oversight**

Minnesota Care CMF program established, and coverages provided through medical benefit accounts and high-deductible health plans.

HF651-Abeler (R)**Health Care & Human Services Policy & Oversight**

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

HF652-Kelly (R)**Environment Policy & Oversight**

Bait and feed definition modified.

HF653-Kahn (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Election provided of certain council members elected by ward after reapportionment.

HF654-Kahn (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Fusion candidacies permitted.

HF655-Kahn (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Candidacy affidavit required to state candidate's residence address and telephone number, and candidate placement on ballot prohibited if residency requirements are not met.

HF656-Kahn (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Voting age changed from 18 to 16 in state and local elections.

HF657-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

24-hour customized living services modified.

HF658-Hackbarth (R)**Environment Policy & Oversight**

Natural resource fund account provided citizen oversight.

HF659-Hackbarth (R)**Commerce & Labor**

Farm winery provisions modified.

HF660-Morrow (DFL)**Finance**

Railroad track rehabilitation funding provided.

HF661-Torkelson (R)**Finance**

Floodplain management money appropriated.

HF662-Lanning (R)**K-12 Education Policy & Oversight**

Positive child and youth development grant program established, funding provided and money appropriated.

HF663-Gardner (DFL)**Taxes**

Truth in taxation process notice and hearing dates advanced.

HF664-Welti (DFL)**K-12 Education Policy & Oversight**

Mental health model curriculum created.

HF665-Swails (DFL)**Health Care & Human Services Policy & Oversight**

Hospital construction moratorium exception provided.

HF666-Norton (DFL)**Health Care & Human Services Policy & Oversight**

Nursing home and home care regulations modified.

HF667-Lieder (DFL)**Environment Policy & Oversight**

Red Lake County; tax-forfeited land conveyance authorized for land that borders public water.

HF668-Morrow (DFL)**Public Safety Policy & Oversight**

Post-crash procedures provided for school buses in accidents.

HF669-Bly (DFL)**Finance**

Minnesota campus compact and service learning grants funding provided.

HF670-Newton (DFL)**Finance**

Compensatory revenue pilot project continued for certain school districts, and money appropriated.

HF671-Dettmer (R)**Agriculture, Rural Economies & Veterans Affairs**

Residency requirements eliminated for veterans obtaining complimentary state park passes.

HF672-Dettmer (R)**Transportation & Transit Policy & Oversight Division**

Freeway shoulder use authorized by transit and Metro Mobility buses.

HF673-Dettmer (R)**K-12 Education Policy & Oversight**

Statewide academic standards for physical education required.

HF674-Brown (DFL)**Commerce & Labor**

State lottery director authorized to establish video lottery terminals; revenue dedicated for education funding; powers and duties provided to director; gambling taxes modified; and clarifying, conforming and technical changes provided.

HF675-Hilstrom (DFL)**Commerce & Labor**

Insurance underwriting use of credit scores and other information regulated.

HF676-Laine (DFL)**Taxes**

Columbia Heights; tax increment financing duration extended to 10 years.

HF677-Thao (DFL)
Health Care & Human Services Policy & Oversight
Body art procedures and establishments regulated.

HF678-Peterson (DFL)
Transportation & Transit Policy & Oversight Division
Vehicle lighting display requirements expanded.

HF679-Peterson (DFL)
K-12 Education Policy & Oversight
School required to notify a parent when a student intimidates or bullies another student.

HF680-Kalin (DFL)
Finance
Federal stimulus funding allocated for energy programs.

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HF681-Hayden (DFL)
Health Care & Human Services Policy & Oversight
HIV transmission public education program established.

HF682-Magnus (R)
Finance
Rock County; Nobles County; state rail line loan forgiven.

HF683-Rukavina (DFL)
Finance
Mountain Iron; municipal wastewater treatment facility funding provided.

HF684-Brod (R)
Taxes
City aid base increased.

HF685-Nornes (R)
Finance
Operation Happy Note grant provided.

HF686-Lenczewski (DFL)
Taxes
Cities and towns authorized to issue certificates for unexpected revenue shortfalls.

HF687-Mahoney (DFL)
Finance
Saint Paul; Lake Phalen waterfall funding provided.

HF688-Rukavina (DFL)
Commerce & Labor
University of Minnesota; on-sale liquor sale requirements modified.

HF689-Knuth (DFL)
Energy Finance & Policy Division
Strategic tree planting included as eligible for direct expenditures as energy conservation improvement.

HF690-Hortman (DFL)
Transportation & Transit Policy & Oversight Division
Minnesota Clean Air Act enacted, new motor vehicle decreased emission required, low emission standard adoption required for motor vehicles and necessary updates provided to comply with the federal Clean Air Act.

HF691-Rukavina (DFL)
State & Local Government Operations Reform, Technology & Elections
Vacation donation program modified.

HF692-Kahn (DFL)
State & Local Government Operations Reform, Technology & Elections
Appropriation continuation provided until eliminated or modified.

HF693-Ward (DFL)
Taxes
School district referendum market value tax base altered and seasonal recreational property taxation modified.

HF694-Marquart (DFL)
Health Care & Human Services Policy & Oversight
Health care directive registry established.

HF695-Hilstrom (DFL)
Public Safety Policy & Oversight
Marriage terms, procedures and forms clarified, modified and specified.

HF696-Dill (DFL)
Environment Policy & Oversight
Certain private sales provided to resolve trespass issues, area added to and deleted from state parks, public and private sales of surplus state land authorized, and previous sales authorization and land description modified.

HF697-Smith (R)
Public Safety Policy & Oversight
Law enforcement officers required to record the country of citizenship and immigration status of felon arrestees, and peace officers required to report suspected immigration violations by felon arrestees.

HF698-Smith (R)
Public Safety Policy & Oversight
Child unattended in a motor vehicle penalty provided.

HF699-Demmer (R)
K-12 Education Policy & Oversight
Teacher contract negotiation prohibited during the school year, and failure to settle teacher contract by Jan. 15 penalty repealed.

HF700-Demmer (R)
Transportation & Transit Policy & Oversight Division
JOBZ businesses allowed specific service signs.

HF701-Hilstrom (DFL)
State & Local Government Operations Reform, Technology & Elections
Minnesota Institute for Public Policy established to assist legislators and other policymakers in creating public policy.

HF702-Hilstrom (DFL)
Public Safety Policy & Oversight
Summary data collection and reporting required relating to decisions that affect a child's status within the juvenile justice system.

HF703-Hosch (DFL)
Health Care & Human Services Policy & Oversight
Long-term care provider rate adjustments provided, phase-in of rebased facility rates modified, funding provided for nursing facility moratorium exceptions and project extension approval, and human services commissioner required to develop recommendations on specialized care.

HF704-Knuth (DFL)
Civil Justice
Life insurance regulated, and stranger-originated life insurance prohibited.

HF705-Loeffler (DFL)
Health Care & Human Services Policy & Oversight
Preventive health care promoted by requiring high deductible health plans used with a health savings account to cover preventive care with no deductible as permitted by federal law.

HF706-Thissen (DFL)
Health Care & Human Services Policy & Oversight
Retroactive payments authorized, additional elderly waiver services authorized and medical assistance eligibility determination time frames established.

HF707-Hortman (DFL)
State & Local Government Operations Reform, Technology & Elections
Absentee ballot rejection notice required to voter.

HF708-Falk (DFL)
Finance
Clean energy resource teams funding provided.

HF709-Nelson (DFL)
Environment Policy & Oversight
Duck decoy use requirements modified.

HF710-Faust (DFL)
Agriculture, Rural Economies & Veterans Affairs
Food Safety and Defense Task Force duties changed, Minnesota Organic Advisory Task Force membership and procedures changed, and language requiring two annual reports eliminated.

HF711-Faust (DFL)
Finance
Ogilvie; ISD 333 authorized to conduct an operating referendum more than once per year.

HF712-Thao (DFL)
Finance
Saint Paul; Asian Pacific Cultural Center funding provided.

HF713-Howes (R)
Public Safety Policy & Oversight
Fireworks limited personal use authorized, affidavit of safety guidelines required and criminal penalties provided.

HF714-Thao (DFL)
Health Care & Human Services Policy & Oversight
Collaborative services established for high-risk children.

HF715-Newton (DFL)
Agriculture, Rural Economies & Veterans Affairs
Disabled veteran-owned businesses designated as targeted group businesses for purposes of awarding certain state and metropolitan agency contracts.

HF716-Rukavina (DFL)
Taxes
Tax provided on interest rates over 15 percent.

HF717-Haws (DFL)
Finance
St. Cloud Civic Center expansion funding provided.

HF718-Nornes (R)
Finance
Interstate 94 designated as POW/MIA Memorial Highway, and POW/MIA flag and interpretive sign required at each official safety rest area.

HF719-Laine (DFL)
Finance
St. Anthony-New Brighton; ISD 282 fund transfer authorized.

HF720-Hilstrom (DFL)
Public Safety Policy & Oversight
Uniform Child Witness Testimony by Alternative Methods Act adopted.

HF721-Hornstein (DFL)
State & Local Government Operations Reform, Technology & Elections
Metropolitan Council restructured as a council of governments.

HF722-Thissen (DFL)
Taxes
Tax preparation services law modified.

HF723-Murphy, M. (DFL)
State & Local Government
Operations Reform, Technology & Elections
Medical or psychological examination filing deadline extended, written applications required and disability benefit provision amended.

HF724-Kahn (DFL)
Health Care & Human Services
Policy & Oversight
Hospital-acquired infections required to be reported as adverse health care events.

HF725-Kahn (DFL)
State & Local Government
Operations Reform, Technology & Elections
County consolidation and internal boundary rationalization feasibility study required.

HF726-Murphy, M. (DFL)
State & Local Government
Operations Reform, Technology & Elections
Retirement terms defined, disability benefit provisions amended and technical changes made.

HF727-Murphy, M. (DFL)
State & Local Government
Operations Reform, Technology & Elections
Correctional employee disability benefit provisions amended, terms defined and age limits amended.

HF728-Mullery (DFL)
Public Safety Policy & Oversight
Animal fighting device or substance possession prohibited.

HF729-Poppe (DFL)
State & Local Government
Operations Reform, Technology & Elections
Town election requirements changed.

HF730-Thao (DFL)
Health Care & Human Services
Policy & Oversight
Health plans required to cover formula-based wound care required.

HF731-Mullery (DFL)
Civil Justice
Civil liability modified for labor and sex trafficking crimes.

HF732-Dill (DFL)
State & Local Government
Operations Reform, Technology & Elections
Brimson Firefighters Relief Association alternate composition permitted for the relief association board of trustees.

HF733-Dill (DFL)
Finance
School district swimming pool levy criteria eligibility modified.

HF734-Sterner (DFL)
Health Care & Human Services
Policy & Oversight
Corporate adult foster care and corporate child foster care disqualification bars extended.

HF735-Sterner (DFL)
Health Care & Human Services
Policy & Oversight
Licensure law changed to include professional counselors as licensed mental health professionals.

HF736-Pelowski (DFL)
State & Local Government
Operations Reform, Technology & Elections
State agency names changed.

HF737-Rukavina (DFL)
Higher Education & Workforce
Development Finance & Policy Division
Rehabilitation counselors for the blind certification provided.

HF738-Pelowski (DFL)
K-12 Education Policy & Oversight
General aid payments amended in districts with high online learning enrollment.

HF739-Solberg (DFL)
Taxes
Exemption provided for pollution control equipment.

HF740-Mariani (DFL)
Finance
Statewide science, technology, engineering and math initiative funding provided.

HF741-Kahn (DFL)
State & Local Government
Operations Reform, Technology & Elections
Minneapolis Firefighters Relief Association and Police Relief Association Employees permitted to be members of the Public Employee Retirement Association.

HF742-Hilstrom (DFL)
State & Local Government
Operations Reform, Technology & Elections
Instant runoff voting in federal, state and local elections provided.

HF743-Lillie (DFL)
Finance
Ramsey County; funding provided for restoration of channel connecting Round Lake to Lake Phalen.

HF744-Mullery (DFL)
Finance
Transitional employment training project funding provided.

HF745-Kohls (R)
Taxes
Charitable contribution subtractions increased.

HF746-Kohls (R)
Taxes
Research credit allowed against the individual income tax.

HF747-Kohls (R)
Taxes
Income and corporate franchise tax conformed to the federal treatment of section 179 allowances.

HF748-Gunther (R)
Higher Education & Workforce
Development Finance & Policy Division
Baccalaureate degree policy requirement removed, and Board of Trustees allowed to determine credit requirements.

HF749-Howes (R)
Finance
Akeley; culvert reconstruction or replacement funding provided for Trunk Highway 64 in Eleventh Crow Wing Lake.

HF750-Sertich (DFL)
Finance
Floodwood; business park development grant provided.

HF751-Benson (DFL)
K-12 Education Policy & Oversight
School districts authorized to create site-governed schools.

HF752-Hornstein (DFL)
Health Care & Human Services
Policy & Oversight
Adult mental health fatality review team established, criminal penalties for records disclosure provided and money appropriated.

HF753-Sterner (DFL)
Finance
Minnesota Zoo improvements funding provided.

HF754-Winkler (DFL)
State & Local Government
Operations Reform, Technology & Elections
Election complaint assessments and payment costs modified.

HF755-Simon (DFL)
Public Safety Policy & Oversight
Felony theft added to racketeering statute and identity theft added to the enhanced penalty for theft.

HF756-Hortman (DFL)
Finance
Coon Rapids; bicycle and pedestrian trail funding provided.

HF757-Murphy, M. (DFL)
State & Local Government
Operations Reform, Technology & Elections
Retirement and disability requirements for Department of Transportation pilots modified.

HF758-Persell (DFL)
Environment Policy & Oversight
Big Rice Lake; wild rice management cooperative established.

HF759-Bigham (DFL)
State & Local Government
Operations Reform, Technology & Elections
Lobbying by former legislators, constitutional officers and agency heads prohibited for two years after leaving office.

HF760-Ward (DFL)
Health Care & Human Services
Policy & Oversight
Minnesota Faith in Action permanent funding allocated.

HF761-Kalin (DFL)
State & Local Government
Operations Reform, Technology & Elections
Retirement plan cost study for post-sentencing officers conducted.

HF762-Eken (DFL)
Environment Policy & Oversight
Grasslands definitions repealed.

HF763-Reinert (DFL)
Taxes
Northern Lights Express Rail construction activities sales tax exemption provided.

HF764-Hosch (DFL)
State & Local Government
Operations Reform, Technology & Elections
Notice and public hearing before adoption of interim ordinance required.

HF765-Loeffler (DFL)
Finance
Minneapolis; Northtown Rail Yard Bridge construction funded.

HF766-Shimanski (R)
Taxes
Special service taxation districts establishment deadline repealed.

HF767-Downey (R)
K-12 Education Policy & Oversight
Labor Day school start provision repealed.

HF768-Mariani (DFL)
Finance
Child care assistance program modified.

HF769-Liebling (DFL)
Finance
Olmsted County; nursing facilities reimbursement rates increased.

HF770-Shimanski (R)
State & Local Government
Operations Reform, Technology & Elections
Term limits for state legislators and constitutional officers established.

HF771-Mullery (DFL)
Health Care & Human Services
Policy & Oversight
Cohabiting couple estate recovery regulated.

HF772-Atkins (DFL)**Commerce & Labor**

Medical examination frequency limited for physicians of motor vehicle insurers.

HF773-Atkins (DFL)**Health Care & Human Services Policy & Oversight**

Health carrier definition clarified.

HF774-Knuth (DFL)**Environment Policy & Oversight**

Greenhouse gas emission registry provided.

HF775-Beard (R)**Finance**

Vehicle service fees credited to the vehicle services operating account.

HF776-Lesch (DFL)**Civil Justice**

Uniform Foreign-Country Money Judgments Recognition Act enacted and recommended for passage by the National Conference of Commissioners on Uniform State Laws.

HF777-Shimanski (R)**Finance**

Departments defined for the pupil transportation equal treatment statute.

HF778-Faust (DFL)**Finance**

School district with a negative fund balance authorized to hold a referendum election at a time other than November.

HF779-Rukavina (DFL)**Finance**

Contracted school food service vendor requirement to make deficit payments eliminated.

HF780-Dittrich (DFL)**Finance**

Management cost payment prohibited from permanent school trust fund land proceeds.

HF781-Kalin (DFL)**Taxes**

Voluntary firefighter pension subtraction created.

HF782-Sterner (DFL)**Health Care & Human Services Policy & Oversight**

Shaken baby syndrome training requirements changed in licensed child care and child foster care programs.


Voter ID continued from page 16

provided for in Emmer's bill "is a nightmare that results in only one-third of those votes being counted."

Nevertheless, Emmer said requiring voter ID is a popular idea whose time has come. He points to a U.S. Supreme Court decision last year that found Indiana's photo ID law to be constitutional as evidence that many of the objections to his bill are invalid. As to the cost concern, he said it would be money well-spent.

"How much is too much to ensure the integrity of our electoral process?" he asked.

He may, however, have to ask the question again next year.

A companion to Emmer's bill, SF146, sponsored by Sen. Amy Koch (R-Buffalo), awaits action by the Senate State and Local Government Operations and Oversight Committee. 

Pages continued from page 17

"I'd kind of seen it as Paul Wellstone's seat," Young said. "Not ever in a partisan way but as someone who stood up for people without a voice." She believes the drive "to take care of each other" is the hallmark of Minnesota politics.

Vitali Gueron, 25, has also canvassed for a congressional campaign and witnessed political tension on an international scale as an intern with the Israel Project, a Jerusalem-based nonprofit. But the self-described "political junkie" has learned as a page that even partisan aficionados can keep their tongues in check when necessary.

"People are surprisingly very civil," observed Gueron. A political science and Hebrew studies major at the University of Wisconsin-Milwaukee, Gueron was born and lived in Bulgaria until he was 8, then moved to St. Paul with his family. He recently spent two years working at the United Jewish Fund and Council of St. Paul.

Page assignments may reflect their personal interests.


For example, Gueron lives in a LEED-certified building two blocks from a light rail station, so he was a happy to be assigned to

the House Transportation Finance and Policy, and Cultural and Outdoor Resources Finance divisions. He teams up with Leadbetter, who also supports renewable energy technology and public transportation, to serve the House Transportation and Transit Policy and Oversight Division.

These pages have their eyes on the next step on their political journey — Gueron mentions working on the governor's race in 2010; Leadbetter, who speaks French, has applied for a job with the Canadian consulate or might join the Peace Corps; Young would like to lobby for women's rights or work on a national campaign.

Van Eschen wants to return to New Orleans, possibly with AmeriCorps, and eventually pursue public policy graduate studies at the University of Minnesota's Humphrey Institute of Public Affairs. Meanwhile, she might be the only person who wouldn't mind if the Legislature went into a special session, so she could keep working and start saving money toward those goals.

But it's more than a paycheck.

"My parents asked me if I would have to work a special session," Van Eschen recalled. "I said, 'You mean get to.'" 

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MINNESOTA INDEX

Wanna Bet?

Percent of adult Minnesotans who gambled in the previous year.....	75
Licensed lawful charitable gambling organizations in Minnesota in fiscal year 2008.....	1,290
Combined locations for these organizations.....	2,934
Billions in state receipts from Minnesota lawful gaming industry in fiscal year 2008.....	\$1.14
Percent decrease from 2007.....	9.8
Percent decrease from 2004.....	19.5
Billions in estimated illegal gambling in the state in 2008.....	\$2
Prizes awarded in fiscal year 2008, in millions.....	\$933.51
Percent decrease from 2007.....	9.8
Percent decrease from 2004.....	19.6
Overall rate, as percent, of gambling prize payout in fiscal year 2008.....	81.8
In 2007.....	81.7
Millions in gross profit spent on "lawful purpose" donations in fiscal year 2008.....	\$92.26
Millions of that total on taxes and fees.....	\$46
Millions spent on "charitable" donations.....	\$38.9
Percent of charitable donations that went to nonprofit festival organizations.....	34
Percent to local units of government.....	23
Percent to youth activities.....	19
Average percent of gross profit that licensed organizations spend on expenses.....	55.5
State lottery revenue in fiscal year 2008, in millions.....	\$463.1
Profit to state programs in fiscal year 2008, in millions.....	\$116.26
Millions in fiscal years 2006, 2004.....	\$121, \$101
For each dollar spent on lottery in fiscal year 2008, cents returned as prizes.....	60.4
Cents to the state's General Fund.....	13.8
Cents to the Environment and Natural Resources Trust Fund.....	6.6
Cents for every dollar spent on the lottery.....	6.6
Millions contributed by the state lottery, through fiscal year 2009 for problem gambling programs.....	\$32
Percent of Minnesotans, according to a study, who would feel comfortable talking to a friend or family member about a gambling problem.....	90
States, including Minnesota, that funded problem-gambling programs in 2007.....	29
Individuals in 2006 who received state-funded treatment from problem gambling treatment providers.....	1,150
Treatment providers registered with the state to provide outpatient treatment.....	93
Number of locations.....	111

— M. Cook

Sources: Minnesota State Lottery Overview 2009; Annual Report of the Minnesota Gambling Control Board, Fiscal Year 2008; Gaming News, January/February 2009, Minnesota Gambling Control Board; Department of Human Services.

FOR MORE INFORMATION

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SESSION WEEKLY

A NONPARTISAN PUBLICATION

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VOLUME 26, NUMBER 7 • FEBRUARY 20, 2009

'NO CHILD LEFT ON THEIR BEHIND'

MEDICAL MARIJUANA DEBATE

MOE: LOOKING FOR RELIEF

THE 'KILLER,' THE GENERAL AND LEMOND

HF783 - HF1007

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: Five-year-old Max Derosier of Arden Hills, dons a Abraham Lincoln-like stovepipe hat and beard adorned with a Lincoln-head penny as part of the Minnesota Historical Society's "History Matters Day" in the Rotunda Feb. 16. The event happened to fall on Presidents' Day that honors the birthdays of Lincoln and George Washington.

— Photo by: Tom Olmscheid

MOEs - looking for relief

Members say unfunded mandates need to be changed

By SONJA HEGMAN

The MOE system doesn't work.
That's what House members are further realizing every day this session.

MOEs, or maintenance of effort, are funding mandates imposed mostly on counties that require them to fund things like libraries and mental health services at a certain level. The issue is that the funding is set based on history. So, whatever a county was paying for its regional library system when a MOE went into effect, that's what it continues to pay today. It doesn't matter that the economy has imploded, county aid has been cut, local government aid to cities has been cut or levy limits have been imposed. And, those library services would have to be paid first out of a county's budget no matter what. If the county doesn't have enough money, it would have to make cuts in other areas of its budget.

"This system is absolutely not working," said House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) during a joint Feb. 18 meeting with the House Property and Local Sales Tax Division, and two health care and human services committees.

Pat Dalton, legislative analyst with the nonpartisan House Research Department, said \$95 million is the MOE library share for counties and \$65 million is the share for cities. Currently, all counties and 119 cities pay the library MOE, each on a per capita basis.

The only time a city or county can reduce what it pays to the library is if its tax capacity goes down. Since it's calculated per capita,

Rep. Ann Lenczewski and Sen. Tom Bakk sponsor HF95/SF49 to repeal a provision that suspends all state maintenance of effort and matching fund requirements for counties while levy limits are in effect. House and Senate leadership agreed to repeal the suspension early in the 2009 session so Gov. Tim Pawlenty would sign the 2008 omnibus tax bill into law.*

Hennepin County, for instance, wouldn't include Minneapolis in its MOE calculation because that city has its own library MOE. Even though the city's library system recently merged with the county system, because it is still a part of the regional system, the city must still pay a separate MOE based on its past behavior, Dalton said.

The MOE issue surfaced last year with the omnibus tax law. A provision provided counties relief from all MOEs and matching fund requirements while levy limits are in effect. But Gov. Tim Pawlenty wouldn't sign it unless there was an agreement to repeal the MOE suspension. So, House and Senate leadership, and the tax chairs of each body, agreed to repeal the MOE suspension early in the 2009 session. Counties were advised of this so it would not play a factor in their budgeting.

Lenczewski and Sen. Tom Bakk (DFL-Cook) sponsor HF95/SF49* to repeal the provision based on the agreement. It was passed 77-52 by the House on Feb. 16 and 49-7 by the Senate on Jan. 29. It awaits action from the governor.

Lenczewski said, "We're all in a box and we've got to think our way out of this box."

She added that there have been moments in time where grandfathered tax provisions were removed because it was shown that property tax relief is "basically based on what you used to get, not what you needed today." It also appeared to her that maintenance of effort had never been changed.

"We, the Legislature, are going to tell local units of government, 'You've got to keep spending on it even if it doesn't make sense. And then we're going to take away your aid."

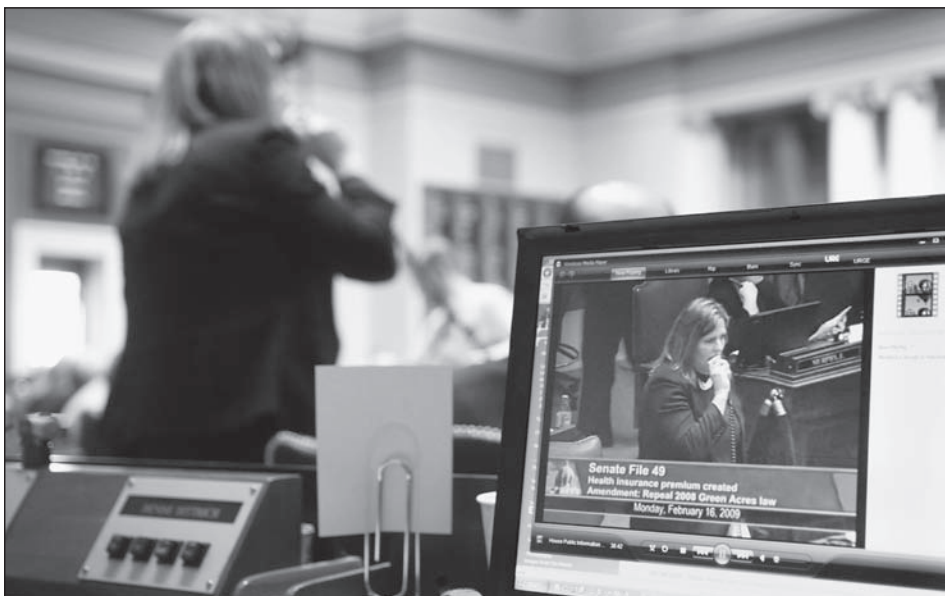


PHOTO BY TOM OLMSCHIED

Rep. Ann Lenczewski is viewed on a computer in the House Chamber as she speaks in support of a bill that makes changes to the 2008 tax law as specified in an agreement between legislative leaders and the governor following adjournment last May. The bill passed the House 77-52 on Feb. 16.

First Reading continued on page 4

First Reading continued from page 3

We're going to cut your county aid. If you're a city, we're going to cut your LGA and then we're going to put levy limits on you too," she said.

Rep. Morrie Lanning (R-Moorhead) said he's dealt with unfunded mandates for many years as a mayor, so a willingness to discuss revising it is a welcome thing. Though he said the bill takes a step backward, he supports it because of the leadership agreement, the governor said he wouldn't sign the bill unless the provisions were repealed and counties had already planned that the provisions would not be in effect.

"The way this MOE was slipped in at the end ... there was inadequate review of this MOE provision," Lanning said. "In spite of all this, we still need reform when it comes to MOE especially with the health care portion. My question is if we vote for this, if we take a step back, will we have reform when it comes to MOEs?"

Lenczewski said there isn't a choice in the matter. "We have a deficit. We are all in a really tough way here. We need to find relief for these MOEs. I'm committed to working with you. You have been a leader on this and we will address this."

Health care mandates

Lenczewski added that the two health care and human services chairmen, Rep. Thomas Huntley (DFL-Duluth) and Rep. Paul Thissen (DFL-Mpls), have "a big nut to crack here because most of the MOEs are taking place in health and human services."

If a city or county voluntarily increases its payment in any MOE area, that becomes its new MOE requirement on an ongoing basis.

Huntley said St. Louis County has a high level of funding for child welfare management because it started funding it before that funding was a state requirement. "When the Feds do something they always punish the good people," he said.

Dalton agreed, saying the way a lot of the MOEs are written, a county has to continue funding at the level it was at the time a match or grant came into place. "So counties tend to get punished for being ahead of the curve," she said.

In part of the mandates in the health and human service areas, the MOE or matching fund is a function of federal government requirements, Dalton said. So, if counties don't meet those requirements, the state has to pick them up or the federal money would be lost.

Rep. Diane Loeffler (DFL-Mpls) said all of these things are related to history that may go back 25 years, and some were imposed by the state when it decided to start a new program.

"Those who are out front get frozen into a

levy forever even though it was discretionary funds," she said.

She added that it's pretty rare that the federal government puts a MOE requirement into anything, but it's doing it now with the stimulus package.

Dalton said that some MOEs are statutory state mandates. Under the change in last year's

tax bill, she said the statutory requirement didn't change, it just said the counties didn't have to pay their MOEs. The state would have had to pay for the counties' share because it is statutory.

On the mental health side, if counties cannot maintain their current level of funding, they

MOEs continued on page 23

ISOLATED INCIDENT



PHOTO BY ANDREW VONBANK

Representatives Jerry Newton, Paul Rosenthal and Julie Bunn get a close look at an isolation cell during a Feb. 13 tour of the Minnesota Correctional Facility - Stillwater. Members of the House Public Safety Policy and Oversight Committee and House Public Safety Finance Division toured the facility and the Oak Park Heights prison to get a better understanding of prison needs and concerns.

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 12-19. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

BUDGET

Covering projected shortfalls

Deficiency funding for a pair of state departments awaits action by the full House.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids), HF117 would provide a combined \$17.06 million to the Human Services and Public Safety departments. It was amended and approved Feb. 16 by the House Ways and Means Committee.

The bill would provide \$16 million for the Minnesota Sex Offender Program and \$1.06 million to provide a match for federal flood relief money designated for Cook, Fillmore, Freeborn, Houston, Mower and Nobles counties.

Of the sex offender money, \$14.4 million would come from the General Fund, with the other 10 percent coming from counties.

"The deficiency bill is one that the administration has identified that needs to be passed this year to fund programs that are short for a variety of reasons," Solberg said.

Dennis Benson, executive director of the Minnesota Sex Offender Program, said participation is up and a building to be completed last year is not complete, forcing beds to continue being rented from the Corrections Department. "If we laid off 500 staff today, we could not pile up \$16 million the rest of the biennium. I don't think we want to waste our time talking about releasing 500 sex offenders."

Amended to the bill is a provision to allow any positive unrestricted General Fund balance at the end of the current biennium, June 30, 2009, to be carried forward to fiscal year 2010.

Rep. Lyndon Carlson Sr. (DFL-Crystal) said most state requirements to receive federal funds have been met, but state law would require some of the incoming money to first be used to replenish the state's budget reserve. However, that is prohibited under federal law.

"There would be, in all likelihood, some Medicaid dollars that would be coming in," Carlson said. "This amendment would allow those dollars to carry forward to 2010 and not be put in the budget reserve."

Minnesota Management and Budget Commissioner Tom Hanson said there is a "strong possibility" the state could lose federal money without the amendment in place.

A companion bill, SF95, sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action by the Senate Finance Committee.

— M. COOK

Stimulus details sketchy

Now that President Obama has signed the federal economic stimulus act, Gov. Tim Pawlenty's biennial budget will need an adjustment, or nearly a complete do-over, according to House Speaker Margaret Anderson Kelliher (DFL-Mpls).

Details of Minnesota's cut of the federal funds (as much as \$2 billion to \$3 billion in direct appropriations) are still sketchy, and so are its effect on the state's projected deficit that the governor said could be around \$7 billion.

Tom Hanson, Minnesota Management and Budget commissioner and the state's federal stimulus coordinator, updated the Legislative Commission on Planning and Fiscal Policy Feb. 18 on progress to make the state ready for the money. A core group of agency heads has been formed to work with Hanson, but he said a framework needs to be developed for funding projects (that may have to first be approved by the Legislature) and a grant process established.

Among the uncertainty is the certainty that Pawlenty will need to revisit his 2010-2011 biennial budget as some of his proposed cuts to human services and shifts in education to balance the budget could make the state ineligible for these one-time federal funds.

With release of the February Forecast (used to determine the state's 2010-2011 biennial budget) set for March 3, Sen. Linda Berglin (DFL-Mpls) questioned Hanson for a timeline as to when numbers would be formalized and the governor's new recommendations would be ready so legislators can adequately prepare budgets and end session on time.

"We are going to have to sprint to the end to make a May 18 adjournment date," Kelliher said. She emphasized the importance that allocation of the stimulus money be transparent and have a strict audit control.

State Budget Director Jim Schowalter laid out a tentative three-month timeline for stimulus activities, but emphasized that it could change as more information becomes available.

— L. SCHUTZ

Weigh in on budget woes

The Minnesota House of Representatives and Senate plan to hold hearings across the state on Gov. Tim Pawlenty's budget recommendations. The schedule of town hall meetings follows. To testify go to www.house.mn, look for the brown banner near the top of the page and click on Town Hall Meetings.

Monday, Feb. 23

Woodbury – 6 p.m.
Central Park Amphitheater
8595 Central Park Place

Tuesday, Feb. 24

Bloomington – 7 p.m.
Bloomington City Hall
1800 W. Old Shakopee Road

Minneapolis – 6 p.m.
Minneapolis Park Board
2117 W. River Road

Wednesday, Feb. 25

Burnsville – 7:30 p.m.
Fairview Ridges Hospital
201 E. Nicollet Blvd.

White Bear Lake – 6:30 p.m.
White Bear Lake High School–South Campus
3551 McKnight Road N.

Thursday, Feb. 26

Coon Rapids – 7 p.m.
Coon Rapids City Hall
11155 Robinson Drive

Forest Lake – 6:30 p.m.
Forest Lake City Hall
220 N. Lake St.

Plymouth – 7 p.m.
Plymouth City Hall
3400 Plymouth Blvd.

St. Paul – 6 p.m.
West Minnehaha Recreation Center
685 Minnehaha Ave. W.

BUSINESS

Fee increases criticized

A proposal by Gov. Tim Pawlenty to increase fees on certain occupational and commercial licenses came under criticism from some members of a House division.

During a Feb. 17 hearing, members of the House Higher Education and Workforce Development Finance and Policy Division expressed skepticism about the governor's proposal to impose a temporary surcharge on various professional and occupational licenses issued by the state.

The surcharge, which would equal the greater of \$10 or 10 percent of the total license fee, would go to fund a one-stop "e-licensing" Web site for the state's approximately 320 different kinds of professional licenses. If implemented, it is expected to raise \$38 million over the next eight years.

Department of Labor and Industry Commissioner Steve Sviggum defended the plan, saying the money raised by the surcharge is necessary to fund a program that would make the state's licensing operations more efficient.

That argument was lost on several division members, however, who questioned the logic of making workers and businesses pay more for a Web-based version of a service the state currently provides.

"Why do we have to charge the folks that are licensed at your department for doing something you obviously charge them for already?" asked division chairman Rep. Tom Rukavina (DFL-Virginia). He added that in his experience, "technology has never saved government any money."

Rep. Rob Eastlund (R-Isanti) asked whether future savings from the switch to e-licensing would be reflected back to the license holders, for example, by reducing license fees at a later date. Sviggum replied that he had no specific numbers on how much savings would result from e-licensing.

Although the surcharge would apply to licenses issued by his department, Sviggum emphasized that the state's Office of Enterprise Technology would actually be the agency collecting revenues from the surcharge. He urged division members to direct their questions about the proposal to the office.

— N. BUSSE

CONSUMERS

Helping homeowners in default

Minnesota home values are expected to plummet more than \$7 billion by 2010, while 30,000 additional home foreclosures are predicted this year, Rep. Debra Hilstrom (DFL-Brooklyn Center) told the House Labor and Consumer Protection Division Feb. 13.

Hilstrom sponsors HF354, the Homestead-Lender Mediation Act, modeled after the 1986 Farmer-Lender Mediation Act, which she said has helped 14,000 farmers avoid foreclosure. The bill would require mortgage lenders to send homeowners who have defaulted on mortgage payments a mediation notice before initiating foreclosure proceedings.

The bill was approved and referred to the House Commerce and Labor Committee.

Banker, credit union and real estate associations applaud the bill's intent, but said the requirement would, in effect, duplicate state and federal measures already helping some homeowners avoid foreclosure and could delay foreclosure proceedings by as much as 180 days.

"For us the time delay is a huge concern

because you're losing value on the property. And I think everyone loses out, not just the financial institution but also communities, cities — the houses deteriorate the longer it's just sitting there," said Mara Humphrey, Minnesota Credit Union Network's vice president for government relations.

For example, Hilstrom said a vacant home in her neighborhood, with many updated features, is listed for sale at \$60,000, far below its original value. "Try to get a loan for a house valued at \$200,000 in my neighborhood; I don't think you could do it," she said.

Rep. Steve Simon (DFL-St. Louis Park) suggested the bill provides leeway for adjusting the timing to better suit lenders' needs to move properties through foreclosure and back on the market as soon as possible, if homeowners are unwilling or unable to renegotiate payments.

A companion bill, SF340, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), is scheduled to be heard Feb. 24 by the Senate Commerce and Consumer Protection Committee.

— K. BERGGREN

CRIME

Penalty for deadly careless driving

Doing a burnout while spinning one's wheels or killing someone while driving can get a person the same penalty.

Rep. Karla Bigham (DFL-Cottage Grove) and Rep. Pat Garofalo (R-Farmington) find that unfair.

Sponsored by Bigham, HF45 would increase the penalty for careless driving that results in the death of another person to a gross misdemeanor, which could mean a year in jail.

Approved Feb. 12 by the House Public Safety Policy and Oversight Committee on a split voice vote, the bill was sent to the House Finance Committee.

"Right now there is a misdemeanor penalty or a felony penalty that exists in the case of when a person is found to be carelessly driving and causes the death of another person," said Garofalo, who sponsors a similar bill, HF134, but agreed to support Bigham's bill. "This would create a way in the middle where prosecutors would have the option, not a requirement, to charge at a gross misdemeanor level only in those cases in which a death results."

Scott Hersey, head of the Criminal Division for the Dakota County Attorney's Office, said a prosecutor needs to show probable cause to get a felony conviction.

Among the testifiers was Maureen Johnson,

whose brother, John, was killed by someone who ran a red light. Charged with failure to obey a traffic signal semaphore, the driver was ultimately sentenced to 50 hours of community service and had to write an apology to the family. "While we were picking out a casket, this driver was driving," she said, fighting back tears. "It made no difference that this person killed somebody's son, brother, uncle and friend. He just ran a red light. No big deal."

The bill would also provide for a person's license to be revoked for one year, and would prohibit a limited license from being issued before 180 days have elapsed from the date of revocation. Sentencing judges would be prohibited from staying the license revocation.

"We oppose these bills because it dramatically lowers the standard prosecutors need to meet to prove a serious criminal charge, and it opens the door to punitive damages," said Doug Grawe, legal counsel for Dart Transit Company.

A companion bill, SF639, sponsored by Sen. Jim Carlson (DFL-Eagan), awaits action by the Senate Transportation Committee.

— M. COOK

Consent to waive a jury trial

State law permits a defendant to waive a jury trial with court approval. However, some prosecutors would like to have a say in the matter.

Sponsored by Rep. John Lesch (DFL-St. Paul), HF582 would do just that. Heard Feb. 12 by the House Public Safety Policy and Oversight Committee, it was held over for possible omnibus bill inclusion.

Supporters say the bill would prevent the few cases each year where a judge seems to indicate they favor the defendant's position.

Lesch related the issue to the legislative process. If a sponsor knew a bill would be rejected by a committee, but that the chair supports the bill, the member would seek to bypass the committee and just have the chair push it through.

During pre-trial motions, Lesch said a judge can give a sense on their thoughts about the case by deciding what evidence will be allowed or motions could be granted. "When you have those answers, it allows you to deal with the case more effectively, and maybe you want to settle if the judge is going to exclude certain evidence I have."

"There's plenty of judge-shopping going on," said Winona County Attorney Chuck MacLean. "Then all the defendant has to do is flip the switch, waive a jury trial. ... The state should have a chance to weigh in."

Not all attorneys see the need for change.

William Ward, chief public defender for the eight-county 10th Judicial District, said in some areas of the state race can be a factor in a jury trial, and many minorities believe a judge can look beyond skin color. "It's about whether the client believes in the fairness of the process for which they're faced."

I still like the idea that if I'm a defendant, I have a choice, said Rep. Tony Cornish (R-Good Thunder), calling it "too big a risk to take with our system" for something that happens a few times.

A companion, SF210, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Judiciary Committee.

— M. COOK

Access to firearms data

Current statute gives law enforcement agencies and prosecutors access to a database of people authorized to carry a pistol or who have applied for a permit. Sponsored by Rep. Joe Mullery (DFL-Mpls), HF497 would extend that access to probation and parole officers.

"It's pretty obvious if you have to go into somebody's home, because it's your duty as a probation officer, you want to have access to that information," he said.

Approved Feb. 18 by the House Civil Justice Committee, the bill was sent to the House Public Safety Policy and Oversight Committee. It has no Senate companion.

Calvin Saari, legislative liaison for the Minnesota Corrections Association, said the bill is not only about officer safety, but it's also about pre-sentence investigations.

"The Citizens Personal Protection Act requires the revocation of gun permits for people convicted of certain crimes," he said. "It would be imperative that we be able to have access to that material so it could be contained in a part of the pre-sentence investigation, and the judge became aware of that and make sure it is in the sentencing minutes as such."

Saari said probationers have reported that "it is very, very common" for convicted felons not to reveal they have a permit. "These people aren't going to admit it on their own," he said. "This access could be addressed by the court, and it would be clear in their conditions of supervision that they aren't eligible to hold a permit."

Rep. Mary Liz Holberg (R-Lakeville) expressed concern about possible data privacy issues, and expressed a willingness to work with Mullery to fine tune the bill's wording to clarify that, among other things, probation and parole officers can only access information about people assigned to them.

A similar bill was passed last year by the House, but did not survive the conference committee process.

— M. COOK

EDUCATION

School computers paid for in ore

Money for computers, electronic whiteboards and video equipment in schools could be found in Minnesota's north woods, ore deposits and lakeshore property.

About 2.5 million acres of land and 1 million acres of severed mineral rights remain of 8 million acres granted to the state by the federal government in 1857, 1860 and 1866. The state constitution created a permanent school fund from use or sale of the land, though trust land income previously has been diverted to the state's General Fund.

HF104 would require trust fund income be used to fund school technology. The bill was held over by the House K-12 Education Finance Division Feb. 12 for possible inclusion in its omnibus bill. There is no Senate companion.

The bill's sponsor, Rep. Denise Dittrich (DFL-Champlin) said, "Technology is as basic as notebooks, pencils" and other classroom staples, "and a long-term, stable funding source for technology is needed to help our schools meet the needs of educating students in the 21st century."

The Permanent School Fund was worth about \$714 million in 2007, and generated about \$30 million in revenue that year, said Marty Vadis, director of the Department of Natural Resources Lands and Minerals Division,

which oversees trust land management. Potential income to the permanent trust is \$1.4 billion from mining operations and metallic mineral leases alone over the next 20 years, he said.

The bill "addresses the progressively more urgent, unmet need of funding school districts and school and classroom technology, hardware, software and higher bandwidth networks," said Patrick Plant, chief technology and information officer for the Anoka-Hennepin School District.

"We could do wonderful things with accountability if we had classroom response systems so that we had a pulse every single second as we're working with kids," said Karen Hermanson, a first-grade teacher in Brainerd.

Rep. Randy Demmer (R-Hayfield) said he doesn't usually like categorical funding but it "makes some sense in this case" because the need is widespread, and it's tricky to fund ongoing technology updates through traditional means of bonding for capital expenses.

— K. BERGGREN

Staying in school through age 18

Rep. Carlos Mariani (DFL-St. Paul) wants Minnesota to serve students and the state better by requiring school attendance until age 18.

Mariani, chairman of the House K-12 Education Policy and Oversight Committee,

SIGN FOR THE TIMES



PHOTO BY TOM OLMSCHIED

Unemployed and under-employed construction workers Larry Goldsby, with sign then clockwise, Abdul Mohamed, Babu Gunga and Tai Larkins came to the House Transportation and Transit Policy and Oversight Division Feb. 18 to, in part, encourage the Department of Transportation to consider minority companies and workers for any upcoming projects, especially those funded by the recently enacted federal economic stimulus package.

sponsors HF314, which would raise the upper compulsory attendance age from 16 to 18 or until students meet all graduation requirements, starting in the 2012-13 school year.

“Our state and our schools should really match our rhetoric and our legislation — our trend in legislation toward higher and higher standards — with an unambiguous expectation of our young to stay in school. I believe we can no longer have such a low bar for dropping out of high school,” said Mariani, who noted that high school graduates earn more, are likelier to avoid jail and stay healthier than dropouts.

The bill “sends a strong message that we are serious about school in Minnesota, and that a high school diploma means something,” said Minneapolis Public Schools Deputy Superintendent Bernadeia Johnson. She urged lawmakers to “set clear and high expectations and say no to failure.”

Assistant Ramsey County Attorney Pam Nolan, who enforces the compulsory attendance law, said letting kids leave school at age 16 “does, in fact, send the wrong message.”

Rep. Jenifer Loon (R-Eden Prairie) asked administrators if they know whether students usually have their parents’ blessing to drop out. “If support isn’t there from parents I wonder if we can really make an impact with changing the law.”

Johnson said phone calls to families whose children have left school indicate a variety of reasons, including the need to work and lack of engagement. But, sometimes, she said, teenagers prone to “risky behavior” are difficult for parents, as well as schools, to handle.

The bill was approved by the committee Feb. 18 and sent to the House Finance Committee with a recommendation to re-refer it to the House K-12 Education Finance Division. Its companion, SF19, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Education Committee.

— K. BERGGREN

ENVIRONMENT

Controlling spread of buckthorn

Now that it’s made itself at home in Minnesota, it’s nearly impossible to get rid of the noxious weed called buckthorn. It invades everywhere it takes hold — out-competes native plants for light and moisture, threatens future forests and can harbor a pest harmful to soybean crops, according to the Department of Natural Resources’ Web site.

North Oaks has had success in controlling other noxious weeds and diseases that strike trees. Now some residents want to try their

hand at controlling the spread of buckthorn.

Rep. Paul Gardner (DFL-Shoreview) sponsors HF418 that would allow a municipality, by ordinance, to control buckthorn on all public and private property within its geographical boundaries. The bill has no Senate companion.

Joan Brainerd is a 30-year resident of the northern Twin Cities suburb, which is unique not only for its wooded acreage, but also because all land in the city is privately owned. She told the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 16 that buckthorn is spread by birds dropping seed berries. The bill would give jurisdictions, such as North Oaks, the ability to adopt an ordinance to place their own control measures on buckthorn.

Considered a “restricted noxious weed” by the Department of Agriculture, the government cannot require landowners to eradicate buckthorn. However, control measures are taken by prohibiting the import, sale and transportation of the weed.

Approved by the committee, it now moves to the House State and Local Government Operations Reform, Technology and Elections Committee.

— L. SCHUTZ

ENERGY BOOST



PHOTO BY ANDREW VONBANK

As Rep. Jeremy Kalin, right, the bill’s sponsor watches, Wayne Waslaski, director of real estate and construction services for the Department of Administration, testifies before the House State Government Finance Division Feb. 17 in support of a bill that would allocate federal stimulus funding for energy programs.

‘Clean Car Act’ gets first OK

A bill to have vehicles run cleaner got a green light from a House division, but it wasn’t a smooth ride.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), HF690 would establish motor vehicle emission standards for certain passenger vehicles, light-duty trucks and SUVs beginning with the 2013 models. The standards would follow those set forth in the California emissions program, but with a few Minnesota modifications.

Approved 9-6 by the House Transportation and Transit Policy and Oversight Committee Feb. 18 on a party-line vote, it now goes to the House Environment Policy and Oversight Committee. A companion, SF674, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

Hortman said the so-called “Minnesota Clean Car Act” would help the state reach its greenhouse gas emissions-reduction goal of at least 15 percent below 2005 levels by 2015, 30 percent by 2025 and 80 percent by 2050. The levels were established in 2007’s Next Generation Energy Act.

“We have done a lot of things that start to get us towards decreasing the amount of carbon dioxide pollution,” she said. “But our goal that we set in statute is to go down. We have to take some bold and aggressive steps.”

Supporters also said the bill would save consumers money by encouraging more fuel-efficient vehicles.

“The governor’s own Climate Change Advisory Group estimated if we were to adopt the clean car standard in Minnesota, it will save consumers \$225 million between now and 2025,” Hortman said.

Among concerns addressed by opponents are that the bill would compromise the state’s commitment to renewable fuels, such as E85; limit consumer choice for flex-fuel vehicles; and cede the state’s regulatory authority to California.

“We are uncertain how Minnesotan’s voices will be heard when the California legislature or the California Air Resources Board considers changes to their vehicle emission regulations,” Kevin Paap, Minnesota Farm Bureau Federation president, wrote in a statement.

Of greater consumer concern is a potential for fewer flex-fuel vehicles on dealer lots.

According to the Alliance of Automobile Manufacturers, 30 flex-fuel vehicles were available to consumers in 2008, but only 19 were available in California or states that have adopted California emissions.

“So we have big government telling us what we can and can’t drive,” said Rep. Greg Davids (R-Preston).

Others suggested the state wait and see what federal standards would be implemented by the Obama administration.

— M. COOK

GAME & FISH

Bear hunting could be barrel of fun

More details remain to be resolved on a bill that would allow bear hunters to leave portable stands overnight in wildlife management areas and give them permission to use a barrel to bait bear on private hunting grounds.

Nonetheless, HF477, sponsored by Rep. Cy Thao (DFL-St. Paul), was laid over Feb. 16 by the House Game, Fish and Forestry Division for possible inclusion in its omnibus bill.

Due to the overlap of deer and bear hunting seasons and variations in regulations, division members urged that further language be inserted to clarify between bear and deer hunting etiquette. For example, deer stands left in wildlife management areas may be used on a first-come, first-served basis. Bear stands, on the other hand, must be removed from areas daily. Allowing overnight bear stands may cause confusion and encroachment problems, said division members.

The bill's other provision would allow bear hunters to use a barrel to hold bait, but only on private property.

Howard Goldman, state director of the Humane Society of the United States, said the bear population is declining, and he fears that more bears would be taken by allowing barrels for bait. Feeding bears from a barrel also contradicts wildlife education that urges people not to feed bears. A fed bear makes it less wary of humans, and the bear can become a nuisance, said Goldman.

Rep. Tom Hackbarth (R-Cedar) suggested that Thao study barrel policies in Ontario, Canada and refine his bill prior to action being taken.

A companion bill, SF388, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

Group fishing waiver expansion

Gun clubs and other not-for-profit groups could be eligible to have permit fees waived for hosting fishing contests.

HF301, sponsored by Rep. Larry Hosch (DFL-St. Joseph), would allow the Department of Natural Resources commissioner to dispense with the fee, which can range from \$120 to \$1,000, depending upon the number of participants and the type of fishing. The

FOUR-STAR TESTIMONY



PHOTO BY TOM OLMSCHIED

Gen. Wesley Clark, right, a member of the Juhl Wind Inc. Board of Directors, testifies before the House Energy Finance and Policy Division Feb. 18 in support of a bill that would change several provisions in the state's Community-Based Energy Development (C-BED) statutes. Dan Juhl, chief executive officer, left, also testified for the bill.

commissioner already has the discretion to waive fees for nonprofit groups with 501(c)3 status, but there are not-for-profit organizations without that designation. The not-for-profit group would have to be registered with the Secretary of State, however.

About 444 permits for fishing contests are granted each year, earning \$71,200 in revenue, according to Ed Boggess, Department of Natural Resources Fish and Wildlife division assistant director. Boggess said the fee is designed to cover the cost of issuing the permit. Because of a recent decline in the number of permits issued, the department would not be able to recover their costs if the waiver allowance was expanded. He suggested raising the fees or "give up on the idea of fully recovering the cost."

The House Game, Fish and Forestry Division, which heard testimony Feb. 16, laid the bill over for possible inclusion in its omnibus bill. A companion, SF186, sponsored by Sen. Michelle Fischbach (R-Paynesville), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

Uncased weapons in a vehicle

Hunters may be allowed to have an uncased, albeit unloaded, weapon in their vehicle, according to a bill approved by the House Game, Fish and Forestry Division Feb. 16.

The bill would overturn a long-standing

requirement that guns and bows must be kept in a case while inside a motor vehicle, in the trunk, or the bow must be unstrung.

Rep. David Dill (DFL-Crane Lake), the sponsor of HF128, said the legislation is "long overdue" and doesn't change the fact that rifles can't be loaded or discharged from a motor vehicle or boat. What it does change, said Dill, is the ability to move from one hunting location to another without being required to unload, store, uncase and reload a firearm.

But statistics show that higher incidences of firearms-related accidents occur among states that do not have gun case laws, according to a 10-year study by the International Hunter Education Association.

That's one of the reasons the Department of Natural Resources' Enforcement Division does not support the bill. Mike Hammer, the division's recreational vehicle coordinator, also speculated that cities and counties that rely on the state's current gun-case requirement for their own enforcement criteria will disagree with the changes and enact their own gun-case ordinances, causing potential confusion among hunters.

The bill now goes to the House Environment Policy and Oversight Committee. It has no Senate companion.

— S. HEGARTY

HIGHER EDUCATION

Private colleges hurting

Officials from private colleges told members of a House division that public universities aren't the only schools that have been hit hard by the economy.

Macalester College President Brian Rosenberg told members of the House Higher Education and Workforce Development Finance and Policy Division Feb. 12 that the college's endowment funds have shrunk, and its fundraising environment is terrible because of the economic recession. As a result, he said they've had to make cutbacks.

"We are trying in every way possible to reduce our expenses without having a negative impact on either the accessibility of the college or the quality of the education that we provide to our students. As you would imagine, that is an extremely difficult trick," Rosenberg said.

He said many capital projects are being slowed or halted, and that most Macalester employees are likely to experience a wage freeze.

Rosenberg also said roughly 70 percent of Macalester students receive some level of need-based financial aid — some in the form of state grants. Similarly, College of St. Catherine President Sister Andrea Lee said students at her college often depend on state aid for access to higher education. Contrary to popular myth, she said, most students at hers and other private colleges do not come from wealthy families.

Both Lee and Rosenberg urged lawmakers not to cut funding for higher education, as they look for solutions to the state's budget deficit. Rosenberg said it's especially important to invest in higher education during times of recession.

"There is a direct correlation between the rate of increase in participation in higher education and the rate of increase in gross domestic product," Rosenberg said. He advocated for increasing revenues as well as cutting the budget to solve the state's projected deficit.

The division took no action.

— N. BUSSE

LOCAL GOVERNMENT

Boiler bill helps Duluth's bottom-line

A Duluth-specific bill relating to maintenance of steam-producing boilers passed 127-1 by the House Feb. 16 could help the city's bottom line.

Minnesota statute lays out licensing

requirements for boiler operations and exemptions to the requirements. Sponsored by Rep. Roger Reinert (DFL-Duluth) and Sen. Yvonne Prettner Solon (DFL-Duluth), HF329/SF212* would add to the list of exemptions a situation faced by the city.

For several years, the city has owned and operated a boiler in a building owned by Minnesota Power. Steam generated from the boiler provides power for a nearby paper mill, which employs approximately 300 people. Selling the boiler will bring \$2 million to the city, which is selling some assets in order to balance an \$8.5 million deficit, Reinert explained.

However, for the boiler to be sold, the exemption from licensing requirements needs to be changed to apply to the new owner.

The bill was passed 59-0 by the Senate Feb. 5. It now awaits action by the governor.

— L. SCHUTZ

Hiring residents for city projects

Cities would be encouraged to hire their own residents for public works projects, under a bill that has cleared two committees.

Sponsored by Rep. Bobby Joe Champion (DFL-Mpls), HF644 would permit cities to require contractors to hire either a certain number or percentage of their residents for city projects. They could also specify a number or percentage of "low-income residents," as defined by the cities, that contractors must hire.

The House Local Government Division approved the bill Feb. 16, and the House State and Local Government Operations Reform, Technology and Elections Committee approved it on Feb. 18.

Speaking Feb. 16, Champion said that although cities can already require contractors to hire residents, passing his bill would encourage an expanded use of the practice by setting "guiding principles" for cities to follow.

Roosevelt Gaines, a trade specialist with the Minneapolis Urban League, said cities often set goals for hiring residents that contractors ultimately never meet. He said passage of the bill would "send a message" to local governments about making contractors include people from the community on local construction projects.

Critics of the proposal include Rep. Rob Eastlund (R-Isanti), who said that where workers live "should not necessarily be the predominant characteristic" of whether they can be hired for a project. He added that projects involving public dollars should focus on hiring the most efficient workforce — not necessarily the most local one.

Rep. Mark Buesgens (R-Jordan) criticized

the bill as being unnecessary arguing that local governments can already do what the bill would authorize them to do. He tried unsuccessfully to amend the bill to have it apply only to Minneapolis and St. Paul.

The bill now goes to the House Finance Committee. A companion, SF536, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Development credit banks

A bill that would allow local governments to set up a "transfer of development credits bank" to purchase, hold and sell development credits cleared two committee hurdles.

HF305, sponsored by Rep. Jeremy Kalin (DFL-North Branch), would add to a current law that allows local governments to adopt official controls providing for the purchase of development rights, in the form of conservation easements, and transfer them to areas that are considered more desirable for development.

The bill would allow for the establishment of a third-party development credit bank with the power to purchase credits from willing sellers who Kalin said may be in a hurry to sell because of the economy.

Kent Sulem, an attorney with the Minnesota Association of Townships, said his organization has taken a neutral position on the bill. He said whether the bill would have a positive or negative effect would depend on how local governments use it, but he added that is also true of existing law.

"It's one more tool. It's neither good nor bad," Sulem said.

Lobbyists representing the Association of Minnesota Counties and the League of Minnesota Cities gave similar testimony, taking a largely neutral position on the bill but also arguing that it would give local governments some helpful flexibility.

Rep. Steve Gottwalt (R-St. Cloud) said he found the proposal "intriguing," but also worried that it could create conflicts of interests by allowing people to reap profits from inflated prices on land development credits.

The House Local Government Division approved the bill Feb. 16 and the House State and Local Government Operations Reform, Technology and Elections Committee approved it Feb. 18. It now goes to the House Commerce and Labor Committee.

A companion, SF234, sponsored by Sen. Rick Olseen (DFL-Harris), awaits action by the full Senate.

— N. BUSSE

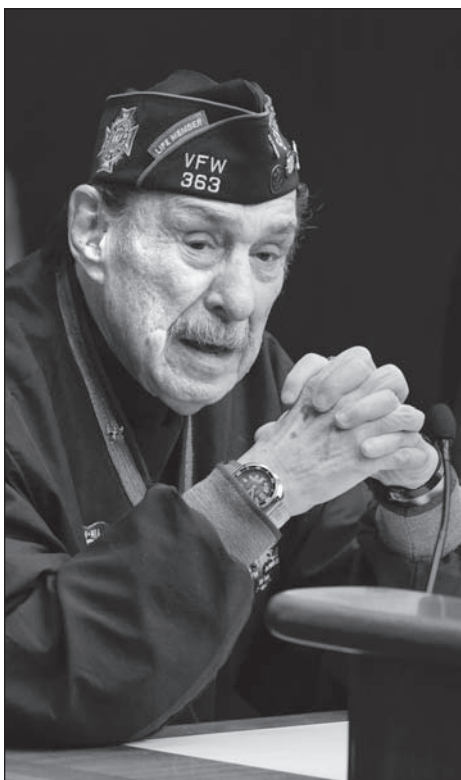


PHOTO BY ANDREW VONBANK

Former professional wrestler Stan "Killer" Kowalski testifies before the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 18 in support of a bill that would memorialize Congress to appoint an independent counsel to investigate the prisoner of war/missing in action issue.

MILITARY

Congress asked to act on POW issue

Despite efforts by the U.S. Department of Defense, there are still more than 88,000 service members unaccounted for from conflicts back through World War II, according to the Government Accountability Office.

Rep. Leon Lillie (DFL-North St. Paul) sponsors HF303, which memorializes Congress to appoint an independent counsel to investigate the prisoner of war and missing in action issue.

"There has been quite a bit of effort in the past, but there just isn't a lot of follow through. This is just another way for us, as a state, to say this is important, and we hope that the U.S. government will do the right thing," he said.

Former professional wrestler Stan "Killer" Kowalski, a World War II veteran and state commander of the Veterans of Foreign Wars, told the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 18, "Our government is falling on its backside. They made a promise ... we need closure on what's happening to our veterans who are not returning."

According to the nonpartisan House Research Department, the 1991 Legislature memorialized Congress to study the issue of POW/MIAs from the Vietnam War. The U.S. Senate responded by appointing the Select Committee on POW/MIA Affairs.

Earlier approved by the House Veterans Affairs Division, the bill was approved by the full committee and now awaits action on the House floor.

The companion, SF18, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Agriculture and Veterans Affairs Committee.

— L. SCHUTZ

SAFETY

EMS fund is stock-market victim

A program that helps rural areas enhance their volunteer ambulance personnel efforts has fallen victim to the stock market downturn, and those benefitting from the funds are reprioritizing their requests to the state.

Advocates for the Minnesota Ambulance Association came before the House Health Care and Human Services Policy and Oversight Committee Feb. 17 asking to use some of the fund's remaining money for new and existing emergency services programs.

HF161, sponsored by Rep. Paul Thissen (DFL-Mpls), would make that possible.

O.J. Doyle, a lobbyist on behalf of the association, said the Cooper/Sams Volunteer Ambulance Recruitment and Retention Trust has been used to help recruit and retain volunteer ambulance personnel in rural Minnesota. Funded by the state, it developed a surplus over the years and some money was put back into the General Fund, including last year.

Expecting the state to use money for the General Fund again this year, the Emergency Medical Services Board began to detail how much it would need to ensure its programming. They were surprised to learn the value of the fund had dropped in half, to \$5 million, because of investment losses in the state pension funds.

Therefore, the board is reprioritizing its request to use some money for existing programs, and new programs in 2010, including:

- \$800,000 for the regional EMS programs to be equally distributed among the state's eight regions;
- \$250,000 for a one-year pilot project to demonstrate savings to the health care system;

- \$200,000 for grants to a new veterans paramedic apprenticeship program; and
- \$100,000 for training of emergency personnel relating to children.

The bill received committee approval and awaits action by the House Public Safety Policy and Oversight Committee.

Its companion, SF109, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action by the Senate Finance Committee.

— L. SCHUTZ

TAXES

Credit extension for surviving spouse

Under a law passed in 2008, qualified disabled veterans can see a lowered market value classification on their homestead for property tax purposes. The law also extends the credit to a surviving spouse for one year after the passing of the qualified veteran.

Rep. Al Juhnke (DFL-Willmar) sponsors HF541 that would amend the law to allow the surviving spouse to continue receiving the credit until the property is transferred, disposed of or the person remarries.

"This is a great provision that we should have put in the original bill," Rep. Dan Severson (R-Sauk Rapids) told the House Veterans Affairs Division Feb. 13. The bill, which has no Senate companion, was approved and moved to the House Agricultural Rural Economies and Veterans Affairs Committee, where it was approved Feb. 18 and sent to the House Taxes Committee.

It was noted that there are few disabled veterans in the state that meet the threshold for the tax credit, and there would be no fiscal impact to the state.

— L. SCHUTZ

Care credits for working families

Legislators debated the costs and benefits of a proposed change to the dependent care tax credit that would cost \$15 million, but could lighten the tax burden for thousands of working parents of young children.

Sponsored by Rep. Nora Slawik (DFL-Maplewood), HF276 would align the state dependent care credit eligibility with its federal counterpart and simplify the process for taxpayers.

"Over time state and federal credits have become out of synch and difficult to navigate, and end up leaving low-income families out who need it the most," Slawik told the House Early Childhood Finance and Policy Division Feb. 12. The division approved the bill and sent it to the House Finance Committee.

About 46,000 families would receive a larger state credit than under current law, including

about 11,000 who fall through the cracks under the current formula and receive no state credit. About 4,000 families would receive smaller state credits than under current law.

The \$15 million price tag troubled Rep. Keith Downey (R-Edina).

"In our taxes committee, as we are debating many of the other tax credits within the governor's overall budget proposal, one of the disciplines that we are asked to adhere to is that if we're extending an additional credit we are asked to provide some means," he said. "I personally don't like this terminology — to consider how we are 'paying' for the credit."

Putting even a little more money into low-income families' pockets could have lasting benefits, said Rep. Gail Kulick Jackson (DFL-Milaca), such as decreased rates of alcohol and chemical abuse and domestic abuse, and increased children's school success.

"It's too bad we don't have a figure for the benefit of helping people stay employed, keeping their jobs," she said.

Downey lamented the lack of opportunity to weigh the value of a credit "because we do static budgeting as compared to dynamic," he said. "We simply have to balance a tax credit either with a revenue increase, a tax increase somewhere else or the reduction of another credit."

A companion bill, SF653, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Taxes Committee.

— K. BERGGREN

Exempting 'green' companies

If your business is green, you could get a tax exemption starting in 2010.

GreenJOBZ, proposed by Gov. Tim Pawlenty, is modeled after the original Job Opportunity Building Zones program that was created in 2003, which exempts qualified businesses from sales, income and property taxes.

Mark Lofthus, director of business and community development for the Department of Employment and Economic Development, said the main goal of GreenJOBZ is to retain companies that are producing a green manufacturing type of product, like wind turbine blades.

GreenJOBZ would target projects that are green/renewable-manufacturing related. The program would cost the state an estimated \$3.65 million in the 2010-11 biennium and \$6.6 million in the 2012-13 biennium.

GreenJOBZ is different from original JOBZ in that:

- it would be exclusively for companies that create renewable energy, represent manufacturing equipment or services used in renewable energy, or that create a product or service that lessens energy use or emissions;

- companies would receive benefits for 12 years for all agreements signed by the end of 2015; and
- projects could be anywhere in Minnesota.

The original JOBZ program was only for businesses in Greater Minnesota.

Lofthus told the House Taxes Committee Feb. 16 that projects will be considered as they come in, but it will be more selective than the original JOBZ program. Only five projects would be exempted in the first year of GreenJOBZ versus 110 projects during the first year of the current JOBZ program.

Renewable energy companies, like wind farms, could be included in the program, but Lofthus said analysis of that type of project has not been completed.

"We've looked less at the renewable wind side of that," he said.

— S. HEGMAN

Covering revenue shortfalls

Local units of government could have another tool to use in times of economic distress.

HF686, sponsored by Rep. Ann Lenczewski (DFL-Bloomington), would give cities, counties and towns the authority to issue emergency debt certificates to finance unexpected revenue shortfalls during the fiscal year. It was laid over Feb. 18 for possible inclusion in the House Property and Local Sales Tax Division's report.

The bill came about as a result of Gov. Tim Pawlenty's December unallotment of state aid payments, which occurred after local levy limits had already been certified. Because they would be used in only emergency circumstances, the certificates would be issued without voter approval. Certificates would have to be paid off within two years of the end of the fiscal year that they were issued.

"This is just another tool to help them get some relief," Lenczewski said.

Gary Carlson, director of intergovernmental relations for the League of Minnesota Cities, said this bill was an alternative to allowing the recertification of local levies in January, something that has never been done before. He also stressed that any circumstances would have to be unforeseen to issue the certificates.

"I hope no one has to use this," Carlson said. "But we would like to have a safety net in place."

A companion, SF520, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Taxes Committee.

— S. HEGMAN

Seeking more local government aid

One city feeling the crunch of local government aid cuts could get some relief.

Sponsored by Rep. Paul Kohls (R-Victoria), HF488 would provide a \$250,000 annual increase in local government aid for the city of Mayer. The increase would be for five years starting in 2010.

Kohls said he proposed this bill because Mayer has suffered due to state mandates for road construction and the city's proximity to a Job Opportunity Building Zone. City Administrator Luayn Murphy said businesses "pass right by us" to go to a town down the road that is included in the JOBZ program. The city was also mandated to update its water and wastewater treatment plant, at a \$2.7 million cost.

There is no state cost with this change because LGA is set to a fixed amount, but it would shift money away from other cities.

Kohls said he didn't want to pit cities in his district against each other, but the formula and fairness issues need to be addressed. Murphy said cities with similar characteristics and sizes sometimes receive more LGA because of the formula.

The bill was laid over Feb. 18 by the House Property and Local Sales Tax Division for possible inclusion in its division report. A companion, SF421, sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits action by the Senate Taxes Committee.

— S. HEGMAN

Conforming federally

After more than three hours of debate and a slew of amendments, a bill that would conform Minnesota with most federal tax changes enacted since last February received House approval.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington), HF392 was passed 128-0 Feb. 19. It now goes to the Senate, where Sen. Tom Bakk (DFL-Cook) is the sponsor.

The changes Minnesota would conform with include:

- counting nontaxable combat pay as earned income for members of the military for purposes of claiming the earned income credit and working family credit;
- allowance of direct transfers to charities from traditional IRAs and Roth IRAs for tax years 2008 and 2009;
- extension of the special rule for contribution of conservation property by qualified farmers and ranchers;
- apportioning of the exclusion of gain on the sale of an individual's principal residence for time periods after Jan. 1, 2009, when the residence was not used as the principal residence;
- extension of various provisions related to depreciation and expensing;
- provision of preferential tax treatment within the Midwestern Disaster Relief

PRESIDENTIAL PORTRAIT

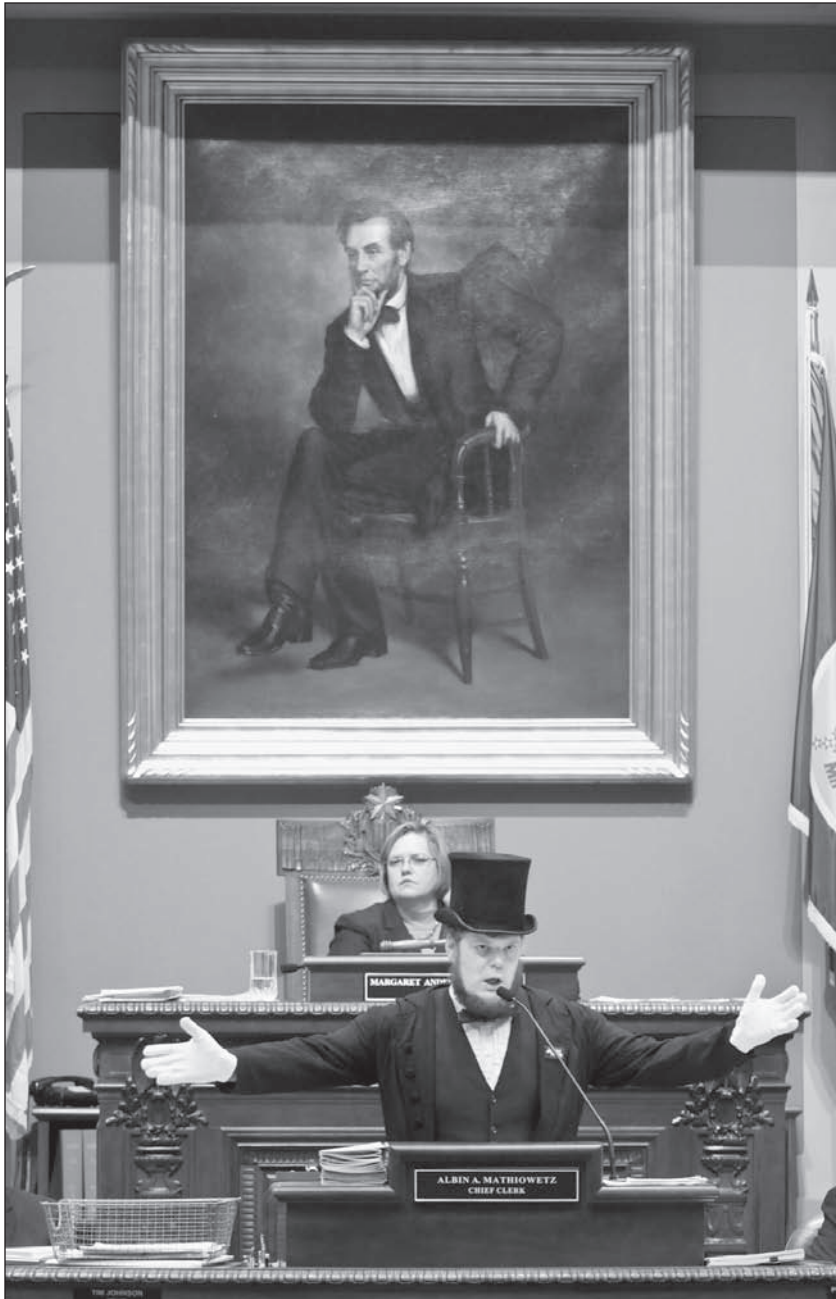


PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher, back, listens as Bryce Stenzel portrays Abraham Lincoln while he presents the Gettysburg Address prior to the Feb. 16 floor session. Lincoln was on hand for the annual Minnesota Historical Society's "History Matters Day," which happened to fall on President's Day.

Area and within other federally designated disaster areas; and

- changing requirements for employer-sponsored group health plans to qualify for the employee income exclusion.

An amendment successfully offered by Rep. Kurt Zellers (R-Maple Grove) would prevent the governor from appointing anyone who has been convicted of a criminal violation of a federal or state tax or revenue law; who has

failed to file a required original individual income tax return within one year of its due date; or who has unpaid federal, state or local taxes for a prior taxable year when the appointment is announced to the public.

— S. HEGMAN

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

TRANSPORTATION

Ensuring airport funding

Aviation supporters want to ensure their contributions get used for proper purposes.

Money in the State Airports Fund comes from a handful of user sources, including aircraft registration fees and fuel taxes.

Last session, \$15 million was taken from the fund to help address state budget issues, thereby eliminating state aid for airport projects from July 1, 2008, to June 30, 2009.

The fund is forecast to have a \$6.5 million balance on June 30, 2009, and supporters want the money to be used soon for projects that would improve the safety and reliability of access to the air transportation system.

Sponsored by Rep. Bernie Lieder (DFL-Crookston), HF548 would transfer \$5 million from the State Airports Fund to the Transportation Department for assistance to airports and aviation-related activities. The money cannot be spent without legislative authorization.

The House Transportation Finance and Policy Division approved the bill Feb. 17 and sent it to the House Finance Committee. A companion, SF483, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

We want to use this money before it is used for a shortfall, said Rep. Mike Beard (R-Shakopee). "The remaining \$1.5 million should be safe from legislative grabbing because we can't really let the fund go much below that amount without them getting into cash-flow problems."

Ray Strege, a principal with Short Elliott Hendrickson Inc., said there are "substantially more" than \$5 million in construction projects ready for spring construction. "This would give us one-third more construction season by being able to start in the spring than waiting until the first of July. It also gives us the best third of the construction season with the longest days. ... No use of General Fund money nor borrowing would be required for this."

Strege expects state funds would leverage at least twice the amount in construction projects. "On those there would be individual, corporate and state sales taxes paid into the General Fund."

— M. COOK

Spending stimulus money

The American Recovery and Reinvestment Act of 2009, signed Feb. 17 by President Obama could provide more than \$1 billion in fully funded airport improvements across the country.

However, state law requires that airport projects receiving federal, state or local funding shall have at least a 5 percent local contribution.

Rep. Bernie Lieder (DFL-Crookston) has a simple solution to the problem — HF547.

The House Transportation Finance and Policy Division approved the bill Feb. 17, and sent it to the House Finance Committee. A companion, SF482, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

The bill would exempt airports from the 5 percent requirement in cases where the project is funded before June 30, 2011, through a federal economic stimulus program. A fiscal note indicates no cost to the state because it is assumed projects undertaken with the federal money would not otherwise be started at the time.

Rep. Mary Liz Holberg (R-Lakeville) is concerned that some planned projects would no longer need a local match, but that some lower “in the pipeline” still might need a local match depending on available stimulus funds. She wants to ensure that the federal money is evenly spread around among airports, so that everybody gets some work done without a local match.

Ray Strege, a principal with Short Elliott Hendrickson Inc., said a federal task force is to pick the projects to be funded with stimulus dollars and provide oversight.

— M. Cook

Final Central Corridor funding

Less than 1 percent of the funds needed to construct the Central Corridor light rail transit line are requested in a bonding bill that may not happen.

Sponsored by Rep. Alice Hausman (DFL-St. Paul), HF263 would authorize the remaining \$8.5 million in bond proceeds to fund the proposed 11-mile line between the downtowns of St. Paul and Minneapolis. Thus far,

\$83 million in state bonds has been authorized for the project.

This bill would satisfy the remainder of state responsibility, said Judd Schetnan, government affairs director for the Metropolitan Council. “You need to have the state share in hand before you apply for a full-funding grant agreement.”

However, Schetnan indicated the governor has not committed to a bonding bill this year.

“If we don’t have these bonds in hand, the council will have to find a way to basically commit a certain amount of dollars to say that we have that in place,” he said. “What we could do is commit those dollars and come back next year for the additional \$8.5 million.”

The bill was held over Feb. 12 by the House Transportation Finance and Policy Division for possible referral to the House Capital Investment Finance Division. A companion bill, SF320, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Transportation Budget and Policy Division.

The transit project’s final design is scheduled to be completed this year, with construction to begin next year, and service to begin in 2014, although Hausman hopes it’ll be reduced to a two-year construction cycle.

“If we can do the 35W bridge, we can do this in a faster timeline,” she said.

By 2030 the line is expected to provide more than 43,000 rides per day, but Hausman noted that nearly every line across the country exceeds ridership goals “long before” the date projected. She also said there are expected to be 345,000 jobs in the corridor by 2030, about 65,000 more than today.

Half of the \$914.9 million project is to come from federal funds, with the state and Hennepin and Ramsey counties funding the rest.

— M. Cook

Union Depot funding sought

The final piece of a funding package is being requested for a project that could make an

historic St. Paul building a hub of multimodal activity.

Ramsey County has received \$3.5 million in state bonding funds and is requesting an additional \$9 million to complete a state match necessary to receive \$50 million in federal funding for the Union Depot renovation.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul), HF316 was held over Feb. 17 by the House Transportation Finance and Policy Division for possible inclusion in its recommendations to the House Capital Investment Finance Division.

A companion, SF300, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Transportation Budget and Policy Division.

“This will provide economic vitality and excitement in our downtown St. Paul as people take advantage of our transportation options,” Johnson said.

Jim McDonough, chairman of the Ramsey County Regional Rail Authority, said that when completed, the Union Depot would serve intercity and Metro Transit buses, bicycle and pedestrian traffic, the Central Corridor light rail line, Greyhound and Jefferson Lines bus service, Amtrak and a potential high-speed train between the building and Chicago. Future commuter rail lines may also be connected to the facility.

An environmental assessment should be completed this spring, said Steve Morris, the authority’s transit project manager. “The environmental documentation is needed to access that \$50 million. We are also planning to start preliminary engineering on the property.” Planners hope the facility is operational by 2012.

Built in 1923, the Union Depot served more than 200 passenger trains daily at its peak before closing in 1971. It is listed on the National Register of Historic Places.

— M. Cook

Frequently called numbers		
Area code 651		
House Public Information Services	House Index	Senate Index
175 State Office Building296-2146	211 Capitol296-6646	110 Capitol296-2887
Meeting Schedule Hotline	Senate Information	Meeting Hotline, Senate296-8088
175 State Office Building296-9283	231 Capitol296-0504	
Chief Clerk of the House	Secretary of the Senate	
211 Capitol296-2314	231 Capitol296-2344	
	Voice mail/order bills.....296-2343	

Medical marijuana

Controversial treatment clears first committee hurdle

By Nick Busse

For Joni Whiting, the decision to let her daughter, Stephanie, use medical marijuana wasn't an easy one. A proud Vietnam veteran and mother of four, Whiting said allowing drugs in her house under any circumstances had been unthinkable — right up until almost the end.

In fact, Whiting resisted the notion of medical marijuana even after doctors had given Stephanie just six months to live — even after her skin cancer had ravaged her face and left Stephanie suffering from constant and uncontrollable pain, despite the dozens upon dozens of powerful painkillers she took every day. Finally, Whiting's other adult children took Stephanie out of her home and let her use marijuana. When Stephanie returned three days later, she told Whiting that the drug had not only alleviated much of the pain but also allowed her to eat food without her usual vomiting. Whiting changed her mind about marijuana.

"My only regret is not allowing her to use marijuana in my home throughout her illness," she said.

According to Whiting, the illegally obtained marijuana allowed her daughter to live out the last three months of her life in considerably less agony than what she had experienced without the drug. Whiting now believes the state's prohibition

on medical marijuana needs to be lifted.

"I am no longer willing to support making criminals out of the sick and dying," she said.

On Feb. 18, Whiting was one of several witnesses to testify in favor of a bill that would allow doctors to prescribe medical marijuana for Minnesotans suffering from certain debilitating conditions.

Sponsored by Rep. Tom Rukavina (DFL-Virgina), HF292 would regulate the use

of medical marijuana by setting limits for allowable amounts, requiring patients and caregivers to possess registry identification cards, and specifying penalties for violations. The House Health Care and Human Services Policy and Oversight Committee approved the bill on a 9-6 party-line vote.

As with medical marijuana initiatives in the past, Rukavina's bill has people taking up positions along familiar battle lines. Proponents say medical marijuana will provide desperately needed relief to people for whom other treatments do not work; critics

argue medical marijuana opens the door to increased drug abuse and gives the false impression that the drug is less dangerous than it is.

"This bill will send the wrong message to impressionable young people that there's nothing wrong with marijuana because now it's a medicine," said James Hafiz, a recovering drug addict who said marijuana served as his "gateway drug" to harder substances.

Tom Prichard, president of the Minnesota Family Council, said the bill would enable exactly that kind of drug abuse by allowing people with problems like a "bad knee" or "tennis elbow" to obtain medical marijuana under the pretense of "debilitating conditions."

"I believe this bill will open up a can of worms, and I urge you to reject it," Prichard said.

Others doubt the basic premise that marijuana can be used legitimately as a medicine.

Deborah Mosby, an assistant professor of human services at Metropolitan State University, said that in some of the 13 states where medical marijuana is legal, the drug has been prescribed for conditions such as anxiety, which she said could actually be exacerbated by using marijuana.

Mosby said smoking marijuana can impair the body's immune system and make people more susceptible to diseases. While she would not "take a joint out of the hand of somebody who's dying," she said many potential medical marijuana users might be better off without it.

Supporters of medical marijuana, however, say that's a decision best left to doctors. George Wagoner, a physician whose wife died of cancer, said medical marijuana allowed her to eat food and bypass the nausea associated with her chemotherapy treatments — something that greatly improved the quality of her life before she died. He said doctors should have the right to prescribe patients whatever treatment their conditions require.

"Patients should be able to choose a medication that works best for them ... and that's precisely what this bill will allow."

The bill was sent to the House Civil Justice Committee. A companion, SF97, sponsored by Sen. Steve Murphy (DFL-Red Wing), was approved Feb. 11 by the Senate Health, Housing and Family Security Committee, and now awaits action by the Senate Judiciary Committee. 🌿



PHOTO BY ANDREW VONBANK

K.K. Forss, from left, Joni Whiting and Dr. George Wagoner testify before the House Health Care and Human Services Policy and Oversight Committee Feb. 18 in support of a bill legalizing medical marijuana.

Getting youth to move

Bill aims to ensure 'No child left on their behind'

By KRIS BERGGREN

Minnesota's children are gaining — but that's not always good.

Since 1990, the prevalence of obesity in the state's general population has increased 155 percent, according to the American Heart Association, while the Centers for Disease Control has found childhood and youth obesity almost tripled from about 6 percent nationally to almost 20 percent between 1971 and 2004.

While obesity plus sedentary lifestyles equals high risk for heart disease, diabetes and other ailments, exercise can reverse children's risk of being overweight and its lifelong health problems.

But exercise is like a secret weapon in the war to improve test scores, say some educators who find that boosting students' activity levels improves their ability to learn — or as Farmington physical education teacher Jack Olwell quipped: "No child left on their behind."

The movement to get kids to move may have begun in Naperville, Ill. public schools. Seventeen years ago that district began to incorporate vigorous daily physical education; last year, 98 percent of its 19,000 students took the Trends in Mathematics and Science Study tests which show students' ranking globally.

"They came in number one in the world in science and sixth in math," Dr. John Ratey, associate clinical professor of psychiatry at Harvard Medical School and an expert on exercise and brain chemistry, told the House K-12 Education Policy and Oversight Committee Feb. 18.

Student success through exercise

Olwell works at North Trail Elementary School, where student success has been boosted through targeted physical activity. For example, a mini-class called Literacy PE

has helped a group of fourth- and fifth-graders identified as "struggling" readers, based on their Northwest Evaluation Association test scores, to improve dramatically with a daily dose of exercise.



PHOTO BY TOM OLMSCHEID

Jack Olwell, left, a physical education teacher at North Trail Elementary School in Farmington, tells the House K-12 Education Policy and Oversight Committee Feb. 18 that the name of the bill requiring statewide standards for physical education should be "No Child Left on Their Behind." Greg LeMond, right, a three-time winner of the Tour de France, also testified in support of the bill.

"In this era of academic accountability and fiscal constraints, it is difficult to argue for an increase in physical education time solely on the basis that it lengthens and adds quality to life," said Olwell.

Literacy PE students' reading class is preceded by a 15-minute physical education session involving "vigorous activities and games embedded with reading components," said. In late-January, following the nine-week class, students were again administered an NWEA test.

"The results have been stunning," Olwell said. "Literacy PE participants showed an average increase of five times the national average in reading." More to the point, he said, they improved three times their fourth- and fifth-grade peers in their district, and almost twice the Title I average.

A bill before the House would help teachers like Olwell to promote exercise and fitness. HF439 would require statewide physical education standards including one-half credit of physical education for high school graduation.

"It has always been my belief that our schools when acting in loco parentis should be the role model for not only academics but social and nutritional standards," said the bill's sponsor, Rep. Kim Norton (DFL-Rochester), a public health advocate who has also promoted school nutrition and "Reclaiming Recess," a movement to keep recess time in the school day. She said physical education, like music, is integral to a well-rounded curriculum, but often on the chopping block when districts face serious budget constraints.

The bill was approved Feb. 19 by the committee and sent to the House Finance Committee. It has no Senate companion.

Ratey, the author of *Spark: The Revolutionary New Science of Exercise and the Brain* and *Driven to Distraction*, said well designed exercise programs not only help children focus in school, but significantly reduces behavioral problems and boosts test scores.

Schools with high rates of disciplinary problems or many students diagnosed with attention deficit disorder might take note: "Exercise releases a lot of neurotransmitters," Ratey said after the hearing. "It's like taking a little bit of Ritalin and a little bit of Prozac."

"When I hear about education reform,"

Fitness continued on page 23

From tragedy to high hopes

Hayden hopes to effect big change

By KRIS BERGGREN

Although a tragedy brought Rep. Jeff Hayden (DFL-Mpls) back to his hometown in 1995 from California, it set him on the



Rep. Jeff Hayden

path toward the House seat where he hopes to make everyday life a little better for the low- and moderate-income South Minneapolis area bisected by Interstate 35W.

Hayden's childhood friend was killed in 1995, when a spike in Minneapolis murders led to the dubious moniker "Murderapolis." Hayden returned to attend the young man's funeral. Having recently been laid off, he remained in the city where he had many family ties and began to volunteer with a local park program called "Phat Summer,"

targeted to teenagers seeking alternatives to crime and gangs. Hayden ended up running the program, serving on the park's board, and taking a succession of community and government jobs, including Hennepin County financial worker, aide to Minneapolis City Councilman Gary Schiff, and eventually to a run for the city's eighth ward seat. He lost the primary by just 141 votes.

"I said I would never run for office again," he recalled. Instead, he returned to the nonprofit sphere, most recently working with Hearth Connection, a partner in the statewide initiative Heading Home Minnesota which intends to end homelessness in the state.

Yet Hayden was drawn back into politics by supporters who suggested he run for the House seat vacated by former Rep. Neva Walker (DFL-Mpls).

"What compelled me was my combination of experiences, having community-based

DISTRICT 61B
Population: (2007 est.) 37,241 Largest City: Minneapolis County: Hennepin Top Concerns: Affordable housing and health care, public transportation

work, neighborhood work, city council experience," which he felt would allow him "to not only win, but effect change here," he said.

Hayden has high hopes he'll be able to make laws addressing his district's concerns, which include public transportation and affordable housing and health care. Hayden, who serves on three health-related committees or divisions, has already signed onto HF135, sponsored by Rep. David Bly (DFL-Northfield), which would provide universal single-payer health care to all Minnesotans.

Hayden and his wife, Terri, have two children, Tomas, 12, and Sophia, 7. Hayden calls them, "The light of my life."

A passion for local issues

Reinert plans to be 'an advocate and a partner' for Duluth

By NICK BUSSE

When Rep. Roger Reinert (DFL-Duluth) resigned as president of the Duluth City Council at 11:59 a.m. Jan. 6, it was only



Rep. Roger Reinert

so he could take his oath of office as a state representative a minute later. But Reinert's commitment to his home city hasn't ended; in fact, he said it's the whole reason he came to the Capitol.

"Knowing the city's issues intimately as a councilor and the president of the council, I knew the role that St. Paul played," Reinert said. "I thought this was a good opportunity for someone who knows the city's issues to be in St. Paul to be

an advocate and a partner."

Reinert, a college science instructor and lieutenant in the U.S. Navy Reserve, spent six years on the council. He has a list of things he'd like to get done for Duluth; however, he also hopes to strengthen the hand of other regional centers like Mankato, Rochester and St. Cloud. Reinert said these regional centers often provide vital services to surrounding communities that don't help pay for them. As local government aid is reduced and cities are forced to cut spending, he said an undue burden is being placed on these regional hubs.

"Somehow, regional centers need to find a way to make that more equitable, or to find more stable funding for those services, or they're not going to survive," said Reinert. He plans to organize a monthly gathering

DISTRICT 7B
Population (2007 est.): 36,306 Largest City: Duluth County: St. Louis Top Concerns: Local government issues, state budget, the economy

of House members who represent regional centers to discuss common issues.

Reinert hopes he and his fellow lawmakers can address the state's budget deficit quickly enough to finish the legislative session on time, arguing that it's one of the ways in which Minnesotans judge leadership. He also said all options need to be on the table as they hammer out the budget.

"We can't tax our way out of this, nor can we cut our way out of it; there's going to be some mix of all of it by the time we're done," Reinert said.

Monday, February 16

HF783-Slocum (DFL)

Transportation & Transit Policy & Oversight Division

Emergency vehicle status accorded to vehicles operated by protective agent for escorting funeral procession or oversized loads, and technical correction made.

HF784-Newton (DFL)

Finance

State reimbursement increased for reduced price school lunch meals from 12 cents to 52 cents per meal.

HF785-Thissen (DFL)

Finance

Nonprofit organization grant provided for work on behalf of licensed vendors to coordinate responses to solicitations or other requests and to increase employment opportunities for persons with disabilities.

HF786-Norton (DFL)

Health Care & Human Services Policy & Oversight

Broker or coordinator prohibited to manage non-emergency medical transportation services.

HF787-Loeffler (DFL)

Finance

Minneapolis; Father Hennepin Regional Park funding provided.

HF788-Thissen (DFL)

Taxes

Equity and opportunity in education tax credit provided.

HF789-Knuth (DFL)

Energy Finance & Policy Division

Public Utilities Commission provisions modified relating to deadline for rate determination.

HF790-Slawik (DFL)

Health Care & Human Services Policy & Oversight

Comprehensive child welfare quality assurance system required.

HF791-Simon (DFL)

Taxes

St. Louis Park; fire station and municipal service center building provided with construction purchase exemptions.

HF792-Hilstrom (DFL)

Public Safety Policy & Oversight

Machine gun and short-barreled shotgun possession included on list of crimes against a person for registration under the Predatory Offender Registration Law.

HF793-Juhnke (DFL)

Agriculture, Rural Economies & Veterans Affairs

Loan program terms updated and family farm security program abolished.

HF794-Anderson, B. (R)

State & Local Government Operations Reform, Technology & Elections

Senate and House of Representatives membership numbers reduced.

HF795-Brynaert (DFL)

Finance

Mankato; ISD 77 fund transfer authorized.

HF796-Morrow (DFL)

Finance

Minnesota First bond sale authorized.

HF797-Emmer (R)

Agriculture, Rural Economies & Veterans Affairs

Horses and other equines clarified as livestock and raising them is an agricultural pursuit.

HF798-Hornstein (DFL)

Finance

Motor Vehicle Feebate Task Force and program established, funding provided from gifts and grants and money appropriated.

HF799-Davnie (DFL)

Taxes

Income tax credit provided for qualified Minnesota business ventures.

HF800-Cornish (R)

Public Safety Policy & Oversight

Use of force in defense of home and person law clarified, Minnesota's self-defense and defense of home laws codified and extended, common law eliminated, boundaries of dwelling expanded, presumption created and rights available extended to a person defending against entry of occupied vehicle.

HF801-Pelowski (DFL)

State & Local Government Operations Reform, Technology & Elections

State report and document laws modified.

HF802-Murphy, E. (DFL)

Health Care & Human Services Policy & Oversight

Hospital payment prohibited for certain hospital-acquired conditions and certain treatments.

HF803-Slocum (DFL)

Health Care & Human Services Policy & Oversight

Medical examinations regulated.

HF804-Thissen (DFL)

Civil Justice

Guardian and conservator governing provisions modified.

HF805-Nornes (R)

Taxes

Tax benefit allowance extended in certain job opportunity building zones.

HF806-Buesgens (R)

K-12 Education Policy & Oversight

Charter schools authorized to lease or purchase district buildings, and state money authorized to purchase land and buildings.

HF807-Peppin (R)

Commerce & Labor

Gasoline sales below cost prohibition eliminated.

HF808-Gardner (DFL)

Finance

Intermediate care facility rate increase provided.

HF809-Hornstein (DFL)

Finance

Charitable organizations provided a metropolitan transit pass discount.

HF810-Urdahl (R)

Finance

Little Crow Transit Way feasibility study required.

HF811-Davids (R)

Commerce & Labor

Insolvent life and health insurance company policyholder maximum dollar protection amount increased to provide greater comparability with limits of federal deposit insurance of bank accounts.

HF812-Cornish (R)

Public Safety Policy & Oversight

Local authorities prohibited from enforcing criminal provisions with administrative penalties, and application of the criminal and traffic offender surcharge clarified.

HF813-Johnson (DFL)

Commerce & Labor

Trucking industry classifications of employment regulated.

HF814-Urdahl (R)

State & Local Government Operations Reform, Technology & Elections

Bounce-back annuity authorized when marriage dissolution decree revokes joint and survivor annuity form.

HF815-Beard (R)

Finance

Scott County; regional public safety training center funding provided.

HF816-Lenczewski (DFL)

State & Local Government Operations Reform, Technology & Elections

Former legislators, constitutional officers, agency heads and certain legislative employees prohibited from lobbying for legislative or administrative action for one year after leaving office.

HF817-Kahn (DFL)

State & Local Government Operations Reform, Technology & Elections

Postsecondary institution requirements expanded to report resident student information to the secretary of state for voter registration purposes, and enhanced access required to voter registration records and records of returned absentee ballots on the World Wide Web.

HF818-Hilstrom (DFL)

Public Safety Policy & Oversight

Financial records disclosure in connection with financial exploitation investigations authorized, procedures for reporting and investigating maltreatment modified, duties of financial institutions in cases of financial exploitation specified and penalties imposed.

HF819-Atkins (DFL)

Commerce & Labor

Early Internet sales of event tickets at inflated prices prohibited.

HF820-Hausman (DFL) Finance Como Zoo improvements funding provided.	HF835-Dettmer (R) Civil Justice Livestock activities liability regulated.	HF851-Haws (DFL) Finance St. Cloud; regional airport funding provided.
HF821-Morrow (DFL) Finance Rural Policy and Development Center funding provided.	HF836-Drazkowski (R) Transportation & Transit Policy & Oversight Division Town road speed limits modified.	HF852-Kahn (DFL) Finance Minneapolis; Grand Rounds National Scenic Byway funding provided.
HF822-Lesch (DFL) K-12 Education Policy & Oversight Charter school financial and academic requirements modified, civil and criminal penalties provided.	HF837-Juhnke (DFL) Taxes Property tax refund definitions modified for disabled military veterans.	HF853-Demmer (R) Finance Trunk Highway 14 reconstruction funding provided.
HF823-Norton (DFL) Health Care & Human Services Policy & Oversight Dental therapist fees, licensing and practice limitations established.	HF838-Juhnke (DFL) Finance Agriculture nutrient research funding provided.	HF854-Lesch (DFL) Commerce & Labor Customer liability for unauthorized use of lost or stolen cellular phones limited.
HF824-Davids (R) Finance Disaster preparedness and relief services funding provided, money appropriated.	HF839-Juhnke (DFL) Finance Minnesota Veterinary Diagnostic Laboratory funding provided.	HF855-Hausman (DFL) Finance University of Minnesota and the Minnesota State Colleges and Universities asset preservation funding provided.
HF825-Murphy, M. (DFL) State & Local Government Operations Reform, Technology & Elections Volunteer firefighter retirement plan created.	HF840-Juhnke (DFL) Agriculture, Rural Economies & Veterans Affairs Congress of the United States memorialized to oppose legislation interfering with a state's ability to direct the transport or processing of horses.	HF856-Emmer (R) Health Care & Human Services Policy & Oversight Medical assistance providers allowed to repackage and reprice services; health opportunity account project established and human services commissioner required to develop and seek federal approval; Minnesota Care voucher project established; and proposals and timetable required.
HF826-Murphy, E. (DFL) Health Care & Human Services Policy & Oversight Non-Medicare home care agencies permitted to provide alternative care services, customized living rate cap eliminated.	HF841-Juhnke (DFL) Agriculture, Rural Economies & Veterans Affairs Sunset of the farmer-lender mediation law eliminated.	HF857-Emmer (R) Health Care & Human Services Policy & Oversight MFIP eligibility drug screening required.
HF827-Hausman (DFL) Finance State bond financed property sale proceeds distribution modified.	HF842-Olin (DFL) Health Care & Human Services Policy & Oversight Emergency medical services technical changes made.	HF858-Lenczewski (DFL) Environment Policy & Oversight Public water temporary drawdown provided.
HF828-Hansen (DFL) Finance Dakota County; Robert Street Corridor Transit Way funding provided.	HF843-Slocum (DFL) K-12 Education Policy & Oversight Charter school students allowed to participate in extracurricular activities of their resident district.	HF859-Rukavina (DFL) Finance Higher education asset preservation and replacement funding provided.
HF829-Mullery (DFL) Public Safety Policy & Oversight Metal theft penalties increased.	HF844-Brod (R) Taxes Permitted time to file claims for refunds modified.	HF860-Rukavina (DFL) Higher Education & Workforce Development Finance & Policy Division University of Minnesota; meeting requirement eliminated for regent candidate nominations.
HF830-Hosch (DFL) Taxes Agricultural products definition expanded.	HF845-Emmer (R) Taxes Biomass electrical generation facility property tax exemption provided.	HF861-Rukavina (DFL) Higher Education & Workforce Development Finance & Policy Division Regent nomination joint committee regulated.
HF831-Hosch (DFL) Taxes Tax exemption for township road materials expanded.	HF846-Lieder (DFL) Finance Rail service funding provided.	HF862-Hilty (DFL) Energy Finance & Policy Division Annual legislative report required on adequacy of electric transmission infrastructure.
HF832-Lenczewski (DFL) Commerce & Labor Bloomington; state-operated or state-licensed gambling facilities prohibited unless approved by voter referendum.	HF847-Rukavina (DFL) Finance Mountain Iron; energy park water and sanitary sewer extension funding provided.	HF863-Hilty (DFL) Finance Excess energy savings carry forward allowed by power companies, and conservation improvement program study required.
HF833-McFarlane (R) Finance Rush Line Corridor Transit Way funding provided.	HF848-Brynaert (DFL) Finance Employment support services funding provided for persons with mental illness.	HF864-Hilty (DFL) Energy Finance & Policy Division Legislative Energy Commission directed to analyze state energy standards for certain appliances.
HF834-Kohls (R) State & Local Government Operations Reform, Technology & Elections State employee suggestion system established.	HF849-Haws (DFL) Health Care & Human Services Policy & Oversight Health care program renewal notice requirements modified.	
	HF850-Haws (DFL) Taxes Counties authorized to exceed levy limits when covering costs of confining sex offenders subject to civil commitment proceedings.	

HF865-Welti (DFL)
Environment Policy & Oversight
Wabasha and Olmsted counties; Great River Ridge Trail established.

HF866-Hosch (DFL)
Commerce & Labor
School districts required to obtain employee health coverage through the public employees insurance program.

HF867-Davnie (DFL)
Health Care & Human Services
Policy & Oversight
Self-insurance pools providing health coverage to local government employees regulated.

HF868-Mahoney (DFL)
Higher Education & Workforce Development
Finance & Policy Division
Bioscience business development public infrastructure grant program expanded.

HF869-Rukavina (DFL)
Finance
Midwest Higher Education Compact state membership funding provided.

HF870-Reinert (DFL)
Taxes
Tax increment financing district creation authorized by the Seaway Port Authority of Duluth.

HF871-Rukavina (DFL)
Higher Education & Workforce Development
Finance & Policy Division
Minnesota Office of Higher Education report required on certain financial transactions.

HF872-Marquart (DFL)
Taxes
Property tax exemption eligibility clarification provided for institutions of public charity.

HF873-Marquart (DFL)
State & Local Government Operations Reform,
Technology & Elections
Voting in a primary authorized for certain persons who are 17.

HF874-Hortman (DFL)
Civil Justice
Statutory interpretation found in an advisory opinion issued by a commissioner of administration in 2008 rejected.

HF875-Hortman (DFL)
Finance
State requirement modified for pupil transportation for elementary pupils, and a levy authorized to pay for certain transportation costs.

HF876-Hortman (DFL)
K-12 Education Policy & Oversight
Public residential high school established for science, technology, engineering and mathematics.

HF877-Hortman (DFL)
Environment Policy & Oversight
Idling reduction technology purchases grant program established.

HF878-Hortman (DFL)
Finance
Highway centerline relocation governing provision added, county state-aid highway and municipal state-aid street provisions modified, advertising device placement regulated and plats of lands abutting state rail bank property procedures provided.

HF879-Dettmer (R)
Taxes
Agricultural product definition modified.

HF880-Dettmer (R)
Environment Policy & Oversight
Watershed districts and watershed management organizations required to submit information to counties, and county approval of levies and fees required.

HF881-Champion (DFL)
State & Local Government Operations Reform,
Technology & Elections
Civil rights of an individual upon release from incarceration restored and notice required.

HF882-Champion (DFL)
Civil Justice
Admission of criminal history evidence limited in actions against private employers.

HF883-Champion (DFL)
Public Safety Policy & Oversight
Race and other data collection and analysis required during traffic stops by law enforcement, reports required, improvement plans required, law enforcement business cards required and money appropriated.

HF884-Thissen (DFL)
Health Care & Human Services
Policy & Oversight
Medical supplies and equipment purchasing alliance created.

HF885-Lenczewski (DFL)
Taxes
Tax policy provisions changed.

HF886-Solberg (DFL)
Ways & Means
General Fund balance allocation exempted at end of fiscal year 2009.

HF887-Lesch (DFL)
Civil Justice
Collection service fees required to be paid by obligor.

HF888-Anderson, B. (R)
Commerce & Labor
Transportation infrastructure projects funding provided through the cooperation of state-chartered banks.

HF889-Haws (DFL)
State & Local Government Operations Reform,
Technology & Elections
County law library authorized to be located outside of the courthouse.

HF890-Simon (DFL)
Civil Justice
Parentage presumption and right to custody provisions modified and clarified, and pre-birth parentage orders or judgments provided in certain cases.

HF891-Champion (DFL)
Public Safety Policy & Oversight
Expungement law expanded and modified, courts authorized to modify or suspend collateral sanctions under certain circumstances, and situations limited in which juvenile delinquency criminal record is publicly available.

HF892-Hilstrom (DFL)
Civil Justice
Public defender representation provided for juveniles, children in need of protection and other persons.

HF893-Kahn (DFL)
Civil Justice
Gender-neutral marriage laws provided and the Marriage and Family Protection Act enacted.

HF894-Atkins (DFL)
Energy Finance & Policy Division
Commerce commissioner required to collect and hold in escrow fees paid by Minnesota ratepayers for permanent repository for disposal of high-level radioactive waste.

HF895-Eken (DFL)
Finance
Rural school district grant program created to allow the sharing of services.

HF896-Hortman (DFL)
Finance
Locally controlled process defined for establishing hazardous traffic condition pupil transportation zones, and levy authorized for certain hazardous pupil transportation services.

HF897-Slocum (DFL)
K-12 Education Policy & Oversight
Charter schools authorized to lease district buildings.

HF898-Hornstein (DFL)
Environment Policy & Oversight
Greenhouse gas reduction goals and strategies added to various state and metropolitan programs and plans, goals established for per capita reduction in vehicle miles traveled to reduce greenhouse gases and money appropriated.

HF899-Hausman (DFL)
Transportation & Transit Policy & Oversight Division
Transportation goals modified, reduction of vehicle miles traveled and greenhouse gas emissions provided.

HF900-Juhnke (DFL)
Agriculture, Rural Economies & Veterans Affairs
Pesticide railroad application regulated.

HF901-Emmer (R)
Health Care & Human Services
Policy & Oversight
Genetic information use modified.

HF902-Emmer (R)
Health Care & Human Services
Policy & Oversight
Property interest in human biological specimens created, specimen use limited.

HF903-Mullery (DFL)
Commerce & Labor
Foreclosure consultant provisions modified.

HF904-Juhnke (DFL)
Commerce & Labor
Prompt payment of real estate appraisal reports required.

HF905-Doty (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Commissioner of military affairs authorized to accept uncompensated and voluntary services.

HF906-Hornstein (DFL)**K-12 Education Policy & Oversight**

Responsible family life and sexuality education program established.

HF907-Lillie (DFL)**Commerce & Labor**

Employee invention agreements regulated.

HF908-Urdahl (R)**Commerce & Labor**

Shared work employer plans extended by one year.

HF909-Kohls (R)**Finance**

Carver County; waived service program expenditure repayment requirement eliminated.

HF910-Hortman (DFL)**State & Local Government Operations Reform, Technology & Elections**

Notaries public fees modified, commissions, stamps and seals regulated; clarifications and physical limitations accommodations provided.

HF911-Ward (DFL)**Finance**

Telecommunications and Internet access equity established.

Thursday, February 19

HF912-Eken (DFL)**Transportation & Transit Policy & Oversight Division**

Cargo tank vehicle weight restrictions exempted on seasonally weight-restricted roads.

HF913-Pelowski (DFL)**State & Local Government Operations Reform, Technology & Elections**

Independent expenditure provisions in political campaigns removed, timing and method of filing with the Campaign Finance and Public Disclosure Board modified.

HF914-Davnie (DFL)**Commerce & Labor**

Payday lending regulated, penalties and remedies provided.

HF915-Thao (DFL)**Finance**

Lifetrack Resources grant provided.

HF916-Hausman (DFL)**Environment Policy & Oversight**

Permits issued for nonferrous metallic mineral mining prohibited, financial assurance defined and civil penalty for mining law violations increased.

HF917-Jackson (DFL)**Health Care & Human Services Policy & Oversight**

Department of Human Services and country agencies allowed direct access to Department of Corrections' data for background studies.

HF918-Hausman (DFL)**Finance**

General obligation bond sale provisions amended.

HF919-Scalze (DFL)**Finance**

Specific information required for local capital improvement requests.

HF920-Tillberry (DFL)**K-12 Education Policy & Oversight**

Education; obsolete and unneeded mandates removed.

HF921-Fritz (DFL)**Health Care & Human Services Policy & Oversight**

Safe patient handling plans in clinical settings required.

HF922-Nelson (DFL)**Finance**

Public housing rehabilitating funding provided.

HF923-Carlson (DFL)**Taxes**

Property taxes; one-year lag in determining fiscal disparities contribution net tax capacities and discrimination levies eliminated.

HF924-Hackbarth (R)**Environment Policy & Oversight**

Northshore Trail renamed C.J. Ramstad Memorial Trail.

HF925-Sertich (DFL)**Commerce & Labor**

Official measure of unemployment expanded.

HF926-Dill (DFL)**Environment Policy & Oversight**

St. Louis County; public and private sales of county bordering tax-forfeited land authorized.

HF927-Mahoney (DFL)**Commerce & Labor**

Construction codes and licensing modified, high pressure piping profession provisions added, appropriations restrictions modified and authority to adopt rules for obtaining broiler licenses extended.

HF928-Hornstein (DFL)**Transportation & Transit Policy & Oversight Division**

Wireless communications device use prohibited in Metropolitan Council public transit vehicles.

HF929-Ruud (DFL)**State & Local Government Operations Reform, Technology & Elections**

Minnetonka; street improvement districts establishment and apportionment of fees authorized, street improvement plan required.

HF930-Wagenius (DFL)**Civil Justice**

Classification of grants data by government entities proposed, regional parks foundation private donor gift data classified as private or nonpublic.

HF931-Hamilton (R)**Finance**

Worthington; city appropriations modified.

HF932-Bly (DFL)**Finance**

Rate schedule for renewable energy projects established and reports required.

HF933-Olin (DFL)**Environment Policy & Oversight**

Kittson County; public sale of tax-forfeited land bordering public water authorized.

HF934-Loeffler (DFL)**Health Care & Human Services Policy & Oversight**

Children aging out of foster care provisions modified.

HF935-Slocum (DFL)**K-12 Education Policy & Oversight**

Charter school provisions modified.

HF936-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Communities for a lifetime criteria specified, and Minnesota Board on Aging and commissioner of employment and economic development required to develop recommendations on the designation of communities for a lifetime.

HF937-Demmer (R)**Taxes**

Job opportunity building zone amendments allowed to agreements under certain circumstances.

HF938-Reinert (DFL)**State & Local Government Operations Reform, Technology & Elections**

State employees with disabled veteran status provided additional sick leave.

HF939-Mahoney (DFL)**Finance**

New job training funding provided for hard-to-train individuals.

HF940-Zellers (R)**State & Local Government Operations Reform, Technology & Elections**

Hennepin County; personnel rules and procedures modified.

HF941-Thissen (DFL)**Civil Justice**

Interlocutory appeal provided on the question of class certification.

HF942-Davids (R)**Finance**

Fountain; grant provided.

HF943-Davids (R)**Finance**

Brownsville; grant provided.

HF944-Davids (R)**Finance**

La Crescent; grant provided.

HF945-Davids (R)**Finance**

Peterson; grant provided.

HF946-Davids (R)**Finance**

Minnesota Historical Society grants provided for local historic preservation projects.

HF947-Thao (DFL)**Finance**

Parents' fair share program funding provided.

HF948-Peterson (DFL)**Finance**

Mighty Ducks ice facility grant amounts modified.

HF949-Thisen (DFL)**Public Safety Policy & Oversight**

Official traffic-control device automatic enforcement authorized, fine proceeds generated by devices allocated and petty misdemeanor penalty imposed.

HF950-Murphy, M. (DFL)**State & Local Government Operations Reform, Technology & Elections**

Public Employees Retirement Association authorized to offer a postretirement option for members of the public employees retirement general plan.

HF951-Lillie (DFL)**Energy Finance & Policy Division**

Two or more existing municipal power agencies authorized to form a new municipal power agency.

HF952-Eken (DFL)**Environment Policy & Oversight**

Board of Water and Soil Resources membership modified.

HF953-Paymar (DFL)**Public Safety Policy & Oversight**

Transfer of pistols or semiautomatic military-style assault weapons provisions modified.

HF954-Lesch (DFL)**Public Safety Policy & Oversight**

Information transfer to the federal National Instant Criminal Background Check System required on persons civilly committed, found not guilty by reason of mental illness or incompetent to stand trial; and certain persons prohibited from possessing a firearm under state law authorized to petition a court of restoration of rights.

HF955-Morrow (DFL)**Environment Policy & Oversight**

Minnesota River Basin Joint Powers Board renamed, and duties and membership of board clarified.

HF956-Hornstein (DFL)**State & Local Government Operations Reform, Technology & Elections**

Municipalities authorized to establish street improvement districts and apportion street improvement fees within districts, adoption of street improvement plan required and collection of fees authorized.

HF957-Olin (DFL)**Finance**

Kennedy; municipal geothermal, wind turbine and solar energy power facility funding provided.

HF958-Olin (DFL)**Finance**

State agencies authorized to develop plan for using federal stimulus funds dedicated to energy projects to install energy-efficient windows in government and residential buildings, to weatherize residential buildings and to train installers.

HF959-Scalze (DFL)**Finance**

Ramsey County; Keller Regional Park funding provided.

HF960-Masin (DFL)**Finance**

Dakota County; Cedar Avenue Bus Rapid Transit Way funding provided.

HF961-Bunn (DFL)**Health Care & Human Services Policy & Oversight**

Physical activity costs allowed to be covered under home and community-based waivers.

HF962-Dittrich (DFL)**Taxes**

Special levy provided for costs of operating and maintaining new county facilities.

HF963-Hilstrom (DFL)**Finance**

Children of incarcerated parents mentor grants provided.

HF964-Holberg (R)**State & Local Government Operations Reform, Technology & Elections**

Legislative and congressional districts coordinated.

HF965-Gottwalt (R)**Taxes**

Taxation; long-term care insurance credit adjusted.

HF966-Gunther (R)**Finance**

School swimming pool levy expanded to include small school districts.

HF967-Lillie (DFL)**Finance**

Ramsey County; trail construction funding provided.

HF968-Hosch (DFL)**Commerce & Labor**

Board of Residential Construction established, license regulation modified.

HF969-Atkins (DFL)**Health Care & Human Services Policy & Oversight**

Patient access to health records provisions and costs modified.

HF970-Brod (R)**State & Local Government Operations Reform, Technology & Elections**

Recount requirement in statewide elections removed, runoff election requirement established and public money use authorized.

HF971-Bigham (DFL)**Public Safety Policy & Oversight**

Predatory offender registration time period rule clarified.

HF972-Bigham (DFL)**Finance**

Youth intervention programs grants provided.

HF973-Swails (DFL)**K-12 Education Policy & Oversight**

Health and safety revenue used to fund school district playground safety, accessibility, safe surfacing, play and fitness equipment, inspections, design, installation and maintenance costs.

HF974-Gottwalt (R)**Energy Finance & Policy Division**

Nuclear power plant certificate of need prohibition abolished.

HF975-Gottwalt (R)**Taxes**

Taxation; subtraction for contributions to a qualified section 529 college savings plan provided.

HF976-Gunther (R)**Taxes**

Long-term care insurance credit increased.

HF977-Juhnke (DFL)**Environment Policy & Oversight**

Let's Go Fishing community outreach grants provided.

HF978-Lillie (DFL)**Commerce & Labor**

Automobile insurers prohibited from owning repair facilities.

HF979-Severson (R)**Taxes**

Taxation; levy limit base modified.

HF980-Lieder (DFL)**Public Safety Policy & Oversight**

Peace officer eligibility requirements based on military experience modified.

HF981-Bly (DFL)**K-12 Education Policy & Oversight**

Charter school provisions amended, New Schools Minnesota commission established and private nonprofit corporation authorized.

HF982-Murphy, M. (DFL)**State & Local Government Operations Reform, Technology & Elections**

Allowable service credit for job-sharing project of job-share program participants revised.

HF983-Hansen (DFL)**Finance**

Natural resources asset preservation and replacement established.

HF984-Norton (DFL)**Health Care & Human Services Policy & Oversight**

Medical assistance coverage of primary care health care providers performing primary caries prevention services as part of the child and teen checkup program authorized.

HF985-Hayden (DFL)**Health Care & Human Services Policy & Oversight**

Children aging out of foster care provisions modified.

HF986-Thisen (DFL)**Health Care & Human Services Policy & Oversight**

County maintenance of effort provisions amended for mental health provisions.

HF987-Abeler (R)**Health Care & Human Services Policy & Oversight**

Medical assistance drug formulary committee provisions modified.

HF988-Mariani (DFL)**Transportation & Transit Policy & Oversight Division**

REAL ID Act implementation prohibited.

HF989-Gottwalt (R)**Transportation & Transit Policy & Oversight Division**

Driver's license and identification card required to show full head and face.

HF990-Bunn (DFL)**Finance**

General Fund forecast additional revenue priorities modified.

HF991-Eken (DFL)**Transportation & Transit Policy & Oversight Division**

Trunk Highway 200 portion established as Veterans Memorial Highway.

HF992-Dill (DFL)**Health Care & Human Services Policy & Oversight**

Local school districts permitted to provide health coverage to their employees through the state employee group insurance plan, and school district procedure specified.

HF993-Dill (DFL)**Commerce & Labor**

Financial statements submitted to the attorney general by charitable organizations audit requirement adjusted.

HF994-Lieder (DFL)**Transportation & Transit Policy & Oversight Division**

State hazardous materials registration and permit requirements abolished.

HF995-Mullery (DFL)**Civil Justice**

Sheriff's sale procedure modified relating to foreclosures.

HF996-Paymar (DFL)**Civil Justice**

Personal appearance in an application for a name change made by an adult requirement eliminated.

HF997-Seifert (R)**State & Local Government Operations Reform, Technology & Elections**

Federal government memorialized to halt its practice of imposing mandates upon the states for purposes not enumerated by the Constitution of the United States and affirming Minnesota's sovereignty under the 10th Amendment to the Constitution of the United States.

HF998-Emmer (R)**State & Local Government Operations Reform, Technology & Elections**

Congress memorialized to claim sovereignty under the 10th Amendment to the Constitution of the United States over certain powers, serve notice to the federal government to cease and desist certain mandates, and direct distribution.

HF999-Mullery (DFL)**Civil Justice**

Civil union relationships provided, and civil union contracts substituted for marriage for purposes of Minnesota law.

HF1000-Norton (DFL)**Transportation & Transit Policy & Oversight Division**

Highway 14 designated as Black and Yellow Trail.

HF1001-Demmer (R)**Finance**

K-12 education state grants authorized to leverage quality improvements.

HF1002-Murphy, E. (DFL)**Health Care & Human Services Policy & Oversight**

Nursing education demonstration project grant established.

HF1003-Mahoney (DFL)**Civil Justice**

Rebuttable presumption of minimum parenting time changed, rebuttal factors specified and parenting expense adjustment changed.

HF1004-Hamilton (R)**Health Care & Human Services Policy & Oversight**

Cottonwood County; ICF/MR facility relocation provided.

HF1005-Reinert (DFL)**Finance**

Enhanced driver's license and enhanced identification card created, application, issuance and appearance of card provided, and Homeland Security secretary approval sought.

HF1006-Gunther (R)**Commerce & Labor**

Combative Sports Commission requirements modified.

HF1007-Wagenius (DFL)**Finance**

Environmental and natural resources funding provided, Legislative-Citizen Commission on Minnesota Resources membership terms modified.

MOEs continued from page 4

must create a plan that will help them achieve that funding, said John Zakelj, a planner in the Minnesota Department of Human Services' Mental Health Division. If they can't come up with a plan, the county would lose lawsuit protection related to mandated mental health services.

The total of all county mental health costs for MOEs is \$111 million. Of that, \$66 million goes to fund services for uninsured and underinsured individuals and for services such as children's respite care and adult housing supports that keep people out of hospitals, but are not reimbursable by health care programs, Zakelj said.


In the governor's budget proposal, he

has suggested that some county services be consolidated. This would also affect how MOEs are funded.

Rep. Tina Liebling (DFL-Rochester) asked what would happen if a consolidation went into effect. "What would happen if we didn't make any changes to MOEs? Would we just have one pot and throw all the money into that and then have that just be for the group of counties?"

Dalton said the governor's initiative would require counties to look at combining and providing these services regionally and there would be "a very big carrot" to do this. He is proposing that if counties don't combine their services, their county program aid would be cut more than it would be otherwise.

Rep. Tom Anzelc (DFL-Balsam Township)

said the state is asking this MOE system to do the impossible. "Largely because over the last 25 years, at a minimum, we've moved away from state supervision and county administration and we've tried to fit a one-size-fits-all system for all of these populations ... without any regard to property values, without any regard for community values, without regard to the size of the population and without regard to the whole provider system. For 25 years, the system has been driven by providers and advocacy groups and the policy has been diluted. And then we require 87 county boards of commissioners to grapple with this in the real world at the local level and depend upon property taxes. It just doesn't work." 

Fitness continued from page 16

said three-time Tour de France winner Greg LeMond, "you could have the best schools in the world but if your kids can't pay attention, their brains are asleep, they're not going to absorb what they need to. I think that's what Dr. Ratey's studies have shown."


Olwell and Ratey agree student exercise

programs show best results from daily, morning sessions and an emphasis on aerobic fitness, not "ball sports" or athletics.

"It's not about who's good, who's bad," Ratey said. "Everybody plays all the time."

North Trail Elementary principal Steven Geis calls the effects of his school's physical

education program "magical."

"It works. Student scores, their engagement, the attendance rate, the obesity rate — we're less than 5 percent in our student population — all those things by having student engagement in the gym is just magical. To have that in all the schools would be wonderful." 

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MINNESOTA INDEX

Less lighting up

Estimated number of Minnesota adults who smoked in 2007	634,000
Percent of the state's population.....	17
Percent in 2003, 1999	19.1, 22.1
National percentages in 2007, 2003 and 1999	20, 21.5, 23.3
Fewer state smokers, as approximate, in 2007 than 1999.....	164,000
Percent of Minnesota men, women who smoke.....	18.6, 15.5
Minnesotans with less than a high school diploma who smoke, as percent.....	26.3
Percent of Minnesotans with a college degree who smoke.....	5.9
Percent of Minnesotans whose household income is less than \$35,000 who smoke.....	23.2
Percent of Minnesota smokers in households with at least \$75,000 in annual income.....	11
Percent of young adults, ages 18-24, responding to 2007, 2003 surveys who smoked in the past 30 days.....	28.4, 36.8
Estimated number of public school students in 2008 who used tobacco.....	85,000
Estimated number in 2005.....	97,000
Percent of high school students in 2008 and 2000 surveys who used tobacco in past 30 days.....	27, 38.7
Percent of middle school students	6.9, 12.6
Percentage of 2008, 2005 high school students who were taught in school about the dangers of tobacco use.....	37.4, 60.3
State adults exposed to secondhand smoke in past seven days during 2007, 2003	56.7, 67.2
Minnesota workers in 2007, 2003 who had a smoke-free workplace.....	76.1, 68.4
Percent of adult Minnesotans in 2007, 2003 who said smoking was not allowed anywhere inside their home	83.2, 74.9
Adult smokers in 2007, as percent, who stopped for at least a day in the previous 12 months because they were trying to quit smoking.....	56.7
Among those who tried to quit, percent who made multiple attempts in previous 12 months.....	67.7
Percent of attempted quitters in 2007, 2003 who used behavioral counseling for their last quit attempt.....	14.9, 3.6
Taxes and fees per pack paid on cigarettes sold in the state	\$1.48
Year Minnesota enacted the Clean Indoor Air Act	1975
Year Moose Lake became the first city to pass a smoke-free restaurant ordinance	2000
Month when Minnesota's smoke-free law that covers indoor public places and workplaces, including bars and restaurants took effect	October 2007

Sources: Tobacco Use in Minnesota 1999-2007, Minnesota Adult Tobacco Survey, September 2008; Teens and Tobacco in Minnesota, the View from 2008: Results from the Minnesota Youth Tobacco and Asthma Survey, Department of Health, December 2008.

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SESSION WEEKLY



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HF1008 - HF1179

SESSION WEEKLY

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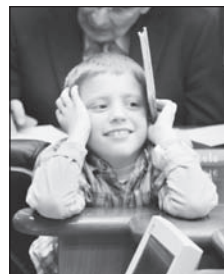
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On the cover: Cameron Hubley of Duluth, holds 19-month-old Bergen at the back of the Duluth City Council Chamber Feb. 20 while waiting her turn to tell a panel of House and Senate legislators to continue funding Early Childhood Family Education programs.

— Photo by: Tom Olmscheid

Looking to the past

Division hears New Deal's controversial story

BY SONJA HEGMAN

The country was in the throes of The Great Depression in 1935. It saw passage of the Social Security Act, as well as the Wagner Labor Relations Act, making collective bargaining possible as a means of maintaining labor standards. It was also the year President Franklin Delano Roosevelt's Works Progress Administration began putting people to work.

Mary Murphy knows what it's like to have Roosevelt impact your life. The DFL representative from Hermantown grew up in a house built as a part of the WPA, which was the largest agency in Roosevelt's New Deal.

"I am a product of growing up thinking that

Franklin Roosevelt was some kind of a hero," Murphy said during a meeting of the House Cultural and Outdoor Resources Finance Division, which she chairs. "Actually, I thought Franklin Roosevelt was a house builder."

There were 84 houses built in Murphy's area

in the 1930s. This project provided two- and three-bedroom houses that were available with either 5- or 10-acre lots. Murphy said her parents were eligible for a house because at the time, they had four children and a job — her father was a steel worker at the Duluth Steel Plant — but he didn't make a lot of money.

Her parents applied for a house along with about 200 other families, and their names were pulled out of a hat during the first drawing. "My dad said it was the wrong house," Murphy said. "My dad said he already had a two-bedroom house, and he needed a three-bedroom house."

The Murphys put their name back in the hat for the second drawing a week-and-a-half later. "And lo and behold, at the second drawing, Lloyd and Gertrude Murphy's names were pulled out again, and it was matched with a three-bedroom house and 10 acres," Murphy said. "That is the only home I've ever lived in and I've never been away longer than six weeks."

Murphy has kept the house true to its era. As a child when neighbors started getting more

First Reading continued on page 4



Rep. Mary Murphy, at about age 8, stands in front of her New Deal house in Hermantown. She has lived in the house her entire life.

Photo courtesy of Rep. Mary Murphy

First Reading continued from page 3

modern looking “fancy” kitchens, Murphy’s father would say, “Franklin Roosevelt built this house and this is the way he wanted it.” So you can imagine what I thought when I went to school and my second- or third-grade teacher was talking about President Franklin Roosevelt and I said, ‘How could Franklin Roosevelt be president when he was the guy that built my house?’”

New Deal history

Suddenly, what Hy Berman has been teaching for more than 40 years has become very relevant.

A history professor at the University of Minnesota, Berman has been educating students on Roosevelt’s New Deal. He said today’s students “thought that this was so irrelevant that they didn’t pay any attention to it.” With today’s economic troubles, a thing or two could be learned, he said.

Roosevelt entered office in 1933 in probably the worst economic crisis in our nation’s history, Berman said. This crisis had already been in existence for more than two years. Unemployment had reached 25 percent to 30 percent and underemployment was at 30 percent to 40 percent.

their leaders, but it just didn’t work, Berman said. The result was a major period of upheaval and discontent that reached a peak in 1934 all over the nation, including the Minneapolis truck strike.

Work relief was only an afterthought during the deep economic depression of the winter of 1933-34. Public works was considered a necessity, but it wasn’t immediately effective for economic stimulation. The Public Works Administration was involved with large projects, like the Triborough Bridge (renamed the Robert F. Kennedy Memorial Bridge) in New York, or the Bay Bridge between San Francisco and Oakland, but these kinds of projects were not immediately effective.

In 1935, the nature of the New Deal shifted to the belief that there was a necessity to increase public spending to stimulate the economy.

“The public spending was going to be done in the way of expanding job opportunities for people, making work, even if the work was to be funded and the federal government was to be the employer of last resort,” Berman said. This was done through the WPA starting in 1935.

It was through these work projects that Murphy’s house was built.

The WPA was not only an agency that put the usual kind of blue-collar workers to work. Berman said the belief was that other people — like artists, teachers and historians — were also put to work in different kinds of projects that had an effect on art, music and literature. For instance, as part of a WPA project for the Library of Congress, historians were put to work recording the lives of slaves.

“It was not only the building of bridges and building of your homes and of the roads and the infrastructure and the other light industries, like seamstresses working in different kinds of activities,” Berman said. “But also the works of the artist and musician, the teacher and the historian were of great value.”

There is a tendency among some economists to believe, he said, that the New Deal didn’t work.

“It didn’t get us out of the Depression, but it

put people to work,” Berman said. “Getting us out of the Depression was a function of other kinds of activities. It stimulated the economy, and the nation was better off after 1935 than it was before.”

In 1935 and 1936, 65,000 people were employed by the WPA on 1,700 projects in Minnesota.

The New Deal in Minnesota

In 1932, there was massive unemployment on the Iron Range.

Steel plants in the country were operating at 22 percent of capacity, while 78 percent were cold. If the rate of steel consumption continued, there would be enough ore stockpiled at the steel plants and at the mines — especially on the Iron Range — to feed the steel plants for five years, which meant there was no reason for iron miners to be working. Iron Range unemployment during the Depression was at 70 percent.

“It gives you a sense of how devastating that really was,” said Pam Brunfelt, instructor of history and political science at Vermillion Community College in Ely.

Although it did not end the Depression, taking a quote from President Obama, she said FDR “gave the American people the audacity of hope.”

A ray of hope came in the form of the Civilian Conservation Corps (CCC) that was established by Congress in 1933 as a measure of the New Deal program. Unlike the WPA, which employed adults, the corps provided work and vocational training for unemployed single young men through conserving and developing the country’s natural resources.

Most of the CCC camps in Minnesota were in the Chippewa and Superior national forests, state forests, state parks and one private forest, Brunfelt said. “There are still remnants of a camp in Royalton.”

Sixty-one camps were built across the state, with nine in farming areas or flood control areas. Two of the camps were in Otter Tail County, where some of the men cleaned up the Ottertail River. Soil conservation work was also done by the CCC, along with tree and seedling planting.

In the program’s first six months, Brunfelt said the men fought forest fires, repaired or installed 165 miles of telephone lines, created 48 fire breaks, cleared 3,914 acres of timber slash and 211 miles of dead or damaged timber, built 20 dams and 25 bridges, inventoried 12,708 acres of forest, made improvements to beaches and lakeshores, and trimmed 1,508 acres of trees. 🌲



Works Progress Administration rock cutters prepare rock for a stone wall connecting the state fairgrounds’ race track.

Photograph Collection 8/18/1936, courtesy of the Minnesota Historical Society.

“So it was really a very disastrous time,” he said. “Between the time Roosevelt was elected and when he became president, the bank system collapsed, so he was faced with an immediate problem.”

In an attempt to solve the problems the nation faced, it was thought that recovery could be done by putting control of the industries into the hands of the large corporations and

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 19-26. 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.

BONDING

Higher education capital projects

A House division approved a series of bonding requests for the University of Minnesota and Minnesota State Colleges and Universities system.

Sponsored by Rep. Tom Rukavina (DFL-Virginia), HF1063 would provide \$106.6 million for a series of capital construction projects that were either vetoed by Gov. Tim Pawlenty or only partially funded by last year's bonding law.

The university's portion of the money — \$39.5 million — would fund a new Bell Museum of Natural History, while MnSCU's \$67.1 million share would go toward a series of smaller projects across the state.

Rukavina also sponsors HF859 that authorizes \$50 million for MnSCU and \$35 million for the university to fund those institutions' respective higher education asset preservation and replacement (HEAPR) requests.

The House Higher Education and Workforce Development Finance and Policy Division approved the bills Feb. 24 and referred them both to the House Capital Investment Finance Division.

Sen. Sandy Pappas (DFL-St. Paul) sponsors SF150, the companion to HF859. It awaits action by the Senate Higher Education Budget and Policy Division. The companion to HF1063 is SF990 sponsored by Pappas and awaits action by the Senate Finance Committee.

The division approved two other bonding projects, sending each to the House Capital Investment Finance Division:

- HF23, sponsored by Rep. Kim Norton (DFL-Rochester), would authorize \$6 million for a steam pipeline from Rochester Community and Technical College to a local waste-to-energy plant. Norton said steam from the plant would help heat and cool RCTC, reducing the college's operating costs. A companion, SF75, sponsored by Sen. Ann Lynch (DFL-Rochester), was laid over Feb. 23 by the Senate Economic Development and Housing Budget Division;
- HF283, sponsored by Rep. Kathy Brynaert (DFL-Mankato), would authorize \$13.8 million for a combined women's hockey center and performing arts center for Minnesota State University, Mankato. The facility would be an expansion of Mankato's Alltel Center. A companion, SF125, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits

ACCESS BUILDER



PHOTO BY TOM OLMSCHIED

Jim Williams of Shoreview waits for a friend at a front door of the Capitol before entering the Rotunda for a Feb. 23 disabilities advocacy program. He has worked for 18 years in the ramp program at the Minnesota Association of Centers for Independent Living, where he has designed and assembled more than 4,000 ramps for disabled people at private homes in the Twin Cities metropolitan area.

— N. BUSSE

BUDGET

No rainy day use for stimulus money

If Minnesota is to spend federal stimulus money during fiscal years 2010-2011, current law regarding carryover funds must be changed.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids), HF886 would allow money remaining in the General Fund at the end of fiscal year 2009 to be appropriated in the next biennium.

Approved 89-40 by the House on Feb. 23, the bill, sponsored by Sen. Richard Cohen (DFL-St. Paul) passed the Senate Feb. 26 57-8. It now moves to the governor's desk.

Current state law requires a surplus to be used for shoring up the state's cash flow and reserve accounts, and paying back any school funding shifts. As part of the governor's December 2008 unallotment to bring the current biennial budget into balance, the reserve account was depleted.

According to the nonpartisan House Research Department, the stimulus money changes federal Medicaid reimbursement to the state, possibly resulting in a positive General Fund balance at the end of the fiscal year. Federal law prohibits the state from using the Medicaid reimbursement for a budget reserve.

"This says we can accept the (federal stimulus) money, but it doesn't need to go into the reserve account," Solberg said. The change was requested by Minnesota Management and Budget.

House Republicans appeared to use the bill as a test to a change in House rules, whereby the House Rules and Legislative Administration Committee sets time limits for floor debate. Some called the rule change a way to gag the minority, while others said it will make for more informed debate.

Forty-five minutes had been allotted for the bill's debate, but Republicans put forward 11 amendments, which took nearly two hours. House Speaker Margaret Anderson Kelliher (DFL-Mpls) allowed the debate to continue.

The only successful amendment came from Rep. Laura Brod (R-New Prague), and was further amended by Solberg, to require a budget enacted for the 2010-2011 biennium to provide for a balanced General Fund budget in fiscal years 2012-2013.

— L. SCHUTZ

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

CONSUMERS

Ensuring healthy plantings

Nursery plantings may be on the store shelves in March, but it's wishful thinking to assume they'll make it outdoors into warm soil anytime soon. The delay can create a problem for consumers.

In a 130-0 vote, the House passed HF598 Feb. 26 that addresses the growing number of complaints to the Agriculture Department regarding the condition of dormant plant stock shipped to Minnesota from southern states. The bill now goes to the Senate, where Sen. Dan Skogen (DFL-Hewitt) is its sponsor.

The stock has been arriving earlier each year from the southern states, according to the bill's sponsor, Rep. Kent Eken (DFL-Twin Valley). By the time the ground unfreezes in Minnesota, he said many times people are buying dead stock. "Unfortunately, at times the stock has not been maintained adequately and the plant viability and survival has been low in some of the stock."

The bill clarifies definitions regarding dormant stock and requires the material to be properly maintained to protect its viability. The bill also adds nursery stock dealers to the nursery stock certification requirements, which could include inspections to ensure stock is free from quarantine and dangerous plant pests.

— L. SCHUTZ

Mechanic's lien mailing notification

The way a mechanic's lien is sent to a vehicle owner could change.

Under HF208, sponsored by Rep. David Dill (DFL-Crane Lake), a lien notice would be sent by certified, rather than registered mail.

Approved Feb. 23 by the House Civil Justice Committee, the bill awaits action by the full House.

Dill said registered mail is used to send something of value, such as an expensive watch for repair, but certified mail is a way of notifying someone that they need to pay their debt. A certified letter requires the recipient to sign a card, which is then returned to the sender. The sender is also notified if the recipient refuses to accept the payment notice or refuses to pick it up at the post office after receiving notice of an unsuccessful attempt of its delivery.

Dill said this would save the sender about \$8 per lien, the difference in mail cost.

Contractors can file a mechanic's lien within a certain amount of time if payment has not been received for services rendered. Foreclosure of such a lien occurs when the contractor is paid, sometimes that means

when the vehicle is sold at a public auction.

A companion, SF304, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Judiciary Committee.

— M. COOK

CRIME

MINNCOR gets good audit

A number of educational opportunities exist in the state prison system to help those incarcerated prepare to better function on the outside.

One of those received a mostly positive report from the Office of the Legislative Auditor.

"MINNCOR has generally done a good job in achieving high levels of inmate employment and generating enough revenue to cover its costs," Legislative Auditor James Nobles told the Legislative Audit Commission Feb. 23, the day of the report's release.

Formed in 1994 when the Corrections Department centralized individual prison industry programs into one statewide business, MINNCOR Industries employed about 16 percent of state inmates in fiscal year 2008, about three times the national average. The self-supporting program is available at six of the state's nine adult correctional facilities.

MINNCOR had about a \$3 million profit in fiscal year 2008, double a decade prior, and has been profitable in four of the last six years. Profits are used to fund a post-release program that helps inmates with things like resume writing, interview skills and provides a list of employers willing to hire an ex-con.

"They do a pretty good job in a pretty difficult setting," said Jo Vos, the auditor's office project manager.

The program operates two types of inmate work programs. It operates industries that sell products to state agencies, local governments and others. For example, MINNCOR provides laundry and printing services to public customers, and manufactures its own clothing, furniture, cabinetry and metal products, such as snow plow attachments. It also contracts with private businesses to use inmates and prison space to assemble or manufacture products they sell.

The audit found a handful of concerns.

For example, MINNCOR sometimes uses purchase orders instead of state contracts for its services with private businesses. Although no problems were found, auditors think the risk is too great because a state contract would address issues like liability and data privacy.

Deputy Commissioner Lynn Dingle said the department is updating its policy to expand the issuance of state contracts and the

appropriate use of purchase orders; however, it is concerned contracts could be detrimental because of their timeliness and potential loss of revenue.

— M. Cook

Sex offender Web bill defeated

A bill to prohibit sexual predators from using certain computer sites failed to clear a House committee, but its sponsor said the bill is not dead.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove), HF130 would prohibit predators from using social networking sites, like Facebook and MySpace.

Previously approved by the House Public Safety Policy and Oversight Committee, the bill was defeated Feb. 25 by the House Civil Justice Committee on a 6-6 vote.

After the meeting, Bigham was talking to opponents seeking ways to satisfy their concerns. She said the bill would likely be coming back.

One concern raised by Rep. Bobby Joe Champion (DFL-Mpls) is the constitutionality of allowing unannounced searches of computers and PDAs used by offenders. Currently registered sex offenders are subject to unannounced searches of their person, vehicle and premises.

Although no case law was cited, Deputy Attorney General David Voigt expects a search to stand up in court, just as other types of unannounced searches have been upheld.

Champion noted that judges could impose the no online access as part of a registered sex offender's probation, but Voigt said the bill would simply make it uniform.

In addition to the social networking sites, offenders would be prohibited from using instant messaging or chat room Internet sites, even when playing an online game.

Rep. Tim Mahoney (DFL-St. Paul) said this would make it impossible for predators to play online games when communication with other players is required.

Bigham indicated afterward that some language might need to be changed with respect to Mahoney's concern.

A mother of two children, Rep. Melissa Hortman (DFL-Brooklyn Park) said most games have an online/offline feature meaning an offender could play in their own home.

"These are people who are registered predatory offenders and we're trying to take them out of an environment where they have an opportunity to be predators," she said.

Awaiting action by the Senate Judiciary Committee is the bill's companion, SF403, sponsored by Sen. Mee Moua (DFL-St. Paul).

— M. Cook

Public defender representation

The monetary threshold to receive the services of a public defender could change.

It is one provision in a bill sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center).

Under HF509, criteria would be established to determine public defender eligibility based on the person's income and severity of the charge.

For a misdemeanor, a defendant could receive the aid of a public defender if their annual income does not exceed 150 percent of federal poverty guidelines. The percentage increases to 175 percent for a gross misdemeanor and 200 percent for a felony. Under current law, a person or their dependent residing in the same household that receives "means-tested government benefits" is eligible for a public defender.

"We're not expanding or, frankly, significantly contracting eligibility, but trying to give the judges some guidelines, make it more consistent across the state, and direct the statute at the individual or the client, rather than the people that are in the household," said Kevin Kajer, chief administrator of the Board of Public Defense.

Approved Feb. 24 by the House Public Safety Policy and Oversight Committee, the bill was sent to the House Finance Committee. A companion, SF409, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Judiciary Committee.

Other changes include:

- a defendant would not be eligible for a public defender in a petty misdemeanor case;

- clarification that a chief appellate public defender is to represent those pursuing an appeal or post-conviction relief, while in all other cases they are to be represented by the district public defender; and

- a court "may," rather than "shall," direct an employed defendant to reimburse the state for the cost of a public defender.

"There are some instances where somebody may not qualify, but then they are appointed a public defender and then the court is ordering that reimbursement," Kajer said. "We're trying to give the court some flexibility here, and hopefully have those folks appointed private counsel rather than a public defender."

— M. Cook

DEVELOPMENT

Economic development strategies

An expert in regional and industrial economics from the University of Minnesota challenged legislators to find a smarter approach to promoting economic development in the state.

Ann Markusen, a professor at the Hubert H. Humphrey Institute of Public Affairs, told the House Bioscience and Workforce Development Policy and Oversight Division Feb. 25 that Minnesota — along with most other states — lacks a strategic approach to economic and workforce development issues.

While states often try to incentivize economic growth with tax incentives and workforce development programs, Markusen

REGAL RALLY



PHOTO BY TOM OLMSCHIED

U of M Rally "Regal the Eagle," the mascot at the University of Minnesota, Crookston, joined alumni and students from all university campuses for the Feb. 25 "Support the U Day" rally in the Rotunda. The annual event lets students and alumni discuss the importance of the university to the state.

said they rarely review programs to assess their success. She said policymakers need to look at a more evaluative approach that relies on hard statistical data.

Markusen criticized Gov. Tim Pawlenty's proposed cut to the corporate franchise tax. She said tax breaks ought to be "very precisely targeted" toward only those businesses that actually need the incentive. Otherwise, she said, the state is essentially giving up tax revenue that it could use for other economic development programs.

"We never say, 'What else could we do with this size of tax break that we're giving?'" Markusen said.

Rep. Bruce Anderson (R-Buffalo Township) challenged Markusen's claim that cutting corporate taxes wouldn't necessarily grow the state's economy, citing the recent example of TCF National Bank moving its headquarters from Minnesota to South Dakota because that state was offering better tax incentives.

Markusen said her point is that the state has no mechanism to evaluate whether a company is leaving the state because of taxes or for other reasons, such as access to a better transportation system or proximity to markets.

She emphasized the role that investing in K-12 and higher education plays in economic development, and said state funds are best spent on programs that benefit students rather than research and development.

— N. BUSSE

EDUCATION

Stimulus package benefit

The House Early Childhood Finance and Policy Division heard good news Feb. 24: child care and early childhood education is well-funded in the federal stimulus package.

Some of the estimated \$821.4 million Minnesota expects for education may reach early childhood programs, although states must prioritize restoring K-12 and higher education funding to prior levels, said Michelle Weber, the Education Department's director of government relations.

The state's special education programs servicing children from birth through 5 years old should see \$14.3 million through fiscal year 2011. Its Head Start programs should see about \$7.8 million in additional funds, to be used for increasing provider rates and creating additional sites and Early Head Start programs.

Another pool of incentive grant funds is available, Weber said, and some Minnesota early childhood programs or initiatives will likely qualify.

Minnesota can also expect \$26.1 million

in additional child care development funds, Human Services Department Assistant Commissioner for Children and Families Chuck Johnson told the division: \$22.7 million for assistance to low-income families, which could be used to increase county allocations for Basic Sliding Fee Child Care; a \$2.2 million "set-aside" targeted to quality improvement; and \$1.25 million for infant and toddler programs.

Members questioned whether the governor will now adjust the nearly \$11 million in cuts proposed earlier to child care subsidies, and whether the one-time cash infusion to early childhood programs will skew the state's maintenance of effort appropriation in the future.

Johnson and Weber noted the federal stimulus funds are intended to "supplement, not supplant" state and local matching funds for child care or education programs, but said it is not yet clear to which fiscal year supplemental funds would be correlated.

— K. BERGGREN

Education lawmaking made easier

A proposal to add four legislators to the Minnesota P-16 Education Partnership and expand its scope was approved Feb. 24 by the House K-12 Education Policy and Oversight Committee.

Rep. Marsha Swails (DFL-Woodbury), who sponsors HF106, said adding lawmakers from both major parties and renaming the group the P-20 Education Partnership would cost the state nothing and would help move innovative ideas from the think-tank atmosphere more quickly into the legislative process and the public forum.

Current P-16 partnership members represent education advocacy groups, colleges and universities, the private sector, nonprofit organizations, the governor's office and the Department of Education.

"We are simply asking that we, the implementers of public policy, have a seat at the table," Swails said.

Research indicates such groups are more "successful" and have more "clout" when they include legislators and have the governor's support, said Rep. Mindy Greiling (DFL-Roseville). "Having legislators on the P-16 council is a strong recommendation of the Education Commission of the States." Greiling and Education Commissioner Alice Seagren serve on that national nonpartisan policy and research group, which is chaired by Gov. Tim Pawlenty.

Others said formalizing legislators' presence is not needed.

Beth Aune, the Education Department's director of academic standards and P-16

initiatives, said some council members fear lawmakers' presence could engender a partisan atmosphere on the council and reduce its "nimbleness."

Rep. Randy Demmer (R-Hayfield) opposed the bill. "They haven't asked the Legislature to do anything," he said. "Why do we impose upon them our process?"

But the benefit of having legislators at the table "far outweighs the potential negative," said Rep. Carlos Mariani (DFL-St. Paul), the committee chairman. He attends partnership meetings as the executive director of Minnesota Minority Education Partnership, Inc., not as a lawmaker.

The bill was sent to the House Finance Committee. Its companion, SF21, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Higher Education Committee.

— K. BERGGREN

Toughening up anti-bullying policies

School districts have policies against bullying, but a bill could reinforce the consequences for such behavior.

Its sponsor, Rep. Sandra Peterson (DFL-New Hope), said HF679 represents a "tiny step" to enforce policies already in place by requiring a school administrator to notify a bully's parents when an incident occurs.

Although most agree the problem is serious, some say another mandate is not the solution.

"Without question the intensity around a bullying experience is devastating for a child. It's devastating for a parent," Jon Millerhagen told the House K-12 Education Policy and Oversight Committee Feb. 24. However, the principal of Bloomington's Washburn Elementary School said notifying parents can be counterproductive, such as when "parents take things into their own hands." In such cases, teachers and administrators should work directly with the student in the school setting to address the problem.

The bill, which has no Senate companion, was held over for a later vote.

Rep. Randy Demmer (R-Hayfield) called the bill "prescriptive," and said that school boards and administrators should determine locally how to implement district policies.

Supporters say requiring administrative involvement would support teachers in handling tough disciplinary situations and continue to expose a problem that isn't going away.

Former Chaska teacher David St. Germain supports the bill, because despite policies and programs intended to reduce bullying, intimidating behavior and attitudes remain a widespread problem with "soul-scarring" effects on its targets.

Research and anecdotes indicate bullied children may fear raising their hand in class, eating lunch in the cafeteria or even using the bathroom at school, he said.

"You can't learn if you're frightened," he said.

— K. BERGGREN

Schools in dire straits get help

Desperate times call for desperate measures.

Three bills offering school districts tools to help them work out of financial crisis were approved by the House K-12 Education Finance Division Feb. 25 and held for possible omnibus bill inclusion.

HF427, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) would permit the 18 school districts and charter schools in statutory operating debt as of June 30, 2008 to waive their required special operating plans for fiscal years 2010 and 2011.

That wouldn't erase the debt, but would allow districts to postpone some obligations temporarily as they regain fiscal health, Hilstrom said.

Hilstrom also sponsors HF429 to allow school districts in statutory operating debt to levy for up to three years to eliminate that debt without a ballot question. This, however, was of concern to legislators.

Both bills give districts "tools to educate young people," said Rep. Tom Anzelc (DFL-Balsam Township). "But this one, without the wishes of the people of the district, troubles me some."

Hilstrom, a former city council member, noted that school districts, unlike cities or counties, are the only local government authorities unable to levy for their needs. Rep. Pat Garofalo (R-Farmington) said aligning local government units' discretionary levy authority would enhance government "consistency and transparency."

Now, "there's only one chance" for voters angry about local actions "to take it out at the ballot box and it's reflected on the schools," he said.

Companion bills, SF464 and SF465, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), were laid over Feb. 17 by the Senate E-12 Education Budget and Policy Division for possible omnibus bill inclusion.

Rep. Tim Faust (DFL-Mora) sponsors HF778 to let districts with a negative fund balance authorize an operating levy referendum outside of the November election date. There is no Senate companion.



PHOTO BY ANDREW VONBANK

With Rep. Nora Slawik watching, Stephan Flister, assistant to the Maplewood Voters Coalition board, testifies before the House State and Local Government Operations Reform, Technology and Elections Committee Feb. 19 in support of a bill, sponsored by Slawik, which would prohibit deceptive names of candidates, political committees and political funds.

— K. BERGGREN

ELECTIONS

Anti-deception bill defeated

A House committee voted against a proposal to ban the use of "deceptive names" in political campaigns.

Sponsored by Rep. Nora Slawik (DFL-Maplewood), HF255 would prohibit candidates, campaign committees and other political entities from using names that are "deceptively similar" to a name already used by a candidate or political entity in a deliberate attempt to confuse voters.

Slawik gave the example of a group called the "Maplewood Voters Coalition." She said a competing group with opposing views sent out negative mailings to city residents under the name "Maplewood Voters" in a deliberate attempt to make people believe they had been sent out by the coalition.

Under the bill's provisions, such complaints would be referred to the Office of Administrative Hearings, which would conduct expedited proceedings to determine if an intent to deceive was present. Penalties for violations would be similar to those allowed for other fair campaign practices complaints.

The House State and Local Government Operations Reform, Technology and Elections Committee voted 14-3 against the proposal Feb. 19.

Opponents like Rep. Mark Buesgens (R-Jordan) said the bill could open the door to frivolous, politically motivated complaints.

"I ponder whether or not the taxpayer's league could be prosecuted by the taxpayer's association," Buesgens said, referring to a pair of competing Minnesota tax advocacy groups.

Others agreed, saying that deceptive campaign practices are best handled in other ways.

"The problem I have with this bill is that it's hard to see that someone should have a copyright on the use of the word 'Maplewood,'" said Rep. Phyllis Kahn (DFL-Mpls), referring to Slawik's example. She said that in the past, she had dealt with deceptive tactics used against her own campaign by "working harder."

A companion, SF20, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Referendum recalls too easy?

A House committee approved a bill designed to make it more difficult to recall operating referenda for school districts.

Sponsored by Rep. Bud Nornes (R-Fergus Falls), HF322 would require that 30 percent of registered voters in a district sign a written petition in order to force a referendum on revoking a school levy increase. The current threshold is 15 percent.

Nornes said the legislation was drafted at the request of the Frazee-Vergas School District, which fought for years to pass a referendum on an operating levy increase, only to have a group of citizens try to revoke the referendum after it had passed.

Although the group failed to get the reverse referendum on the ballot because of a legal technicality, Nornes said having the school operating levy revoked would have been financially disastrous for the school district. He argued that it would encourage other disgruntled property-taxpayers to take similar actions in the future.

"I think at that point you would have seen other districts in the state of Minnesota having folks decide ... 'OK, we'll fight this and lower our property taxes. To heck with the school,'" Nornes said.

Opponents included Rep. Steve Gottwalt (R-St. Cloud), who said citizens' ability to revoke referenda is a necessary, albeit messy, part of the democratic process. He also said there

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is no evidence to suggest that such reverse referenda are becoming a trend.

"I'm willing to have a conversation about whether or not the threshold is small and being abused, but the evidence so far suggests that it's not," Gottwalt said.

Approved Feb. 19 by the House State and Local Government Operations Reform, Technology and Elections Committee, it next goes to the House Finance Committee.

A companion, SF314, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate E-12 Education Budget and Policy Division.

— N. BUSSE

ENERGY

C-BED approval advances wind energy

Legislation to increase community-based renewable energy projects around the state was approved by the House Energy Finance and Policy Division.

Large utility companies opposed the measure, while a four-star general and renewable energy companies supported the legislation during lengthy testimony Feb. 18 and 23.

Sponsored by Rep. Andrew Falk (DFL-Murdock), HF357 would require utilities to purchase electricity generated from Community-Based Energy Development operations that produce five megawatts or less, until there are at least 200 megawatts of such projects in operation or contracted for in Minnesota. Falk said property owners have the right to be an owner of projects on their land, and that this legislation keeps jobs and revenues in the local community.

Retired U.S. Gen. Wesley Clark, a member of the Juhl Wind Inc. board of directors, testified on behalf of the bill Feb. 18.

"In Minnesota and the Upper Midwest, we've got plenty of wind. We can become totally self-sufficient in energy, if we do this the right way," Clark said, noting that self-reliance is a matter of national security.

But utility companies disputed that this legislation is the "right way." The bill proposes standard contracts and a controversial tariff formula for C-BED-generated electricity. In addition, the popularity of wind energy has caused a backlog and shortage in construction materials, utility spokespeople said.

Geronimo Wind Energy president Blake Nixon said he is frustrated by the lack of support for C-BED facilities. "We believe a mandate is necessary," said Nixon, whose company has two C-BED units in operation and more in the works.

But several of Xcel Energy's C-BED-financed projects have defaulted due to an

inability to purchase wind turbines and because of delays trying to connect with the Midwest Independent System Operator grid, said Betsy Engelking, director of resource planning and acquisition for Xcel Energy.

Office of Energy Security Director Bill Glahn said there have been difficulties with C-BED projects in the past, "but we seem to be making progress at a pretty good clip now."

Rep. Tom Hackbarth (R-Cedar) opposed the bill because he said ratepayers would be charged more for electricity than current standards.

On a roll call, division members voted 10-5 in favor and to advance the bill to the House Commerce and Labor Committee. A companion, SF399, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

— S. HEGARTY

Nuclear savings are wasteful buildup

Since 1982, Minnesota dollars have piled up in an escrow account in Washington D.C. with nothing to show.

Members of the House Energy Finance and Policy Division approved a bill Feb. 25 calling for nearly \$600 million to be returned until the Yucca Mountain nuclear waste facility in Nevada opens for business.

HF894, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), gained bipartisan approval and moves on to the House Finance Committee. It has no Senate companion.

Atkins said Minnesota's nuclear power generators have paid \$375.9 million to the national government so that nuclear waste from storage facilities such as Red Wing's Prairie Island plant could be transferred to the Nevada storage facility, which was supposed to be ready in 1998.

"If they're not going to build it, they should stop charging us," said Atkins.

Atkins said he is working with Minnesota's federal delegation, as well as encouraging other states to pass similar legislation. Terry Pickens, Xcel Energy's director of nuclear regulatory policy, said the company is frustrated by not being able to remove its nuclear waste and supports efforts to enlist the support of other states and national delegates.

— S. HEGARTY

ENVIRONMENT

Greenhouse gas reduction report

Efforts to reduce greenhouse gas emissions should be a three-pronged approach, according to a subcommittee report of the Minnesota Climate Change Advisory Group.

Speaking before a joint meeting of a House

Environment Policy and Oversight Committee and two House transportation divisions Feb. 24, five members of the group's Transportation and Land Use Policy Subcommittee provided recommendations published in their 2008 study of greenhouse gas.

Emissions are the results of fuel consumption, carbon content in fuel and the overall number of vehicle miles traveled, said Will Schroeder, a MCCAG committee member and state policy director for Smart Growth America. The subcommittee recommended 11 strategies to reduce these three factors.

Among the strategies are a pay-as-you-go car insurance plan that charges rates based on the number of miles traveled; a vehicle miles traveled tax policy; changes in land use requirements for new schools; and rehabilitating the central core of cities before allowing urban sprawl to occur.

One surprise finding of the committee was that rural residents contribute significantly to greenhouse gas emissions, which had been largely considered a metropolitan problem. That led to a rhetorical response from Rep. Terry Morrow (DFL-St. Peter).

"As a representative of Greater Minnesota that has a lot of farmers, and listening to vehicle miles traveled, how do we consolidate those farms into a community where the kids can bike to school? ... I don't know what message I take back to Greater Minnesota."

As a sponsor of the Next Generation Energy Initiative legislation, Rep. Melissa Hortman (DFL-Brooklyn Park) said she felt the subcommittee was underrepresented by the railroad industry in comparison to trucking. "The people you put in a room to come up with solutions influence the solutions that come out of the room," Hortman said.

MCCAG members were appointed by Gov. Tim Pawlenty and were directed to address climate change in response to the Next Generation Energy Initiative.

— S. HEGARTY

GAME & FISH

Spear-fishing and volunteer reward

A bill aimed at rewarding firearm safety instructors with a lifetime of deer hunting, and another that would eliminate slot limits on northern pike for winter spear-fishing were held over Feb. 23 for possible inclusion in the House Game, Fish and Forestry Division's omnibus bill.

HF579, sponsored by Rep. Dave Olin (DFL-Thief River Falls), would give firearm safety instructors a lifetime deer hunting license after 30 years of volunteer service.

Highlights continued on page 15



PHOTO BY TOM OLMSCHIED

Bloomington Mayor Gene Winstead speaks during a Feb. 24 Budget Listening Session at the Bloomington Community Center.

Getting an earful

Legislators fan out across the state to hear budget deficit problems, solutions

BY SUSAN HEGARTY

Solutions for solving the estimated \$4.8 billion deficit next biennium were few and far between at more than 20 town hall meetings held across the state the past two weeks. However, there was plenty of hand-wringing over the impact of Gov. Tim Pawlenty's proposed budget cuts.

Government workers and local taxpayers turned up in droves from Virginia to Albert Lea and from Moorhead to Winona and told a legislative panel how the proposed budget cuts would affect them. A few offered solutions, ranging from implementing a four-day work week to raising taxes.

"This illustrates that we're not looking at numbers on a page and there are no easy answers," said Rep. Gene Pelowski Jr. (DFL-Winona). "There is no facet of life not touched by this crisis."

House Majority Leader Tony Sertich (DFL-Chisholm) said it was important for legislators to get out of the State Capitol to learn what's

on Minnesotan's minds and the "best way is to meet them where they live." The nonpartisan takeaway was that taxpayers want there to be fairness when decisions are made, Sertich said. Pleased with the turnout at hearings, he added, "It's rare that you'll see a room full of politicians that did nothing but listen and didn't talk."

House Minority Leader Marty Seifert (R-Marshall) thought the meetings were a "mixed bag" that began heavy with testimony from government employees. "There were not a lot of voices from taxpayers or the business community," Seifert said. "It was a way for people who spend tax dollars to reiterate their

importance. We know a lot of that already." Twin Cities metropolitan area meetings were more balanced, he said, but they were still "short on solutions."

Ideas presented to solve the deficit will be brought back to the respective House and Senate committees and divisions for discussion.

Great demand to be heard

An estimated 6,000 people attended the opening week of hearings and more than 1,200 spoke their minds, according to House DFL Media.

Court Administrator Hans Holland was unable to attend the Mankato meeting Feb. 19, where 91 of the estimated 300 people in attendance were registered to speak. So, Holland drove to Albert Lea the following morning, where the allotted time, 10 a.m. until noon, was not nearly enough to hear from 46 pre-registered testifiers. As the clock ticked closer to 1 p.m., Pelowski concluded the meeting because the panel needed to make its way to another hearing planned for Winona.

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Listening across the state



PHOTO BY ANDREW VONBANK

Citizens sign up to testify at the House and Senate Budget Listening Session in Minneapolis Feb. 24.

PHOTO BY ANDREW VONBANK
With sitting room only, legislators and citizens hear public testimony at the Feb. 24 House and Senate Budget Listening Session in Minneapolis. Large crowds were common at hearings throughout the state.



PHOTO BY TOM OLMSCHIED

During a Feb. 20 listening session in Duluth, Linda Hoffman of Two Harbors tells a group of legislators that physical education is her concern in our schools.

PHOTO BY TOM OLMSCHIED

Ron Bliss tells a House and Senate Budget Listening Group in Bloomington Feb. 24 that the easier path to solve the state's budget woes would be to cut programs and services, but the Legislature should give equal attention to other options, such as reforms and raising revenues.





PHOTO BY ANDREW VONBANK

The Rev. Jerry McAfee of New Salem Baptist Church in Minneapolis speaks to legislators during a Feb. 24 Budget Listening Session in the City of Lakes.

Meetings continued from page 11

That angered the Rev. Reuben Unseth who accused meeting organizers of limiting testimony to “a preponderance of people representing the state.”

Some Republican legislators agreed with Unseth. “I’m troubled that the average taxpayer is not getting much of a chance to offer ideas,” Rep. Paul Torkelson (R-Nelson Township) wrote in a later e-mail. “I heard from roughly 120 testifiers at the Mankato and Marshall meetings, and maybe eight people did not have a vested interest in state government funding. That’s not to say those folks shouldn’t have that right, because they should. But the overall lack of citizen and business input was disheartening to say the least.”

A much different crowd turned out Feb. 24 in Minneapolis, where legislators got an earful from both supporters and opponents of Pawlenty’s budget proposals.

That same night in Bloomington, 150 people pre-registered to speak. Several testifiers were met with hoots and hollers after speaking, much to the dismay of Rep. Ann Lenczewski (DFL-Bloomington), who repeatedly asked the audience not to clap or whistle in an effort to keep the line of testifiers moving forward.

Taxes

Amid pleas from health care workers, teachers and parents of disabled children not to cut the budget for programs they depend on, Minneapolis resident Jeff Rosenberg seized the opportunity to rail against the governor’s plan to cut state spending and raise one-time revenues through K-12 accounting shifts. Accusing Pawlenty of “budget gimmicks,” he urged lawmakers to raise taxes instead.

“The governor pledged not to raise taxes and we are all paying for it now,” Rosenberg said, adding, “Minnesotans will stand behind you if you make the tough choices.”

Taking the opposite position, Kris Broberg, another Minneapolitan, told legislators that it is their own fault for creating massive government programs that people now rely on to fulfill their needs. He accused lawmakers of trying to make citizens “pay homage” to them in order to get their piece of the taxpayer money/pie.

Brian Ducklinsky told Albert Lea attendees that proposed cuts have “not gone far enough in some areas.” He suggests selling some of the state’s assets to raise revenue.

David Culver of Hopkins gave legislators in Bloomington several suggestions on the tax front, such as rescinding the tax cuts of the Ventura administration. “Raise the taxes on the wealthy and businesses until they are paying their fair share.” He also said he



PHOTO BY TOM OLMSCHIED

Tina Welch, executive director of the Women’s Health Center in Duluth, leans on a railing as she listens to people testify at a Feb. 20 Budget Listening Session in the Twin Ports.

wanted to see a permanent solution for the budget. “Don’t just go for the quick fix. Going for the quick fix in the past is one reason why we’re in this mess in the first place. Don’t flinch from dealing with long-term spending commitments and be courageous enough to raise taxes where required.”

Roger Janzig, a Bloomington resident and a member of AFSCME, said he’d like to see the rich and middle class taxed more proportionately.

“The trickledown effect doesn’t work,” he said. “You say, ‘If we give more money to the rich the economy gets stronger.’ When that happened, the state started collecting less revenue and more small businesses went out of business.”

Gambling was another remedy proposed to fight the deficit. “All I need to have you do is have video poker,” said Ken Leland of Albert Lea. Supporters of a racino at Canterbury Park also spoke in favor of expanded gambling opportunities.

Government

City and county workers objected to proposed cuts to local government agencies, many of whom are the delivery system for state

and federally funded programs.

Albert Lea City Manager Victoria Simonsen said the city has worked to reduce its dependence on Local Government Aid, which now represents 35 percent of the city’s budget. The counter-fix is a huge local property tax increase, she said. “The citizens of Albert Lea cannot tolerate anymore.”

Richfield Mayor Debbie Goettel shared some of the same concerns. She said that because of the aid unallotment in December to help balance the state’s current biennial shortfall, the city had to dip into its reserves because money had already been spent in anticipation of that state payment.

“Most of our budget is for public services,” she said. “With a small budget like Richfield’s, we’ll have to cut public safety (if the aid isn’t there).”

Mower County employee Craig Oscarson suggested that counties be given the option of a four-day work week, which he estimated would save up to \$75,000 in Mower County on fuel, staffing, utility and maintenance costs. Pelowski asked Oscarson to submit his idea to the Minnesota Association of Counties, who could research the concept on a statewide level.

At the Minneapolis meeting, one speaker suggested that the state save money by temporarily cutting wages for state employees; however, he warned against laying people off, saying they would just collect unemployment.

Health care

Reductions to health care services would also adversely affect rural communities, said Stephen Waldhoff, chief executive officer of the Albert Lea Medical Center, and Adam Rees, Austin Medical Center administrator. Both centers would face \$4 million in service reductions at a time when their charity cases are rising.

Chuck Van Wey, a 14-year cancer survivor and patient advocate, worried that cuts would affect matching federal dollars. He urged legislators to maintain funding for cancer screenings because “the investment is minimal compared to treatment.”

Calling cuts to the mentally ill “penny wise and pound foolish,” social worker Tedd Baumgardt also said group homes and social workers cost far less than hospitalization.

Education

Higher education cuts couldn’t come at a worst time because many dislocated workers are returning to school to move

Meetings continued on page 19

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This is the second time Olin has tried to pass such legislation; last year the threshold was 25 years. If allowed, nearly 300 instructors would immediately qualify for the lifetime license, valued at \$383. That could short the Department of Natural Resources nearly \$115,000 in anticipated revenue the first year it's enacted.

Assistant DNR Commissioner Bob Meier said volunteers are rewarded in other ways, such as annual banquets and service anniversary gifts. The practice is consistent with other forms of instructor recognition programs, such as all-terrain vehicle and snowmobile safety instructors.

The bill's companion, SF495, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), rests with the Senate Environment and Natural Resources Committee.

The other bill, HF621, is sponsored by Rep. Tom Anzelc (DFL-Balsam Township), who is looking to bring spear-fishing anglers into compliance with current regulations.

Anzelc said during the winter it's nearly impossible to know for sure how large or small a pike is before spearing it and lifting it out of a hole in the ice. Once speared, it can't be released. If it's outside allowable measurement, the angler is non-compliant and subject to a fine. Although the number of lakes where spear-fishing is allowed is minimal (125), representatives of various fishing associations spoke against the bill. Last year, 15,000 spear-fishing licenses were sold.

A companion, SF631, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

GOVERNMENT

Wasting less paper

Less paperwork for government without losing government transparency is the goal of a bill sponsored by Rep. Gene Pelowski Jr. (DFL-Winona).

HF801 would allow the Legislative Reference Library to keep fewer print copies of mandated legislative reports. In addition, the bill would eliminate certain paperwork requirements.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill Feb. 24. It now awaits action on the House floor.

Under the bill's provisions, the library would only be required to keep two print copies of each mandated report on hand; the current requirement is six.

Other eliminated print requirements would include:

- that a print copy of the library's monthly checklist of state documents be distributed to all legislators, state agencies and public college and university libraries; and
- that Minnesota Management and Budget submit daily print copies showing the balances of certain state accounts.

Although the print requirements would be eliminated, the bill would also ensure that the documents are available via the library's Web site. Pelowski said this would actually make the documents more accessible to the public, who may not want to come to St. Paul and dig through boxes in the library to find a document.

A companion, SF779, sponsored by Sen. Joe Gimse (R-Willmar), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Finance Department no more

When the Departments of Finance and Employee Relations merged last summer, Gov. Tim Pawlenty issued an executive order naming the new agency Minnesota Management and Budget; however, the name change isn't yet officially in state law. A bill sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) would fix the problem.

HF736 would instruct the Office of the Revisor of Statutes to replace all statutory references to the Departments of Finance or Employee Relations to "Minnesota Management and Budget." The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill Feb. 24.

Commissioner Tom Hanson said the name change reflects a new "enterprise approach" to managing the state's fiscal operations. He said there is no known cost associated with the name change, and added that MMB is doing its best to use up all remaining letterhead and stationery with "Department of Finance" written on it.

The bill now goes to the House Finance Committee. It has no Senate companion.

— N. BUSSE

Bridge compensation fund modified

**Signed
by
the
governor**

The compensation process for survivors of the Interstate 35W bridge collapse has been modified.

Rep. Ryan Winkler (DFL-Golden Valley), who sponsors the measure with Sen. Ron Latz (DFL-St. Louis Park), said the law will protect members of a special master panel from legal liability

for duties that they have been assigned. It is retroactive to May 8, 2008, the date the governor signed the law creating the compensation process.

Signed Feb. 24 by the governor, it was passed 129-0 by the House one day earlier, and 56-1 by the Senate Feb. 5.

A 2008 law appropriated funds and established a claims structure for survivors of the Aug. 1, 2007, collapse that killed 13 people and injured 85 others. The panel is to make offers to each claimant by Feb. 28, 2009. Winkler said 179 claims have been filed.

In return for accepting compensation, survivors will release the state from further liability. If they choose not to accept compensation, they can pursue a lawsuit against the state that would be subject to all existing statutory terms and conditions.

To alleviate some concerns raised by the panel, the law:

- provides that records and data created by panel members are not public, except for the settlement agreement;
- prohibits a panel member from testifying in any civil or administrative action related to their service, unless a statement or conduct could constitute a crime;
- clarifies the prohibition on third-party subrogation and recovery claims; and
- clarifies that panel members are state employees for the purposes of indemnification.

HF100/SF94*/CH4

— M. COOK

HOUSING

Challenge Fund cuts questioned

A 69 percent proposed reduction to the Housing Challenge Fund, which helps create affordable housing, should not be on Gov. Tim Pawlenty's chopping block for the 2010-2011 biennium, say policymakers in reaction to a new affordable housing study.

According to a recent report produced for the Minnesota Housing Partnership and Greater Minnesota Housing Fund, each \$1 million from the challenge fund creates 40 new units of affordable housing.

The challenge fund combines private capital with public funds to encourage development of privately owned, but publicly assisted, affordable and accessible housing. Within five years, 72 percent of the state's financial investment could be recouped through repaid state tax revenues, according to a partnership analysis. The challenge fund offers additional economic benefits through job creation and increased tax revenue.

"It really is, among the agency's programs,

the biggest job producer, tax producer back to local and state government,” said Chip Halbach, executive director of the partnership.

With so many foreclosures and a rise in homelessness, members of one House division questioned the rationale for the \$23.5 million biennium program cut.

“The incredible impact on our economy is very well laid out. This study is new. He didn’t have the benefit of it before it was done,” Rep. Karen Clark (DFL-Mpls), chairwoman of the House Housing Finance and Policy and Public Health Finance Division, said at a Feb. 24 meeting. No action was taken.

— S. HEGARTY

Statute of repose clarification

A bill that its sponsor termed a technical fix to clarify a 2004 law, could have major implications for some homeowners.

Rep. Julie Bunn (DFL-Lake Elmo), who sponsors HF412, said the bill’s goal is to make two components even clearer: a homeowner’s warranty claim must be made within two years of the breach, and the claim has to occur within 12 years of the warranty effective date.

The problem, she said, is that court levels have interpreted the law differently, catching homeowners in the middle.

Bunn said that a 2007 court decision went against the original intent by stating all claims must be within 10 years, the stated warranty on many home repairs, even though 12 years was always the intent.

“The Legislature, I think it is clear, intended to give people time, even after the warranty period expires, to discover a problem, go to the builder, and hopefully the builder will take care of it. But if they won’t, you still have time to bring your claim,” said Scott Andresen, an attorney who has represented hundreds of homeowners in warranty disputes.

He said the problem is courts interpreting current law to mean a homeowner has to discover the breach within the warranty period; tell the builder and have the builder “tell you to go pound sand” before a lawsuit can be brought. “They’ve effectively shortened the 10-year warranty period with that interpretation. This bill will clarify to say you still have a two-year statute of limitations, but you have to bring the lawsuit within 12 years of the warranty date.”

Lisa Frenette, government affairs director with the Builders Association of Minnesota, spoke against the bill.

“We believe right now that the law is clear on the time certain of when you can bring forward a claim. It allows a person to come forward, bring a claim and go into an extra two years if they bring the claim within the

ninth and the 10th year,” she said.

Approved Feb. 23 by the House Civil Justice Committee on a split voice vote, it was sent to the House Commerce and Labor Committee. A companion, SF470, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate Judiciary Committee.

— M. COOK

HUMAN SERVICES

Preparing for the age wave

As baby boomers move into retirement, communities can reap benefits from this age wave if they create an environment and amenities that attract seniors.

Rep. Paul Thissen (DFL-Mpls) sponsors HF936 that would “begin to set policy and institutions in place that will allow people to age in their communities.”

Approved Feb. 24 by the House Health Care and Human Services Policy and Oversight Committee, the bill was sent to the House State and Local Government Operations Reform, Technology and Elections Committee.

The bill specifies criteria for a Communities for a Lifetime state designation. To achieve the rating, a community would need to have in place the housing, transportation, volunteer services, nutrition programs and medical services that would allow people to live in their community as they age, Thissen said.

The bill requires the Minnesota Board of Aging, in cooperation with the commissioner of employment and economic development, to establish a task force to explore issues related to the designation, and bring an implementation

plan to the Legislature by Jan. 31, 2010. Based on the recommendations, the commissioner would be required to draft legislation by February 28, 2010 for consideration.

“What attracted me to this bill is the process ... these communities having to think through the steps to become good communities that are supportive and open to elderly people living in their community,” said Rep. Steve Gottwalt (R-St. Cloud). He added that it is more than a “feel good bill,” and that delivery of services at the community level will become increasingly important. “This process could actually be very beneficial in building capacity across the state.”

The companion, SF839, is sponsored by Sen. Kathy Sheran (DFL-Mankato). It awaits a hearing by the Senate Health, Housing and Family Security Committee.

— L. SCHUTZ

INSURANCE

Covering autism treatment

It’s an important bill that is controversial because of the mandates it would impose — that is the description Rep. Kim Norton (DFL-Rochester) gave to HF359, which she sponsors.

Heard before the House Commerce and Labor Committee Feb. 24, the bill would require health plans to cover autism spectrum disorder, specifically a treatment known as Applied Behavior Analysis. While most autism treatments are covered by insurance, not all cover ABA, which supporters say is the most comprehensive and most effective



PHOTO BY TOM OLMSCHIED

Reece Trahan, 8, who is autistic, rests his arms on the podium as his father, Brad, left top, and mother, Joanie, left center, founders of the Autism Awareness Foundation, Inc., testify Feb. 24 before the House Commerce and Labor Committee in support of a bill that would require insurance carriers to cover autism spectrum disorders. Rep. Kim Norton, left bottom, sponsors HF359.

approach to improving the lives of people with autism and their families.

"Today we are knocking on your door ... to give parents and their children the hope they deserve. We are knocking on your door so those children can receive the medical therapy they need," said Brad Trahan, a parent of an autistic son and chairman of the Senate Autism Task Force.

He and several testifiers talked about the difference the prescribed treatment has made in their children's quality of life, but yet creates a financial hardship when it is not covered by insurance.

Stacia Smith, director of workforce and health policy for the Minnesota Chamber of Commerce, said the organization opposes the bill because of the mandate it would put on the insurance market.

Rep. Greg Davids (R-Preston) said the increasing number of state mandates on insurance is a cause for rate increases and fewer companies offering coverage to their employees.

"This amendment will cause people to become uninsured," he said.

Rep. Steve Simon (DFL-St. Louis Park) called opponents "inflexible" because of their seeming unwillingness to compromise. He wanted to know, "What would you tell these families to do?"

Mike Hickey, state director for the National Federation of Independent Business/Minnesota, responded, "I would tell them that the small employers in this state, in the middle of this terrible recession, really can't afford something that's going to get real expensive. I'd tell them that it just can't be done right now."

Approved by the committee, the bill was referred to the House Finance Committee. Its companion, SF312, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Commerce and Consumer Protection Committee.

— L. SCHUTZ

LAW

Court cost concerns

A constitutional crisis could be looming for the state courts system.

Cut by \$42 million in the past six years, another 5 percent hit is called for in Gov. Tim Pawlenty's biennial budget proposal.

"We're here telling you that we cannot do all of what is constitutionally required, statutorily required, if a cut of the magnitude being suggested happens," State Court Administrator Sue Dosal told the House Public Safety Finance Division Feb. 24. No action was taken.

She noted that courts were cut \$23 million in the 2004-2005 biennium, no funding was restored for the next biennium and they are operating in the 2008-2009 biennium with another \$19 million cut.

Dosal and two judges warned that Pawlenty's proposed \$29.4 million cut could result in a 10 percent to 15 percent staff reduction, which would add to current delays in serving the public. The judiciary's budget is almost all personnel.

The system is already operating 9 percent short-staffed, service counters have been closed a half day per week in three of 10 judicial districts, juror per diem has been reduced, drug court budgets have been reduced and a Washington County satellite court has been closed.

"Someone coming to the counter in the Third Judicial District in southeast Minnesota may have a petition for an ex parte restraining order, or other filing that needs immediate attention, only to find a counter closed," said Fifth District Judge John Rodenberg. Other examples cited include: a more than one-month backlog in opening conciliation court cases in Olmsted County; a four- to six-week delay of judgment enforcements in Winona County; and scheduling misdemeanor trials in Mower County has doubled to eight months.

James Swenson, chief judge of Hennepin County District Court, noted that courts collect about \$200 million annually for state and local governments, a number that would decrease under the proposed cuts because some case types might not be prosecuted.

"There will be no consequence for shoplifting, trespass, worthless check," Dosal said.

The system has consolidated services, such as two districts sharing a court administrator, and an additional \$5.6 million in one-time money for technology investments has been requested.

— M. COOK

LOCAL GOVERNMENT

Law to help Duluth's bottom line

**Signed
by
the
governor**

A Duluth-specific bill relating to maintenance of steam-producing boilers is now law, signed Feb. 20 by Gov. Tim Pawlenty and taking effect the next day.

Minnesota statute lays out licensing requirements for boiler operations and exemptions. Sponsored by Rep. Roger Reinert (DFL-Duluth) and Sen. Yvonne Prettner Solon (DFL-Duluth), a situation faced by the

city is now added to the list of exemptions.

For several years, the city has owned and operated a boiler in a building owned by Minnesota Power. Steam generated from the boiler provides power for a nearby paper mill, which employs approximately 300 people. The city is selling some of its assets in order to balance an \$8.5 million deficit, and the boiler will bring \$2 million to the city, Reinert said.

However, for the boiler to be sold and remain in operation, the exemption from licensing requirements needed to be changed to apply to the new owner.

HF329/SF212*/CH2

— L. SCHUTZ

RECREATION

Vikings stadium a 'non-starter'

The idea of using public money to help finance a new stadium for the Minnesota Vikings was met with a chilly reception by members of a House division Feb. 23.

Speaking before the House Local Government Division, Metropolitan Sports Facilities Commission Chairman Roy Terwilliger was among those making their case for a new facility to house the team. No action was taken.

Arguing that the Hubert H. Humphrey Metrodome is obsolete and no longer up to National Football League standards, Terwilliger laid out plans for a new stadium where the Metrodome now stands. He said Minnesota is in danger of losing the Vikings when their current use agreement with the facility expires in 2011.

Terwilliger said he understands the state is facing a difficult fiscal situation, but argued that keeping the Vikings and other professional sports teams is important to Minnesota's overall quality of life.

"We certainly recognize the needs that are out there and such," Terwilliger said. "But at the same time, we have a job to do."

Rep. Bev Scalze (DFL-Little Canada) was among the division members who criticized the proposal as being too much to ask during a time of economic crisis.

"You know what the budget situation is," Scalze told Terwilliger. "We've got a 20 percent deficit out of our current budget. It's like telling somebody over their kitchen table, 'Take 20 percent out of what you currently use to run your family and cut it out.'"

Scalze added that Minnesota faces long-term challenges beyond the current biennial deficit, such as an aging population that will demand more health care funding.

Bill Rhoda, a principal with Conventions, Sports and Leisure International, said



PHOTO BY TOM OLMSCHIED

Sporting his Adrian Peterson jersey, Larry Spooner listens while Roy Terwilliger, chairman of the Metropolitan Sports Facilities Commission, tells the House Local Government Division Feb. 23 about the need for a new Vikings stadium. It's been a 12-year passion for Spooner, who co-chairs Minnesota Momentum with former Vikings head coach Bud Grant, a group pushing to get a new stadium for the 2008 NFC North Division Champions.

construction of a new stadium would create thousands of jobs and generate millions of dollars of direct and indirect tax revenue for the state.

Rep. Mark Buesgens (R-Jordan) expressed doubt about Rhoda's prediction that some \$32 million a year in sales and income tax revenue would be lost without a new stadium. He said families might simply spend their money elsewhere, such as at a college sports game or a theater.

Calling the idea of a publicly funded stadium a "non-starter," Rep. Frank Hornstein (DFL-Mpls) encouraged the commission to look either at private funding for a new stadium or rehabilitation options for the Metrodome.

— N. BUSSE

TAXES

LGA disaster relief

After suffering a fire during the summer that took out two city blocks, the city of Green Isle is looking for help.

Sponsored by Rep. Laura Brod (R-New Prague), HF684 would provide a \$150,000 increase in local government aid to Green Isle for aids payable only in 2010. The bill was laid over Feb. 25 for possible inclusion in the House Property and Local Sales Tax Division's report.

Mayor Randal Bruegger said 25 percent of the city's commercial base was destroyed in the

July 3 fire. Shamrock Storage, the city's largest commercial building, suffered the greatest loss. Several neighboring fire departments were called to bring the fire under control. "It smoldered for two weeks," he said.

The city's problems were compounded when a developer with many empty lots stopped paying special assessments in October. This will cause serious future cash flow problems and significant increases in the city's property tax levy, Bruegger said. Green Isle has also been unable to maintain a six-month operating reserve because of increased operating costs.

Other cities have received special LGA increases in the wake of disasters including Browns Valley, Cass Lake and Mahanomen in recent years.

A companion, SF609, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate Taxes Committee.

— S. HEGMAN

MOE of effort suspension repeal

**Signed
by
the
governor**

Mandates for counties are back in effect, under a new law signed Feb. 20 by Gov. Tim Pawlenty.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Tom Bakk (DFL-Cook), the new law repeals a provision that suspended all state maintenance of effort (MOE) and matching fund requirements for counties while levy limits are in effect.

The law also replaces two employer credits intended to encourage employers to provide Section 125 plans with a health care credit for certain individuals participating in Section 125 plans.

The MOE section is effective retroactively from July 1, 2008. The insurance credit is effective Feb. 21, 2009.

HF95/SF49*/CH3

— S. HEGMAN

TRANSPORTATION

Speeding to pass vehicles

Those stuck driving behind someone going below the posted limit on a two-lane highway, in many cases, will cross the dashed yellow line and pass the slower vehicle.

The problem is that doing so usually means accelerating beyond the posted speed limit.

Rep. Tom Rukavina (DFL-Virginia) wants to give drivers a break.

He sponsors HF464 that would permit a passing driver to exceed the posted speed limit by 10 mph when passing on a two-lane highway in areas where the speed limit is at least 55 mph.

Approved Feb. 25 by the House Transportation and Transit Policy and Oversight Division, the bill heads to the House Transportation Finance and Policy Division.

Rukavina, who has been ticketed for the infraction, said accelerating to pass is taught in driver's education, even though state law says the speed limit should not be exceeded. "Especially in these trying times financially, I don't need my constituents, and you don't need yours, getting a \$125 speeding ticket for basically doing what we were taught younger to do for safety reasons."

State Traffic Engineer Sue Groth fears the bill would encourage aggressive driving, which is contrary to the Transportation Department's safety program. She said speed is a contributing factor in 28 percent of the state's fatal crashes, and that about 20 percent of crashes on rural two-lane roads are fatal. "Many of those are due to these passing maneuvers."

Furthermore, a change could require lengthening no passing zones, which could have a \$3 million to \$4 million price tag, based on MnDOT crews having to evaluate each of the roughly 10,000 trunk highway no passing zones and possibly restripe roads and relocate traffic signs.

State Patrol Maj. Michele Tuchner expressed concern about enforcement, noting a driver may think they get the extra 10 mph when preparing to pass or after returning to the right lane.

A companion, SF601, sponsored by

Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Transportation Committee.

— M. Cook

Rest area usage prohibitions

Rest areas are designed to offer travelers a place to refresh, relieve and obtain tourist information. However, some are being used for other, less appealing purposes.

As part of his Feb. 25 presentation on HF570, Rep. Bobby Joe Champion (DFL-Mpls) showed a series of rest area pictures to the House Transportation and Transit Policy and Oversight Division.

They showed overflowing dumpsters filled with obvious household waste and construction debris, including residential doors, and trash scattered around a smaller rest area.

“These pictures really capture the challenges (the Department of Transportation) faces on a daily basis when it comes to rest stop areas and the dumping of things that aren’t supposed to be there,” he said.

Based upon a request from the department, Champion said his bill would require disposal of travel-related trash in a designated receptacle. It would also prohibit:

- dumping household or commercial trash;
- draining or dumping refuse, except for trash intended for waste receptacles;
- consuming alcohol or possessing open containers of alcohol; and
- using the rest area for a purpose besides rest, refreshment or obtaining tourist information, unless specifically authorized.

“This would allow law enforcement officers

to cite individuals at rest areas if they were littering, dumping commercial or household garbage, dumping sanitary waste, consuming alcohol or using the rest areas for purposes other than what they were intended,” said Robert Williams, MnDOT’s rest area program manager.

Violation of any dumping prohibition would be a petty misdemeanor, but alcohol consumption or possession would be a misdemeanor.

Williams said many activities are prohibited on state roadways, but current laws aren’t clear if it is illegal at a rest area. He said a survey showed that 69 on-site custodians had witnessed people dumping household or commercial garbage at their rest area.

Approved by the division, the bill heads to the House Public Safety Policy and Oversight Committee. A companion, SF556, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action by the Senate Judiciary Committee.

— M. Cook

Spending stimulus dollars

Under an aggressive timeline to get shovels in the ground and people to work, approximately \$50 million in local road projects have been advertised by the Transportation Department.

Funding is just a small portion of the federal stimulus package the state expects to see for transportation projects.

Abby McKenzie, director of the department’s Office of Investment Management, told a joint meeting of the House Ways and Means and Finance committees Feb. 23, “things are moving very quickly at MnDOT.”

She said the state should be receiving the highway funds on March 10, with project work to begin as soon as May 1, according to the department’s Web site.

The announcement was part of a larger discussion with Tom Hanson, Minnesota Management and Budget commissioner, about the expected funds from the American Recovery and Reinvestment Act of 2009 and the effect on the 2010-2011 biennial budget.

Hanson called it “an almost unprecedented challenge between quick obligation and quick action” regarding the stimulus money, while, at the same time, maintaining current program efficiency.

For committee members, spending transparency is important as well as who will be making the decisions. Hanson, appointed by Gov. Tim Pawlenty to serve as the state’s federal stimulus coordinator, assured members of their involvement, noting much of the spending will come as a result of legislation. He said an informational Web site about the stimulus money should be up “shortly,” with a more comprehensive site to follow.

With the expected March 3 release of the February Forecast, Rep. Loren Solberg (DFL-Grand Rapids), chairman of the House Ways and Means Committee, asked how the stimulus money will affect the governor’s previously released budget proposal. Hanson said the budget will need at least two “lengthy” change items — relating mostly to education and health and human services.

— L. Schutz

Meetings continued from page 14

into alternative careers, said Terry Leas, a Riverland Community College instructor. For every \$1 million cut, the college would serve 400 fewer students, said Leas.

Minneapolis Community and Technical College President Phil Davis reminded those in attendance that a good education leads to

good jobs, which leads to good housing and good health care.

Maureen Bartolotta, chairwoman of the Bloomington school board, said district salaries have been frozen for the next school year. The district also shares management services with the Richfield School District as a way to cut costs. She suggested that instead

of the current requirement to set two-year contracts for teachers, that a one-year contract cycle would be more fiscally prudent. This way, she said, it would be easier to adjust salaries and teachers might be more likely to take a lesser salary for one year versus two years.

SESSION WEEKLY WRITERS NICK BUSSE AND SONJA HEGMAN CONTRIBUTED TO THIS STORY.

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175 State Office Building296-9283	231 Capitol296-0504	
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211 Capitol296-2314	231 Capitol296-2344	
	Voice mail/order bills.....296-2343	

Monday, February 23

HF1008-Solberg (DFL)

Finance

Public television and noncommercial radio station grant timing and requirements modified.

HF1009-Garofalo (R)

Commerce & Labor

Wine sales and samples allowed at farmer's markets.

HF1010-Kalin (DFL)

State & Local Government Operations Reform, Technology & Elections

Military and overseas voting provisions changed.

HF1011-Hilty (DFL)

State & Local Government Operations Reform, Technology & Elections

Election administration provisions changed.

HF1012-Laine (DFL)

Health Care & Human Services Policy & Oversight

Nonprofit health plan company maximum financial reserves specified.

HF1013-Laine (DFL)

Housing Finance & Policy & Public Health Finance Division

Homeless program providers allowed to impose requirements on clients and require consistency in program guidelines.

HF1014-Laine (DFL)

Housing Finance & Policy & Public Health Finance Division

Homeless management information system data required.

HF1015-Laine (DFL)

Finance

Fridley; Springbrook Nature Center funding provided.

HF1016-Scalze (DFL)

Taxes

Prescribed content of property tax statements modified.

HF1017-Peppin (R)

Health Care & Human Services Policy & Oversight

MFIP work activities modified.

HF1018-Kalin (DFL)

State & Local Government Operations Reform, Technology & Elections

Public Websites purposes specified; state agencies required to include contact information on Web sites.

HF1019-Drazkowski (R)

Taxes

Taxable market value increase prohibited for certain homesteads owned by persons age 65 years or older.

HF1020-Drazkowski (R)

Environment Policy & Oversight

Sale of agricultural leased lands required.

HF1021-Kelly (R)

Public Safety Policy & Oversight

Arrest authorized for person who escapes from custody on an allegation or adjudication of a delinquent act.

HF1022-Anzelc (DFL)

State & Local Government Operations Reform, Technology & Elections

Local governments allowed to provide health coverage for employees through negotiated contributions to self-funded, multi-employer health and welfare plans.

HF1023-Kelly (R)

State & Local Government Operations Reform, Technology & Elections

Cannon Falls; design-build process authorized to award contracts for construction of a library and fire station.

HF1024-Poppe (DFL)

Finance

Brownsdale; sewer system funding provided.

HF1025-Poppe (DFL)

Finance

Austin; flood mitigation funding provided.

HF1026-Slawik (DFL)

Early Childhood Finance & Policy Division

Early childhood education provisions amended.

HF1027-Liebling (DFL)

Health Care & Human Services Policy & Oversight

Medicare-covered service balance billing prohibition repealed.

HF1028-Newton (DFL)

Finance

Coon Rapids; new travel lanes funding provided for U.S. Highway 10 between Hanson and Round Lake boulevards, and project at U.S. Highway 10 and Hanson Boulevard.

HF1029-Winkler (DFL)

Finance

BioBusiness Alliance funding provided.

HF1030-Solberg (DFL)

Health Care & Human Services Policy & Oversight

Single dental administrator established to administer dental services for the recipients of the state health care programs.

HF1031-Wagenius (DFL)

Environment Policy & Oversight

Comprehensive statewide sustainable water resources detailed framework funding provided.

HF1032-Fritz (DFL)

Health Care & Human Services Policy & Oversight

Self-advocacy program established for persons with developmental disabilities and appropriated money transferred.

HF1033-Norton (DFL)

State & Local Government Operations Reform, Technology & Elections

School district primary election required in certain jurisdictions.

HF1034-Lesch (DFL)

K-12 Education Policy & Oversight

Employment protection provided for charter school employees.

HF1035-Hosch (DFL)

State & Local Government Operations Reform, Technology & Elections

Greenhouse gas emissions reduced, land use planning required and certain types of development limited, new incorporations prohibited, tax standards modified and minimum acreage standards prohibited.

HF1036-Seifert (R)

Health Care & Human Services Policy & Oversight

New resident general assistance payments modified, and MFIP payments modified for new residents.

HF1037-Swails (DFL)

K-12 Education Policy & Oversight

Home school mandates reduced.

HF1038-Jackson (DFL)

Energy Finance & Policy Division

Public Utilities Commission authorized to order refunds of unlawful utility rate revenues.

HF1039-Smith (R)

Public Safety Policy & Oversight

Provisions clarified for an inmate convicted for assaulting a correctional officer to serve sentence consecutive to the sentence for which they are imprisoned.

HF1040-Shimanski (R)

Finance

McLeod West; ISD 2887; reorganization operating debt bonds issued.

HF1041-Lillie (DFL)

Commerce & Labor

Homeowners' insurance applicant notice required.

HF1042-Slocum (DFL)

Finance

Richfield; new arterial street funding provided.

HF1043-Johnson (DFL)

Public Safety Policy & Oversight

Job applicant's criminal history consideration addressed during the public employment hiring process.

HF1044-Johnson (DFL)

Higher Education & Workforce Development Finance & Policy Division

Postsecondary institutions required to notify prospective students of the potential effects of a criminal conviction on future employment.

HF1045-Mullery (DFL)

Finance

Summer youth employment funding provided.

HF1046-Mariani (DFL)

K-12 Education Policy & Oversight

Minnesota reading corps program established.

HF1047-Hornstein (DFL)

Transportation & Transit Policy & Oversight Division

Statewide goals amended for reduction of greenhouse gas emissions.

HF1048-Brynaert (DFL)

Commerce & Labor

Eligibility for benefits under certain training programs provided.

HF1049-Kalin (DFL)

Energy Finance & Policy Division

Conservation improvement program plan approval regulated.

HF1050-Olin (DFL)

Public Safety Policy & Oversight

Short-term commitment authorization repealed.

HF1051-Olin (DFL)

Finance

Railroad crossing device installation funds allocated.

HF1052-Olin (DFL)

Finance

Kennedy; energy conversion of former school building funding provided and green economy promoted.

HF1053-Simon (DFL)**State & Local Government
Operations Reform, Technology &
Elections**

Public officials required to provide additional data to the secretary of state for use in maintaining the voter registration system, and automatic voter registration of applicants for a driver's license, instruction permit or identification card provided.

HF1054-Doty (DFL)**Environment Policy & Oversight**

Acquisition of certain easements authorized.

HF1055-Doty (DFL)**Finance**

Agricultural nonpoint source pollution monitoring funding provided.

HF1056-Howes (R)**Commerce & Labor**

Construction subcontractors prompt payment required.

HF1057-Brod (R)**Health Care & Human Services
Policy & Oversight**

Abortion provisions changed.

HF1058-Fritz (DFL)**Health Care & Human Services
Policy & Oversight**

Saline amniocentesis abortions prohibited.

HF1059-Otremba (DFL)**Health Care & Human Services
Policy & Oversight**

State-sponsored health programs funds limited for funding abortions.

HF1060-Holberg (R)**Civil Justice**

Neglect, abuse and other actions against incapacitated and vulnerable adult remedies provided.

HF1061-Brown (DFL)**Finance**

Shell Rock River Watershed District funding provided.

HF1062-Brown (DFL)**Finance**

Shell Rock River Watershed District flood mitigation project funding provided.

HF1063-Rukavina (DFL)**Finance**

University of Minnesota and the Minnesota State Colleges and Universities funding provided.

HF1064-Thao (DFL)**Finance**

Gillette Children's Hospital funding provided.

HF1065-Thao (DFL)**Health Care & Human Services
Policy & Oversight**

High-risk children collaborative services established.

HF1066-Bunn (DFL)**Finance**

Interstate Highway 94 Corridor Transit Way funding provided.

HF1067-Peppin (R)**Commerce & Labor**

Gasoline sales below cost regulated.

HF1068-Abeler (R)**K-12 Education Policy & Oversight**

School districts allowed to waive background check fees for volunteers.

HF1069-Abeler (R)**Health Care & Human Services
Policy & Oversight**

Installation of separate temperature controls in individual nursing facility rooms study required.

HF1070-Eken (DFL)**Finance**

Red River Valley river watch program funding provided.

HF1071-Smith (R)**Transportation & Transit Policy &
Oversight Division**

Vehicle registration; license plate system modified, technical changes made and obsolete language removed.

HF1072-Murdock (R)**Commerce & Labor**

Vacation home rental regulation and management clarified.

HF1073-Solberg (DFL)**Taxes**

Exception extended to minimum contacts required for jurisdiction to ownership of property on the premises of a printer under specific circumstances.

HF1074-Abeler (R)**Transportation & Transit Policy &
Oversight Division**

Anoka County; design-build process authorized to award contract for construction of intersection of U.S. Highway 10 and County State-Aid Highway 83.

HF1075-Hackbarth (R)**Environment Policy & Oversight**

Donated venison exempted from certain food laws, nonresident hunting license surcharge eliminated, deer processing removed as an allowable use of revenue from certain donations and surcharges, and hunter-harvested venison donation program repealed.

HF1076-Abeler (R)**Health Care & Human Services
Policy & Oversight**

Adverse health care event billing prohibited.

HF1077-Murphy, E. (DFL)**Health Care & Human Services
Policy & Oversight**

Respiratory therapists licensed.

HF1078-Thissen (DFL)**Energy Finance & Policy Division**

Renewable production of thermal energy policy established.

HF1079-Severson (R)**State & Local Government
Operations Reform, Technology &
Elections**

Legislator and constitutional officer salaries reduced.

HF1080-Norton (DFL)**K-12 Education Policy & Oversight**

Comprehensive scientifically based reading instruction definition clarified, prekindergarten through grade six teacher requirements made, reading instruction assessment created and Board of Teaching rules legislative review provided.

HF1081-Mahoney (DFL)**Finance**

Small growth business growth acceleration program eligibility expanded and matching funds required.

HF1082-Beard (R)**Commerce & Labor**

Occupational licenses provided.

HF1083-Mullery (DFL)**Civil Justice**

Access to data governing laws clarified and modified.

HF1084-Howes (R)**Health Care & Human Services
Policy & Oversight**

Clinical perfusionist licensure required and fees established.

HF1085-Thissen (DFL)**Taxes**

Long-term care trust fund benefits created, long-term care financing program and governing board established, actuarial studies required, income tax imposed to fund long-term care benefits, benefits exempted from income taxation, tax data disclosure allowed and money appropriated.

HF1086-Wagenius (DFL)**Environment Policy & Oversight**

Park and trails fund, outdoor heritage fund, clean water fund, and environment and natural resources trust fund oversight provided and criteria established.

HF1087-Hilstrom (DFL)**Public Safety Policy & Oversight**

Pre-adjudication detention of certain children prohibited, risk assessment instrument required to assist in pre-adjudication detention release decisions and community-based noncustodial supervision options required for children released from pre-adjudication detention.

HF1088-Swails (DFL)**Public Safety Policy & Oversight**

Commercial driver's license record-keeping requirements conformed to federal regulations.

HF1089-Ruud (DFL)**Health Care & Human Services
Policy & Oversight**

Kinship care defined.

HF1090-Ruud (DFL)**Health Care & Human Services
Policy & Oversight**

Relative caretaker consent to certain matters affecting a child authorized, and relative caretaker consent authorization form provided.

Thursday, February 26

HF1091-Mahoney (DFL)**Energy Finance & Policy Division**

New nuclear power plant certificate of need prohibition abolished.

HF1092-Mahoney (DFL)**Finance**

Roseau; flood mitigation project funding provided.

HF1093-Hosch (DFL)**Finance**

Positive abortion alternative base funding increased.

HF1094-Abeler (R)**Health Care & Human Services
Policy & Oversight**

Surgical technologist employment qualifications required.

HF1095-Abeler (R)**Agriculture, Rural Economies &
Veterans Affairs**

Research, monitoring and assessment data classified.

HF1096-Mullery (DFL)**Finance**

Minneapolis; Victory Memorial Parkway funding provided.

HF1097-Hansen (DFL)**Public Safety Policy & Oversight**

Aircraft cockpits secured against lasers.

HF1098-Anzelc (DFL)**Commerce & Labor**

Compulsive gambling public awareness and education funding provided.

HF1099-Lanning (R)**Finance**

Perham; Northern Connections grant funding provided to implement and operate a workforce program.

HF1100-Thissen (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Minneapolis Employees Retirement Fund authorized to consolidate with the general employees retirement plan of the Public Employees Retirement Association, contribution requirements adjusted and conforming changes made.

HF1101-Dittrich (DFL)**K-12 Education Policy & Oversight**

High quality in public education provided through equitable and adequate funding, and constitutional amendment proposed.

HF1102-Paymar (DFL)**Public Safety Policy & Oversight**

Open alcohol container law expanded to include certain off-road recreational vehicles.

HF1103-Paymar (DFL)**Civil Justice**

Trespass with recreational motor vehicle presumption reversed outside metropolitan areas.

HF1104-Haws (DFL)**Finance**

Statewide youth job skills development grant funding provided.

HF1105-Swails (DFL)**Taxes**

Transit taxing district redefined and tax levy outside existing transit taxing district authorized.

HF1106-Hausman (DFL)**Finance**

St. Paul Port Authority provided an application fee credit toward a future bond sale.

HF1107-Thao (DFL)**Health Care & Human Services
Policy & Oversight**

Broker or coordinator use required for special transportation services and access transportation services on a statewide basis, and special transportation service criteria modified.

HF1108-Brod (R)**Taxes**

Corporate franchise tax phased out and long-term capital gains exclusion provided.

HF1109-Eken (DFL)**Finance**

White Earth; biofuel production facility funding provided.

HF1110-Thissen (DFL)**Health Care & Human Services
Policy & Oversight**

Persons with disabilities service programs and licensure provisions modified, report required.

HF1111-Murphy, M. (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Public pension plan provisions modified, uniformity in administrative provisions provided and definitions modified.

HF1112-Morgan (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Absentee voting without excuse authorized.

HF1113-Morgan (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Early voting authorized.

HF1114-Pelowski (DFL)**Health Care & Human Services
Policy & Oversight**

Adult foster home capacity requirement changed.

HF1115-Brynaert (DFL)**Higher Education & Workforce
Development Finance & Policy
Division**

Policy setting semester credit requirement waivers allowed.

HF1116-Davnie (DFL)**Commerce & Labor**

Unemployment benefit requirements waived for dislocated workers, Minnesota Investment Fund authorization expanded, unemployment provisions modified, appeals required to be filed online, collection fee provided, unemployment benefit filing regulated, terms defined and clarified.

HF1117-Falk (DFL)**Finance**

Ortonville; ISD 62 fund transfer authorized.

HF1118-Gardner (DFL)**Taxes**

Solid waste management tax revenue disposition modified.

HF1119-Kath (DFL)**Public Safety Policy & Oversight**

Bureau of Criminal Apprehension; statutes amended to reflect organizational changes.

HF1120-Kath (DFL)**Public Safety Policy & Oversight**

Comprehensive incident-based reporting system data use delineated.

HF1121-Cornish (R)**Finance**

FarmAmerica funding provided.

HF1122-Juhnke (DFL)**Finance**

Agriculture, Board of Animal Health, veterans and the military funding provided; agricultural and animal health requirements and programs changed, program established and sunset provision eliminated.

HF1123-Murphy, M. (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Teachers Retirement Association; Public Employees Retirement Association coverage; various provisions specified, authorized, expanded and revised.

HF1124-Murphy, M. (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Correctional state employees retirement plan membership modified.

HF1125-Eastlund (R)**Health Care & Human Services
Policy & Oversight**

Nursing home inspection permitted by nursing home personnel.

HF1126-Eastlund (R)**Public Safety Policy & Oversight**

Conditional release program for non-violent drug offenders modified and expanded, program's sunset extended and mandatory minimum sentence modified for repeat fifth-degree controlled substance offenders.

HF1127-Eastlund (R)**Agriculture, Rural Economies & Veterans Affairs**

National Guard and reserve member pay differential clarified for teachers.

HF1128-Hortman (DFL)**Environment Policy & Oversight**

Recyclable refund value required on recyclable beverage containers, refunds for containers returned provided and unclaimed recycling refunds payment required.

HF1129-Murphy, M. (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Volunteer firefighters' relief associations regulated, defined contribution relief association provisions regulated, general volunteer firefighters' relief association law recodified.

HF1130-Persell (DFL)**Finance**

Bemidji State University improvements funding provided.

HF1131-Bly (DFL)**Finance**

Energy use disclosure study and report required for residential building owners, purchasers and renters.

HF1132-Dill (DFL)**Environment Policy & Oversight**

Forest products scale cutting on state land eliminated.

HF1133-Champion (DFL)**Public Safety Policy & Oversight**

Uniform Child Abduction Prevention Act established.

HF1134-Kath (DFL)**Finance**

Owatonna; veterans home funding provided.

HF1135-Solberg (DFL)**Finance**

Medical assistance mileage reimbursement rate increased and indexed.

HF1136-Lenczewski (DFL)**Taxes**

Corporate income tax rate reduced, green job incentives provided, small business investment company credit and job growth investment credit established, political contribution refund eliminated and various other tax provisions provided.

HF1137-Hilty (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Ballot validity and recount provisions modified, penalty imposed.

HF1138-Dill (DFL)**Environment Policy & Oversight**

All-terrain vehicle use expanded for the purposes of baiting bear; Boundary Waters Canoe Area winter trout season modified.

HF1139-Dill (DFL)**Finance**

Bois Forte Reservation; renewable energy biofuels demonstration facility authorized.

HF1140-Huntley (DFL)**Health Care & Human Services
Policy & Oversight**

Patient-centered decision-making process required before state employee health insurance program and medical assistance reimbursements.

HF1141-Huntley (DFL)
Health Care & Human Services
Policy & Oversight
Contact lens prescription expiration dates changed.

HF1142-Huntley (DFL)
Health Care & Human Services
Policy & Oversight
Smoking ban exception for patients in locked psychiatric units eliminated.

HF1143-McNamara (R)
Environment Policy & Oversight
Department of Natural Resources programs that duplicate market activities eliminated.

HF1144-Bigham (DFL)
Public Safety Policy & Oversight
Out-of-state juvenile placement reports repealed, Sentencing Guidelines Commission review of reports required.

HF1145-Bigham (DFL)
Public Safety Policy & Oversight
Investment and expert services for indigent defendants payment request applications modified.

HF1146-Hackbarth (R)
Environment Policy & Oversight
Public walk-in access program on private property established.

HF1147-Reinert (DFL)
Commerce & Labor
Payday lending regulated, penalties and remedies provided.

HF1148-Hilty (DFL)
Finance
Big Lake Area Sanitary District wastewater treatment system authorized.

HF1149-Juhnke (DFL)
Commerce & Labor
Telecommunications promotion activities provisions modified.

HF1150-Urdahl (R)
Finance
Special education aid through base year funding reinstated.

HF1151-Nelson (DFL)
State & Local Government
Operations Reform, Technology & Elections
Financial statements publication requirements modified.

HF1152-Kahn (DFL)
State & Local Government
Operations Reform, Technology & Elections
Elections; nomination vacancies provisions modified.

HF1153-Clark (DFL)
Finance
Metropolitan Economic Development Association funding provided.

HF1154-Hackbarth (R)
Commerce & Labor
Artisan distilleries authorized.

HF1155-Magnus (R)
Energy Finance & Policy Division
Wind-powered electric generation facility certificate of need exemption status modified.

HF1156-Paymar (DFL)
Civil Justice
Referees authorized to preside over conciliation courts.

HF1157-Dill (DFL)
Commerce & Labor
Franchise agreements between outdoor sport equipment dealers, manufacturers, and distributors regulated.

HF1158-Liebling (DFL)
State & Local Government
Operations Reform, Technology & Elections
Fusion candidacies permitted.

HF1159-Welti (DFL)
Transportation & Transit Policy & Oversight Division
Rochester to Twin Cities high-speed rail corridor analysis required.

HF1160-Slawik (DFL)
Finance
Parking privileges in van-accessible disability parking places modified.

HF1161-Dill (DFL)
State & Local Government
Operations Reform, Technology & Elections
County authorization to abate improvements expanded.

HF1162-Kath (DFL)
Public Safety Policy & Oversight
Correctional facilities authorized to forward surcharges from criminal and traffic offender wages to court or other entity.

HF1163-Smith (R)
Finance
Legal advocacy services provided to human trafficking victims.

HF1164-Liebling (DFL)
Public Safety Policy & Oversight
Drivers' license cumulative suspensions halted, penalty imposed for driving after suspension offenses.

HF1165-Seifert (R)
State & Local Government
Operations Reform, Technology & Elections
State settlements required to be paid to the General Fund.

HF1166-Johnson (DFL)
Commerce & Labor
Life insurance settlements regulated, enforcement provided, criminal penalties and civil remedies prescribed.

HF1167-Huntley (DFL)
Finance
Medical education and research funds transfer timing modified.

HF1168-Garofalo (R)
Transportation & Transit Policy & Oversight Division
Farmington; additional municipal deputy registrar of motor vehicles authorized.

HF1169-Rukavina (DFL)
Commerce & Labor
Public employer purchases and acquisitions of equipment and apparel regulated.

HF1170-Buesgens (R)
State & Local Government
Operations Reform, Technology & Elections
President and Congress memorialized to reduce the amount of proposed debt in the federal stimulus package.

HF1171-Jackson (DFL)
Civil Justice
Legislation containing erroneous, ambiguous and omitted text, and obsolete references corrected, redundant and conflicting provisions eliminated, technical corrections provided.

HF1172-Garofalo (R)
Finance
Early childhood and family, pre-kindergarten through grade 12 and adult education provided.

HF1173-Dean (R)
K-12 Education Policy & Oversight
Charter school students allowed to participate in extracurricular activities of their resident district.

HF1174-Kiffmeyer (R)
Finance
Local education agency defined for special education purposes.

HF1175-Peterson (DFL)
Finance
School programs offering alternative school year calendars encouraged and grants authorized.

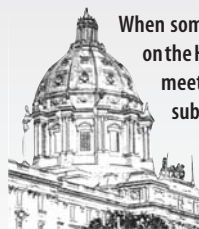
HF1176-Newton (DFL)
Finance
Health and safety education revenue program clarified.

HF1177-Garofalo (R)
Finance
Early graduation achievement scholarship program established.

HF1178-Peterson (DFL)
Finance
Student counseling services grant program established in high-need public high schools.

HF1179-Mariani (DFL)
K-12 Education Policy & Oversight
Pre-kindergarten through grade 12 education provided and technical corrections made.

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MINNESOTA INDEX

See you in court

Fiscal year 2008 budget for the judicial branch, in millions.....	\$300.44
Millions of that for district courts	\$246.08
Judicial branch funding shortage in the 2004-2005 biennium, in millions.....	\$29
Additional funding in the 2006-2007 biennium.....	0
Funding shortage in millions for the current biennium.....	\$19
Recommended 2010-2011 biennial cut by Gov. Tim Pawlenty, in millions.....	\$29.4
Estimated millions collected annually by courts for state and local governments	\$200
Of 51 case types, estimated number that court officials say could be stopped, such as property damage and shoplifting, if governor's budget recommendations are sustained	21
Judges in the state.....	314
Those in district courts, Court of Appeals, Supreme Court.....	288, 19, 7
Current judge vacancies	4
Judicial districts in the state	10
Number of judicial branch hearing facilities	98
Year the state's oldest courthouse in Stillwater was built	1869
Number of Minnesota courthouses on the National Register of Historic Places.....	62
Year the state Supreme Court was established by the Territorial Act.....	1849
Year Minnesota became a state	1858
Average number of cases heard annually by the Supreme Court since the Minnesota Court of Appeals began on Nov. 1, 1983	900
Average before that	1,800
Average number of opinions written annually by a Supreme Court judge.....	56
First year a case was heard in the Supreme Court chambers in the State Capitol	1905
Approximate number of cases annually filed with the Minnesota Court of Appeals ...	2,000
Estimated cases annually for a Court of Appeals judge.....	300
Estimated number of cases heard annually by district courts, in millions.....	2
Courtroom events statewide in 2007 that required the use of an interpreter	43,420
Increase over 2005.....	13,000
Different languages for which interpreters were needed in 2008	81
Fiscal year 2009 daily per diem for jury service, plus mileage	\$10
Per diem one year earlier.....	\$20
Number of people who took the state bar exam in July 2008	810
Percent who passed	89.14

Sources: Feb. 24 presentation by State Court Administrator Sue Dosal and two district court judges to the House Public Safety Finance Division; Minnesota Supreme Court and The Minnesota Court of Appeals, both Feb. 27, 2008, Court Information Office; Judicial Branch Web site (www.mncourts.gov), including 2007 Report to the Community; State Board of Law Examiners.

— M. COOK

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SESSION WEEKLY

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FORECAST: FROM WORSE TO BAD

GRAPES AND WINE

LUNCH MONEY FOR SCHOOLS

WHEN IS A HORSE A HORSE?

HF1180 - HF1404

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: A visitor exits the State Capitol to brave a Feb. 26 snowstorm. The storm dropped more than 7 inches of the white stuff on St. Paul.

— Photo by: Andrew VonBank

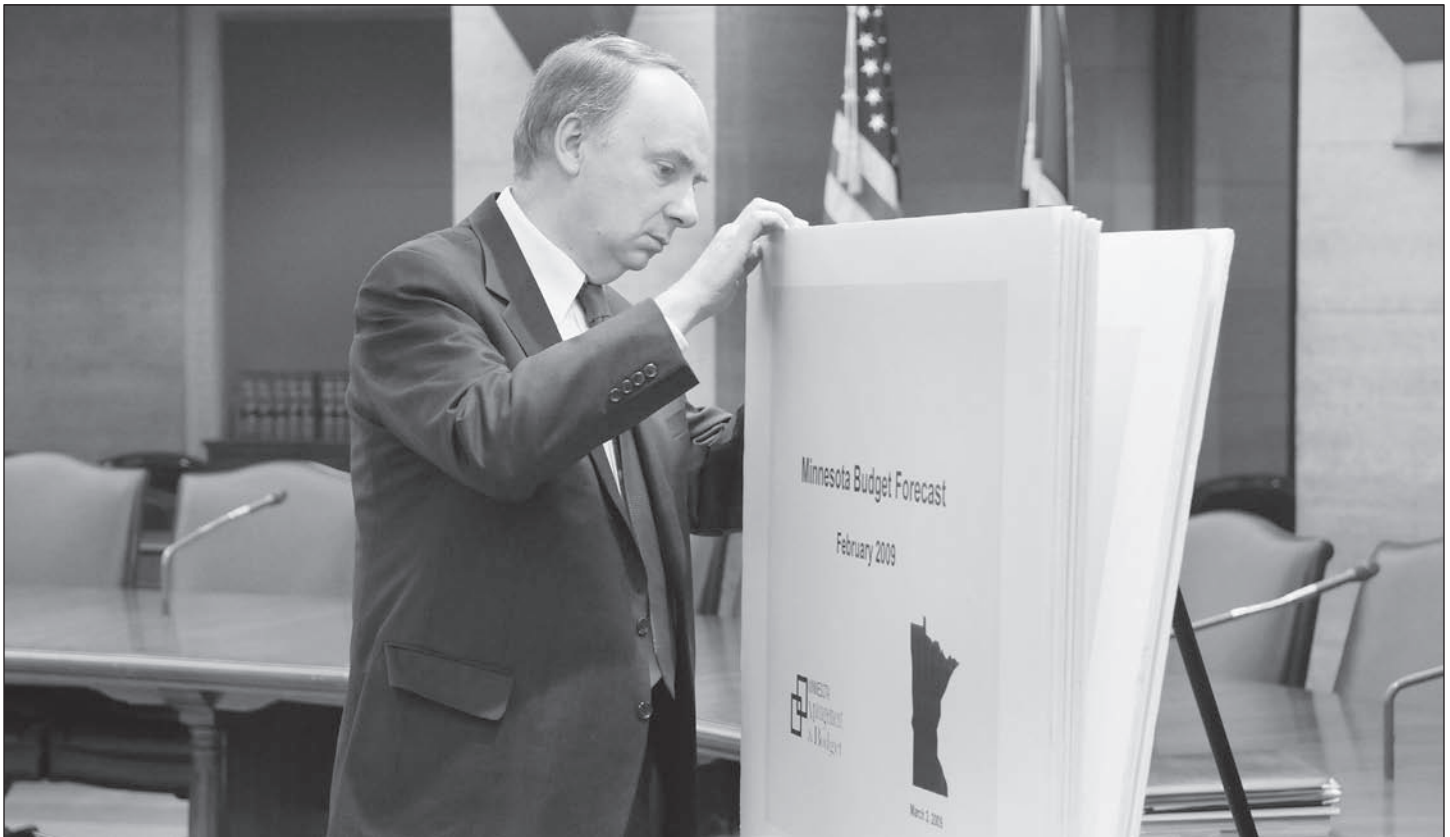


PHOTO BY TOM OLMSCHIED

State Economist Tom Stinson takes a peek at the charts and graphs that illustrate the state budget forecast prior to a March 3 news conference.

From worse to bad

Stimulus helps, but lawmakers still face a record deficit

By Nick Busse

Lawmakers finally have a definitive number to work with: \$4.57 billion.

That's the size of the budget deficit the Legislature will have to eliminate before its May 18 constitutional adjournment deadline. And while it may not sound like good news — actually, it's the single largest deficit in state history — it could have been worse.

On March 3, Minnesota Management and Budget Commissioner Tom Hanson presented the state's February Forecast, which predicts a \$6.4 billion gap between what the state is scheduled to spend and what it will collect in revenues over the next biennium.

In what passes for good news in these trying

times, Hanson announced that state leaders will only have to deal with \$4.57 billion of that gap. The rest, he said, will be filled in by an infusion of \$1.8 billion in Medical Assistance funding from the federal stimulus package. The stimulus will also give the state more than enough money to balance out the remainder

of the current fiscal year.

"The one-time stimulus helps, but we continue to have an ongoing problem. We're not out of the woods yet," Hanson said.

Not by a long shot.

The February Forecast sets the stage for what is sure to be a difficult road ahead in the slightly more than 10 weeks the Legislature has left to do its work. Last year, legislative leaders and Gov. Tim Pawlenty negotiated down to the wire on a fix to a comparatively modest \$1 billion deficit — half of which was ultimately resolved using state budget reserves.

This year, the deficit is vastly bigger, the budget reserve is gone, and the options left to state leaders are seemingly fewer.

Where things stand

DFL legislative leaders and the governor disagree on whether, as House Speaker Margaret Anderson Kelliher (DFL-Mpls) put it, "all options are on the table" for balancing the state budget. In particular, Pawlenty and DFL lawmakers disagree on the issue of revenue.

First Reading continued on page 4

First Reading continued from page 3

Reiterating his oft-repeated position that government “needs to learn to live within its means,” Pawlenty said flat-out that he will veto any tax increases.

“If they plan on raising taxes, we’re going to have a collision,” Pawlenty said.

But according to Kelliher, the “collision” the governor speaks of has already happened.

“This situation is like having a broken leg, and we are in the emergency room,” Kelliher said, comparing the economic crisis to a car crash. “The help that we have gotten from the federal government is like short-term pain medication ... and it is certainly helpful, but the underlying problem remains.”

Kelliher said the state needs to look at long-term solutions that balance the budget not only in the next biennium, but also into the future. She said Pawlenty’s proposed budget solutions, such as K-12 accounting shifts and tobacco revenue bonds, are one-time fixes that would just put the state deeper in the hole in the 2012-13 biennium.

“We will propose a budget that is balanced for four years,” Kelliher pledged, adding that DFL budget proposals will have balanced “inflows and outflows.”

To House Minority Leader Marty Seifert (R-Marshall), that sounds like tax increases.

“They need to come out and say whether they’re going to raise taxes or not,” Seifert said. “Let’s have the discussion, let’s have the debate, and let’s get session finished on time.”

Seifert has accused DFLers of inaction on the budget. At a March 2 press conference, he joined other Republicans in accusing the DFL of refusing to hear Republican ideas for solutions, and of wasting 40 percent of the legislative session without proposing any budget fixes.

DFLers say the Republicans are just playing politics.

“It’s a trite political argument that has been tried year after year after year,” said House Majority Leader Tony Sertich (DFL-Chisholm). “The fiscally responsible thing to do is to wait until we get a forecast to get the most accurate data.”

Although the DFL has not released a budget proposal of its own, Pawlenty is having to redo much of his proposal because of the changes wrought by the stimulus and the deteriorating economy.

According to Hanson, a \$920 million placeholder in the governor’s original budget plan did not materialize. Instead, the stimulus provides Minnesota with some \$800 million in “state stabilization” money that could potentially be used to shore up the General Fund, but only if the Legislature authorizes

it and only if the money is used for specific purposes.

No end in sight

The root cause of the state’s budget woes is the worsening recession. At a March 3 briefing, State Economist Tom Stinson said the problem isn’t going away anytime soon.

“This recession is longer and it’s going to be deeper than we thought in November.

It’s probably going to be the longest and deepest recession since World War II,” Stinson said.

Stinson said the economic downturn is “broad-based.” Virtually every sector of the economy, from the stocks to consumer spending to the housing market, is not just stagnant but in a state of decline.

What’s worse, Stinson said the recovery – when it comes – is expected to be slow. While many economists think the economy will show signs of improvement possibly in the first

Minnesota Recession Related Job Losses Reach 120,000 by 2010

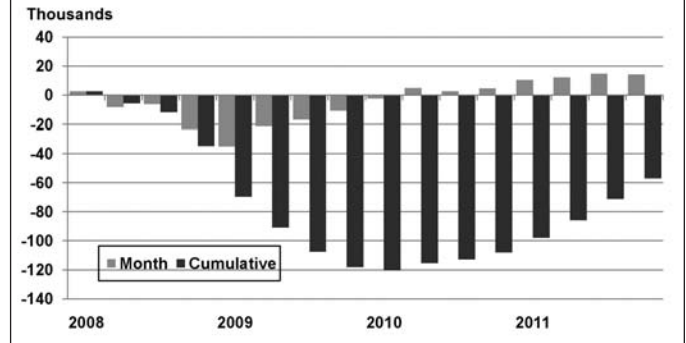


Chart courtesy of Minnesota Management and Budget

quarter of next year, Stinson said the 120,000 jobs the state estimates it will have lost by then will take a lot longer to regain. “Those jobs that have been lost won’t be recovered until 2012.”

As bad as things are, Stinson said they would likely be worse without the federal stimulus, which he predicted would save some 45,000 jobs from being lost in Minnesota alone. However, he cautioned that stimulus money would take some time to trickle out into economy.

At a March 4 joint meeting of the House Finance and Ways and Means committees, Stinson offered his own answer to the taxes vs. spending cuts debate — one that took some members aback.

Speaking about a phenomenon called the “balanced budget multiplier,” Stinson said cutting taxes and spending during a recession can actually make a recession worse by taking more spending out of the economy.

“The implication of that is that it’s better to raise taxes than to cut spending,” Stinson said.

Rep. Mary Kiffmeyer (R-Big Lake) questioned Stinson’s logic, arguing that taxes take money out of the wallets of people who could otherwise use it to buy consumer goods and help get the economy moving again.

Stinson responded that, “If there’s no money put in the wallet in the first place because they lose their job, they’re not spending it for consumer goods either.”

“Would the logic then follow that you might want to tax 100 percent and then everybody would have jobs?” Kiffmeyer asked.

Stinson declined to reply, adding, “I think this has gone far enough.”



PHOTO BY TOM OLMSCHEID

Rep. Michael Paymar, from bottom, Rep. Phyllis Kahn and Rep. Thomas Huntley follow a budget handout March 4 as State Economist Tom Stinson reviews the February Forecast with members of the House Ways and Means and Finance committees.

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

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 26-March 5. 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

When is a horse a horse?

"A horse is a horse, of course, of course," may be familiar as a phrase from the theme song for the old Mister Ed television show. But it took on new meaning during a March 2 discussion over a bill that would clarify whether a horse should be classified as livestock or as a companion animal.

For those involved in the state's horse industry, each of the classifications carries economic ramifications, as well as how a horse is treated when it dies.

Sponsored by Rep. Tom Emmer (R-Delano), HF797 would clarify that raising equines for riding, driving, competition, racing, recreation, sale or as breeding stock, is an agricultural pursuit and they should be considered as livestock for the purpose of financial transactions. Approved by the House Agriculture, Rural Economies and Veterans Affairs Committee, it awaits action by the full House.

Emmer maintained the bill was only about clarifying definitions, but some committee members questioned whether the bill could impact how horse farmers are defined for property tax purposes and wanted the bill sent to the House Taxes Committee.

John Hagen, assistant director of the Department of Revenue Property Tax Division, said the clarification would not "affect how we deal with horses for property tax purposes."

Other members said the definition change could impact the disposal of dead horses and whether they would be covered under federal animal cruelty laws. Some questioned if the bill's intent was to permit horse slaughtering.

Rep. Dave Olin (DFL-Thief River Falls) said the Animal Humane Society had issues with the bill's language and successfully amended it deleting the phrase, "Horses may be used for meat, hides, and animal by-products." Emmer said he did not oppose the amendment.

The bill's companion, SF755, sponsored by

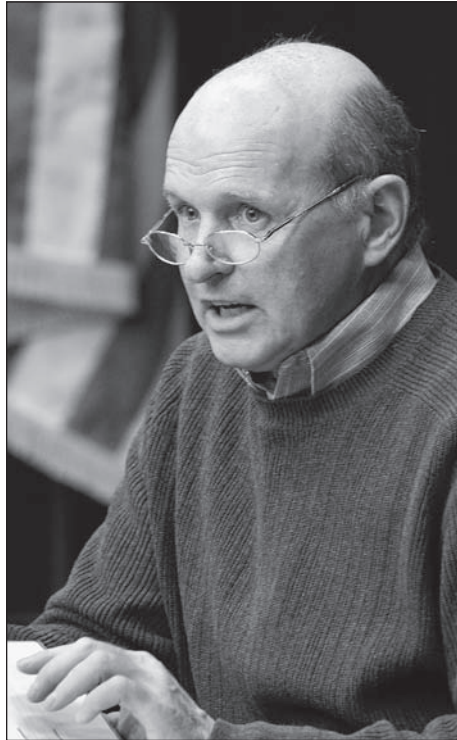


PHOTO BY ANDREW VONBANK

Horse farm owner David Dayon testifies before the House Agriculture, Rural Economies and Veterans Affairs Committee March 2 in support of a bill that would clarify horses and other equines as livestock and that raising them is an agricultural pursuit.

Sen. Amy Koch (R-Buffalo), awaits action by the Senate Taxes Committee.

— L. SCHUTZ

BONDING

Wrong name now righted

Stearns County was slated to receive \$492,000 through last year's capital investment law for acquisition of land for new parks and trails.

However, the agency named as the fund recipient, the Central Minnesota Regional Parks and Trails Coordination Board, cannot own land.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph), and passed 115-17 by the House March 5, HF56 makes a technical correction to the law by appropriating the money directly to Stearns County, so that 23 acres adjacent to Warner Lake Park can be integrated into the Central Minnesota Parks and Trails.

The bill now moves to the Senate where Sen. Michelle Fischbach (R-Paynesville) is its sponsor.

— L. SCHUTZ

BUDGET

Surplus can be used for spending

**Signed
by
the
governor**

If Minnesota is to spend federal stimulus money during fiscal years 2010-2011, state law regarding carryover funds needed to be changed.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Richard Cohen (DFL-St. Paul), a new law, signed by Gov. Tim Pawlenty March 2 and effective the next day, allows money remaining in the General Fund at the end of fiscal year 2009 to be appropriated in the next biennium.

According to the nonpartisan House Research Department, the stimulus money changes federal Medicaid reimbursement to the state, possibly resulting in a positive General Fund balance at the end of the fiscal year. Federal law prohibits the state from using the Medicaid reimbursement for a budget reserve. This conflicted with state law requiring any surplus to be first used for shoring up the state's cash flow account, paying back any school funding shifts and funding the reserve account. This account was depleted as part of the governor's December 2008 unallotment to bring the current biennial budget into balance.

The law also requires a budget enacted for the 2010-2011 biennium to provide for a balanced General Fund budget in fiscal years 2012-2013.

HF886*/SF824/CH5

— L. SCHUTZ

CONSUMERS

For insurance sake, no repair shops

The Allstate Corporation owns a vehicle repair shop in New York, and Rep. Leon Lillie (DFL-North St. Paul) doesn't want them to open one here.

He sponsors HF978 that would prohibit auto insurance companies or their affiliates from owning an auto repair shop in the state.

"By law, consumers are entitled to have their vehicle completely and safely repaired to its pre-accident condition," Mike Schoonover, told the House Commerce and Labor Committee March 3. The owner of a St. Paul auto repair shop and member of the Alliance of Automotive Service Providers-Minnesota said, "A conflict of interest arises when an insurance company that is paying for the

repair is also performing the repair.” He said that if insurance companies can own repair shops, this would lead to fewer consumer choices, and there is the fear companies would “aggressively steer consumers to their own shops.”

“It’s like Byerly’s coming to the Legislature saying Target should not be allowed to sell groceries,” countered Doug Franzen, representing the Property Casualty Insurers Association of America and Allstate.

Although the company does have an interest in a body shop, he said they are not currently pursuing the business strategy. “But we do have a concern about limiting a business model,” he said.

Franzen also thinks the bill could prevent Allstate from doing business in the state. Lillie said that is not the intent of the bill.

The committee approved the bill, and it now awaits action on the House floor.

The companion, SF842, sponsored by Sen. Mary Olson (DFL-Bemidji), awaits action in the Senate Commerce and Consumer Protection Committee.

— L. SCHUTZ

CRIME

Alternative testifying for children

For children, the mental trauma of a crime committed against them can be overwhelming, and having to face their offender in court may only add to the problem.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), HF720 would have Minnesota adopt the Uniform Child Witness Testimony by Alternative Methods Act, already adopted in Idaho, Nevada and Oklahoma.

Promulgated in 2002 by The National Conference of Commissioners on State Uniform Laws, the act provides alternative methods for children to testify in criminal and noncriminal proceedings when doing so would prevent further emotional trauma and is deemed to be in the child’s best interest, such as not seeing the defendant face-to-face or having to testify in an open forum.

“Minnesota was early into this field, and we come now to build on the successful experience we’ve had in Minnesota, but this goes a little further,” Jack Davies, a member of Minnesota’s Uniform Laws Commission, told the House Crime Victims/Criminal Records Division Feb. 27.

He said Minnesota’s original law only applied to cases where the child was the victim of criminal behavior, but this act expands coverage to some non-criminal proceedings.

An order for alternative testifying, issued

by a presiding officer of the court, would include the method used, persons allowed in or excluded from the room during testimony and any special conditions needed to examine or cross-examine the child.

Glen Norton, legislative chairman of the Minnesota State Bar Association’s family law section, was unsure how this would affect family court, where a child is the focus of the hearing. Hilstrom vowed to work with the association before the bill’s next stop.

“The family court is somewhat unique because sometimes, frequently, in issues of divorce, paternity, the children are the issue we are arguing over,” he said. “We haven’t studied this.”

Approved by the division, and March 5 by the House Public Safety Policy and Oversight Committee, the bill was sent to the House Civil Justice Committee. A companion, SF563, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Judiciary Committee.

— M. COOK

Juvenile drug court funding

Money paid by drug offenders could better help youth stay away from illegal substances.

Current law requires that a person convicted of a controlled substance crime must be fined at least 30 percent of the maximum fine authorized. Seventy percent of the penalty is forwarded to drug abuse prevention programs, such as DARE, in the county where the crime was committed and 30 percent goes to the state’s General Fund.

Rep. Jeremy Kalin (DFL-North Branch) would like to see juvenile drug court programs be eligible to receive part of the 70 percent. A bill he sponsors, HF600, was held over March 3 by the House Public Safety Policy and Oversight Committee for possible omnibus bill inclusion.

Kalin said there are four juvenile drug courts in the state, including one in Chisago County.

“It’s essentially a diversion program from juvenile detention, and, I think, ultimately to jail or (Department of Corrections) facilities,” he said. “The impact on not only the youth, but the families, is really constructive. It’s not one-size-fits-all, but I’ve seen it work very effectively to stop problems, especially drug-related, that can turn into much more serious crimes.”

Offenders work toward sobriety and recovery with a team that can include prosecutors, judges, law enforcement and mental health professionals. This can be done through ongoing treatment, frequent drug testing, mandatory court appearances and

other incentives to encourage change.

“We feel that expansion of the funding options is in keeping with the original intent of the DARE statute by focusing on juvenile drug abuse issues in the local community,” said Steve Paquay, Chisago County probation director. “We hope the passage will result in a new stable funding stream for these programs.”

A companion, SF321, sponsored by Sen. Rick Olseen (DFL-Harris), awaits action by the Senate Judiciary Budget Division.

— M. COOK

Offender Web site use reconsidered

A bill to prohibit sexual predators access to certain computer sites cleared a House committee that defeated it five days earlier.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove), HF130 would prohibit predators from using social networking sites, like Facebook and MySpace. Offenders would also be prohibited from using instant messaging or chat room Internet sites, even when playing an online game.

Ten members of the House Civil Justice Committee voted yes March 2, with Rep. Joe Mullery (DFL-Mpls), the committee chairman, abstaining. The committee defeated the measure on a 6-6 vote Feb. 25. It now returns to the House Public Safety Policy and Oversight Committee, which gave its approval Feb. 10.

Bigham did not offer any changes to the bill before Rep. Michael Paymar (DFL-St. Paul) moved to reconsider the previous vote.

Both Bigham and Paymar later said the reconsideration came after Bigham further discussed, and clarified, concerns previously made by then-bill opponents. For example, Paymar said he didn’t initially fully understand all the aspects related to online gaming, but felt more comfortable after speaking with Bigham.

Awaiting action by the Senate Judiciary Committee is the bill’s companion, SF403, sponsored by Sen. Mee Moua (DFL-St. Paul).

— M. COOK

EDUCATION

Charter schools reforms welcome

Charter schools are here to stay, but a significant overhaul could happen soon.

A 2008 report by the Office of the Legislative Auditor recommended changes that would strengthen and clarify the ongoing responsibilities of school sponsors, improve their governance and fiscal accountability and clarify the Department of Education’s oversight role.

Sponsored by Rep. Linda Slocum (DFL-Richfield), HF935 would implement the recommendations and make other changes that supporters say would result in the most significant charter school reform since Minnesota became the first state in the nation to authorize them in 1991.

“Charters aren’t going away; therefore, wouldn’t it make some sense to make them more responsive and more responsible and better in our communities?” Slocum asked. “This bill represents a lot of compromise and months of work. It’s good policy; it represents good government.”

The bill has garnered bipartisan support, but still sparked debate March 4 in the House K-12 Education Policy and Oversight Committee over several amendments.

One successfully offered by Rep. Sandra Peterson (DFL-New Hope) would prohibit a charter school from locating near a district school that was closed within the previous 36 months. It surfaced tensions about the relationship between charters and traditional schools. Some members perceive charters as healthy competition that gives parents freedom of choice. Others fear charters and district schools can become like mom’s house and dad’s house in a divorce, when students — and the education dollars that follow

them — shift from one to the other while the responsibility for their academic performance is lost.

“What the Peterson amendment does is start to put a framework in place for ending the war and focusing instead on the kids,” said Rep. Jim Davnie (DFL-Mpls).

Approved as amended, the bill now goes to the House Finance Committee. A companion, SF867, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), is scheduled to be heard March 6 by the Senate Subcommittee on Charter Schools.

— K. BERGGREN

Governor’s school budget critiqued

Education advocates praised the governor’s commitment to K-12 education in the challenging economic climate, but critiqued a bill sponsored by Rep. Pat Garofalo (R-Farmington) reflecting the governor’s education budget.

“Our primary area of concern relates to accounting and property tax shifts,” said Scott Croonquist, executive director of the Association of Metropolitan School Districts.

Presented to the House K-12 Education Finance Division March 3, HF1172 would delay a portion of state aid payments to school districts and require them to recognize a

portion of their property tax levies early, saving the state \$1.3 billion. However, this could force many districts to borrow or spend down cash reserves to cover the shortfall.

“We are balancing the state’s budget on our credit card. That, to me, is the most troubling part of this budget,” said Brad Lundell, executive director of Schools for Equity in Education.

However, Lundell liked the proposed “pay for progress” revenue that would reward schools for demonstrating student academic growth, not just proficiency.

New spending proposals include:

- expanding Q Comp, the teacher alternative pay system, statewide and increasing the maximum per pupil bonus from \$260 to \$300;
- a “Summer of Success” to help eighth graders not proficient in reading and math improve before beginning ninth grade;
- a midcareer alternative teacher licensure path; and
- creating a virtual education program.

The bill would save \$4.6 million by converting the Perpich Center for Arts Education from a state agency and magnet school to a charter school effective July 1, 2010.

It would also mandate a minimum number

PATRIOTIC PUPILS



PHOTO BY TOM OLMSCHIED

Fourth-grade students from Bel Air Elementary School in New Brighton wave American flags as they sing a patriotic song March 3 in the Rotunda.

of instruction hours, not days, so nearly 100 schools would add between 0.9 and 120 minutes of daily instruction; eliminate teachers' right to strike except in certain circumstances; and require binding arbitration in others.

The bill was held over for possible inclusion in an omnibus K-12 education finance bill. Its companion, SF836, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Teachers of early readers

Two bills promoting preschool literacy programs receive bipartisan support for their long-lasting benefits, but not their price tag.

Rep. Carlos Mariani (DFL-St. Paul) sponsors HF1046 that would appropriate \$3 million in the 2010-11 biennium to grow the Minnesota Reading Corps, an AmeriCorps program providing trained reading tutors for children from age 3 to grade three in Head Start settings and elsewhere.

Eighty percent of the first Minnesota Reading Corps "graduates" who began the program six years ago, and 85 percent of the second group, have attained proficiency on their third grade MCA-II reading assessments, said Audrey Suker, executive director of ServeMinnesota, a nonprofit organization coordinating AmeriCorps placements.

Such "proven results" demonstrate the program's value, Suker told the House Early Childhood Finance and Policy Division March 3. She said increased funding would expand the program's reach to serve an additional 10,000 children, while leveraging \$15.5 million in federal funds and \$1.5 million in private funds.

Rep. Keith Downey (R-Edina) said he's "very supportive" of the program because of its "data-driven" emphasis on "building core skills," but in the interest of balancing the budget offered unsuccessfully an amendment to reduce the appropriation by \$1 million.

Mariani countered that he would like to maximize "pretty modest investments in these areas for pretty big payoff for the K-12 system."

His bill was approved and sent to the House Finance Committee. A companion, SF851, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), is scheduled to be heard March 12 by the Senate E-12 Education Budget and Policy Division.

Division Chairwoman Rep. Nora Slawik (DFL-Maplewood) sponsors HF223, which would appropriate \$1 million in the upcoming biennium to WordsWork, another early literacy program serving 2,800 Head Start children in 16 counties. Independent evaluators found its

students, all from populations linked to risk of poor academic achievement, significantly outperformed a comparison group of similar students on last year's standardized tests.

It was held for possible inclusion in an omnibus early childhood finance bill. Its companion, SF291, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Closing district would pay its debt

McLeod West Public Schools is facing its imminent demise, but would like to minimize the consequences for neighboring districts that will absorb its 500 students.

A May 2009 election is scheduled to decide if the district is to be consolidated among three neighboring districts — Gibbon-Fairfax-Winthrop, Buffalo Lake-Hector and Glencoe-Silver Lake. The trio has agreed to absorb McLeod West students, but will not accept its estimated \$3 million reorganization debt.

A "no" vote would dissolve the district and force McLeod County commissioners to redraw district lines. Under current law, any reorganization debt would be pushed onto the three districts that take McLeod West pupils.

However, HF1040 would allow McLeod West to authorize a general obligation bond issue, without voter approval, to keep reorganization debt responsibility in its original district.

"We would just like to have this legislation in place to have an orderly transition to move this debt through the consolidation process," said Rep. Ron Shimanski (R-Silver Lake), the bill's sponsor.

Approved March 2 by the House Finance Committee, it was sent to the House Taxes Committee with the intent to reach the floor quickly. Its companion, SF811, sponsored by Sen. Steve Dille (R-Dassel), was scheduled to be heard March 5 by the Senate E-12 Education Budget and Policy Division.

McLeod West was created when Stewart and Brownton schools merged in 1998. It has experienced severe enrollment decline, as well as facility disrepair in the face of voters' defeat of both building bond and operating referenda.

Acting McLeod West Superintendent Tony Boyer told the House K-12 Education Finance Division Feb. 25 he'd cautioned voters that defeating the November referendum would only result in higher taxes resulting from the reorganization debt.

"I think you're going to see this happen again and again in rural Minnesota," he

warned. For now, he said, "We are looking out for the best interests of our students and constituents, not just for today but for the future."

— K. BERGGREN

Schools need lunch money

Two bills would keep school lunches accessible to students whose families are dealing with kitchen table concerns.

More families are applying for free- or reduced-cost lunch eligibility, Sherri Knutson, Minnesota School Nutrition Association public policy chairwoman, told the House K-12 Education Finance Division Feb. 26. She said some school food service directors report that even some students who pay full price are skimping now.

"Mom and dad are giving them money to eat maybe only twice a week because there just isn't enough household money to spare," Knutson said.

Rochester Public Schools, where Knutson coordinates school nutrition services, has approved 346 applications for reduced-cost lunch since November, compared with 122 in the same period last year.

Susan Richardson, Roseville Area Schools' nutrition services coordinator, said 1,800 of 6,500 families in the district qualify for free lunches. Though another 500 qualify for reduced-cost meals, about a quarter can't pay the 40 cents they're charged.

HF784, sponsored by Rep. Jerry Newton (DFL-Coon Rapids), would increase the state reimbursement for reduced priced meals from 12 cents to 52 cents per meal, and require that schools offer reduced priced meals at no cost to eligible students. Its estimated price tag is \$3.5 million annually.

Sponsored by Rep. John Benson (DFL-Minnetonka), HF252 would increase state aid to school food programs from 12 cents to 15 cents per meal. It's estimated to cost \$3 million per year.

School food programs are raising money and saving costs, testifiers said. For example, sales of a la carte snacks, such as chips and cookies, often help underwrite higher prices for fresh fruits and vegetables and whole grains — even as the high-fat snacks undermine today's stricter nutrition standards. Rochester and dozens of other districts economize through membership in buying groups. Some schools subsidize meals for those who can't pay from unclaimed funds from former students' lunch accounts. Still, as the number of paid meals decreases, said Knutson, costs per meal increase.

Both bills were held over for possible inclusion in an omnibus education finance bill. Their respective companions, SF856,

sponsored by Sen. LeRoy Stumpf (DFL-Plummer), and SF1015, sponsored by Sen. Mee Moua (DFL-St. Paul), await action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

ELECTIONS

Fixing an election 'quirk'

Rep. Phyllis Kahn (DFL-Mpls) wants to make sure that a "quirk" in state law doesn't leave people in some cities without representation on their city councils after redistricting.

Kahn sponsors HF653, which is designed to prevent a problem that occurs when city council elections are held after a census has occurred, but before the city's ward boundaries are redrawn based on census data.

In essence, in cities using a ward system, such as Minneapolis and St. Paul, city council candidates campaign and get elected in the old ward boundaries, only to end up representing the new ward boundaries. Kahn said this leaves some city residents without equal representation.

"This is a basic aspect of democracy, and it's just fixing up a quirk in state law that needs to be fixed," Kahn said.



PHOTO BY TOM OLMSCHIED

Ramsey County Elections Manager Joe Mansky testifies before the House State and Local Government Operations Reform, Technology and Elections Committee March 3 in support of a bill that would address St. Paul City Council elections.

The bill was approved March 3 by the House State and Local Government Operations Reform, Technology and Elections Committee. It now goes to the House floor.

Kahn successfully amended the bill with language that Ramsey County Elections Manager Joe Mansky said would prevent it from causing problems with St. Paul's city council elections.

A companion, SF834, sponsored by Sen. Sandy Pappas (DFL-St. Paul), was laid over Feb. 26 by the elections subcommittee of the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

EMPLOYMENT

Contractor or employee?

A bill could require trucking and delivery companies to take a different fork in the road.

HF813 would crack down on misclassification of some workers, which its sponsor, Rep. Sheldon Johnson (DFL-St. Paul), called a "huge problem" in Minnesota, particularly in the courier business. He said 14 percent of Minnesota employers — and 35 percent of a sampling of those in the trucking industry — wrongly misclassify some workers as independent contractors not subject to withholding taxes, Social Security or health insurance benefits, although in practice they're treated as employees who may be required to wear company uniforms, attend trainings and adhere to a company schedule.

Approved Feb. 27 by the House Labor and Consumer Protection Division and the House Commerce and Labor Committee March 3, the bill now awaits action on the House floor. A companion, SF910, sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Business, Industry and Jobs Committee.

Edward Reynoso, field action director for the International Brotherhood of Teamsters Joint Council 32, acknowledged that 13.5 million "legitimate" independent contractors work nationwide, but said misclassifying workers leads to \$15 million in lost income tax revenue in Minnesota annually, while taxpayers foot the bill for those without health care insurance.

The bill's opponents said it could threaten the industry.

Minnesota Trucking Association President John Hausladen said his group's members are "highly skilled professionals" who are free to "decide when to take a load, what route to take, when to put fuel in their vehicles."

"I consider myself a small businessman,"

said trucker Robert Towey, who contracts with Dart Transit Company and took an unpaid day off the road to oppose the bill at the hearing. He said he owns his equipment, negotiates rates with employers and pays taxes, worker's compensation and medical insurance.

Rep. Kurt Zellers (R-Maple Grove) said compliance would unfairly burden small businesses, such as construction companies that rely on seasonal independent contractors to supplement their regular employee pool.

— K. BERGGREN

Workers' compensation problems

A report from the Office of the Legislative Auditor finds that Minnesota's workers' compensation system works well overall, but still has room for improvement.

Legislative Auditor James Nobles presented the report, "Oversight of Workers' Compensation," to members of the House Bioscience and Workforce Development Policy and Oversight Division March 4. No action was taken.

Deborah Parker Junod, who managed the audit, outlined the report's major findings, which indicate shortcomings in several areas, including:

- staff cuts have harmed the Department of Labor and Industry's ability to enforce workers' compensation laws;
- the department does an inadequate job of tracking reimbursements from uninsured employers; and
- the state's dispute resolution process is overly complex.

The report found that the department does an inadequate job of recovering state expenses. In cases where employers without workers' compensation insurance were ordered to reimburse the state for paying benefits to injured workers, the department was only able to recover about 19 percent of the total penalties assessed for employers.

A number of concerning trends are also identified in the report. Among them, workers' compensation insurers are underpaying benefits at an increasing rate. Also, the proportion of claims in which workers and insurers have disputes has been rising.

To fix many of the issues identified in the report, the office recommends improved information technology systems, more aggressive pursuit of reimbursements from uninsured employers and establishment by the Legislature of an ombudsman for workers' compensation, among other changes.

Labor and Industry Commissioner Steve Sviggum, whose agency manages the state's workers' compensation system, said the department is in "complete harmony" with

the OLA findings, and will work to implement the recommended changes.

— N. BUSSE

ENERGY

Thermal energy supported

A policy to encourage use of solar energy to produce thermal energy for heating buildings was approved March 2 by the House Energy Finance and Policy Division.

HF1078, sponsored by Rep. Paul Thissen (DFL-Mpls), would require the commerce commissioner and Pollution Control Agency to make recommendations to the Legislature for achieving solar and thermal energy goals, specifically the federal requirement to reduce greenhouse gas emissions by 25 percent by 2025. Passage of the bill would be the catalyst needed to reduce energy dependence on coal and to expand the number of green jobs in Minnesota, Thissen said.

About one-third of the energy consumed in Minnesota is thermal, said Anders Rydaker, president of District Energy in St. Paul. "To reduce greenhouse gas emissions and set goals for reducing our carbon footprint, we should not ignore that third."

Minneapolis receives as much direct sunlight as Houston, Texas, and is therefore poised to produce more thermal and solar energy, assuming that incentives and policies are in place, said Rydaker, adding that solar-thermal energy is three times more efficient than solar-electric production.

Once a policy is established, incentives will follow, Thissen said, adding that incentives do not necessarily mean tax incentives.

Republican members called the bill ambiguous, and the vote was split along party lines.

The bill was sent to the House floor, and also could be considered for possible inclusion in the division's omnibus bill. A companion, SF1020, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Energy, Utilities, Technologies and Communications Committee.

— S. HEGARTY

PUC may require excess fee refunds

The Public Utilities Commission could require repayment when utility and telephone companies overcharge ratepayers, according to a bill approved March 4 by the House Energy Finance and Policy Division.

HF1038, sponsored by Rep. Gail Kulick Jackson (DFL-Milaca), would give the PUC authority to require ratepayer reimbursement by the utilities and telecom companies if it's determined funds were collected as a result

of unlawful conduct. Currently there is no such authority. Refunds would have a statute of limitations up to six years prior to learning of the infraction.

Janet Gonzalez, PUC energy unit manager, said the bill was developed for policy reasons and that, although there may be pending cases, she does not have any anticipated refund estimates. Examples of misconduct include utilities that place surcharges on bills without pre-approval from the PUC or if lower rates are approved by the PUC, but the utility keeps charging the previous higher rate.

Rep. Joe Atkins (DFL-Inver Grove Heights) said ratepayers should be given refunds with interest. However that is not currently provided for in the bill, which was referred to the House Commerce and Labor Committee. Atkins said an amendment to require interest payments may be introduced there.

Any refunds issued would not preclude the PUC from also pursuing penalties for the misconduct.

A companion, SF574, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

— S. HEGARTY

ENVIRONMENT

Program for DNR asset preservation

A recent Department of Natural Resources' report indicates the department is about \$120 million behind schedule in facility maintenance and preservation.

Rep. Rick Hansen (DFL-South St. Paul) sponsors a bill that creates a plan for the replacement and preservation of DNR buildings and recreation facilities.

HF983 would establish the Natural Resources Asset Preservation and Replacement program, patterned after a similar program for facility repairs and replacement at higher education institutions.

Hansen said the program is a way to streamline requests for DNR bonding projects so that legislators are not competing for funding by introducing dozens of bonding proposals each session.

The bill was held over March 3 by the House Environment and Natural Resources Finance Division for possible inclusion in recommendations to the House Capital Investment Finance Division or the division's omnibus bill.

According to the report, there is \$25 million in deferred maintenance projects, such as roofing, plumbing, heating, electrical and structural upgrades, for DNR buildings. Another \$15 million is needed for repairs to

septic and sewer systems, water resources and parking lots. In addition, an estimated \$80 million is necessary to upgrade recreational areas, such as campgrounds, state trails, wayside rest areas and water access locations.

If enacted, the program would allow up to 10 percent of any appropriation to be used for design costs for eligible projects, which would be prioritized by the DNR. By Jan. 15 each year, a list of the projects completed the previous year, as well as proposed projects for the current year, would need to be submitted to the commissioner of finance and the Legislature.

A companion bill, SF919, sponsored by Senate President James Metzen (DFL-South St. Paul), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

— S. HEGARTY

FAMILY

Parenting time, expense adjustment

Non-custodial parents might be able to spend more time with their children.

The rebuttal presumption now found in state statute requires that, in the absence of other evidence, a parent be entitled to receive at least 25 percent of the parenting time for his or her child.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul), HF1003 would increase the presumption to 40 percent, if there are no issues related to the best interests of the child.

After an hour-plus discussion March 2 by the House Civil Justice Committee, Mahoney opted to hold the bill over for future discussion. There is no Senate companion.

Molly Olson, founder of the Center for Parental Responsibility, said children should have at least 40 percent time with each fit parent. "This will advance the well-founded premise that children need both parents and will maximize involvement by both parents," she said.

Other proponents wondered why they should have to spend \$100,000 or more in legal fees just to see their child a little more often. "It's easier to work out the remaining 73 days when each has 146 to start," said Mahoney. He said every-other-weekend, Friday night to Monday morning, is 78 days or nights. Half of a summer vacation is 46 days and equally divided school year breaks would be 15 days to equal 139 days.

Glen Norton, legislative chairman of the Minnesota State Bar Association's family law section, said judges can already determine what is best for a child. "This bill goes the other way."

The bill would also modify the parenting expense adjustment, so the non-custodial

YOUTH MENTORING

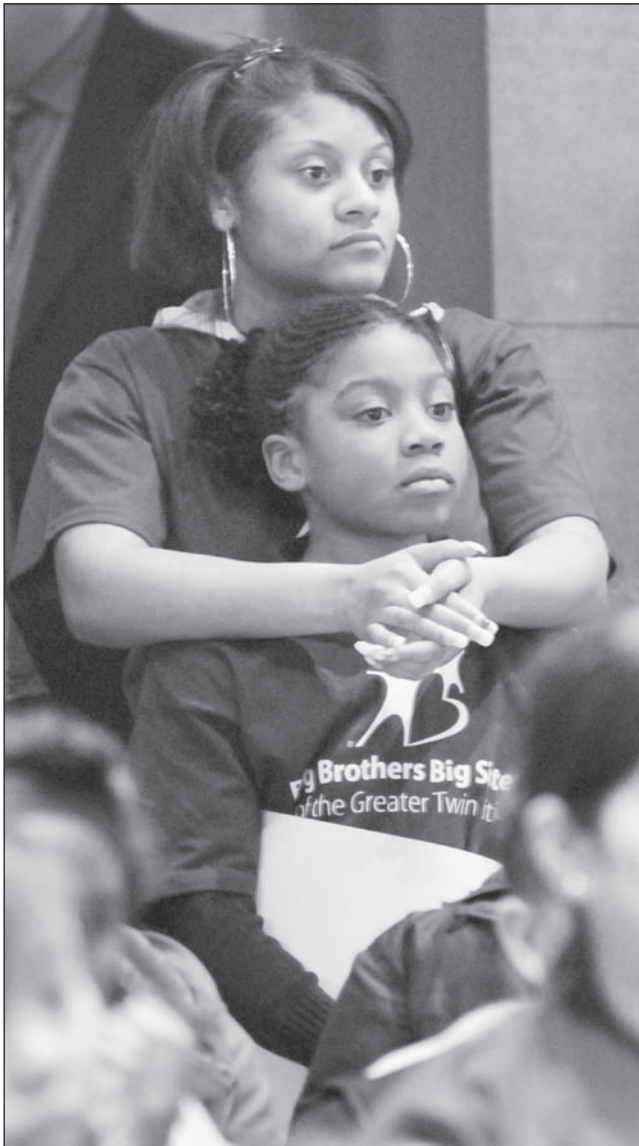


PHOTO BY TOM OLMSCHIED

Big Sister Paris Charles holds her Little Sister LaCariah Watts as they joined other participants in the Big Brothers Big Sisters of the Greater Twin Cities Area to rally Feb. 26 in the Rotunda to show support for youth mentoring.

parent's child support obligation would be based on parenting time established by the court.

Currently a 10 percent to 45 percent parenting time results in a 12 percent discount in child support. The bill would change the top percentage to "not less than 30 percent." It would add that between 30 percent and 45.1 percent parenting time results in a 30 percent decrease in child support.

Michael Dittberner, legislative chairman of the Minnesota Chapter of the American Academy of Matrimonial Lawyers, said adding levels could lead to access fights based on financial benefit.

— M. COOK

GAME & FISH

Decoy rules adjusted

Waterfowl hunters may be able to put decoys in public waters or on public land earlier than usual, but they'd have to watch over them constantly, according to provisions approved March 2 by the House Game, Fish and Forestry Division.

Current law allows decoy placement one hour prior to the start of shooting times. HF709, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park), would let decoys be placed earlier, but a licensed waterfowl hunter would

have to keep watch over them.

A second provision would make changes for private landowners.

Current law prohibits hunters from leaving decoys unattended longer than four hours during or after the hunt, unless a hunter is in waters adjacent to their private property. If there isn't sufficient vegetation in the water to partially conceal the hunter, they can leave the decoys in the water beyond four hours.

Anoka resident Jeff Weaver recommended dropping that exception for private landowners because, in his opinion, it gives them an unfair advantage. Weaver said some waterfront owners string upwards of 200 decoys in the water and leave them there throughout the hunting season.

Rep. Tony Cornish (R-Good Thunder) supports repealing that portion of the statute.

Department of Natural Resources Enforcement Chief Jim Conrad said a possible repeal would not cause enforcement problems, although it might irritate the private landowners who hunt along their own shorelines.

Conrad agreed to work on refining the bill with Nelson prior its possible inclusion in the division's omnibus bill. It has no Senate companion.

— S. HEGARTY

GOVERNMENT

Crumbling Capitol?

Don't let its gleaming white exterior fool you: Minnesota's State Capitol is in need of a serious makeover.

That was the message from Administration Commissioner Dana Badgerow, who told members of a House division that the 105-year-old building is deteriorating from top to bottom.

"We've got a situation here that is really depressing in the condition of our State Capitol," Badgerow testified before the House State Government Finance Division March 3. No action was taken.

Dave Fielding, plant management director for the department, said the Capitol has everything from water damage in its dome structure to crumbling ceilings in parts of the basement. He said the heating, ventilation and air conditioning systems in the building are old and inefficient, as is some of the technology and communications equipment.

Fielding stated the building is in need of a variety of updates to be brought into compliance with state building codes, and also failed a security vulnerability assessment by the Minnesota National Guard. He added the scale of work necessary would require "major



PHOTO BY ANDREW VONBANK

Capitol Plant Management Engineer Dave Albien and Rep. Mary Kiffmeyer examine an aging heating system during a March 3 tour of Capitol building deficiencies by the House State Government Finance Division.

disruptions" to daily activities in the building.

"We just ought not to be letting things deteriorate like this," said Rep. Mary Kiffmeyer (R-Big Lake), who suggested the state create a special fund for Capitol renovations that could carry over from year to year.

Chairwoman Rep. Phyllis Kahn (DFL-Mpls) said legislators are often reluctant to spend money on the Capitol, and noted that a recent effort to address some of the problems legislatively failed.

However, Kahn related the story of former Rep. Henry Kalis (DFL-Wells), who many years ago was having his picture taken with a group of constituents when the arm of a statue on the side of the Capitol came tumbling down and crashed on the steps beside them.

"Our committee did that reconstruction funding so fast," Kahn said.

— N. BUSSE

Teleconferencing to save money

A bill that would allow state agencies to save on travel expenses by teleconferencing is headed to the House floor.

HF456, sponsored by Rep. Sheldon Johnson (DFL-St. Paul), would allow agencies to hold meetings via telephone or other electronic means as long as the following conditions are met:

- all meeting participants can clearly hear one another and all discussion and testimony;
- members of the public present at the normal physical meeting location can hear all

discussion and votes and participate in the meeting;

- at least one member of the agency or entity is present at the normal meeting location; and
- all votes are conducted by roll call.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill March 3 and sent it to the House floor.

In its original form, the bill would have applied only to the Indian Affairs Council; however, the idea was expanded in a delete-all amendment successfully offered by Chairman Rep. Gene Pelowski Jr. (DFL-Winona) to include all state agencies.

The bill would not change public notice requirements for state agencies conducting meetings electronically. Many agencies already have the authority to conduct meetings via teleconference in certain circumstances, such as in emergencies.

At a Feb. 26 hearing in which the bill was temporarily laid over, some committee members were supportive of the idea as a cost-saving measure, while others said it opened the door to abuses.

Noting that people who participate in electronic meetings could still collect per diem payments, Rep. Mark Buesgens (R-Jordan) wondered if money saved on travel expenses and lodging would be partially offset by people collecting per diem for participating in meetings "at home in their pajamas."

Sen. Mee Moua (DFL-St. Paul) sponsors the companion, SF764, which was recommended to pass March 4 by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Better access to government

Have you ever had a question for a state agency but found it difficult to get someone on the phone to answer it? Rep. Jeremy Kalin (DFL-North Branch) feels your pain, and wants to help.

Kalin sponsors HF1018 that would require state agencies to clearly and prominently post contact information on each of their Web sites, including an e-mail address and a phone number "that will be answered by a human being."

Kalin said he came up with the idea for the bill after experiencing difficulty finding phone numbers on state agency Web sites. The goal of the bill is simply "to make sure that Minnesotans can actually access their government," he said.

The proposal was one of two bills focused on government transparency that were approved Feb. 26 by the House State and Local Government Operations Reform, Technology and Elections Committee.

The other, HF20, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), would require Minnesota Management and Budget to maintain a public Web site with a searchable database of all state expenditures. Winkler said he got the idea from Missouri, which maintains its own public database of state contracts and appropriations.

Curt Yoakum, state program administration manager for Minnesota Management and Budget, said, that in the "worst case scenario," the project outlined in the bill could cost upwards of \$400,000. He said MMB is in the process of creating a database similar to that proposed through its own internal efforts.

Both bills were approved and referred to the House State Government Finance Division. Sen. Ann Rest (DFL-New Hope) sponsors SF91, the companion to Winkler's bill, which awaits action by the Senate State Government Budget Division. Kalin's bill has no Senate companion.

— N. BUSSE

HEALTH

Prevention for heart disease, strokes

Proponents for the prevention of heart disease and strokes are requesting \$500,000 to fund data collection and other activities associated with such medical conditions.

HF499, sponsored by Rep. Erin Murphy (DFL-St. Paul), was laid over March 4 for possible inclusion in the House Housing Finance and Policy and Public Health Finance Division's omnibus bill.

The bill raised questions with members and one testifier who believe there could be Data Practices Act issues. Murphy said there would be no personal identifiable collection of patient information. Data collected would be used to monitor and improve cardiovascular health through targeted prevention programs.

Rep. Dan Severson (R-Sauk Rapids) questioned the need and timing for the appropriation since other state health prevention programs overlap and there are General Fund deficit problems.

Dr. Russell Luepker, a University of Minnesota public health professor and 30-year American Heart Association volunteer, testified that the program would pay for itself if it can prevent nine people from experiencing a stroke or heart attack, and their subsequent hospitalization costs.

Also, the funds would be a needed match to acquire a federal grant from the U.S. Centers for Disease Control and Prevention.

A companion, SF432, sponsored by Sen. Ann Lynch (DFL-Rochester), rests with the Senate Health and Human Services Budget Division.

— S. HEGARTY

HIGHER EDUCATION

Regent candidates selected

The four open seats on the University of Minnesota's Board of Regents are one step closer to being filled.

The joint House and Senate committee on regent selection voted March 3 to recommend four of the nine finalists for election to the university's 12-member governing body.

- The recommended candidates are:
- from the 1st Congressional District, Patricia Simmons of Rochester, the current board chairwoman;
 - from the 4th Congressional District, Richard Beeson of St. Paul;
 - from the 6th Congressional District, current regent John Frobenius of St. Cloud; and
 - from the 7th Congressional District, Clyde Allen Jr. of Moorhead, current board vice-chairman.

The committee, which comprises the members of the House Higher Education and Workforce Development Finance and Policy Division and the Senate Higher Education Budget and Policy Division, will now make its recommendations to the full House and Senate, which will meet March 9

in a special joint session to formally elect the candidates.

Regents serve without pay for six-year, staggered terms, with one-third of the seats on the board open every two years. The Legislature elects one regent from each of Minnesota's eight congressional districts and four from the state at large.

At a Feb. 26 meeting, the candidates made their pitch to committee members on why they were best qualified for the job. Eight candidates were recommended by the Regent Candidate Advisory Council, and a ninth, Frobenius, was successfully nominated by Rep. Larry Haws (DFL-St. Cloud).

"I feel personally very torn over several of these seats," said committee co-chair Sen. Sandy Pappas (DFL-St. Paul), who praised the quality of all the regent candidates.

— N. BUSSE

HUMAN SERVICES

Two views on radiation treatment

A bill described as "a fight between two groups," came under intense debate on the House floor March 5, with the chairs of the House health committees on opposite sides of the issue.

Rep. Paul Thissen (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls) sponsor HF177/SF162*, which would extend the current moratorium on construction of new radiation oncology facilities from 2011 to 2014 in the Twin Cities metropolitan area, and several regional centers in Greater Minnesota.

Passed by the House 90-39, it now moves to the governor's desk. It passed the Senate 55-7 on Feb. 19.

"The Legislature has made the decision, on repeated occasions, that limiting the expansion of these machines is the right public policy for us to be pursuing," said Thissen, who chairs the House Health Care and Human Services Policy and Oversight Committee. He pointed to information from the Minnesota Hospital Association and individual providers showing there are more radiation services available than needed, based on 2007 capacity. "This is in a large part about controlling costs," he said.

But the chairman of the House Health Care and Human Services Finance Division has a different take on the matter and encouraged members to vote against the bill.

"What we really have is a fight between Starbucks and Caribou Coffee, and Starbucks doesn't want Caribou to open any more shops. ... It's a fight between two good groups of radiation oncologists, both of them do a good job, but one of them wants to keep the

other out of the business," said Rep. Thomas Huntley (DFL-Duluth).

He said that one group owns their machines and leases space in hospitals. The other uses a model where the oncology professionals act as a team. Its machines could be in hospitals or in separate facilities. Huntley argued the latter provides greater access for patients.

Rep. Torrey Westrom (R-Elbow Lake) was among those calling the moratorium a cap on free enterprise. "Why should government be making decisions regarding private enterprise. 'I don't know why we want government picking winners and losers, and not letting the market doing its job.'"

— L. SCHUTZ

LOCAL GOVERNMENT

Smarter, greener land use

A proposal working its way through the House would ask local governments to do their part to mitigate climate change — and possibly save themselves some money in the process.

HF1035, sponsored by Rep. Larry Hosch (DFL-St. Joseph), would modify land use statutes by limiting rural development and allowing cities to establish planned growth areas in neighboring townships.

The goal is to slow suburban sprawl and encourage cities to develop in areas where there is already a relatively high population density. Hosch said the bill evolved from findings of the Minnesota Climate Change Advisory Group, which recommended the changes to stop fragmentation of agricultural land and reduce the number of vehicle miles driven in the state, both of which contribute to global warming.

But supporters say the bill could have other benefits as well. Focusing development around already populated areas would mean that cities would spend less money on extending roads, sewers and other services. Bradley Peterson, a lobbyist representing the Coalition of Greater Minnesota Cities, said more compact growth areas will save taxpayers money.

Others interpret the bill's provisions quite differently. Kent Sulem, an attorney for the Minnesota Association of Townships, said the bill would give virtually unilateral authority to municipal governments that want to annex land in neighboring townships.

"This bill is simply an anti-township annexation bill trying to be guised in the arena of environmental policy," Sulem said, adding that he supported the greenhouse gas reduction goals of the legislation.

The House Local Government Division approved the bill on a 6-4 vote March 2

and referred it to the House State and Local Government Operations Reform, Technology and Elections Committee.

Sen. Tom Bakk (DFL-Cook) sponsors the companion, SF913, which awaits action by the Senate E-12 Education Budget and Policy Division.

— N. BUSSE

MILITARY

Contract preference for veterans

Returning veterans face significant hurdles when it comes to business opportunities, and two House members are working together to address the issue.

Under current law, women and minorities are given preference in the letting of state contracts. A new category would provide preference in the state procurement process to businesses that are majority-owned and operated by service-disabled veterans.

Sponsored by Rep. Jerry Newton (DFL-Coon Rapids), HF715 was amended to contain language similar to HF557, sponsored by Rep. Dan Severson (R-Sauk Rapids), that would afford the advantage to all veteran-owned businesses.

Both bills were approved Feb. 27 by the House Veterans Affairs Division and sent to the House Agriculture, Rural Economies and Veterans Affairs Committee.

Before the committee approval, however, HF715 was amended back to its original language offering the preference only to service-disabled veteran owned businesses. Now awaiting action by the House Finance Committee, it also calls for an up to 6 percent preference in the bid amount on state procurement to qualifying service-disabled veteran-owned small businesses. It has no Senate companion.

Newton said that after discussion with Severson, it was determined there were not accurate numbers to determine the fiscal impact if the bill encompassed all veteran-owned businesses.

Severson's bill is scheduled to be heard by the committee March 9. Its companion, SF861, sponsored by Sen. Chris Gerlach (R-Apple Valley), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Supporters say that returning veterans face their own hardships in attaining contracts because, while they have been serving their country, they have been losing networking time and have been unable to build contacts needed to at least get their foot in the door.

— L. SCHUTZ

Reimbursing volunteers

The state's nationally recognized Beyond the Yellow Ribbon program relies heavily on volunteers to support reintegration of military men and women. However, the Department of Military Affairs, does not have the necessary state authority to accept volunteer services.

Sponsored by Rep. Al Doty (DFL-Royalton), HF905 would provide a process to accept volunteers and reimburse them for travel expenses.

Approved Feb. 27 by the House Veterans Affairs Division and March 4 by the House Agriculture, Rural Economies and Veterans Affairs Committee, it now awaits action by the House Finance Committee.

Col. Eric Ahlness, director of government relations for the Minnesota National Guard, assuaged division members that the department was not substituting full- or part-time staff with volunteers.

"We are not going to use this in any way to replace full-time or part-time employees," Ahlness said. "We are prohibited from doing that by federal statute, as well as with existing protections within our union agreements." Additionally, he said the bill would provide a legal protection for volunteers injured during their service to the department.

A companion, SF858, sponsored by Sen. Lisa Fobbe (DFL-Zimmerman), awaits action by the Senate Agriculture and Veterans Budget and Policy Division.

— L. SCHUTZ

SAFETY

Domestic fatality team funding

What began as a pilot project in one judicial district could become permanent across the state.

Sponsored by Rep. Michael Paymar (DFL-St. Paul), HF248 would allow the state's Fourth Judicial District to maintain its domestic fatality review team, and permit other judicial districts to create the same.

Current law refers to the team as a pilot project, and limits its availability to the lone district.

Approved Feb. 27 by the House Crime Victims/Criminal Records Division, it was held over March 5 by the House Public Safety Policy and Oversight Committee for possible omnibus bill inclusion. A companion, SF17, sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action by the Senate Judiciary Committee.

Established on Aug. 1, 2000, the team was created to improve policies and procedures to better address domestic violence in Hennepin County.

"A number of intervening agencies look at the facts when there's been a domestic violence homicide and try to figure out what systematic problems have occurred that might get corrected in the future," Paymar said. "It's my hope that more judicial districts will start review teams, this does not require that. There is no money involved here."

Program Coordinator Deena Anders said it would continue allowing the team access to non-public data, something essential to its work. "We mostly draw from county attorney files, police files, medical records to create a thorough analogy of the cases as far back as we can. We look at the relationship, other involvement of police all the way up to the homicide, as well as the court outcomes."

The bill also reduces, from two to one annually per team, a report to the Legislature that consists of aggregate recommendations without reference to specific cases.

Among changes that have been implemented because of team activity, Anders said, is the establishment of a domestic court calendar in the district. A pilot project is also underway at one Minneapolis Police Department precinct that enhances investigation techniques. "It has led to a 23 percent increase in convictions of domestic assaults," she said.

— M. COOK

Real officer or not

A person attempting to perform an act reserved for licensed peace officers had best be one.

Sponsored by Rep. Michael Paymar (DFL-St. Paul), HF180 would make it a gross misdemeanor for a person to be convicted more than once for misrepresenting themselves as a peace officer. A first-time offense is a misdemeanor.

The bill would also make it a misdemeanor for a peace officer to knowingly allow a person to represent themselves as a peace officer. The bill is supported by the Board of Peace Officers Standards and Training, the Minnesota Police & Peace Officers Association and the Minnesota Sheriffs' Association.

"We want to make sure that our sheriffs and chiefs of police understand that only a licensed police officer can perform police business," Paymar said.

"Part of the motivation for this bill was a situation that came about in my county where the Ramsey County sheriff hired a non-licensed police officer and had him assigned to the special investigation unit, where he was responsible to do police work. This individual was a friend of the sheriff, who admitted he hired this individual who was a public information officer and assigned him to this investigation unit. ... The individual has since

been convicted of stealing money.”

Paymar said the potential liability to the county had the person fired a weapon would have been “monumental.”

The bill would also permit a detention officer to carry a weapon if they are employed by the local sheriff’s office.

“Things have changed over the years, and sheriffs’ offices oftentimes use what’s similar to a corrections officer in the prisons,” Paymar said. “A detention officer wouldn’t actually be a licensed police officer, but they are allowed to carry weapons.”

Rep. Tony Cornish (R-Good Thunder) expressed concern about someone handling a firearm without specialized training. Paymar said he’d work with Cornish to address his concern.

The bill was held over March 3 by the House Public Safety Policy and Oversight Committee for possible inclusion in its omnibus bill. A companion, SF413, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Judiciary Committee.

— M. Cook

Help to find missing people

The name Keith Kennedy may not be familiar to many people, but his story is.

The 25-year-old with autism walked away from a camp near Grantsburg, Wis., last June. He was missing for seven days before being found lying in brush less than a mile away.

“There are few worse feelings for a parent than your child being missing,” his father, Bruce, told the House Public Safety Policy and Oversight Committee March 3.

Hundreds of volunteers and law enforcement personnel searched for Keith, whose communication skills are extremely limited. The cost of the search was in the \$300,000-\$400,000 range, Bruce Kennedy said.

A bill sponsored by Rep. Andy Welti (DFL-Plainview) would make strides towards ensuring that no family has to go through Kennedy’s experience.

HF622 would establish a voluntary statewide advisory task force within the Department of Public Safety to administer a lifesaver response grant program. Funds would come from the state or private donations.

Counties alone or counties paired with local units of governments would be able to apply for grants that could only be used for an emergency response kit and training. The recipients would pick up operational costs.

The programs are designed to quickly find individuals who go missing and have medical conditions, such as Alzheimer’s disease, dementia or autism. “Lives will be saved, fewer families will grieve over a death of a child, parent or grandparent. Time spent



PHOTO BY ANDREW VONBANK

Deputy Jonathan Jacobson from the Olmsted County Sheriff’s Office, left, and Bruce Kennedy testify before the House Public Safety Policy and Oversight Committee March 3 in support of a bill that would establish a voluntary statewide advisory task force to administer a lifesaver response grant program to help locate lost or wandering persons who are mentally impaired.

searching for missing individuals will be greatly reduced,” Welti said.

Approved by the committee, it is headed to the House State and Local Government Operations Reform, Technology and Elections Committee. A companion, SF1138, sponsored by Senate Minority Leader David Senjem (R-Rochester), awaits action by the Senate Judiciary Committee.

Brad Trahan, co-founder of the RT Autism Awareness Foundation in Rochester, showed a transponder bracelet — about the size of a wristwatch — that a person wears. “Each has a frequency that you can track up to one mile on the ground or up to 10 miles in the air,” he said. Using a tracking device, authorities plug in to the frequency. On average, people are found in less than 30 minutes. Since a program in Olmsted County began in April 2007, 50 people have signed up. There were eight calls last year.

— M. Cook

Police exam eligibility change

Some military police veterans could need one more background requirement before taking the test to become state-licensed police officers.

A person with five years of active duty military police service who has been

honorably discharged is now eligible to take the examination, but HF980 would provide exam eligibility to someone who has graduated from a military law enforcement academy, has three years of military police experience and has earned at least a two-year college degree.

It would also permit someone who has five years of full-time peace officer experience in another state and some active duty military law enforcement experience to take the exam.

“The way you can tell if they’re eligible is the military has what they call ‘military occupational specialty numbers,’” said Rep. Bernie Lieder (DFL-Crookston), the bill’s sponsor. “So it wouldn’t just be somebody that would be in the MPs maybe pulling guard duty or something. They actually have to be trained in law enforcement in the academy.”

Lieder said the law enforcement community supports the bill because “it would give some diversity to their applicants.”

Approved without discussion March 3 by the House Public Safety Policy and Oversight Committee, the bill next goes to the House Agriculture, Rural Economies and Veterans Affairs Committee.

A companion, SF908, sponsored by Sen. Yvonne Prettnier Solon (DFL-Duluth), awaits action by the Senate Judiciary Committee.

— M. Cook

Predatory offender felonious offense

When an out-of-state sex offender moved to a Chisago City home four years ago, neighbors were not made aware of his Nebraska felony conviction for a sex crime against a minor. State law does not assign offender levels to sex perpetrators moving into the Land of 10,000 Lakes.

“In that case he was trying to drag a young female off the street and into his vehicle while she was rollerblading in her neighborhood with two friends,” said Bill Schlumbohm, deputy chief of the Lakes Area Police Department.

The man has since pleaded guilty to aggravated harassment and stalking in Minnesota for indecent exposure.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch), HF551 would create a fifth degree criminal sexual conduct — a felony offense — for repeat no contact predatory offenders. At that point, the offender could serve time in a corrections facility and have a risk level assigned.

“Given the pattern of offenses, these repeat predatory offenders — even if all offenses were non-contact — stand a high likelihood of being assigned a Level 3 (probable recidivism) status,” Kalin wrote in a later e-mail. The public is notified when a Level 3 offender moves into an area.

Amended and approved Feb. 27 by the House



PHOTO BY ANDREW VONBANK

Lakes Area Police Deputy Chief Bill Schlumbohm testifies before the House Crime Victims/Criminal Records Division Feb. 27 in support of a bill that would create a fifth degree criminal sexual conduct offense for repeat no contact predatory offenders.

Crime Victims/Criminal Records Division, and approved March 5 by the House Public Safety Policy and Oversight Committee, the bill was sent to the House Health Care and Human Services Policy and Oversight Committee. A companion, SF788, sponsored by Sen. Rick Olseen (DFL-Harris), awaits action by the Senate Judiciary Committee.

“(Now) you can have as many indecent exposures as you want, it doesn’t aggravate. It doesn’t get more serious. Each offense is treated on its own,” Schlumbohm said. “It doesn’t matter that he’s done it two other times before that or however many times. It doesn’t matter that he’s got a conviction for dragging a girl off the street.”

The bill would also require the Corrections and Public Safety departments to tailor current material on the dangers of predatory offenders to child-care providers, nursing and group home workers and providers, and the like.

— M. COOK

TAXES

Defining a nonprofit

Nonprofits are exempt from federal income taxes, but they are not always exempted from property taxes. Under a proposed bill, they could have to meet more requirements to continue that exemption.

After a year of deliberation, criteria for HF872, sponsored by Rep. Paul Marquart (DFL-Dilworth), would provide clarification for eligibility for property tax exemption for institutions of public charity. On its 24th draft, Marquart said, “This has been a very deliberative process.”

He said no consistency was found for how assessors are assessing nonprofits. “Some assessors are using the North Star standards and some are just saying, ‘I know a nonprofit when I see one.’” The bill would create the uniformity on defining a nonprofit, and would also give the security that if a nonprofit meets the bill’s criteria, it would be exempt from property tax, Marquart said.

“Nonprofits and assessors need clarity,” said Marcia Avner, public policy director with the Minnesota Council of Nonprofits. “One-size-fits-all doesn’t work.”

“I think the bill gets to what we’re concerned about,” said Tom May, Hennepin County assessor. “We wanted a clear definition of what we need to do and think the language in bill does that.”

John Hagen, assistant director for the property tax division of the Department of Revenue, said the department is recommending an administrative group be appointed to make determinations on more complex issues. “It would be a built-in safety net for issues that arise,” he said.

The bill was laid over for possible division report inclusion. A companion, SF751, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Taxes Committee.

— S. HEGMAN

Taxing online sales

Companies selling merchandise online could be subject to the state’s sales tax.

HF401, sponsored by Rep. Loren Solberg (DFL-Grand Rapids), would establish a duty to collect sales tax on out-of-state Internet businesses.

Solberg said the bill is based on a law recently enacted in New York, and would apply to businesses like Amazon.com, who enter into contracts with bloggers to put links from their sites to the company’s Web site. Contract payment is often based on the number of referrals or the sales generated through these links. Amazon unsuccessfully challenged the New York law in a state court as violating the interstate commerce clause.

Joel Michael, with the nonpartisan House Research Department, said a sales tax applies only when a business has a physical presence in the state. Under the bill, if the business has a solicitor in Minnesota that would be enough for the sales tax to apply.

According to the Department of Revenue, the requirement would apply only if the total gross receipts from sales to Minnesota customers who were referred to the retailer by residents with this type of agreement with the retailer are at least \$10,000 in the previous 12-month period before the calendar quarter in which the sale is made.

The bill was laid over for possible omnibus bill inclusion. A companion, SF282, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Taxes Committee.

— S. HEGMAN

Helping the Amish

After a lively discussion in the House Taxes Committee March 4 about the tasks people can perform on computers, the committee heard HF526, sponsored by Rep. Mary Ellen Otremba (DFL-Long Prairie).

“I have a lot of Amish in my area, so when we do sales tax, they don’t have computers to do it electronically,” she said. “This would allow them to have a paper trail.”

The bill would allow people to pay sales tax remittances by mail instead of remitting them electronically, if their religious beliefs prohibit the use of electronic means.

According to the nonpartisan House Research Department, anyone with an annual sales tax liability of \$10,000 or more is required to remit sales taxes electronically. If passed, a person intending to take advantage of this provision would have to notify the Department of Revenue of their intent to do so. The remittance would have to be postmarked two days before the due date for the electronic remittance to be considered filed in a timely fashion. The provision would be effective beginning with payments after June 30.

The bill was laid over for possible omnibus bill inclusion. There is no Senate companion.

— S. HEGMAN

Paying withholding tax

A proposed update to tax withholding penalties came under discussion March 3 by the House Taxes Committee.

The penalty proposed in HF885, sponsored by Rep. Ann Lenczewski (DFL-Bloomington), is part of a Department of Revenue bill to clean up technical language and has non-budget recommendations from the department.

The withholding penalty would affect employers in construction trades who fail to withhold income tax from wages, or pay to independent contractors, when required. Members questioned why the employer would be at fault and not the independent contractor who should be withholding the tax on their own.

"This is very confusing," said Rep. Loren Solberg (DFL-Grand Rapids).

Mark Pederson, a department attorney, said employers are allowed a credit for taxes paid by the employees. "So if the employees file their returns, the employer is off the hook for having to pay for the withholding," he said. If there is a question about whether the tax was withheld for an independent contractor, the department would have to conduct a full audit of each of the independent contractors hired to determine if they claimed all income.

"If I'm an employer, am I penalized in this situation if (the independent contractor) doesn't do what they are supposed to do or are they?" asked Rep. Laura Brod (R-New Prague).

Pederson said if the person hired is an independent contractor and they don't withhold any tax, there would be no consequence to the employer. Brod added that she, too, thought this section was confusing and hoped to have future discussion on the topic.

The bill was laid over for possible omnibus bill inclusion. A companion, SF681, sponsored by Sen. Tom Bakk (DFL-Cook), was tabled Feb. 18 by the Senate Taxes Committee.

— S. HEGMAN

TRANSPORTATION

Offering discounted transit passes

Getting from Point A to Point B can be one of their greatest obstacles for down-and-out Minnesotans looking to help themselves.

Sponsored by Rep. Frank Hornstein (DFL-Mpls), HF809 would require the Metropolitan Council, which operates the area's largest transit system, to offer half-price transit passes to nonprofit organizations that administer a job placement program or provide services to homeless people.

"Our goal with this bill is to provide people the tools to get out of homelessness, to have the self-sufficiency to no longer be in poverty, to get in housing and to get their lives better," said Joshua Lang, director of the human rights program at St. Stephen's Human Services in Minneapolis.

The House Transportation Finance and Policy Division held the bill over March 3 until a fiscal note is received. A companion, SF732, sponsored by Sen. D. Scott Dibble (DFL-Mpls), was tabled Feb. 17 by the Senate Transportation Committee.

Lang said the bill could be cost-neutral because more qualifying organizations might be inclined to buy passes at a 50 percent discount. A 10 percent discount is already provided for some nonprofit social service agencies. There would be no limit on the number of passes that could be purchased.

"This would mean a lot to people in my situation," said Chuck Hinshaw, who works two part-time jobs and rides the bus almost daily.

The bill would also eliminate current law requiring the council to increase transit availability and reduce costs for transit users who are looking for a job and do not have private transportation.

"We'd like to keep that and be able to see how we can craft something that works for everybody," said Judd Schetnan, Metropolitan Council government affairs director. "We know times are hard and we want to help."

— M. COOK

Online driver's education

A driver's education instructor in Minnesota can be partially trained online, but a teenager learning how to drive cannot.

A bill sponsored by Rep. Steve Simon (DFL-St. Louis Park) would change that.

HF575 would allow the 30-hour classroom portion of driver's education to be Internet based, provided the program has been approved by the Department of Public Safety. Behind-the-wheel instruction would still to be done in the traditional way.

"This simply states that this is an option," he told the House Transportation and Transit Policy and Oversight Division March 4.

Approved by the division on a split-voice vote, the bill next goes to the House K-12 Education Policy and Oversight Committee. A companion, SF766, sponsored by Sen. Jim Carlson (DFL-Eagan), failed to get the approval of the Senate Transportation Committee one day earlier.

DriversEd.com founder Gary Tsifrin said the course proffered by his company benefits students who live a long distance from a training program, families that struggle transporting a learner to and from a driving program and students who want to take a full class load during the school day and take driver's education at a more convenient time.

"For some kids, this is the best medium," said Rep. Kurt Zellers (R-Maple Grove). "If you're not prepared to take the permit test you'll fail."

Among concerns addressed by opponents were that online training does not provide for different scenarios and there is no guarantee students are following along intently. Tsifrin said his company's program asks questions every so often to ensure that a student is paying attention.

Chip Hayssen, owner of Safeway Driving School, said the classroom offers more opportunity for discussion, practical demonstrations, guest speakers, local stories, interaction with other students

and accountability for every student. "The Internet can't deliver teaching moments."

"When my own children were learning how to drive, having someone talking about the current weather conditions, hazards on local roadways, pointing those things out to young people has made a huge impact on them as drivers," said Rep. Marsha Swails (DFL-Woodbury).

— M. COOK

Minnesota State Agencies

Area code 651

Administration.....	651-201-2555
Agriculture	651-201-6550
	800-967-2474
Commerce.....	651-296-4026
Corrections	651-361-7200
Education	651-582-8200
Employee Relations	651-259-3637
Employment and	
Economic Development.....	651-259-7114
	800-657-3858
Enterprise Technology.....	651-296-8888
Explore Minnesota Tourism	651-215-9041
	800-657-3535
Travel Info	888-868-7476
Finance	651-201-8000
Health.....	651-201-5000
Higher Education Services	651-642-0567
	800-657-3866
Housing Finance Agency	651-296-7608
	800-657-3769
Human Rights	651-296-5663
Human Services	651-431-2000
Iron Range Resources	218-744-7400
	800-765-5043
Labor and Industry	651-284-5005
	800-342-5354
Mediation Services.....	651-649-5421
Metropolitan Council.....	651-602-1000
Military Affairs	651-268-8925
Natural Resources	651-296-6157
	888-646-6367
Pollution Control Agency.....	651-296-6300
	800-657-3864
Public Safety	
General Information	651-201-7000
Driver and Vehicle Services....	651-297-3608
Driver's License	651-297-3298
Driver & Public Vehicle Info ...	651-296-6911
Motor Vehicles	651-297-2126
Alcohol and Gambling	
Enforcement Division.....	651-201-7507
Division of Homeland Security	
and Emergency Management....	651-201-7400
State Duty Officer	
(24-Hour Emergency)	651-649-5451
	800-422-0798
State Patrol	651-201-7100
Revenue	
General Information	651-296-3403
Income Tax Helpline....	651-296-4444/296-3781
Sales and Use Tax Line	651-296-6181
Transportation	651-296-3000
	800-657-3774
Veterans Affairs	651-296-2562

Monday, March 2

HF1180-Hortman (DFL)

Civil Justice

Data practice provisions changed.

HF1181-Olin (DFL)

Civil Justice

Conciliation court civil claim limit increased.

HF1182-Bly (DFL)

State & Local Government Operations Reform, Technology & Elections

Public service corporation exemptions repealed.

HF1183-Smith (R)

Civil Justice

Child custody and support provisions and presumptions changed.

HF1184-Champion (DFL)

Public Safety Policy & Oversight

Expungement of eviction record governing provisions modified, landlords required to provide receipt for rent paid with cash and tenant rights to possession modified.

HF1185-Masin (DFL)

Civil Justice

Full compliance with payment agreements requirements added.

HF1186-Mariani (DFL)

K-12 Education Policy & Oversight

Center established for legislative educational analysis research and navigation in the next generation.

HF1187-Mariani (DFL)

K-12 Education Policy & Oversight

Legislative and Citizen Commission on the Future of Public Education created.

HF1188-Winkler (DFL)

K-12 Education Policy & Oversight

E-16 reforms pursued to improve and expand opportunities for all students to attain educational success, E-16 advisory subcommittees established.

HF1189-Torkelson (R)

State & Local Government Operations Reform, Technology & Elections

Sleepy Eye authorized to establish street improvement districts and apportion street improvement fees within district subject to reverse referendum, street improvement plan adoption required and fee collection authorized.

HF1190-Mariani (DFL)

Transportation & Transit Policy & Oversight Division

Motor vehicle purchasing requirements modified.

HF1191-Hortman (DFL)

Transportation & Transit Policy & Oversight Division

Provisions modified relating to loans to acquire highway right-of-way in the metropolitan area.

HF1192-Brod (R)

Transportation & Transit Policy & Oversight Division

New Prague; Trunk Highway 19 closure required for the Dozinky Festival.

HF1193-Koenen (DFL)

Finance

Department of Corrections and Department of Employment and Economic Development claims settlement provided.

HF1194-Downey (R)

Finance

Green job incentives provided, green job opportunity building zones provided, small business investment company and job growth investment tax credits provided, tax benefits allowed, conforming changes made, terms defined and biomethane energy projects allowed.

HF1195-Lanning (R)

State & Local Government Operations Reform, Technology & Elections

Mandate relief provided, Legislative Commission on Mandate Reform established and levy limits abolished.

HF1196-Gottwalt (R)

Health Care & Human Services Policy & Oversight

Sex selection abortions prohibited, criminal and civil penalties provided and reporting requirement established.

HF1197-Smith (R)

Health Care & Human Services Policy & Oversight

Human Cloning Prohibition Act established.

HF1198-Davnie (DFL)

K-12 Education Policy & Oversight

Harassment, bullying, intimidation and violence policies provided.

HF1199-Lesch (DFL)

Public Safety Policy & Oversight

Felony domestic assault and domestic assault by strangulation defined as crimes of violence.

HF1200-Dill (DFL)

Commerce & Labor

Grand Marais; on-sale liquor licenses authorized.

HF1201-Marquart (DFL)

State & Local Government Operations Reform, Technology & Elections

Council on Local Results and Innovation created and local governments encouraged to develop performance measurement programs.

HF1202-Masin (DFL)

Commerce & Labor

Insurance proceed dollar amounts modified.

HF1203-Falk (DFL)

Finance

Benson; city street reconstruction funding provided.

HF1204-Dean (R)

Transportation & Transit Policy & Oversight Division

Stillwater Lift Bridge weight limits restricted.

HF1205-Dean (R)

Finance

Stillwater flood control levee project funding provided.

HF1206-Simon (DFL)

State & Local Government Operations Reform, Technology & Elections

Contribution limits provided for judicial candidates.

HF1207-Slocum (DFL)

Finance

Opportunities industrial centers funding provided.

HF1208-Davids (R)

Finance

Art organization regional capital fund created.

HF1209-Demmer (R)

Transportation & Transit Policy & Oversight Division

Corporate deputy registrar expiration date removed.

HF1210-Urdahl (R)

Finance

Little Crow Transit Way funding provided.

HF1211-Ruud (DFL)

Health Care & Human Services Policy & Oversight

Interpreter service coverage required and interpreter services work group established.

HF1212-Brown (DFL)

K-12 Education Policy & Oversight

Deaf or hard-of-hearing resource center provisions modified.

HF1213-Hortman (DFL)

Public Safety Policy & Oversight

Prostitution penalty enhancement provision for repeat offenders clarified, prostitution in a public place crime broadened, driving records relating to prostitution offenses made public for repeat offenders and record availability ensured to law enforcement for first-time offenders.

HF1214-Davnie (DFL)

Commerce & Labor

Eviction provisions clarified, governing contracts for deeds modified, and contracts regulated for deeds involving residential property and residential leases with an option to purchase.

HF1215-Koenen (DFL)

Taxes

Railroad track maintenance expenditure subtraction provided.

HF1216-Koenen (DFL)

Taxes

Railroad track maintenance credit provided.

HF1217-Gardner (DFL)**Environment Policy & Oversight**

Product stewardship program required to be operated by drug producers to collect and dispose of unwanted drugs, civil penalties provided and account created.

HF1218-Lillie (DFL)**State & Local Government Operations Reform, Technology & Elections**

State labor contracts ratified.

HF1219-Kahn (DFL)**Health Care & Human Services Policy & Oversight**

Health insurance benefit availability required for domestic partners of state employees if they are also made available to spouses.

HF1220-Abeler (R)**K-12 Education Policy & Oversight**

School board reports to commissioner modified and evidence of student achievement required.

HF1221-Bunn (DFL)**Finance**

Stillwater Lift Bridge endowment account established.

HF1222-Abeler (R)**Finance**

Equalizing factors indexed for the debt service and referendum equalization aid programs.

HF1223-Bigham (DFL)**Public Safety Policy & Oversight**

Sentencing Guidelines Commission required to review its reports.

HF1224-Mullery (DFL)**Public Safety Policy & Oversight**

State policy established on disproportionate minority contact in juvenile justice system.

HF1225-Masin (DFL)**State & Local Government Operations Reform, Technology & Elections**

Independent Office of Strategic and Long-Range Planning provided, duties transferred.

HF1226-Thao (DFL)**Health Care & Human Services Policy & Oversight**

Licensure and practice limitations established for an oral health practitioner, fees established and rulemaking required.

HF1227-Rukavina (DFL)**Commerce & Labor**

Minnesota law conformed to the requirements necessary to receive federal stimulus funds.

HF1228-Hortman (DFL)**Civil Justice**

Uniform Probate Code updated, Uniform Estate Tax Apportionment Act, Uniform Disclaimer of Property Interests Act, Uniform Power of Attorney Act and the Uniform Multiple-Person Accounts Act adopted.

HF1229-Poppe (DFL)**State & Local Government Operations Reform, Technology & Elections**

Election judge service restrictions clarified, creation of election judge appointment lists modified, election judge lists prepared by major political parties requirements limited, additional election judge appointment authorized and requirements eliminated for election judge to initial ballots before use.

HF1230-Poppe (DFL)**State & Local Government Operations Reform, Technology & Elections**

Enhanced access required for voter registration records and records of returned absentee ballots on the World Wide Web.

HF1231-Murphy, M. (DFL)**Finance**

Dedicated funding provided for natural resource and cultural heritage.

HF1232-Abeler (R)**Health Care & Human Services Policy & Oversight**

Evaluating health care provider performance, certain factors prohibited and statement added to health plan issued identification cards.

HF1233-Abeler (R)**Health Care & Human Services Policy & Oversight**

Individuals on waiting lists for developmental disabilities waived services ranked.

HF1234-Abeler (R)**Health Care & Human Services Policy & Oversight**

Medication therapy management services required under certain conditions.

HF1235-Hilstrom (DFL)**Public Safety Policy & Oversight**

Aggravated sentencing departure factors included that are not elements of the crime of conviction.

HF1236-Koenen (DFL)**Finance**

Redwood County; veterans cemetery funding provided.

HF1237-Eken (DFL)**Environment Policy & Oversight**

State park permit requirements modified, authority to operate state monuments and establish secondary units modified, John A. Latsch State Park liquor service eliminated, boater waysides provided, watercraft requirements modified, penalty appeals and enforcement provided, wild animal taking provided, public waters inventory notice of change provided and critical habitat plate eligibility modified.

HF1238-Dill (DFL)**Environment Policy & Oversight**

Refund provisions modified; definitions modified; publication requirements modified; restrictions in migratory feeding and resting areas modified; local law exemptions provided; wild animal and fish taking, possession and licensing requirements provided; and certain fees authorized.

HF1239-Hayden (DFL)**Health Care & Human Services Policy & Oversight**

Group residential housing eligibility changed.

HF1240-Eken (DFL)**K-12 Education Policy & Oversight**

Volunteer working group established on native language revitalization and preservation, appointments provided and report required.

HF1241-Solberg (DFL)**Taxes**

Utility transition aid to counties provided.

HF1242-Seifert (R)**Public Safety Policy & Oversight**

Brandon's law established, procedures implemented for investigating missing person cases and Minnesota Clearinghouse for Missing Persons established.

HF1243-Obermueller (DFL)**Finance**

Redevelopment funding provided.

HF1244-Huntley (DFL)**Finance**

St. Louis County; day training and habilitation provider reimbursement rate increase provided.

HF1245-Simon (DFL)**Public Safety Policy & Oversight**

Domestic abuse provisions modified, family or household member definition expanded and domestic abuse no contact orders use expanded.

HF1246-Urdahl (R)**Transportation & Transit Policy & Oversight Division**

Speed violations in excess of 10 mph over a speed limit of 60 mph kept off driver's driving record.

HF1247-Kalin (DFL)**Civil Justice**

University of Minnesota; private equity investment data classified.

HF1248-Hortman (DFL)**Civil Justice**

Data access identifying victims of witnesses in active criminal investigations restricted.

HF1249-Murphy, E. (DFL)**Health Care & Human Services Policy & Oversight**

Medical laboratory science professionals licensure requirements established and Board of Medical Laboratory Science Established.

HF1250-Hornstein (DFL)**Transportation & Transit Policy & Oversight Division**

Electric vehicle infrastructure regulated and incentives for use and adoption established.

HF1251-Pelowski (DFL)**Higher Education & Workforce Development Finance & Policy Division**

Economic development authority authorized to become a member of a limited liability company.

HF1252-Anderson, S. (R)**Higher Education & Workforce Development Finance & Policy Division**

Vote by the student body required to increase optional student fees at a public postsecondary institution or campus.

HF1253-Abeler (R)

Health Care & Human Services Policy & Oversight
MinnesotaCare inpatient hospital benefit limits expanded to allow managed care and county-based purchasing plans to offer supplemental health plans.

HF1254-Murphy, E. (DFL)**Taxes**

St. Paul; sales tax revenue use for the payment of principals of bonds extended to 2014, unexpended fund use clarified, neighborhood program application and proposal review process modified.

HF1255-Seifert (R)

Health Care & Human Services Policy & Oversight
Minnesota Family Investment Program and general assistance eligibility requirements modified, MinnesotaCare eligibility for persons convicted of crimes of violence eliminated.

HF1256-Mullery (DFL)**Finance**

Local hazardous pupil transportation zone establishment process defined and levy for hazardous pupil transportation services authorized.

HF1257-Mullery (DFL)**Taxes**

Taxation mandates imposed on pass-through interests of nonresident individuals clarified.

HF1258-Mullery (DFL)**Taxes**

Gift tax imposed, coordinated with the estate tax.

HF1259-Sailer (DFL)**Finance**

Solar energy projects in K-12 public schools funding provided.

HF1260-Sailer (DFL)**Finance**

Solar energy installation projects in K-12 public schools funding provided.

HF1261-Dittrich (DFL)**Taxes**

State property tax system benchmarks, critical indicators and principles provided; property tax working group established.

HF1262-Drazkowski (R)**Finance**

Goodview; water treatment funding provided.

HF1263-Mahoney (DFL)**Finance**

St. Paul; St. Paul RiverCentre finance loans forgiven, local bonds authorized to expand the Minnesota event district.

HF1264-Hilstrom (DFL)**Public Safety Policy & Oversight**

Trespass crime expanded to prohibit entry into areas cordoned off by peace officers.

HF1265-Poppe (DFL)**State & Local Government Operations Reform, Technology & Elections**

Mail balloting expanded to municipalities of fewer than 1,000 registered voters; later voting time for election days provided.

HF1266-Poppe (DFL)**State & Local Government Operations Reform, Technology & Elections**

Election judges' usage requirements of lists prepared by major political parties limited and ballot initialing by election judges requirements eliminated.

HF1267-Lesch (DFL)**Finance**

St. Paul; event district expansion funding provided.

HF1268-Paymar (DFL)**State & Local Government Operations Reform, Technology & Elections**

Employee fitness and wellness activities authorized in state space.

HF1269-Paymar (DFL)**Public Safety Policy & Oversight**

Electronic submission of criminal justice agency reports to the Legislature required.

HF1270-Paymar (DFL)**Public Safety Policy & Oversight**

Short-term offender pilot project development required.

HF1271-Abeler (R)**Health Care & Human Services Policy & Oversight**

Health care treatments performance measure and report required.

HF1272-Loeffler (DFL)**Public Safety Policy & Oversight**

Emergency call interference offenders disqualified from possessing firearms.

HF1273-Rosenthal (DFL)**Public Safety Policy & Oversight**

Domestic abuse arrest time expanded.

HF1274-Rosenthal (DFL)**Public Safety Policy & Oversight**

Statewide Radio Board designated as Minnesota's State Interoperability Executive Committee.

HF1275-Poppe (DFL)**Environment Policy & Oversight**

Sewage treatment systems provisions modified.

HF1276-Norton (DFL)**Health Care & Human Services Policy & Oversight**

County human services mandates modified.

HF1277-Hilstrom (DFL)**Taxes**

Sales tax and motor vehicle sales tax on purchases of public safety equipment by local police and fire departments eliminated.

HF1278-Sterner (DFL)**State & Local Government Operations Reform, Technology & Elections**

County offices appointment and consolidation provided, subject to notice, hearing and reverse referendum.

HF1279-Paymar (DFL)**Public Safety Policy & Oversight**

Bureau of Criminal Apprehension account appropriation required; correctional state employee retirement plan revised; vesting period for retirement annuity modified; service credit transfer permitted; and money appropriated for courts, public defenders, public safety, corrections and other criminal justice agencies.

HF1280-Westrom (R)**Public Safety Policy & Oversight**

Moose Lake correctional facility control transferred to the commissioner of human services, offender housing requirements modified, private and state-funded prison comparison standards established.

HF1281-Koenen (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Veteran in-state tuition status required, course equivalency guides required for military coursework.

HF1282-Poppe (DFL)**State & Local Government Operations Reform, Technology & Elections**

Polling place challengers subject to additional requirements.

HF1283-Pelowski (DFL)**State & Local Government Operations Reform, Technology & Elections**

Ballot and voting system requirements updated.

HF1284-Pelowski (DFL)**State & Local Government Operations Reform, Technology & Elections**

Elections provisions modified and clarified.

Thursday, March 5
HF1285-Persell (DFL)**Environment Policy & Oversight**

Managed forests eliminated for purposes of off-highway vehicle travel and forest classification requirements modified.

HF1286-Gardner (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Free fish and game license eligibility extended for disabled veterans.

HF1287-Hackbarth (R)**Environment Policy & Oversight**

Decoy restrictions modified.

HF1288-Murphy, E. (DFL)**Taxes**

Sales and use tax electronic notification of change required.

HF1289-Rukavina (DFL)**Public Safety Policy & Oversight**

Probable cause required for spot inspection of motor vehicles by state troopers, and implied consent to inspection provision repealed.

HF1290-Huntley (DFL)**Finance**

Duluth Children's Museum funding provided to purchase land; renovate historic buildings; and construct, furnish and equip a new children's museum.

HF1291-Lesch (DFL)**Taxes**

St. Paul; Central Corridor light rail transit project area established and tax increment district duration extended.

HF1292-Davids (R)**Finance**

Rushford; 2005 appropriation transferred from a nanotechnology facility to a community center project.

HF1293-Loeffler (DFL)**Health Care & Human Services Policy & Oversight**

Emergency medical transport provisions modified.

HF1294-Kahn (DFL)**Commerce & Labor**

Sunday sales regulated and statutory prohibitions removed against off-sale intoxicating liquor sales and the sales of motor vehicles.

HF1295-Thao (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Veterans' benefits extended to allied soldiers from Vietnam and Laos who assisted the United States armed forces during the Vietnam War.

HF1296-Mullery (DFL)**Taxes**

Brooklyn Park, St. Paul and Fridley; housing replacement district plan additional authority allowed to spend increments, housing replacement districts establishment authorized, housing replacement district local contribution requirement eliminated and special laws for housing replacement reauthorized.

HF1297-Winkler (DFL)**State & Local Government Operations Reform, Technology & Elections**

Municipal boundary adjustment law amended.

HF1298-Lenczewski (DFL)**Taxes**

Issuance of obligations and financing of public improvements terms and conditions provided, and restrictions on mail elections modified.

HF1299-Hackbarth (R)**Finance**

Environment, natural resources and energy funding provided; fees established; disposition of certain fees provided; insurance form requirements modified; and assessments for regulatory expenses modified and established.

HF1300-Persell (DFL)**Finance**

Paul Bunyan Trail bridge design and construction funding provided.

HF1301-Hilstrom (DFL)**Public Safety Policy & Oversight**

County authority and detention orders clarified.

HF1302-Johnson (DFL)**Finance**

St. Paul; National Great River Park funding provided.

HF1303-Hackbarth (R)**Commerce & Labor**

Casino authorization proposed, gambling revenue tax imposed, construction provided for a new Vikings stadium, bonds issued and constitutional amendment proposed.

HF1304-Faust (DFL)**Health Care & Human Services Policy & Oversight**

Anti-epileptic drug coverage required and pharmacists prohibited from substituting anti-epileptic drugs without consent.

HF1305-Emmer (R)**Public Safety Policy & Oversight**

Impaired driving civil sanction pretrial application eliminated, post-conviction driver's license revocation periods restructured, misdemeanor impaired driving offense payable fine authorized, requirements established for abstinence and rehabilitation for multiple repeat offenders, and computer source code governing rules specified.

HF1306-Hornstein (DFL)**Commerce & Labor**

Cocoa bean shell mulch retail sale notice required.

HF1307-Murphy, E. (DFL)**Finance**

Long-term care volunteer ombudsman program expanded.

HF1308-Norton (DFL)**Finance**

Uniform technology and data standards required for local public health agencies, American Recovery and Reinvestment Act of 2009 funding provided.

HF1309-Lieder (DFL)**Finance**

Transportation, Metropolitan Council and public safety activity and program funding provided; fund transfers, contingent appropriations and tort claims provided; fees and accounts provided; and bridge collapse and highway construction projects for fiscal year 2009 appropriation reduced.

HF1310-Seifert (R)**Transportation & Transit Policy & Oversight Division**

School bus crossing arms required.

HF1311-Howes (R)**Commerce & Labor**

Construction contracts regulated.

HF1312-Lesch (DFL)**Public Safety Policy & Oversight**

Homeless outreach grant program continued and expanded.

HF1313-Dean (R)**Health Care & Human Services Policy & Oversight**

Minnesota Sex Offender Program wages paid to patients allocated.

HF1314-Dean (R)**Health Care & Human Services Policy & Oversight**

Nutritionist licensure provisions changed.

HF1315-Dean (R)**Health Care & Human Services Policy & Oversight**

State prepaid health care programs required to contract for services on a single-plan basis.

HF1316-Dean (R)**Finance**

Stillwater; flood control funding provided.

HF1317-Bly (DFL)**K-12 Education Policy & Oversight**

Retired teachers enlisted to help support newly licensed teachers in developing their teaching practice and improving students' learning.

HF1318-Dean (R)**Health Care & Human Services Policy & Oversight**

MinnesotaCare demonstration project established and required to allow flexibility in the delivery of benefits, and health benefits account required to be established for each demonstration project participant.

HF1319-Kiffmeyer (R)**Finance**

Big Lake Regional Ice Center funding provided.

HF1320-Swails (DFL)**Health Care & Human Services Policy & Oversight**

Pharmacists prohibited from substituting epilepsy drugs without prior consent and notification.

HF1321-Clark (DFL)**Environment Policy & Oversight**

Mourning dove taking prohibited.

HF1322-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Health information technology incentive requirements created for the use of federal funding, legislative approval required and federal fund appropriation limited.

HF1323-Rukavina (DFL)**Finance**

Hoyt Lakes; water plant improvement funding provided.

HF1324-Hornstein (DFL)**Finance**

General Education Development test fee waiver authorized.

HF1325-Doty (DFL)**Finance**

County geologic atlas program funding provided.

HF1326-Rukavina (DFL)**Finance**

Emergency employment development program established and wage subsidies provided.

HF1327-Murphy, M. (DFL)**State & Local Government Operations Reform, Technology & Elections**

Early retirement initiative modified.

HF1328-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Youth violence addressed as a public health problem, prevention and intervention programs addressing risk factors of youth violence coordinated and aligned.

HF1329-Hosch (DFL)**Health Care & Human Services Policy & Oversight**

Personal care assistance services modified.

HF1330-Benson (DFL)**K-12 Education Policy & Oversight**

State participation in the No Child Left Behind Act ended.

HF1331-Benson (DFL)**Finance**

Alternative facility bonding and levy program qualification adjusted.

HF1332-Benson (DFL)**Finance**

Food shelves and food stamp outreach funding provided.

HF1333-Gardner (DFL)**Finance**

Metropolitan area transit and paratransit capital expenditures additional funding provided and certain obligations authorized.

HF1334-Gunther (R)**Health Care & Human Services Policy & Oversight**

Medical Assistance treatment of life insurance policies modified, nursing facility rate modified for private paying residents and payment authorized for long-term care employer health insurance costs.

HF1335-Gunther (R)**Finance**

Winnepago; wastewater treatment pipeline funding provided.

HF1336-Gunther (R)**Taxes**

Small wind turbine investment tax credit established.

HF1337-Mahoney (DFL)**Finance**

St. Paul; 3M site redevelopment funding provided.

HF1338-Norton (DFL)**Health Care & Human Services Policy & Oversight**

Standard reference compendia definition expanded.

HF1339-Ruud (DFL)**Transportation & Transit Policy & Oversight Division**

Wireless communications device use while operating a motor vehicle provisions modified.

HF1340-Mariani (DFL)**K-12 Education Policy & Oversight**

Teacher preparation program established and resident teacher license for qualified nontraditional candidates created.

HF1341-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Newborn screening program provisions modified.

HF1342-Lillie (DFL)**Commerce & Labor**

University of Minnesota; on-sale liquor sale requirements modified.

HF1343-Abeler (R)**Public Safety Policy & Oversight**

Inattentive driving law clarified and failure to exercise due care penalties enhanced.

HF1344-Abeler (R)**Commerce & Labor**

Usury laws applicability to loans related to a right to sue clarified.

HF1345-Abeler (R)**Health Care & Human Services Policy & Oversight**

Claims processing practices by third-party administrators of health coverage plans prohibited, health claims clearinghouses regulated and insurer audits of health claims payments time limit provided.

HF1346-Abeler (R)**Health Care & Human Services Policy & Oversight**

Obstetric health care homes certification standards required and coordination of obstetric services payments by the health and human services commissioners required.

HF1347-Seifert (R)**State & Local Government Operations Reform, Technology & Elections**

County, home rule charter and statutory city governing bodies authorized to reduce their salaries.

HF1348-Juhnke (DFL)**Finance**

Kandiyohi County; Green Lake water quality pilot program funding provided.

HF1349-Hilstrom (DFL)**Public Safety Policy & Oversight**

Victims of criminal sexual conduct required to receive information regarding orders for protection and restraining orders.

HF1350-Norton (DFL)**Commerce & Labor**

Fair claims processing act's automobile insurance claims provisions amended and third-party claimants rights in insurance settlements provided.

HF1351-Winkler (DFL)**State & Local Government Operations Reform, Technology & Elections**

Absentee ballot requirements and provisions modified.

HF1352-Clark (DFL)**Health Care & Human Services Policy & Oversight**

Cancer surveillance system provisions modified.

HF1353-Clark (DFL)**K-12 Education Policy & Oversight**

Minneapolis school district; fragrance-free schools education campaign implemented.

HF1354-Clark (DFL)**Finance**

Nonprofit housing bonds authorized.

HF1355-Newton (DFL)**Finance**

Hazardous pupil transportation services levy authorized.

HF1356-Newton (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Free public transit use for disabled veterans and current, uniformed active service members provided.

HF1357-Koenen (DFL)**Transportation & Transit Policy & Oversight Division**

Manufactured home transportation vehicle width and axle requirements modified.

HF1358-Mahoney (DFL)**State & Local Government Operations Reform, Technology & Elections**

Retirement coverage provisions modified and technical changes provided.

HF1359-Peterson (DFL)**K-12 Education Policy & Oversight**

School districts required to offer at least two academic years of elective high school-level world languages courses.

HF1360-Bigham (DFL)**Civil Justice**

Civil immunity extended to municipalities that donate public safety equipment.

HF1361-Huntley (DFL)**Finance**

Prenatal alcohol or drug use prevention appropriation repealed.

HF1362-Huntley (DFL)**Finance**

Commissioner of human services required to apply for federal funds.

HF1363-Dean (R)**Health Care & Human Services Policy & Oversight**

Health care provider's liability for providing emergency care and treatment regulated and expert review affidavits in malpractice actions against health care providers regulated.

HF1364-Gunther (R)**Commerce & Labor**

School district boiler operator training required.

HF1365-Sertich (DFL)**Finance**

Retired firefighter special license plates established.

HF1366-Abeler (R)**Health Care & Human Services Policy & Oversight**

Social work licensing provisions modified and fees reduced.

HF1367-Juhnke (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Minnesota Noxious Weed Law provisions modified, assistance fund and advisory committee established and grants provided.

HF1368-Simon (DFL)**Commerce & Labor**

Attorney general required to maintain a consumer complaint database.

HF1369-Simon (DFL)**Taxes**

Taxation; special service districts establishment time extended.

HF1370-Abeler (R)

Health Care & Human Services Policy & Oversight
Medical Assistance and MinnesotaCare eligibility requirements modified.

HF1371-Kahn (DFL)

Finance
Minnesota Humanities Center grant provided.

HF1372-Gardner (DFL)

Environment Policy & Oversight
Infectious Waste Control Act modified.

HF1373-Gardner (DFL)

Finance
Minnesota Council on Transportation Access established and report required.

HF1374-Buesgens (R)

Higher Education & Workforce Development Finance & Policy Division
Stable undergraduate tuition rate guarantee provided.

HF1375-Buesgens (R)

Taxes
Municipal authority to issue bonds for other postemployment benefits eliminated.

HF1376-Buesgens (R)

Finance
Education; compensatory revenue concentration factor eliminated.

HF1377-Buesgens (R)

State & Local Government Operations Reform, Technology & Elections
Cities prohibited from owning municipal liquor stores and divestiture required.

HF1378-Morrow (DFL)

State & Local Government Operations Reform, Technology & Elections
Local disaster assistance program and local disaster fund established.

HF1379-Nelson (DFL)

Commerce & Labor
Abandoned property waiver of storage provided.

HF1380-Bly (DFL)

Finance
Commuter rail line between Northfield and St. Paul alternatives analysis funding provided.

HF1381-Hackbarth (R)

Health Care & Human Services Policy & Oversight
Drug screening required for MFIP eligibility.

HF1382-Demmer (R)

Finance
Education; staff revenue distribution restrictions modified.

HF1383-Gunther (R)

State & Local Government Operations Reform, Technology & Elections
Fairmont Police Relief Association amortization date extended to 2020.

HF1384-Gunther (R)

Finance
School district minimum revenue increased for various youth and community education programs.

HF1385-Gunther (R)

Finance
Odin and Ormsby; wastewater treatment infrastructure funding provided.

HF1386-Gunther (R)

Finance
School district mandates suspended for fiscal years 2010 and 2011.

HF1387-Gunther (R)

Finance
Safe schools levy; student health personnel set-aside removed.

HF1388-Carlson (DFL)

Finance
Golden Valley; nursing facility providing residential rehabilitative services payment rates increased.

HF1389-Scalze (DFL)

Taxes
Taxation; levy limit provisions modified.

HF1390-Atkins (DFL)

Finance
Inver Grove Heights; swing bridge and surrounding public lands improvements funding provided.

HF1391-Emmer (R)

Health Care & Human Services Policy & Oversight
Broker use for medical transportation services prohibited, county social workers authorized to make level-of-need determinations.

HF1392-Lesch (DFL)

Public Safety Policy & Oversight
Omnibus sexual conduct technical review bill provided.

HF1393-Kelly (R)

Environment Policy & Oversight
Landfill cleanup program provisions modified.

HF1394-Hayden (DFL)

Civil Justice
Real property; notice requirements specified, reduced redemption period for abandoned property and public nuisances provisions modified, a duty to protect vacant foreclosed property established, failure to maintain property fines imposed, construction site trespassing posting requirements altered, civil and criminal penalties imposed.

HF1395-Mullery (DFL)

State & Local Government Operations Reform, Technology & Elections
Tax-forfeited property uses and conveyances procedures modified.

HF1396-Smith (R)

Civil Justice
Domestic abuse; courts authorized to include pets and companion animals in protective orders.

HF1397-Hilstrom (DFL)

Civil Justice
Fourth Judicial District provided fiscal flexibility as to the location of court facilities.

HF1398-Winkler (DFL)

State & Local Government Operations Reform, Technology & Elections
Official notices authorized to be publicized in newspaper alternatives.

HF1399-Clark (DFL)

Commerce & Labor
Minnesota Labor Relations Act amended.

HF1400-Kalin (DFL)

Agriculture, Rural Economies & Veterans Affairs
Welcome Home Vietnam Veterans Day declared for June 13, 2009.

HF1401-Kahn (DFL)

Transportation & Transit Policy & Oversight Division
Person operating a bicycle stop sign or traffic-control signal requirements amended.

HF1402-Wagenius (DFL)

State & Local Government Operations Reform, Technology & Elections
Public debt provided to be incurred for public information technology systems, licenses and infrastructure; constitutional amendment proposed.

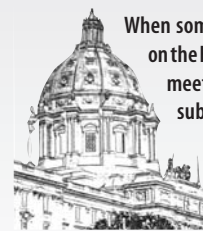
HF1403-Kahn (DFL)

Taxes
Local government appropriation and reinstating offsets modified.

HF1404-Rukavina (DFL)

Commerce & Labor
Voluntary leave limited eligibility for benefits provided.

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MINNESOTA INDEX

Grapes and wine

Number of vineyards in Minnesota in 2007	632
Percentage of those established prior to 1990	3
Percent planted during the previous five years	65
Number of vines growing in Minnesota, as estimate	587,000
Average number of vines per grower	921
Number of Marquette vines less than 4 years old	109,500
Number of Marquette vines more than 4 years old	3,779
Number of Frontenac vines less than 4 years old	63,338
Number of Frontenac vines more than 4 years old	53,044
Number of dominate grape varieties in Minnesota	4
Year the Frontenac was officially introduced	1996
Year the Frontenac gris was officially introduced	2003
Year the La Crescent was officially introduced	2002
Year the Marquette was officially introduced	2006
Growers that use grapes for their own purposes, as a percent	40
Use of grapes, by percent, under winery contract	17
Number of licensed wineries in Minnesota in 1975	2
In 1995	7
In 2007	26
Total number of jobs attributable to Minnesota's grape industry in 2007	101
In millions, 2007 economic impact from winery spending in state	\$8.5
In millions, impact from tourists visiting state wineries in 2007	\$8.4
Millions, as estimate, in total impact of the grape and winery industry in Minnesota in 2007	\$36.2
Liters of wine sold from Minnesota wineries in 2007	295,795
Percent increase from previous year	61
Sales tax collected by the state from wine sales in 2006, in millions	\$4.6
Number of states with wineries in 2007	50
Number of wineries in U.S. in 2007	4,712
Number of wineries in U.S. in 1975	579

Sources: The Land-Where Farm and Family Meet; The Minnesota Grape Growers Association; The Economic Contribution of Grape Growers and Wineries in the State of Minnesota, University of Minnesota; and Minnesota Grape Growers Profile 2007.

— L. SCHUTZ

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CLIMATE COULD FRONT JOB GROWTH
BILLS MAKING THEIR WAY
LOCKING UP THE LIQUOR
MIGHTY DUCKS MIGHTY REQUEST

HF1405 • HF1704

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: Ellen Beres plays the violin as the orchestra from Oakland Junior High School performs March 9 in the Rotunda.

— Photo by: Tom Olmscheid

Weathering the economic storm

Minnesota's adverse climate could front new job growth

By SUSAN HEGARTY

William Martin is confident in his employment abilities, but a series of hard-luck incidents caused him to become unemployed, divorced and in transitional housing.

"I do want to be a good manager of my own life. The majority of the time I do it on my own, but sometimes I do ask for help. I have no shame," said Martin, who is raising two daughters after his 2006 divorce.

After gaining experience in the building trades through Goodwill Easter Seals, Martin landed a series of construction jobs; but without a union card, he'd repeatedly get laid off during the off-season and be in search of the next job. Car problems exacerbated his difficulties. Then, laid off from his job as a forklift operator at 3M, he entered a vocational program called Summit Academy Opportunities Industrialization Center in North Minneapolis. Four-fifths of the center's 500 annual students enter the program unemployed, said Louis King, center president. The OIC is one of several operated throughout the state that prepares the unemployed for construction jobs.

Besides teaching Martin the hands-on skills he desires to become a welder, Summit Academy can hook him up with community support programs to help him with transportation, housing or legal needs.

"I'm just trying to get into a field where I can stay employed. I'm not worried about my work ethics," said the 45-year-old student.

More bill for their buck

Martin is like thousands of others affected by the recession.

Nearly half of the 20,700 jobs lost by Minnesotans in January came from the manufacturing industry, according to the Department of Employment and Economic Development. Between 2008 and 2010, the recession may be to blame for 120,000 lost jobs, said State Economist Tom Stinson. So, while the federal stimulus package could create an estimated 45,000 new jobs for Minnesotans, it's merely a start.

So where does government get the most bang for its' buck?

Rep. Jeremy Kalin (DFL-North Branch) thinks he has a win-win-win solution.

Kalin sponsors HF680, legislation that could employ thousands to improve the energy-efficiency of public buildings, thereby reducing reliance on state aid for heating bills.

Kalin has been on a fast track with his energy bill, presenting details to five House divisions. Comments and revisions are being made along the way, and the bill is expected to move through several more committees before landing on the House floor in one or two weeks ...

he hopes. A companion, SF657, sponsored by Sen. Yvonne Prettner-Solon (DFL-Duluth), was recommended to pass by the Senate Energy, Utilities, Technology and Communications Committee and referred back to the Senate Finance Committee.

The bill designates the Office of Energy Security as the fiscal agent for federal energy-related stimulus funds, and the office would work with other state departments to administer new and existing energy-saving programs.

First Reading continued on page 4

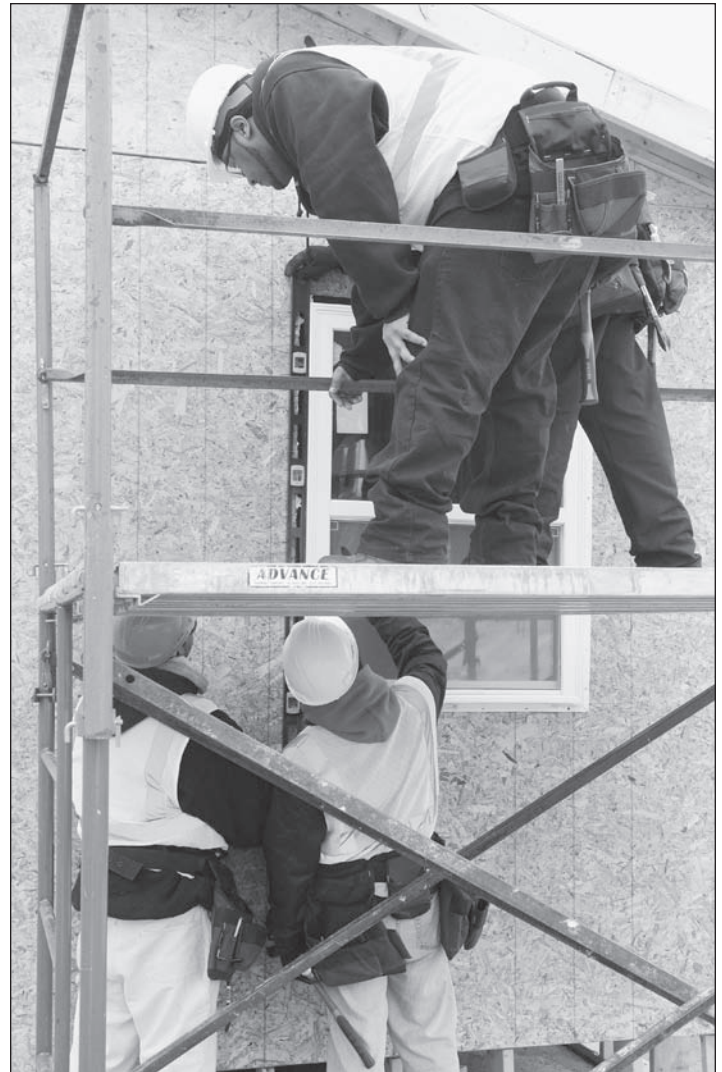


PHOTO BY TOM OLMSCHIED

Summit Academy students level an energy-efficient window.

New green jobs coupled with energy-efficiency upgrades in schools and other public buildings are expected to result in net savings to the state's unemployment and utility coffers.

A window replacement program is one of the energy initiatives.

Minnesota is often referred to as the "Silicon Valley of Windows," and window companies, such as Andersen Corporation, which laid off 400 workers in January, stand to benefit from the stimulus package. Marvin Windows and Doors has not experienced layoffs.

"When the demand is there, we'll do what it takes to fulfill that demand," said John Kirchner, public relations manager for Marvin Windows and Doors. Headquartered in Warroad, population 1,700, the company employs 2,800 people, the vast majority from Minnesota, Kirchner said.

Besides window replacement, homes and public buildings may also be eligible for other energy upgrades through a weatherization program.

About \$134 million in federal stimulus money is expected for weatherizing low-income houses and rental units, said Kalin. This cash infusion to the state program would mean safer living conditions in more homes at an accelerated pace. Currently, fewer than 3,800 Minnesota homes are weatherized per year. The stimulus funds could boost that number up to 35,000. Five hundred energy auditors will be needed to assess homes, plus thousands of energy technicians to perform the work. Kalin proposes that unemployed workers be given priority for training and hiring practices.

"They not only replace unemployment checks with paychecks for ... potentially thousands of Minnesotans within 90 days of the governor's signature on this bill, it also saves us tax dollars on the public renovation side. It saves us tax dollars on the low-income heating assistance households that rely on that public assistance. By tightening up those homes and weatherizing those homes, we'll move down a road where hopefully within our lifetime ... we might be able to wean Minnesota off of the need for ... low income heating assistance," said Kalin.

Energy auditors would look for problems with insulation, mold, fire hazards, or potential explosions from faulty boilers, furnaces and water heaters.

To meet the demand for trained energy auditors and installers, DEED, together with OES and the Office of Higher Education, would develop a plan to spend stimulus funds on training programs.

For example, Dunwoody College of



PHOTO BY TOM OLMSCHIED

William Martin is a student at Summit Academy Opportunities Industrialization Center in the 100 Hard Hats program.

Technology in Minneapolis would offer the Residential Energy Auditor training program through a grant provided by the Office of Energy Security. OICs, such as Summit Academy, could also receive funding to provide weatherization technician training.

The OES could also enlist help from up to 29 nonprofit organizations, known as the Minnesota Community Action Partnership. Scattered throughout the state, these CAP agencies have traditionally delivered weatherization and energy assistance at the local level.

"As soon as you get us the money, we're ready to spend it," said Patrick McFarland, executive director for Anoka County CAP, which provided emergency energy assistance to more than 4,100 households last year.

Accountability and transparency

Advocates for the disadvantaged and minorities have been part of the evolution of the bill since its Feb. 9 introduction. According to the bill, preferential hiring and training is to be given to persons from communities where unemployment is disproportionately high.

"We want a workforce that reflects the demographics of Minnesota," said the Rev. Paul Slack, pastor of New Creation Church and a member of ISAIAH, a coalition for racial and economic justice. "African-Americans and other people of color have chronically been out of work for decades," Slack told a House division last month.

In debate over non-compliant hiring practices by the Department of Transportation,

Rep. Alice Hausman (DFL-St. Paul) said, "It takes on special emotion now because we read in the newspaper that there is a huge infusion of federal money intended to put people to work ... and the questions have to do with, will it put everyone to work equally?"

Ron Elwood, an attorney at the Legal Service Advocacy Project, echoed the need for job equality. "I think the Legislature should make it unambiguously clear what their objectives are with respect to ensuring the fair and proportional inclusion of communities of color, low-income communities and women in the mix."

Electrician Al Rademacher, who was at the Capitol for IBEW Day on the Hill Feb. 18, said 35 percent of his union members have been out of work. "There needs to be a wage structure so they're not one step away from welfare. We need to have jobs where people can have livable wages."

Kalin repeatedly said he did not want this bill to create the kind of low-wage jobs where applicants find it necessary to fill out both an employment and a state-assistance application.

The bill requires the OES to give a progress report by Sept. 1, 2009, with a complete accounting of the following benchmarks: projects funded, average wage of jobs created/retained, energy savings calculation for each project, fund balances and training provided along with the number of trainees and compliance reports. Subsequent quarterly reports would be due through September 2010. 🏠

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held March 5-12. 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

Agriculture data public or private?

The Agriculture Department relies on farmer participation in various efforts to collect data about land use, agricultural practices and natural resources management. However, farmers can be reluctant to give out information because their identity and land locations could then be considered public information. A temporary embargo went into effect last February making certain

information private that would otherwise be considered public.

Because the provision will sunset June 1, 2009, Rep. Joe Mullery (DFL-Mpls) sponsors HF1095 that would amend the state's Data Practices Act and create a presumption that certain data collected by the department during research or monitor-assessment be classified as private. That could include: names, addresses, telephone numbers and e-mail addresses of study participants or cooperators; and the location of a research study site and global positioning data. However, private/nonpublic data could be disclosed with permission of the subject or if the department deems that withholding data seriously threatens human health or the environment or hinders law enforcement.

The bill was approved March 9 by the House Agriculture, Rural Economies and Veterans Affairs Committee and now awaits action by the House Civil Justice Committee.

Its companion, SF1247, sponsored by Sen.

Don Betzold (DFL-Fridley), awaits action by the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

BONDING

Making bond sales more competitive

In a volatile market, an attempt is being made to make bond sales more competitive.

Sponsored by Rep. Alice Hausman (DFL-St. Paul), HF918 would permit the use of either a competitive public sale or a negotiated private sale of the state's general obligation bonds.

Kathy Kardell, assistant commissioner of Minnesota Management and Budget, said the bill would give the state flexibility to ensure continued access to the municipal bond market under current conditions, which are volatile and uncertain. She added that a private sale would permit the state to implement a program to access retail investors, something

YOUTHFUL AWARENESS



PHOTO BY TOM OLMSCHEID

Allie Lane, *left*, with the Union for Youth in Northfield and Leeaja Solomon with Bolder Options in South Minneapolis participate in the dropping of banners over the railing March 5 in the Rotunda as part of the "Rally for Youth Day." Youth groups came to the Capitol to bring awareness to the public about youth concerns in the areas of mentoring, early intervention, workforce, homelessness prevention and out-of-school time.

that can't be done with a public sale. Currently only general obligation bonds are required to be sold by public sale.

In January, Minnesota Management and Budget sold \$400 million worth of bonds in three competitive sales. The sale would have normally occurred in October, but was deferred because of poor market conditions.

The bill was laid over March 10 for possible inclusion in the House Capital Investment Finance Division omnibus bill. A companion, SF1307, sponsored by Sen. Debbie Johnson (R-Ham Lake), awaits action by the Senate Finance Committee.

— S. HEGMAN

CONSUMERS

Selling liquor storage devices

A near tragedy resulted in an invention that could help parents restrict their children's access to alcohol in the home. However, under current law, the device can't be sold at a liquor store, where its inventor thinks would be the appropriate point of sale.

Bob Schmitt of Minnetonka owns Just Encase Products, Inc., and he has a patent pending on a storage unit to help parents secure their liquor supply. He has an arrangement with a major liquor retailer to market his device. But the law needs to be changed for the device to be sold in those establishments.

He told the House Commerce and Labor Committee March 5 of an incident involving a family friend's high school freshman who drank alcohol at home before going to school. She passed out in her first class, before being rushed to the hospital for possible alcohol poisoning.

Rep. Steve Simon (DFL-St. Louis Park) sponsors HF159 that would add devices designed to ensure safe storage and monitoring of alcohol in the home to prevent access by underage drinkers to the list of items that can be sold by liquor stores.

The bill was held over for possible inclusion in an omnibus liquor bill. Its companion, SF239, sponsored by Sen. Ron Latz (DFL-St. Louis Park), is scheduled to be heard March 19 by the Senate Commerce and Consumer Protection Committee.

— L. SCHUTZ

Debtors kept from the deep end

Advocates of payday lending say the short-term, small loans they advance against a paycheck serve people who are short of cash in tough times. Opponents say the "serial borrowing" that results as those loans often roll over and accumulate huge interest charges is like "quicksand" that sinks desperate people deeper in debt.

Rep. Jim Davnie (DFL-Mpls) introduced a bill that would tighten payday lending rules and create penalties for lenders who violate them.

He told the House Labor and Consumer Protection Division March 6 that HF914 would "strike the appropriate balance" between interests of above-board lenders and those of constituents "challenged by stagnant wages and rising health care costs of the last decade, exacerbated by layoffs, falling home values ... and a collapsing stock market."

The bill would prevent "loan churning"

by limiting lenders to two such loans to the same borrower in a 12-month period, with a few exceptions. Penalties for noncompliance would apply to any loan made to a Minnesota resident, even if made on the Internet.

Opponents said the bill would hurt legitimate businesses making such loans and the customers who rely on them to make ends meet in emergencies.

Industry advocates say limiting loans will drive borrowers to less reputable sources such as Internet lenders, or border states with higher rates.

MUSLIM DAY



PHOTO BY TOM OLMSCHIED

Aarif Ahmad listens as Rep. Steve Gottwalt explains during Muslim Day at the Capitol March 10 the compromise reached on the wearing of head coverings when being photographed for a driver's license. Driver's license photos will now conform to the same rules as those for U.S. passports that allow head covering for religious reasons.

Paul Cassidy, an attorney representing Payday America, the largest Minnesota short-term lender, said its average fee on a \$350 loan is less than 10 percent. In contrast, it costs \$38.50 for a \$300 cash advance from similar Iowa lenders, \$22 for \$100 in Wisconsin and \$15 for \$100 in South Dakota, according to Remi Stone, a lobbyist representing Advance America, which operates in 33 other states.

She said the solution to borrowers' money management woes is educating for "comprehensive financial literacy."

The division approved the bill and sent it to the House Commerce and Labor Committee. Its companion, SF806, sponsored by Sen. Kevin Dahle (DFL-Northfield), is scheduled to be heard March 17 by the Senate Commerce and Consumer Protection Committee.

— K. BERGGREN

No more ticket 'cherry-picking'

With today's sophisticated computer-ticketing technology, thousands of tickets for a popular concert can be sold in a matter of seconds. That may please the entertainment industry, but it has created some questionable ticket reselling practices.

Rep. Joe Atkins (DFL-Inver Grove Heights) said the issue came to his attention when tickets went on sale in early February for Bruce Springsteen concerts, and "consumers didn't think they had ample opportunity to purchase them at face value." He said people were redirected from the Ticketmaster site to TicketsNow, a secondary site the company owns, where they had the opportunity to pay considerably more than the ticket's face value.

Atkins sponsors HF819 that would prohibit the initial Internet ticket selling entity from offering tickets greater than their face value and establishing a seven-day waiting period before offering tickets through a reseller business.

In the Springsteen situation, Atkins told the House Commerce and Labor Committee March 5, sellers were "cherry-picking the very best tickets and not making them available to the average consumer when they first went on sale." After committee approval, the bill was referred to the House Public Safety Policy and Oversight Committee.

Joseph Freeman, a senior vice president with Ticketmaster, explained that when a request could not be met, such as six tickets together in a certain section, the purchaser could refine their search in the primary market or click to go to a link to a resell market site.

The company voluntarily removed the link to the reseller site. "We've learned a difficult lesson in the last month," he said. "Ticket sales is a supply and demand business. There

is a saying in our business: 'They only make one first row.'"

A companion, SF759, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the Senate Judiciary Committee.

— L. SCHUTZ

CRIME

Keep out of police area

When the Interstate 35W bridge collapsed, authorities struggled to keep gawkers and a few entrepreneurs away from the site.

However, when it came time to charge people who would not obey police orders to leave, there were not appropriate charges in some cases.

"Even though you might think that the trespassing statute would apply to cases of that nature, in fact, there was no appropriate provision within the trespass statute that applied," said Dana Banwer, assistant Minneapolis City Attorney in the Civil Division.

"Many of these people were actually charged, but we had to get a little bit creative, along with the police department, and we ended up charging individuals with things like obstructing legal process," she said. "We saw many charges that resulted from failure to obey a lawful order of a police officer. ... (That statute) only applies to individuals who are in vehicles. Bicycles are included under that definition."

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), HF1264 would expand the trespass crime to include areas cordoned off "through the use of tape, barriers or other means conspicuously placed and identifying the area as being restricted by the police."

The House Public Safety Policy and Oversight Committee held the bill over March 10 for possible omnibus bill inclusion. A companion, SF1236, sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits action by the Senate Judiciary Committee.

Minneapolis Police Department Inspector Kris Arneson said the bridge site was first cordoned off as a crime scene area because of the uncertainty as to why the collapse happened.

People who crossed the line included souvenir seekers and investigators for attorneys. "One person was even selling consulting services," she said. "There was a man trying to sell sonar services for recovery under water."

Rep. Steve Drazkowski (R-Wabasha) questioned what the phrase "other means conspicuously placed" referenced.

Banwer and Arneson said it would most

likely be crime scene tape around a site, but in a larger area like the bridge collapse, it could be sawhorses, cones or squad cars.

— M. COOK

Apprehending juvenile escapees

Law enforcement personnel can forcibly enter a home without permission to apprehend an adult that has escaped from custody or violates their release status.

A bill sponsored by Rep. Tim Kelly (R-Red Wing) would give the same permission to catch juvenile escapees or violators.

The House Public Safety Policy and Oversight Committee held HF1021 over March 5 for possible omnibus bill inclusion. Awaiting action by the full Senate is its companion, SF534, sponsored by Sen. Steve Murphy (DFL-Red Wing).

"If an adult either violates their release status or escapes from an institution or walks away from an institution, a felony warrant is issued for their arrest," said Cari Gerlicher, director of the Department of Corrections' Office of Special Investigations. "If a juvenile who's been adjudicated delinquent and is committed to the commissioner of corrections and violates a furlough release status or escapes from the secure custody at the facility at Red Wing, the warrant issued for their arrest is a gross misdemeanor."

However, a gross misdemeanor warrant does not permit officers to use forcible entry into a home to return the juvenile to custody, unless they are in fresh pursuit.

— M. COOK

Staff assault sentences

Three additional words could guarantee more time behind bars for some inmates.

The legislative intent of a statute enacted in 1997 was for a prisoner convicted of assaulting a correctional officer to serve the sentence consecutive to the one for which they are imprisoned.

However, Rep. Steve Smith (R-Mound) and Department of Corrections officials say judges do not always interpret statute that way.

Sponsored by Smith, HF1039, attempts to more clearly lay out legislative intent by changing state statute from "run consecutively" to "shall run consecutively, not concurrently."

The House Public Safety Policy and Oversight Committee held the bill over March 10 for possible omnibus bill inclusion. It has no Senate companion.

Smith said there were 142 assaults on corrections staff in fiscal year 2008, with 31 of those referred for prosecution.

"Staff are absolutely devastated when

they've been assaulted by an inmate, they get prosecuted, they get found guilty and then a judge fails to follow the language and gives them a concurrent sentence or 'time served' so to speak," said Lynn Dingle, the department's deputy commissioner for facilities. "The inmate then comes back to the facility and starts bragging about how you can take a shot at any staff member because nothing is going to happen to you. ... The safety of our staff is foremost for us."

"You can't do underscore in the statute books, but this is about as close as we can get to underscoring what the legislative intent is," said Rep. Paul Kohls (R-Victoria). "It's unfortunate you even have to come forward with the bill."

— M. Cook

Vulnerable, elderly adult protection

A World War II veteran, Alvin, became a prisoner in a neighbor's home during what are supposed to be his golden years.

The 92-year-old never married, had no children and no heirs for his estate. When he became frail, a neighbor befriended him and moved him in with her.

"This woman bilked him out of almost \$200,000 — the money was all spent at casinos," said St. Paul Police Sgt. Ann Bebeau. "She put his home on the market, which he was not able to even know that because he was not ambulatory. He'd be left to sit in a chair all day with no phone accessible, no walker there so he could not get around the house."

Bebeau, who has been investigating elder abuse cases since 2001, said the woman also placed a newspaper ad for a rummage sale of his belongings. "The ad said, 'No reasonable offer denied. Everything must go.'"

Because of current law, Bebeau said the woman was given probation and ordered to repay the funds.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), HF818 would make various statutory changes relating to investigations and crimes for maltreatment or financial exploitation of vulnerable adults. She said 52 agencies, entities and organizations were involved in the bill's creation.

Approved March 5 by the House Public Safety Policy and Oversight Committee and March 11 by the House Labor and Consumer Protection Division, the bill was sent to the House Commerce and Labor Committee. A companion, SF758, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Health, Housing and Family Security Committee.

Phil Carruthers, director of the Prosecution Division for the Ramsey County Attorney's Office, said bill components include:

- stiffer penalties, including creation of a 20-year felony for conviction of a financial exploitation of a vulnerable adult when the stolen amount exceeds \$35,000;
- immunity for any business or financial institution that acts on good faith in telling authorities about suspected maltreatment or financial exploitation;
- an increase in the statute of limitations;
- the right to a speedy trial; and
- removal of a consent defense, where the victim lacks the capacity to consent.

— M. Cook

EDUCATION

Funding key after-school programs

Northfield students told the House Early Childhood Finance and Policy Division March 5 that after-school programs significantly enhance their academic and personal lives, and encouraged members to keep them funded.

High school student Ruth Amerman said she found a safe haven in the Northfield Union of Youth, a program also called The Key, after her father died four years ago.

"I found my home-base shattered," Amerman said through tears. "Around that



PHOTO BY ANDREW VONBANK

Northfield middle school student Champange Eiklenborg shows her improved grades March 5 to the House Early Childhood Finance and Policy Division, during testimony on a bill that would provide funding for after-school programs.

time I started coming down to The Key and just started hanging out. What I found was the security and sense of community I had lost."

Middle-schooler Champange Eiklenborg said a mentor there helped her handle bullying and improve poor grades. She shared her report card showing she'd improved from "Ds" in math and science to "almost an A" in math and a "C" in science in the past year.

Rep. Nora Slawik (DFL-Maplewood) sponsors HF378, which would appropriate \$5 million for the Education Department's After-School Community Learning Grants. Slawik said federal stimulus money could defray at least part of the appropriation, while a McKnight Foundation match of \$1 million could supplement a full appropriation.

St. Paul Mayor Chris Coleman called after-school programs "my crime-fighting strategy, my economic development strategy, my community development strategy," and said they "help protect investments in early childhood education."

Opponents balked at the bill's price tag and said such spending should be backed by solid evidence, not stories. "It is very easy to pay for good intentions and it's another thing to actually have the program deliver them," said Rep. Keith Downey (R-Edina).

These are "nice, but unaffordable, luxury type of programs when we have great needs in K through 12 during the school day," said Karen Effrem, EdWatch analyst.

The bill was held over for possible inclusion in an omnibus early childhood finance bill. Its companion, SF855, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Test for diploma examined

A math test Minnesota's 11th grade students must pass to graduate could be too high a hurdle, say some lawmakers. A bill would create some breathing room for the students, their parents, teachers and school administrators.

The math Graduate Required Assessment for Diploma 11th graders are scheduled to take this year is similar to a test given last year that resulted in just 34 percent proficiency.

HF501 would create a five-year grace period for the thousands of students who may not pass the GRAD. They'd still take the test, but could re-test twice after remedial work; if not proficient, they could still graduate by meeting all other school and state requirements. Meanwhile, a council would study the role of high-stakes assessments in education policy.

A "much more mature, fuller conversation" about a comprehensive policy on which types of

assessments work best is needed, said the bill's sponsor Rep. Carlos Mariani (DFL-St. Paul).

Critics, such as the Minnesota Business Partnership, call this a "short-term solution" that undermines academic standards.

The rationale for moving the high-stakes test to high school and raising the bar of its content was based on the assumption students would have learned more high-level math, said Julie Cutshall, a Lakeville North High School math teacher. However, today's students may not have taken the proper "scope and sequence" of courses to adequately prepare them.

Short-term remediation is "not appropriate" in such cases, said Angie Roesner, an Eden Prairie High School teacher. "We do need a short-term fix so that these current juniors are held harmless."

"Are kids even held back anymore?" asked Rep. Jenifer Loon (R-Eden Prairie). "I'm not advocating that, but we've got to figure out a way to make sure they're getting it, they're grasping the material before they move on to the next level."

The House K-12 Education Policy and Oversight Committee approved the bill and sent it to the House Finance Committee. A companion, SF405, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Education Committee.

— K. BERGGREN

Schools push green energy projects

Some schools are interested in cost savings, energy conservation and teaching opportunities that could result if their bonding requests for alternative energy projects are approved.

The projects would also employ local workers, are "shovel-ready" and possibly eligible for federal stimulus funds.

Rep. Patti Fritz (DFL-Faribault) sponsors HF28, which would authorize \$1.5 million for a wind generator to be constructed on the campus of either the state Academy for the Blind or the Minnesota State Academy for the Deaf in Faribault. Linda Mitchell, the academies' superintendent, said the schools' electrical bill last year was \$200,000, and that a 1-megawatt wind turbine would pay for itself in less than 10 years. The bill has no companion.

The project is "right for the planet and right for Minnesota," Mitchell said. "I'm excited about the educational aspect of this."

Fritz also sponsors HF125, which would authorize \$400,000 to construct a residential building for students ages 18-21 enrolled at the academy for the blind. South Central College carpentry students who complete an annual residential building project and sell it at market value would do the construction.

Its companion, SF209, sponsored by Sen. Dick Day (R-Owatonna), awaits action by the Senate State Government Budget Division.

HF588, sponsored by Rep. Andrew Falk (DFL-Murdock), seeks \$2.33 million to design and build a geothermal heating system for the Dawson-Boyd school district. The project could save the 525-student district \$73,000 a year in energy costs. Its companion, SF572, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the Senate Finance Committee.

The division also heard HF273, sponsored by Rep. Brita Sailer (DFL-Park Rapids), which would authorize a \$5.8 million maximum effort capital loan to the Red Lake School District. Its companion, SF925, sponsored by Sen. Rod Skoe (DFL-Clearbrook), awaits action by the Senate E-12 Education Budget and Policy Division.

The House K-12 Education Finance Division sent the bills to the House Finance Committee March 11.

— K. BERGGREN

Some school mandates could go

School before Labor Day is back on the table.

The House K-12 Education Finance Division significantly amended a bill March 12 that would eliminate unnecessary mandates.

When HF920, sponsored by Rep. Tom Tillberry (DFL-Fridley), was approved by the House K-12 Education Policy and Oversight Committee on March 5, the bill addressed several reporting requirements that could save districts money.

But the bill's substance changed with the addition of two amendments: one offered by Rep. John Benson (DFL-Minnetonka) that would permit school districts to start before Labor Day for the next two school years, and another offered by Rep. Denise Dittrich (DFL-Champlin) that would postpone by one year school districts' requirement to implement revised standards in the arts, science, language arts and social studies as a cost-saving measure. The bill was approved as amended and held over for possible inclusion in an omnibus education finance bill.

According to the bill's sponsor, the bill resulted from a bipartisan work group commissioned to help school districts save money by eliminating unnecessary and costly rules. Special education mandates, the subject of a separate task force, were excluded.

Tillberry estimated, for example, the Wayzata school district would save \$100,000 if the bill is enacted.

"If you multiply that out statewide, this does something for schools, and that is what the work group assigned us to do, to allow

schools to find some money," he said.

The companion, SF1396, is sponsored by Sen. Dan Skogen (DFL-Hewitt) and awaits action in the Senate Education Committee.

— K. BERGGREN

ELECTIONS

Early voting bill approved

Minnesota voters could cast their ballots as early as two weeks before Election Day.

Under HF1113, Minnesota would join 31 others states that allow their residents to vote early. The bill's sponsor, Rep. Will Morgan (DFL-Burnsville), said the change would address a growing demand from the public, whose desire to vote may conflict with work schedules and personal lives.

"We think it's a matter of convenience for the voters," Morgan told the House State and Local Government Operations Reform, Technology and Elections Committee March 10.

Under the bill's provisions, early voting would be available on weekdays beginning two weeks prior to an election, and on the Saturday before Election Day. Early voters would be subject to the same eligibility requirements and other laws as regular voters.



PHOTO BY ANDREW VONBANK

Ryan Anderson, Minnesota State University, Mankato student body president, testifies before the House State and Local Government Operations Reform, Technology and Elections Committee March 10 in support of a bill that would authorize early voting.

Supporters say it would benefit students, disabled persons and others whose living situations or lifestyles make it difficult to get to travel and/or wait in long lines at their polling places. They argue many Minnesotans are already voting early by abusing the state's absentee voting system.

Common Cause Minnesota Executive Director Mike Dean said early voting would help resolve some of the issues that have led to complications in the state's U.S. Senate recount, such as voters not understanding eligibility requirements and improperly filling out absentee ballot forms.

Opponents, including Rep. Steve Gottwalt (R-St. Cloud), raised concerns that the bill might add complication to the voting process, thus raising the potential for mistakes.

"Throughout American history, we've had a one-day voting system," Gottwalt noted, and said the high voter turnout in the last election is evidence that the current system is working fine.

The committee approved the bill and referred it to the House Finance Committee. Sen. Katie Sieben (DFL-Newport) sponsors the companion, SF970, which awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

EMPLOYMENT

Occupational English training

Anyone looking for a job in the middle of the recession knows how hard it is, but imagine doing it without being able to speak English.

That's the situation many people face in the state's Southeast Asian immigrant community, where unemployment is rampant and a lack of English language skills makes it difficult to find jobs.

Rep. Joe Mullery (DFL-Mpls) offers what he thinks will be a partial solution to the problem in HF744. The bill would appropriate an as-yet-undetermined amount of money to fund a project in Hennepin County that helps Southeast Asians learn workplace English and overcome cultural barriers. The focus would be on refugees and immigrant welfare recipients.

"Under our present system, usually they have to take regular English, and that takes years for them," Mullery said. "Meanwhile, they can't become full citizens of society, working and paying taxes and things like that, supporting their families."

Joe Vang, Minnesota Family Investment Program coordinator for the Centre for Asians and Pacific Islanders, said language and

cultural barriers make it difficult for Asian immigrants to interview for jobs or even use computers to submit resumes online.

The House Bioscience and Workforce Development Policy and Oversight Division approved the bill March 11 and referred it to the House Higher Education and Workforce Development Finance and Policy Division.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsors the companion, SF1127, which awaits action by the Senate Economic Development and Housing Budget Division.

— N. BUSSE

Pre-tax learning accounts

Many employees in Minnesota take advantage of pre-tax accounts to help pay for medical and dental expenses; they might be able to use them for education as well.

HF72, sponsored by Rep. Kim Norton (DFL-Rochester), would allow for the creation of lifelong learning accounts through the Department of Employment and Economic Development. Employers and employees who make contributions would be eligible for tax credits.

The House Higher Education and Workforce Development Finance and Policy Division approved the bill March 10 and referred it to the House Finance Committee.

The credit for employees would equal 50 percent of contributions up to \$1,000, while the employer credit would be equal to the employer's account contribution up to \$500. The accounts would be "portable," meaning they would stay with the employee and not the company.

Norton said the bill would help ensure that the state's workforce has the tools to deal with rapidly changing economic times and an aging population of workers who will likely need to be retrained.

"We often see it in the public good to fund education for kids, but for the private good often for adults. And I would say that isn't the case, and in the future I think we need to change our mindset," Norton said.

Rep. Joe Atkins (DFL-Inver Grove Heights) called the accounts a "neat idea," but wondered whether the state's projected budget deficit made it inadvisable to implement the program right now.

Sen. Kathy Sheran (DFL-Mankato) sponsors the companion, SF147, which awaits action by the Senate Business, Industry and Jobs Committee.

— N. BUSSE

ENERGY

Land use tied to gas emissions

Committee approval was given to a bill that would require developers to consider how far people would have to travel to the destination and available modes of transportation.

Sponsored by Rep. Frank Hornstein (DFL-Mpls), HF898 would establish policies to reduce the number of motor vehicle trips people drive and appropriates money for a competitive grant program and for a transportation study.

Approved on a split voice-vote March 5 in the House Environment Policy and Oversight Committee, it was sent to the House State and Local Government Operations Reform, Technology and Elections Committee.

The University of Minnesota Center for Transportation Studies would be allotted \$250,000 from the General Fund to develop a model for use by local governments and the Metropolitan Council for strategies that reduce both miles traveled and carbon emissions. The council would allocate \$500,000 to assist local government in implementing new policies.

An unspecified amount would be available to establish the Sensible Communities Grant Program, administered by the Environmental Quality Board. Grantees would work to change local ordinances to encourage more pedestrian and bicycle traffic, protect the ecosystem and expand housing opportunities.

The bill would also impact how and where a new school could be built, with consideration given to the energy costs associated with the location, such as pupil transportations costs.

Its companion, SF549, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Education Committee.

— S. HEGARTY

Solar energy for schools

Twin bills, with differing appropriations, would pay for solar energy installations in 20 to 30 Minnesota schools.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids), both HF1259 and HF1260 appropriate \$5 million in grants, so that school districts could install solar thermal panels or photovoltaic devices in K-12 schools. Appropriations would either come from bond proceeds or from the federal economic stimulus funds.

Sailer said the Legislature should pass one or the other bill, but not both. The appropriation is intended to cover the full cost of the energy projects.

On March 11, the House Energy Finance and Policy Division approved HF1259 and referred it to the House Finance Committee.

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

It held HF1260 over for possible omnibus bill inclusion.

Both Rep. Mike Beard (R-Shakopee) and Rep. Jeremy Kalin (DFL-North Branch) suggested that school districts bear at least some of the cost for the projects and hinted at a possible future amendment.

Eligible schools would include:

- buildings with sufficient physical characteristics to support a solar energy project;
- enrollment projections that warrant the school remaining open for 10 or more years; and
- ones where the cumulative energy savings would exceed the grant amount and any corresponding debt service if bonding methods are used.

Both bills include the solar heating of swimming pools, but Kalin said swimming pools may not be eligible for energy funds derived from the federal stimulus dollars.

The companion bills, SF1087 and SF1088, both sponsored by Sen. Sandy Rummel (DFL-White Bear Lake) await action by the Senate E-12 Education Budget and Policy Division.

— S. HEGARTY

ENVIRONMENT

Debate on emissions reporting

Controversy is brewing whether Minnesota should preempt a new national policy regarding greenhouse gas emissions reporting.

HF774, sponsored by Rep. Kate Knuth (DFL-New Brighton), would create a statewide reporting system for greenhouse gas emissions, so that Minnesota could compare actual data to its Next Generation Energy goals for reducing emissions. Current emissions data is based on estimates, not on actual data, Knuth said.

Coincidentally, the U.S. Environmental Protection Agency released a 1,300-page rule on the subject March 10, the same day the bill was narrowly approved by the House Environment Policy and Oversight Committee and sent to the House State and Local Government Operations Reform, Technology and Elections Committee. A companion, SF444, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Finance Committee.

Mike Robertson, Minnesota Chamber of Commerce environmental policy consultant, said the chamber does not support the bill.

"We agree with the need to do greenhouse gas emissions reporting. The initial reports we've seen (at the national level) says that the rule will require the reporting of 85 to 90 percent of the greenhouse gas emissions in the United States," Robertson said. "Our concern is that any rule adopted at the state level be consistent

with, and not have significant discrepancies or diversions from, the federal reporting."

Robertson compared the federal reporting requirement to an amendment on HF774 that would limit commercial reporting of carbon dioxide emissions to those who emit between 10,000 and 25,000 tons annually.

— S. HEGARTY

Pay extra to paint the town

Beginning Sept. 1, applying a fresh coat of paint could cost a bit more, under a bill approved by the House Environment Policy and Oversight Committee March 10.

HF569, sponsored by Rep. Brita Sailer (DFL-Park Rapids), would attach a yet-to-be determined fee onto each gallon of "architectural" paint purchased by consumers. Such paint is applied to buildings, and does not include artist paint, paintballs or other types.

Paint is one more example in a long list of products gaining attention for "end-of-life management" for environmental reasons. Sailer said the user fee would shift the disposal/recycling costs onto the consumer rather than burden local governments, which don't fully recover their costs for accepting household hazardous waste.

Paint manufacturers and retailers support the bill and would form a nonprofit third-party program committee to oversee a pilot paint stewardship program. They need legislative backing to prevent a breach of federal anti-trust regulations.

If successful, Minnesota could be the model for a national paint stewardship program, said Mike Weber, chief operations officer for Hirshfield's Paint. "We really would like to see this pilot program go through to see if, in fact, we don't have different legislation going on in 50 states all the way down to the county level."

A pending appropriation cannot exceed assessment costs for the pilot project.

Rep. Steve Drazkowski (R-Wabasha) called the fee a "tax" that could be collected against the will of the consumer. Sailer disagreed and said the fee does not meet the definition of a tax.

The committee approved it on a split-voice vote and referred it to the House Commerce and Labor Committee. A companion, SF477, sponsored by Sen. John Doll (DFL-Burnsville), awaits action by the Senate Judiciary Committee.

— S. HEGARTY

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GAME & FISH

ATV uses for hunters

New allowances for using an all-terrain vehicle when hunting could end up in the House Game, Fish and Forestry Division's omnibus bill. The provisions are contained in two bills that were heard March 9 by the division.

HF150, sponsored by Rep. Tom Anzels (DFL-Balsam Township), would let licensed hunters who are permanently disabled receive a free lifetime permit to use ATVs along designated trails when hunting small game. Currently, these permits are issued for five years.

A companion, SF221, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

Rep. David Dill (DFL-Crane Lake) sponsors HF1138, which also expands the use of ATVs, but when bear hunting. An ATV can now be used to transport and install hunting stands, but not to bring bait into the registered hunting area. This would bring into compliance many hunters who already are doing both at the same time, Dill said. The bill has no Senate companion.

Winter trout anglers could also gain under a section of Dill's bill that would move up the beginning date for winter lake trout season from Jan. 15 to Jan. 1. Dill said many constituents complained that the later date prohibited trout fishing during school vacation days.

— S. HEGARTY

HEALTH

Cash for colon cancer screening

Colon cancer is one of the leading types of cancer, and one of the most preventable, according to representatives of the American Cancer Society, Midwest Division. However, the uninsured or underinsured tend to avoid the costly screenings necessary to find and treat colon cancer.

HF293, sponsored by Rep. Maria Ruud (DFL-Minnetonka), would create a pilot study under the proposed Minnesota Colorectal Cancer Prevention Act to screen 200 patients at two hospitals: Hennepin County Medical Center in Minneapolis and MeritCare in Bemidji. Both facilities have lists of eligible clients waiting for the screenings, Dave Arons, director of government relations for the American Cancer Society, Midwest Division, told the House Housing Finance and Policy and Public Health Finance Division March 10.

The division will consider the bill for

possible inclusion in its omnibus bill. Its companion, SF366, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action in the Senate Finance Committee.

Eligible patients would include people ages 50 to 65 who are at or below 250 percent of the federal poverty level and who are not eligible for other medical assistance programs.

An estimated 25 percent of the 200 people screened could test positive for cancerous polyps, said Arons. Those patients would receive follow-up services through the bill's yet-to-be-determined appropriation. The American Cancer Society would also contribute money toward the project.

At the conclusion of the study, the health commissioner and University of Minnesota School of Public Health would evaluate the project and make recommendations for future screening projects to the Legislature by Jan. 1, 2011.

— S. HEGARTY

Psychiatrists may join loan program

Since 1990, select health professionals who agree to work in underserved areas of the state have had a portion of their student loans forgiven. Last year, \$7.8 million in loans were forgiven and soon, another \$20 million may be available from the federal stimulus funds. Beginning next fiscal year, HF113 would add pediatric psychologists to the list of eligible healthcare providers.

Rep. Matt Dean (R-Dellwood), the bill sponsor, said it is in response to a shortage of mental health beds and workers in Minnesota, which should be confirmed in a workforce shortages report due out this week.

"One of the issues that we're really grappling with is getting the right care at the right place at the right time across Minnesota. We've had real access problems in the state, particularly in the area of psychiatric help and also pediatric mental health services," Dean told the House Housing Finance and Policy and Public Health Finance Division March 10.

The bill will be considered for possible inclusion in the division's omnibus bill. Its companion, SF92, sponsored by Sen. Ray Vandeveer (R-Forest Lake), awaits action by the Senate Health and Human Services Budget Division.

— S. HEGARTY

Limiting pharmaceutical marketing

A bill that would limit the use of prescription information obtained by companies that sell prescribed products was approved March 10 by the House Health Care and Human Services Policy and Oversight Committee.

Rep. Tina Liebling (DFL-Rochester), sponsor of HF491, said many physicians and patients

don't know that prescription information is sold to pharmaceutical marketing companies. The data is used to market drugs to specific physicians in a process called "detailing," a marketing strategy whose multi-million dollar cost is passed onto consumers, she said.

Greg Beaumont, a former detailer, said he would get weekly, monthly and quarterly reports on specific medications that almost every doctor in the state was prescribing. He would then market products to doctors prescribing certain classes and types of drugs to increase business.

Vernon Rowen, vice president of government affairs for Express Scripts Inc., said the bill goes too far in protecting information. The changes would prevent his company from being able to market generic drugs to physicians to help save money. "It still does not carefully craft the exceptions," he said.

Liebling countered "it does not cut off the flow of information" for companies like Express Scripts, rather it would prevent specific types of marketing and allow for education and research.

Rep. Laura Brod (R-New Prague) said the bill needed more work and unsuccessfully moved to table the legislation.

A similar New Hampshire law was upheld last year in the federal court of appeals.

The bill now goes to the House Commerce and Labor Committee. A companion, SF1044, sponsored by Sen. John Doll (DFL-Burnsville), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

Prohibiting participation

Persons under state civil commitment would be prohibited from participating in a psychiatric clinical drug trial while the order is in effect, under a bill approved March 11 by the House Health Care and Human Services Policy and Oversight Committee.

Mary Weiss testified that her son, Dan Markingson, committed suicide when participating in a 2004 drug trial. She voiced concerns to his case manager about his deteriorating condition, but was unsuccessful in pulling him out of the drug trial. "I have promised Dan that I will fight for the rights of the mentally ill until the day I die," she said.

The bill, HF388, sponsored by Rep. Karla Bigham (DFL-Cottage Grove), doesn't exclude those who have tried multiple treatments, but failed to find one that is effective, said Sue Abderholden, executive director for the National Alliance on Mental Illness. Under the bill, those under commitment would lose their rights to make decisions, she said.

Many psychiatric drug trials already say patients at risk of suicide or of hurting others should not be recruited, said Dr. Carl Elliott,

professor for the Center for Bioethics at the University of Minnesota. While participation in a drug study carries risk, patients under civil commitment may not understand what they are signing up for, he said.

Rep. Julie Bunn (DFL-Lake Elmo) said a provision should be added to the bill that would allow participation of a person who has tried multiple treatments that have failed.

The bill now goes to the House Civil Justice Committee.

A companion, SF431, sponsored by Sen. Don Betzold (DFL-Fridley), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

HIGHER EDUCATION

New regents elected

The University of Minnesota's Board of Regents will have one new member and three returning members starting this week.

In a special joint floor session March 9, House and Senate members elected four individuals to fill open seats on the 12-member board, which serves as the university's governing body. The regents-elect, who begin their terms March 12, are:

- from the 1st Congressional District, Patricia Simmons of Rochester (currently chairwoman of the board);
- from the 4th Congressional District, Richard Beeson of St. Paul;
- from the 6th Congressional District, current regent John Frobenius of St. Cloud; and
- from the 7th Congressional District, current board vice chair Clyde Allen Jr. of Moorhead.

Regents voluntarily serve staggered six-year terms, with four seats open every two years. One regent is elected for each of Minnesota's eight congressional districts, and four are elected at large.

According to statute, potential board members are selected by the Regent Candidate Advisory Council. A joint House and Senate committee on regent selection then votes to recommend a slate of candidates to the full House and Senate.

This year, the advisory council submitted eight candidates for the committee's recommendation, and a ninth, Frobenius, was successfully nominated by Rep. Larry Haws (DFL-St. Cloud). The slate recommended by the committee included Simmons, Beeson, Frobenius and Allen.

During the floor vote, Simmons and Beeson each received 192 votes, and Frobenius received 187. In the closest race, Allen bested opponent Anne Rasmusson, nominated on



PHOTO BY ANDREW VONBANK

Clyde Allen, Jr., from left, John Frobenius, and Patricia Simmons are recognized in the House Gallery March 9 after being re-elected to the University of Minnesota Board of Regents. Richard Beeson was also elected to the university's governing body.

the House floor by Rep. Bernie Lieder (DFL-Crookston), by a vote of 114-78.

Other regent candidates interviewed by the joint committee were Randy Simonson from the 1st District, Anita Pampusch from the 4th District, and Kjell Bergh and Kathryn Roberts from the 6th District.

— N. BUSSE

HOUSING

Housing subsidies for mentally ill

A former Section 8 housing administrator, turned legislator, is asking for an additional \$3.4 million to be added to a rent subsidy program for the mentally ill.

Rep. Jeff Hayden (DFL-Mpls), sponsor of HF522, saw 5,000 applicants for 150 vouchers when he served on a demonstration project a few years ago.

"When I left there two years ago, there were 3,500 people who were still on the waiting list," Hayden told the House Housing Finance and Policy and Public Health Finance Division March 10. The division held the bill over for possible omnibus bill inclusion. There is no Senate companion.

Hayden said 54 percent of homeless adults report that they have been diagnosed with mental illness. "Stable housing is necessary for recovery," he added.

The Housing Finance Agency is expected to receive \$5.27 million in the next biennium for the Bridges rental housing program, which provides rent assistance to persons with serious and persistent mental illness. The bill would

raise the base funding to \$8.67 million. Subsidies would go to people with mental illness who are on Section 8 housing voucher waiting lists.

Nicole Jarousek said the program has allowed her to pay her bills, including rent, while she waits for Section 8 housing. After finding herself homeless four times in one year, she now lives close to relatives in a 700 square-foot apartment in Stillwater.

— S. HEGARTY

HUMAN SERVICES

Cancer facility moratorium extended

Signed
by
the
governor

The current moratorium on construction of new radiation oncology facilities has been extended from Aug. 1, 2011, to Aug. 1, 2014, in the Twin Cities metropolitan area and several regional centers in Greater Minnesota.

Signed March 11 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2009.

"The Legislature has made the decision, on repeated occasions, that limiting the expansion of these machines is the right public policy for us to be pursuing," said Rep. Paul Thissen (DFL-Mpls), who sponsors the law with Sen. Linda Berglin (DFL-Mpls).

But opponents, including Rep. Thomas Huntley (DFL-Duluth), said the law is about a fight between two oncology groups. He said both do a good job, but one wants to keep the other out of business.

HF177/SF162*/CH6

— L. SCHUTZ

INSURANCE

Statewide school district pool

Two vetoes in the previous two years haven't stopped advocates of a school employee statewide health insurance pool from putting the proposal back on the table.

Rep. Larry Hosch (DFL-St. Joseph) sponsors HF866 that would mandate school districts to obtain employee health coverage through the state public employees insurance program.

Close votes on several amendments March 10 by the House Commerce and Labor Committee exemplified how the issue crosses party and geographical lines.

Rep. Sarah Anderson (R-Plymouth) and Rep. Leon Lillie (DFL-North St. Paul) were among those objecting to mandated district participation. Anderson and Rep. Kurt Zellers (R-Maple Grove) unsuccessfully tried to amend the bill to exclude the school districts they represent.

Paul Bourgeois, executive director of finance and operations for the Minnetonka School District, which is self-insured and has been able to contain premium costs. He said participation in a state program would increase costs to teachers. "There are models out there that work, and by shoehorning us into a model, we feel we won't be able to exercise our ability to manage our care."

However, Rep. Tom Anzelc (DFL-Balsam Township) said many rural districts are having trouble containing health care costs because their employee insurance pool is not large enough.

"We hear a lot about Minnetonka, Wayzata, St. Paul, but the people from North Kooch and Lake of the Woods aren't here. Those teachers and students are important too," he said.

Education Minnesota President Tom Doohar said that, based on research, voluntary pools fail and mandatory pools succeed because of the greater numbers of employees participating.

"Health care costs are creating a huge burden on school districts and employees," he said. "Some school employees actually write a check to the school district every two weeks to come to work, because the cost (of health insurance) exceeds their salary."

The bill was approved 9-7 and referred to the House Health Care and Human Services Policy and Oversight Committee. Its companion, SF915, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate E-12 Education Budget and Policy Division.

— L. SCHUTZ

LOCAL GOVERNMENT

County offices appointed

It's become an almost perennial issue at the Legislature: whether to let counties appoint, rather than elect, certain offices.

Specifically, county auditors, treasurers and recorders could be appointed rather than elected, under the provisions of HF1278. Sponsored by Rep. Phil Sterner (DFL-Rosemount), the bill was approved March 9 by the House Local Government Division.

It would allow counties to make the positions appointed by a vote of at least 80 percent of the county board members; however, the boards would have to give public notice of the change, and residents would have 60 days to file a petition for a reverse referendum to keep the positions elected.

Supporters say many counties have trouble finding qualified candidates for the positions who are willing to run for office. They point out that numerous counties have already received permission from the Legislature to make the positions appointed.

"What we're really trying to do is just kind of put this issue to rest, so that future counties, if they decide to go down this route, don't have to seek special legislation; they can just go through the local process," said Joe Mathews, policy analyst for the Association of Minnesota Counties.

Opponents to the bill worry local governments would be less accountable to voters, and that it ignores differences between counties.

"I'm always hesitant when we take a situation and find a solution that's just kind of a blanket solution that really takes the rights away from a lot of voters," said Rep. Rob Eastlund (R-Isanti).

The bill now goes to the House State and Local Government Operations Reform, Technology and Elections Committee. Sen. Sandy Pappas (DFL-St. Paul) sponsors the companion, SF1125, which awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Mandate relief bill approved

With the state facing an estimated \$4.6 billion budget shortfall, cities and counties are likely to face another round of cuts in local government aid. A bill working its way through the House would help them by removing some costly mandates.

HF1195, sponsored by Rep. Morrie Lanning (R-Moorhead), represents the results of a House working group on local government

mandate relief. Among other changes, the bill would:

- eliminate property tax levy limits;
- impose a two-year moratorium on new maintenance of effort (MOE) requirements on local governments;
- provide a mechanism for cities and counties to reduce their library spending MOE requirements; and
- eliminate truth-in-taxation public hearings and newspaper notice requirements.

The bill would also establish a Legislative Commission on Mandate Reform to make recommendations to the Legislature on reforming or eliminating other mandates on local governments. It would expire in 2013.

The bill was approved March 9 by the House Local Government Division and March 11 by the House State and Local Government Operations Reform, Technology and Elections Committee. It now goes to the House Taxes Committee. There is no Senate companion.

At the March 11 hearing, Lanning characterized the bill as the first step in a bipartisan effort to reduce mandates that have driven up the cost of local government over the years.

Opponents, however, took issue with several provisions.

Rep. Tom Emmer (R-Delano) questioned the necessity of the proposed commission, arguing that lawmakers already have the power to lift mandates.

"I don't know how you create more efficiency in government by creating more government," Emmer said.

Rep. Mary Kiffmeyer (R-Big Lake) expressed concern about the proposal to eliminate truth-in-taxation hearings. She said the hearings would be even more important if the Legislature were to repeal levy limits.

— N. BUSSE

Measuring local performance

Rep. Paul Marquart (DFL-Dilworth) says Minnesota has no standard set of measures it can use to evaluate the performance of cities and counties, and he sponsors a bill to change that.

HF1201 would establish a Council on Local Results and Innovation to develop minimum standards for measuring the performance of local governments. Approved March 11 by the House State and Local Government Operations Reform, Technology and Elections Committee, the bill now goes to the House Taxes Committee.

The council would be charged with establishing approximately 10 measures to evaluate efficiency and effectiveness. The standards would be voluntary; however, cities and counties that choose to adopt them would

be eligible for per capita reimbursements and be exempted from levy limits and truth-in-taxation hearing requirements.

Marquart said lawmakers currently have little understanding of how effectively local government aid payments, which he said account for 9 percent of the state budget, are being used by cities and counties.

"As a state and as policymakers, we really do not know what we're getting for those dollars going out," Marquart said.

Local governments that participate in the program would have to publish results annually for their residents, and also file reports with the Office of the State Auditor. Council members would include the state auditor, representatives from the League of Minnesota Cities and Association of Minnesota Counties, and eight members appointed by chairs of legislative committees with jurisdiction over property taxes.

Rep. Mark Buesgens (R-Jordan) said he is concerned that the 10 performance measures might someday evolve into 10 performance mandates on local governments. He added that local governments might be better off each having their own approach, rather than "one umbrella of mandated performance measures or standards."

The bill was also approved March 9 by the House Local Government Division. There is no Senate companion.

— N. BUSSE

RECREATION

Money for Como

Gorillas at the Como Zoo could have more room to roam.

Sponsored by Rep. Alice Hausman (DFL-St. Paul), HF820 would provide \$11 million in bond proceeds for construction and infrastructure improvements at the St. Paul zoo.

Michelle Furrer, campus manager for the Como Park Zoo and Conservatory, told the House Cultural and Outdoor Resources Finance Division March 9 the money would protect jobs of people currently working on the Polar Bear Odyssey exhibit that is expected to open in the spring of 2010. Upon its completion, those workers would immediately start work on the zoo's next project, Gorilla Forest.

Both projects will provide habitats suitable for the animals. The Polar Bear Odyssey will emulate a Hudson Bay ecosystem complete with a stream, rocky cliffs and evergreen preservation. The exhibit has also received a major endorsement by Polar Bears International.

Gorilla Forest would allow gorillas to live in more of a family atmosphere. At 10,000 square

feet, the space is two-and-a-half times larger than the current outdoor space. The smaller space of 2,000 square feet would be used for mothers with babies. Visitors will be able to see eye-to-eye with the gorillas. The project will provide 1,000 jobs.

The bill was approved and now awaits action by the House Capital Investment Finance Division. A companion, SF869, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

— S. HEGMAN

Money for hockey arenas

More grant money could be available for hockey rink construction and rehabilitation around the state.

Sponsored by Rep. Sandra Peterson (DFL-New Hope), HF948 would provide \$6 million in bond proceeds for grants to public ice facilities. The House Cultural and Outdoor Resources Finance Division approved the bill March 9. It now moves to the House Capital Investment Finance Division.

Currently there is no money in the Mighty Ducks ice facilities fund for the state's public ice facilities. Grants from the fund would be capped at \$400,000 for new rinks and \$200,000 for rehabilitation and renovation.

The Mighty Ducks grant program was established in 1995 to help communities renovate or construct ice rinks. Between 1995 and 2004, the Minnesota Amateur Sport Commission awarded in excess of \$18 million to help create 61 new sheets of ice. However, the last grants were given in 2004, Peterson said.

The New Hope Ice Arena serves 475 youth in hockey programs from several communities, which is just one example of why Minnesota has the largest amateur hockey program in the country and the largest girls' hockey program in the country, Peterson said. It received a \$250,000 grant in 1999 for a second sheet of ice.

A companion, SF778, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate State Government Budget Division.

— S. HEGMAN

SAFETY

Driving diversion program possibility

John Choi estimates that about one-third of the 15,000 cases prosecuted each year by the St. Paul City Attorney's Office are related to driving without a valid license.

Some of these people want to get valid, but for various reasons, such as limited finances, they are unable to do so, said Choi, the city

attorney. A bill sponsored by Rep. John Lesch (DFL-St. Paul) could help.

Held over March 10 by the House Public Safety Policy and Oversight Committee for possible omnibus bill inclusion, HF589 would create a pilot diversion program for people who have been charged with driving after suspension or revocation, but have not yet entered a plea.

A companion, SF847, sponsored by Sen. Yvonne Prettnier Solon (DFL-Duluth), awaits action by the Senate Finance Committee.

"The most important part of this bill is the carrot, which is the individual who would be diverted into this program would get a valid license," Choi said. "We typically tell the individual, 'You need to get yourself valid, you need to pay the fines and good luck.'"

Participants would need to maintain insurance, make regular payments toward the outstanding fines and complete a class that will teach things like life and financial management skills. There would be no expense to the taxpayer because offenders would pay for program costs, which could be done in installments.

Five cities would be eligible to take part in the pilot program: Duluth, St. Paul, South St. Paul, West St. Paul and Inver Grove Heights. If successful, it could be expanded.

"It's a long-term solution to get people out of the revolving door of having a driving-after-suspension citation, because if they simply pay the citation, they get suspended again. And they continue to drive because they continue to need to get to work, to pick up the kids, or get groceries, so they'll get another driving after suspension citation. This will teach them how to get out of the system and stay out of it," said Kori Land, city attorney for the three Dakota County cities asking to be part of the program.

— M. COOK

TAXES

Accountability for new sales tax

An Office of Accountability may be established to track revenues and expenditures generated by the Outdoor Heritage Legacy Act, the three-eighths of 1 percent dedicated sales tax that is to be collected beginning July 1.

HF1086, sponsored by Rep. Jean Wagenius (DFL-Mpls), would require the office to create an Internet site where the public could view revenues and expenditures from all four accounts in the act. The House Environment Policy and Oversight Committee approved the bill as amended March 10 and referred it to the House Finance Committee.

A companion, SF995, sponsored by Sen.

Ellen Anderson (DFL-St. Paul), awaits action by the Senate Environment and Natural Resources Committee.

Rep. Kent Eken (DFL-Twin Valley), the committee chairman, noted that only three of the four funds receiving the tax revenue were written into the bill. He successfully amended it to include the Arts and Cultural Heritage fund. The other three include the Clean Water Fund, Parks and Trails Fund and the Lessard Outdoor Heritage Council.

Some of the provisions of the bill require:

- all money be spent in Minnesota;
- recipients display a sign acknowledging that the funds were used from the act; and
- the Legislative Coordinating Commission to replace the Department of Natural Resources as administrative support for the council, a 12-member board that will decide how to spend 33 percent of the tax revenue.

"I think it's a good bill," said Rep. Al Juhnke (DFL-Willmar). "We do need to have some way to coordinate all this and make sure that everyone is utilizing the funding appropriately."

Lance Ness, president of the Fish & Wildlife Legislative Alliance, said he has concerns about expanding the administrative arm for the funds.

"With me, (the interest groups) weighed in on their thoughts that this money should be going on the ground and less used for administration," added Rep. Denny McNamara (R-Hastings).

Wagenius said she had not heard from interest groups, but "we want Minnesotans to know that we are spending their money as wisely as we can. I think we all want them to be able to see what they're getting for their dollar," she said.

— S. HEGARTY

Revenues down, worries up

Growth in the state's revenues over the next 25 years is expected to slow.

That was the news State Economist Tom Stinson gave to the House Taxes Committee March 10.

"Revenues are not going to grow fast enough to keep up with health care spending," he said while presenting only the revenue side of the February Forecast to the committee, something he said he's never done before.

He said the state's economy is growing a little more slowly than the U.S. economy, and its outlook worsened dramatically between the November 2008 and February 2009 forecasts. On just the revenue side, when the Legislature adjourned last May, the state had a projected \$625 million deficit for the current biennium. For the 2010-11 biennium, the revenue deficit

is projected to be \$4.46 billion; this is due, in part, to a \$2.45 billion expected decline in income tax collections.

“Just this amount of change since we adjourned, I just find amazing,” said Chairwoman Rep. Ann Lenczewski (DFL-Bloomington).

Stinson said a change of this magnitude has never happened, although in the early 1980s, he said things deteriorated very quickly and enormously, caused by two recessions and a change in the inflation rate.

The state’s revenue has declined because of several factors:

- we are in a recession;
- the state’s employment and wages are declining;
- nonwage income is declining, i.e. income from stock investments;
- taxable purchases are declining;
- corporate profits are declining; and
- the state’s General Fund is receiving a smaller percentage of the motor vehicle sales tax.

“What we need to recognize is that what this recession means is that business receipts are going to be less than in 2008,” Stinson said. “This is not something we’re used to seeing.”

It is also predicted that jobs are going to decrease by 3 percent in Minnesota in 2009 and another 1 percent in 2010.

“You can come at this from every angle,” Lenczewski said. “We have a huge problem. It doesn’t matter what the political approach is. This deficit is helping us all get a little taste of reality.”

— S. HEGMAN

Tax analysis based on Suits

The state’s tax system became more regressive between 2004 and 2006, and it’s all based on Suits.

The Suits Index, named for economist Daniel Suits, calculates a single number that measures tax policy progressivity. The approach basically compares the cumulative share of income received by taxpayers — ordered from lowest to highest — to their cumulative share of taxes paid. From 2004 to 2006, this number for Minnesota dropped from minus-0.024 to minus-0.053, which Paul Wilson, director of tax research for the Department of Revenue, said is a big change. He presented the 2009 Minnesota Tax Incidence Study to the House Taxes Committee March 11.

With the index, the further below zero a number is, the more regressive it is. In a regressive tax system the poorest people pay the most tax relative to income, the wealthiest pay the least.

“It takes a lot to move the Suits Index,”

Wilson said. “The point is that it’s hard to explain this. We have more work to do.”

The new methodology for the motor vehicle registration tax can account for minus-0.004, but it is unknown about the remainder. Wilson said there was no policy change large enough to explain a change like this.

Minnesota’s Suits Index was better, or more progressive, in recession years like 1990 and 2002, Wilson said because “everyone is hurting so income grows more equally.” And in “boom” years, like 1998 and 2006, income distribution grew more unequal, causing more regressivity.

This is the 10th mandated, nonpartisan biennial study conducted by the department. Wilson said no other states do studies like this on a recurring basis. The 2009 study looked at data from 2006 and projected out to 2011.

The study used a sample of 105,000 households; weighted to represent 2.45 million households. It’s then divided into 10 income groups.

Between 2006 and 2011, not much changed, Wilson said. The 2011 projection is based on current law and the November 2008 forecast. The big change in 2011 is that state taxes go down and local taxes go up, he said.

— S. HEGMAN

Putting tax on interest

Businesses receiving interest higher than 15 percent of the principal balance from consumers on loans could see a new tax.

Sponsored by Rep. Tom Rukavina (DFL-Virginia), HF716 would enact a 30 percent tax on interest earned in excess of 15 percent. The bill was laid over for possible omnibus bill inclusion by the House Taxes Committee March 9.

According to the Department of Revenue, the 30 percent tax would be imposed on interest earned by a business that engages in loaning money, credit or goods. The bulk of the tax would be collected on the outstanding balances of credit extended to consumers by credit card companies. The bill also applies to short-term loans made by pawn shops and other similar short-term loan operations. The tax is in addition to the corporate franchise and individual income tax.

“I think this is a terrible bill,” said Rep. Paul Kohls (R-Victoria). He added that the bill said nothing about its effect on mortgages and said it would further dry up credit markets.

Some members voiced concerns about the percents chosen.

“Why would you choose 15 percent and 30 percent?” asked Rep. Laura Brod (R-New Prague). “I’m concerned we’re going to dry up the credit market more than it already is.”

Rukavina said he was carrying the bill for

Sen. Julianne Ortman (R-Chanhassen), who sponsors SF507, the bill’s companion. “She picked the numbers. And I am concerned about people hurting in this economy.” That bill awaits action by the Senate Taxes Committee.

Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) said the bill could be designed any way the committee would want it to address concerns.

— S. HEGMAN

Tax preparer changes

People who enter into tax refund anticipation loan agreements could have a business day to change their mind.

That is one provision in HF722, sponsored by Rep. Paul Thissen (DFL-Mpls), which contains a number of new standards for tax preparers.

“This is a bill to expand on some legislation that we passed in 2003 that set the first standards in the country for tax preparers,” he said. “This is building on some things we’ve learned since then, some of the abuses, in some sense, that go on with some of the tax preparation services. We’re trying to tighten that up.”

Approved March 11 by the House Civil Justice Committee, the bill was sent to the House Taxes Committee. A companion, SF616, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Judiciary Committee.

Ron Elwood, staff attorney with Legal Services Advocacy Project, said that even with the disclosures and other things currently in place, some people still do not realize the monetary advance is actually a loan.

“We figured to be fair to the offering, which is for people who really want the money immediately, we thought 24 hours would be at least some cooling off period, but not too much,” he said. “We thought it balanced the interests of the business and the client.”

In addition, a written agreement would be required for those entering into a refund anticipation loan agreement. Failure to do so could result in a \$1,000 administrative penalty.

Other changes include:

- preparers advertising in a foreign language must also provide forms or disclosures in that language; and
- an expansion of the taxpayer standards of conduct, including that no preparer shall fail to safeguard and account for all money handled for the client, shall fail to act in the client’s best interest or establish an account in the preparer’s name to receive a client’s refund through direct deposit, unless the client’s name is also on the account.

— M. COOK

TRANSPORTATION

Airport terminal funding sought

People clearing security at Duluth International Airport best hope they do not need to use a restroom before boarding an aircraft. Doing so means leaving the gate area and having to go through the screening process once again to return to the gate area.

Sponsored by Rep. Thomas Huntley (DFL-Duluth), HF83 would provide \$4.9 million in bonding proceeds for a new airport terminal on a current short-term parking lot. "Our current terminal presents a number of Homeland Security and (Federal Aviation Administration) issues, and is not well-equipped to process passengers, nor accommodate them once they pass through security screening," Huntley said. "The building was designed long before Sept. 11, and it really can't be adapted to the current way we need to treat people in an airport."

The bill was held over March 5 by the House Transportation Finance and Policy Division for its possible bonding recommendations to the House Capital Investment Finance Division.

A companion, SF36, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Transportation Committee.

Current funding calls for federal dollars to make up about one-half of the \$64.9 million project. Proponents seek \$16.6 million in state bonding between this year and next; the Duluth Airport Authority is to fund \$7.8 million; and \$7 million is to come from the State Airports Trust Fund.

"This project is also on the list for federal stimulus money," said Brian Ryks, executive director of the authority. "We think we're positioned well to get some stimulus money."

He said the project would create more than 200 construction jobs. Federal money was received last year for planning, and the shovel-ready project is to be bid May 7.

Ryks said the airport has a \$1.3 billion regional economic impact, and statistics show that many regional travelers drive to the city, and spend the night before hopping on their flight.

— M. Cook

Little Crow Transit Way study

Long-term regional transportation plans include a rail or rapid bus transitway extending northwest and southwest from the Twin Cities metropolitan area.

Rep. Dean Urdahl (R-Grove City) seeks bonding for a route going west to Willmar.

Held over March 10 by the House Transportation Finance and Policy Division for possible inclusion in its bonding recommendations to the House Capital Investment Finance Division, HF1210 seeks \$500,000 for preliminary engineering, environmental analysis and land acquisition for the Little Crow Transit Way. The line was named in statute last year.

A companion SF1178, sponsored by Sen. Terri Bonoff (DFL-Minnetonka), awaits action by the Senate Transportation Budget and Policy Division.

"This would just explore the need," Urdahl said. "As I envision it right now, it would affect Hennepin, Wright, Meeker and Kandiyohi counties, and later on to points west perhaps." He has not committed to bus or rail transit, just whatever would be the best option.

Urdahl said 64 percent of Meeker County workers leave the county for their job, with most driving to the Twin Cities metropolitan area along Highway 12. "That is becoming more and more congested, and the outlook is that it will continue to have that situation as we go through the years."

Phillip Qualy, state legislative director of the United Transportation Union, said a second rail line could be added between Delano and Minneapolis on existing right of way. "The existing road bed from abandoned track is still there; the bridges; the viaducts; and infrastructure is still in place."

— M. Cook

Airport expansion money sought

A late-2003 study indicated that the St. Cloud Regional Airport is the likeliest reliever facility to Minneapolis-St. Paul International Airport because of its location, accessibility and the region's population growth.

However, the study also spoke of a lack of infrastructure. That resulted in an update of the airport's master plan to provide better accommodations.

Sponsored by Rep. Larry Haws (DFL-St. Cloud), HF851 would provide \$2 million in bonding to purchase land adjacent to the facility, provided an equal amount of nonstate money is part of the package. St. Cloud Mayor Dave Kleis said that would be a half-cent regional sales tax increase approved by voters.

"We may not need it tomorrow. We may not need it in 10 years, but this is property that needs to be acquired as soon as possible to ensure this airport can grow," said Airport Director Bill Towle.

"This is really essential to making sure we have a buffer zone, so we don't have economic development infringing," added Rep. Dan Severson (R-Sauk Rapids).

The bill was held over March 5 by the House Transportation Finance and Policy Division for its possible bonding recommendations to the House Capital Investment Finance Division.

A companion, SF1013, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Transportation Budget and Policy Division.

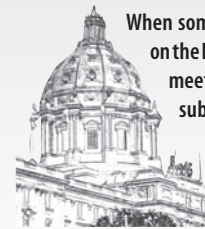
Two years ago, the airport received a similar, locally matched \$4 million bond amount. Towle said that money would nearly be spent when the acquisition of five more parcels is completed. A planned crosswind runway would use some of the acquired land.

"Right now, St. Cloud has one air carrier or large aircraft runway. It's 7,000 feet, and we don't have a second runway that can handle that kind of traffic," Towle said. He said a second runway would help attract air service to the region. Long-term plans include a parallel runway to the existing landing strip.

He also noted if the lone runway is closed for whatever reason — maintenance, snow removal — there is not a runway that can be used for the larger aircraft.

— M. Cook

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Monday, March 9

HF1405-Hilstrom (DFL)

Public Safety Policy & Oversight

Tax data disclosed to law enforcement authorities.

HF1406-Dill (DFL)

Commerce & Labor

Lawful gambling tax provisions modified.

HF1407-Hackbarth (R)

Public Safety Policy & Oversight

Right of citizens to keep, bear and use arms for certain purposes is fundamental and shall not be infringed, and constitutional amendment proposed.

HF1408-Eken (DFL)

Finance

Small power producer grant program created.

HF1409-Loon (R)

State & Local Government Operations Reform, Technology & Elections

Hennepin County; eligible employee permitted to apply for disability by waiving minimum service requirements.

HF1410-Thissen (DFL)

Civil Justice

Attorney fee determining amount factor provided.

HF1411-Downey (R)

Finance

Early, community and adult education programs funding provided.

HF1412-Cornish (R)

Finance

Waldorf; wastewater treatment infrastructure funding provided.

HF1413-Dettmer (R)

Finance

Athletic scholarship conditions set.

HF1414-Bigham (DFL)

Finance

State grant program eligibility changed.

HF1415-Downey (R)

State & Local Government Operations Reform, Technology & Elections

Public value impact statements required for certain legislation.

HF1416-Atkins (DFL)

Taxes

Class rate on certain recreational property reduced.

HF1417-Loon (R)

Taxes

Subtraction for health insurance premiums allowed.

HF1418-Nelson (DFL)

Commerce & Labor

Plumbing regulated.

HF1419-Hilstrom (DFL)

Commerce & Labor

Plumbing inspector qualifications required.

HF1420-Nornes (R)

Commerce & Labor

Racetracks allowed outside of the seven-county Twin Cities metropolitan area and racetracks allowed to operate card clubs.

HF1421-Scott (R)

Transportation & Transit Policy & Oversight Division

Speed limit provisions amended.

HF1422-Bigham (DFL)

Public Safety Policy & Oversight

Financial Oversight Council changed to an advisory board.

HF1423-Winkler (DFL)

State & Local Government Operations Reform, Technology & Elections

Municipalities required to utilize state cooperative purchasing.

HF1424-Murphy, E. (DFL)

Health Care & Human Services Policy & Oversight

Public health improvement account created, statewide health improvement program provisions modified and health impact assessment program established.

HF1425-Sailer (DFL)

Energy Finance & Policy Division

Renewable energy standard technology options modified for certain public utilities.

HF1426-Hilty (DFL)

Taxes

Fire and ambulance special taxing district established.

HF1427-Lanning (R)

Taxes

Border city enterprise allocations increased.

HF1428-Eastlund (R)

Civil Justice

Marriage dissolution grounds modified and two-year waiting period required.

HF1429-Eastlund (R)

State & Local Government Operations Reform, Technology & Elections

County boards permitted to decrease their compensation at any time; limitations on salary changes for city council members modified.

HF1430-Peterson (DFL)

Finance

Working Family Resource Center grant provided.

HF1431-Hortman (DFL)

Taxes

Tax increment financing and transit improvement area provisions amended.

HF1432-Rosenthal (DFL)

Health Care & Human Services Policy & Oversight

Children aging out of foster care provisions modified; Runaway and Homeless Youth Act modified.

HF1433-Simon (DFL)

Commerce & Labor

Workers compensation self-insurance group security requirements regulated and exceptions provided.

HF1434-Johnson (DFL)

Energy Finance & Policy Division

Mass transit zone for utility reinvestment and cost recovery created.

HF1435-Knuth (DFL)

Transportation & Transit Policy & Oversight Division

Noise abatement requirements on highway construction projects modified.

HF1436-Slocum (DFL)

Finance

Fort Snelling Museum and Visitor Center improvement pre-design authorized.

HF1437-Seifert (R)

State & Local Government Operations Reform, Technology & Elections

Federal government memorialized to halt its practice of imposing mandates upon the states for purposes not enumerated by the Constitution of the United States and affirming Minnesota's sovereignty under the 10th Amendment to the Constitution of the United States.

HF1438-Hausman (DFL)

Transportation & Transit Policy & Oversight Division

Transit vehicle and supply purchasing and other activities related to transit centralized.

HF1439-Juhnke (DFL)

Commerce & Labor

Appraisal management companies' registration and regulation provided.

HF1440-McNamara (R)

Environment Policy & Oversight

Financial assurance required for nonferrous metallic mineral mining defined.

HF1441-Brynaert (DFL)

K-12 Education Policy & Oversight

State measures of student achievement growth established.

HF1442-Olin (DFL)

Public Safety Policy & Oversight

Crime of fleeing a peace officer modified.

HF1443-Hornstein (DFL)

Taxes

Teleworking credit created and sales tax exemption provided for telework expenses.

HF1444-Koenen (DFL)

Taxes

Education subtraction and credit to broadband subscription expenses expanded.

HF1445-Knuth (DFL)

Finance

Solar energy projects at regional parks grant program established for solar energy projects in metropolitan parks and state parks and recreation areas.

HF1446-Welti (DFL)

Finance

University of Minnesota agricultural research and extension funding provided.

HF1447-Otremba (DFL)

Agriculture, Rural Economies & Veterans Affairs

Veterinarian education loan forgiveness program established.

HF1448-Mullery (DFL)

Civil Justice

Information released to health care agents and access granted to health care agents.

HF1449-Lesch (DFL)

Public Safety Policy & Oversight

Criminal intelligence data clarified under the Data Practices Act.

HF1450-Hilstrom (DFL)

Civil Justice

Civil commitment venue clarified.

HF1451-Eastlund (R)

Finance

Budget reserve established, reserve amount set, reserve full funding provided and constitutional amendment proposed.

HF1452-Liebling (DFL)

Taxes

Exemption provided for pollution control machinery and equipment providing energy to health care facilities.

HF1453-Faust (DFL)

Taxes

Pine County; tax increment financing provisions modified.

HF1454-Huntley (DFL)
Health Care & Human Services Policy & Oversight
Uniform formulary exception document development required.

HF1455-Murphy, M. (DFL)
Finance
Duluth; airliner maintenance, repair and operations facility funding provided.

HF1456-Eken (DFL)
Energy Finance & Policy Division
Discrimination by delivered fuel vendors against customers receiving fuel assistance prohibited.

HF1457-Johnson (DFL)
Public Safety Policy & Oversight
Unfunded mandates affecting local governmental units eliminated.

HF1458-Johnson (DFL)
Finance
Ramsey County; Juvenile Delinquent Alternatives Initiative funding provided.

HF1459-Johnson (DFL)
Public Safety Policy & Oversight
Swift and Certain Sanctions Act established for persons on supervised release.

HF1460-Johnson (DFL)
Public Safety Policy & Oversight
Earned compliance credit program established for persons on supervised release.

HF1461-Lesch (DFL)
Public Safety Policy & Oversight
Training and public awareness initiatives on human trafficking provided.

HF1462-Jackson (DFL)
Civil Justice
Family Reunification Act of 2009 enacted and certain child placement procedures changed.

HF1463-Davnie (DFL)
State & Local Government Operations Reform, Technology & Elections
Various filings and fees regulated and terms defined.

HF1464-Nelson (DFL)
Transportation & Transit Policy & Oversight Division
Commuter Rail Corridor Coordinating Committee membership modified.

HF1465-Nelson (DFL)
Transportation & Transit Policy & Oversight Division
Railway walkway requirements modified.

HF1466-Nelson (DFL)
Transportation & Transit Policy & Oversight Division
Switching yard lighting required.

HF1467-Nelson (DFL)
Finance
Rail safe technology federal grant application directed.

HF1468-Knuth (DFL)
Taxes
Arden Hills; tax increment financing district creation authorized.

HF1469-Johnson (DFL)
Finance
St. Paul; commercial and industrial energy efficiency improvement demonstration program funding provided.

HF1470-Howes (R)
Finance
Hackensack; water treatment facility funding provided.

HF1471-Slawik (DFL)
Commerce & Labor
Financial institution ability to make payday loans eliminated.

HF1472-Slawik (DFL)
Health Care & Human Services Policy & Oversight
Hospital information clarified to sexual assault victims.

HF1473-Seifert (R)
Finance
Wind energy and ethanol fuel training facility construction authorized.

HF1474-Paymar (DFL)
Public Safety Policy & Oversight
Prisoners facing civil commitment allowed to elect to remain confined in state correctional facilities beyond their scheduled release date.

HF1475-Hayden (DFL)
Health Care & Human Services Policy & Oversight
Minnesota Family Investment Program eligibility and waivers addressed for human trafficking victims.

HF1476-Atkins (DFL)
Commerce & Labor
Exclusive liquor stores allowed to sell multiple use bags.

HF1477-Liebling (DFL)
Taxes
Rochester; tax authority increased.

HF1478-Sailer (DFL)
Energy Finance & Policy Division
Distributed energy resources regulated.

HF1479-Kahn (DFL)
Taxes
Refundable credit provided for payment of principal and interest on student loans.

HF1480-Haws (DFL)
Finance
Transportation funding oversight and distribution provided, Department of Transportation required to meet programmatic investment percentages

and a minimum guarantee of state highway and bridge funding for all state transportation districts.

HF1481-Persell (DFL)
Finance
Remer; sewer extension funding provided.

HF1482-Thissen (DFL)
Health Care & Human Services Policy & Oversight
Medical Assistance claims and liens provisions modified.

HF1483-Koenen (DFL)
Finance
Morton; wastewater treatment facility funding provided.

HF1484-Kath (DFL)
K-12 Education Policy & Oversight
Educator re-licensure refocused on performance; legislative auditor's recommended Q-Comp revisions implemented.

HF1485-Kath (DFL)
Finance
Waseca; wastewater treatment system and plant funding provided.

HF1486-Brod (R)
State & Local Government Operations Reform, Technology & Elections
Administration commissioner required to review the privatization potential of state agency services and to prepare a database of all state-owned assets.

HF1487-Olin (DFL)
Taxes
Income tax credit provided for bovine testing.

HF1488-Gottwalt (R)
Transportation & Transit Policy & Oversight Division
Towing of vehicles unlawfully parked in valet parking zones authorized.

HF1489-McFarlane (R)
Commerce & Labor
Notice of sale and postponement of mortgaged properties required.

HF1490-Davnie (DFL)
Transportation & Transit Policy & Oversight Division
Motor carriers of railroad employees regulated.

HF1491-Hayden (DFL)
Finance
Homeless programs funding provided.

HF1492-Simon (DFL)
Taxes
Hopkins; tax increment financing district duration extended.

HF1493-Lillie (DFL)
Environment Policy & Oversight
State parks and trails funding provided, planning and report required.

HF1494-Simon (DFL)
Civil Justice
Wrongful death actions by domestic partners provided.

HF1495-Kelly (R)
Finance
Goodhue Pioneer Trail funding provided.

HF1496-Kelly (R)
Finance
Red Wing; biosolids processing facility funding provided.

HF1497-Kelly (R)
Finance
Red Wing; intermediate care facility rate increase provided.

HF1498-Hilstrom (DFL)
Public Safety Policy & Oversight
Department of Corrections required to annually report on felony DWI offenders.

HF1499-Mullery (DFL)
Finance
Summer youth employment program funding provided.

HF1500-Westrom (R)
State & Local Government Operations Reform, Technology & Elections
Special town meetings required upon petition of electors.

HF1501-Westrom (R)
State & Local Government Operations Reform, Technology & Elections
Central Lakes Region Sanitary District restructured as an elected body or alternatively dissolved.

HF1502-Atkins (DFL)
Finance
Mississippi River Regional Trail connection funding provided.

HF1503-Abeler (R)
Health Care & Human Services Policy & Oversight
Massage therapist licensure and fees established, penalties provided.

HF1504-Johnson (DFL)
Civil Justice
Reproduction of pornographic works involving a minor maintained by a government entity or court in connection with a criminal proceeding prohibited.

HF1505-Paymar (DFL)
Public Safety Policy & Oversight
Sex trafficking criminal penalties increased; crime of violence definition extended to include sex trafficking.

HF1506-Sanders (R)
Taxes
Deed tax exemption provisions modified.

HF1507-Sanders (R)**Taxes**

Mortgage tax exemption provisions modified.

HF1508-Sanders (R)**Taxes**

Mortgage tax exemptions extended to include first-time homebuyers.

HF1509-Hilstrom (DFL)**Public Safety Policy & Oversight**

Challenge Incarceration Program expanded.

HF1510-Zellers (R)**Commerce & Labor**

Noncommercial alcohol use provisions in unlicensed public facilities clarified.

HF1511-Atkins (DFL)**Commerce & Labor**

Lawful gambling provisions modified.

HF1512-Atkins (DFL)**Commerce & Labor**

Electronic bingo authorized, pull-tab dispensing devices modified, clarifying and conforming changes made.

HF1513-Sailer (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Local public pension plan employees and officers required to report unlawful actions.

HF1514-Hausman (DFL)**Finance**

Human trafficking victims toll-free hotline funding provided.

HF1515-Abeler (R)**Health Care & Human Services****Policy & Oversight**

Children's therapeutic services modified, programs exempted from licensing requirements.

HF1516-Thissen (DFL)**Health Care & Human Services****Policy & Oversight**

Long-term homeless supportive services funding provided.

HF1517-Hosch (DFL)**Public Safety Policy & Oversight**

Local units of government authorized to impose administrative fines.

HF1518-Champion (DFL)**Public Safety Policy & Oversight**

Commissioner of public safety authorized to gather, compile and publish data on human trafficking every three years.

HF1519-Kahn (DFL)**Finance**

Campaign Finance and Public Disclosure Board funding provided and fund carryover authorized.

HF1520-Falk (DFL)**Finance**

Rural health care purchasing alliance funding provided.

HF1521-Liebling (DFL)**Public Safety Policy & Oversight**

Earned release dates for imprisoned offenders provided, qualifying offenders required to be placed on enhanced re-entry supervised release, and law requiring short-term offenders to be incarcerated in local correctional facilities repealed.

HF1522-Hayden (DFL)**Health Care & Human Services Policy & Oversight**

Treatment of income for determining county reimbursement for foster care, examination, or treatment provisions modified.

HF1523-Haws (DFL)**Finance**

Confinement fee modified for booking a person at a county or regional jail.

HF1524-Falk (DFL)**Health Care & Human Services Policy & Oversight**

MinnesotaCare; supplemental hospital coverage authorized.

HF1525-Winkler (DFL)**K-12 Education Policy & Oversight**

School districts required to comply with the Schools Interoperability Framework specifications.

HF1526-Mahoney (DFL)**Commerce & Labor**

State Building Code municipal enforcement provisions modified.

HF1527-Kahn (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Minnesota State Colleges and Universities early separation incentive programs authorized.

HF1528-Kahn (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Minnesota State Colleges and Universities System tenured faculty permitted to elect defined benefit plan retirement coverage.

HF1529-Mullery (DFL)**Civil Justice**

Attorney or agent fees dollar limitation removed.

HF1530-Hornstein (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Metropolitan Airports Commission required to prohibit outsourcing of certain jobs.

HF1531-Loeffler (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Whistleblower protection provided to state employees.

HF1532-Kalin (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Secretary of State filings, forms, records, submissions, motions and orders regulated.

HF1533-Sailer (DFL)**Energy Finance & Policy Division**

Energy; cost recovery for utility's renewable facilities and high-efficiency utility rate options provided.

HF1534-Downey (R)**Finance**

Federal stimulus funds acceptance and expenditure conditions provided.

HF1535-Hausman (DFL)**Finance**

Metropolitan Transit functions transferred, Minnesota Transit Authority established, sales tax increased and proceeds allocated to the authority, certain local sales tax authority abolished.

HF1536-Nelson (DFL)**State & Local Government****Operations Reform, Technology & Elections**

University of Minnesota; enacting of ordinances authorized and criminal penalties provided.

HF1537-Mullery (DFL)**Civil Justice**

Property; public use definition modified.

HF1538-Mariani (DFL)**K-12 Education Policy & Oversight**

Educational innovation fostered to improve student and school performance.

Thursday, March 12

HF1539-Rosenthal (DFL)**Environment Policy & Oversight**

Public water temporary drawdown provided.

HF1540-Hilstrom (DFL)**Finance**

Court papers per page filing fees added and Supreme Court fees directed to increase.

HF1541-Hilstrom (DFL)**Finance**

Court filing fees and criminal surcharge amount amended.

HF1542-Hilstrom (DFL)**Finance**

Public defender funding provided, public defender fee established for

licensed attorneys and a public defender fee account in the special revenue fund established.

HF1543-Slawik (DFL)**Health Care & Human Services Policy & Oversight**

Family day care background checks required and criminal history data access allowed.

HF1544-Reinert (DFL)**Environment Policy & Oversight**

St. Louis County; consumptive use of water approved for snowmaking.

HF1545-Ruud (DFL)**Health Care & Human Services Policy & Oversight**

Alternative mechanism provided for prompt payment of emergency room and ambulance charges incurred by patients enrolled in very high deductible health plans.

HF1546-Rosenthal (DFL)**Public Safety Policy & Oversight**

Domestic assault requirement that a previous conviction be against a family or household member to enhance a conviction eliminated.

HF1547-Hortman (DFL)**Transportation & Transit Policy & Oversight Division**

Municipality design-build method of contracting pilot program created.

HF1548-Gardner (DFL)**Taxes**

Homeowner property taxes limit established as a percentage of household income, and market value homestead credit reduced.

HF1549-Mahoney (DFL)**Finance**

Pine Island; water and sewer infrastructure grant provided.

HF1550-Persell (DFL)**Finance**

Cass Lake; infrastructure improvement funding provided.

HF1551-Persell (DFL)**Finance**

Cass Lake; street and infrastructure improvement funding provided.

HF1552-Persell (DFL)**Finance**

Star Lake Board grant funding provided.

HF1553-Persell (DFL)**Finance**

Local government renewable energy grant funding provided.

HF1554-Winkler (DFL)**Health Care & Human Services Policy & Oversight**

Isolation and quarantine provisions and mass dispensing of medication provisions modified.

HF1555-Holberg (R)**Civil Justice**

Electronic licensing data maintained by the commissioner of natural resources classified.

HF1556-Bigham (DFL)**Finance**

Film production jobs program funding provided.

HF1557-Nelson (DFL)**Civil Justice**

Time limit provided for appealing decisions of a governing body or board of adjustment to district court, posting of bond for an appeal to Court of Appeals required and public participation in government actions clarified.

HF1558-Olin (DFL)**Finance**

Water quality permit compliance grants provided.

HF1559-Beard (R)**Finance**

Airport and air navigation facility improvement project funding provided.

HF1560-Atkins (DFL)**Finance**

State grant program modified.

HF1561-Huntley (DFL)**Health Care & Human Services Policy & Oversight**

Hennepin County; special transportation services pilot program established and advisory committee established.

HF1562-Huntley (DFL)**Health Care & Human Services Policy & Oversight**

Community-based residential service proposal process request required.

HF1563-Huntley (DFL)**Health Care & Human Services Policy & Oversight**

MinnesotaCare application coordinator assignment required.

HF1564-Huntley (DFL)**Health Care & Human Services Policy & Oversight**

State health care program affordability and eligibility increased, Minnesota Health Insurance Exchange established, payment reform continued, affordability standard created, and goals for universal coverage and a contingent individual responsibility mandate established.

HF1565-Kelly (R)**Health Care & Human Services Policy & Oversight**

Goodhue County; nursing facility beds consolidated and relocated to a new site.

HF1566-Dittrich (DFL)**Taxes**

Mortgage registry tax payments modified.

HF1567-Huntley (DFL)**Health Care & Human Services Policy & Oversight**

Electronic prescription drug program technical changes made.

HF1568-Holberg (R)**Transportation & Transit Policy & Oversight Division**

Expedited town road extinguishment provision clarified.

HF1569-Hansen (DFL)**State & Local Government Operations Reform, Technology & Elections**

Joint and survivor annuity authorized for a divorced spouse of a deceased retiree who elected single life annuity.

HF1570-Reinert (DFL)**Finance**

Libraries authorized to charge fees to nonresidents.

HF1571-Abeler (R)**Finance**

Governor's budget for health and human services established, various health care provisions amended, Protecting Children and Strengthening Families Act and Northstar Care for Children established, fees increased and work groups created.

HF1572-Falk (DFL)**Health Care & Human Services Policy & Oversight**

Health care purchasing alliance stop-loss fund repealed in 2007 reenacted, existence and adjusting eligibility extended.

HF1573-Murphy, E. (DFL)**Finance**

Day training and habilitation transportation rates increased.

HF1574-Koenen (DFL)**Taxes**

Utility property class rate increased.

HF1575-Mahoney (DFL)**Finance**

Matching grant program established.

HF1576-Newton (DFL)**Finance**

K-12 schools water ecology pilot project funding provided.

HF1577-Newton (DFL)**Health Care & Human Services Policy & Oversight**

Nursing homes and home care licensure requirements added.

HF1578-Hilstrom (DFL)**Finance**

Public defender representation co-payment amended.

HF1579-Otremba (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Dog food fee incidence changed.

HF1580-Rukavina (DFL)**Finance**

Mountain Iron; road construction funding provided.

HF1581-Rukavina (DFL)**Finance**

Buhl; sewer and water improvement funding provided.

HF1582-Rukavina (DFL)**Finance**

Buhl; road construction funding provided.

HF1583-Rukavina (DFL)**Finance**

Gilbert; wastewater treatment facility improvement funding provided.

HF1584-Gardner (DFL)**Taxes**

Home heating fuel exemption modified.

HF1585-Sailer (DFL)**Taxes**

Abandoned personal property provisions modified.

HF1586-Urdahl (R)**Finance**

Grove City; new mechanical sewage treatment facility funding provided.

HF1587-Torkelson (R)**Finance**

Minnesota Inventors Congress funding provided.

HF1588-Koenen (DFL)**Finance**

Minnesota River Basin floodplain management funding provided.

HF1589-Urdahl (R)**Taxes**

Rural county economic growth provided by allowing a credit against the income tax of an employer for the creation and retention of certain jobs, report required.

HF1590-Urdahl (R)**Finance**

Howard Lake; Annadale/Maple Lake wastewater treatment plant funding provided.

HF1591-Urdahl (R)**Finance**

Forest City; unsewered collection and treatment project funding provided.

HF1592-Urdahl (R)**Finance**

Darwin; sewage collection system rehabilitation and expansion funding provided.

HF1593-Urdahl (R)**Finance**

Eden Valley; rehabilitation and construction of sewage collection system funding provided.

HF1594-Davids (R)**Finance**

Chatfield; ISD 227; Potter Center for the Arts funding provided.

HF1595-Kalin (DFL)**Health Care & Human Services Policy & Oversight**

Licensing disqualifications modified.

HF1596-Olin (DFL)**Public Safety Policy & Oversight**

Marijuana plant possession crime established, and marijuana sale and possession amounts modified.

HF1597-Lillie (DFL)**Finance**

Ramsey County; Silver Lake Trail funding provided.

HF1598-Lillie (DFL)**Finance**

Maplewood; Gerten Pond funding provided.

HF1599-Lillie (DFL)**Finance**

Ramsey County; Phalen Chain of Lakes funding provided.

HF1600-Lillie (DFL)**Finance**

Ramsey County; Keller Regional Park funding provided.

HF1601-Otremba (DFL)**Health Care & Human Services Policy & Oversight**

Prenatal and maternity health insurance benefits waiting periods prohibited, pregnancy eliminated as a preexisting condition, parenting support grant program established, and various adoption provisions provided.

HF1602-Abeler (R)**Health Care & Human Services Policy & Oversight**

Chiropractic clinic owner's surviving spouse permitted to retain the deceased spouse's business interest in the clinic.

HF1603-Johnson (DFL)**Finance**

St. Paul; Warner Road bridge improvements funding provided.

HF1604-McFarlane (R)**Finance**

Tamarack Nature Center funding provided.

HF1605-Kalin (DFL)**Energy Finance & Policy Division**

Conservation investment's incentive rate plans regulated.

HF1606-Eken (DFL)**Finance**

Buffalo River watershed water quality pilot project funding provided.

HF1607-Rukavina (DFL)**Finance**

Utility extensions funding provided from Virginia to Gilbert.

HF1608-Lieder (DFL)**Finance**

Local roads and bridges funding provided, fracture-critical bridges grants authorized.

HF1609-Smith (R)**Public Safety Policy & Oversight**

Forensic Laboratory Advisory Board duties and responsibilities modified, investigation report's public availability clarified, Department of Administration required to provide office space and services to the board.

HF1610-Davnie (DFL)**Taxes**

Taxation; levy limits abolished.

HF1611-Smith (R)**Finance**

Court designated judgments and awards interest rates modified.

HF1612-Knuth (DFL)**Environment Policy & Oversight**

Minnesota Naturalist Corps established, state park naturalists, information centers and kiosks funding provided.

HF1613-Bigham (DFL)**Taxes**

South St. Paul; tax increment financing district established.

HF1614-Thissen (DFL)**State & Local Government Operations Reform, Technology & Elections**

Community solutions grants for high priority community issues designated, Commission on Innovation established.

HF1615-Sanders (R)**Commerce & Labor**

Petroleum standards updated, biodiesel blends and fuels standards established.

HF1616-Simon (DFL)**State & Local Government Operations Reform, Technology & Elections**

State primary moved from September to June, state partisan primary ballots required to designate candidates receiving a certain level of support at state party endorsing conventions as endorsed.

HF1617-Mullery (DFL)**Finance**

Grants funding provided to encourage women to enter nontraditional careers.

HF1618-Persell (DFL)**Finance**

Beneficial reuse of wastewater grants funding provided.

HF1619-Atkins (DFL)**Commerce & Labor**

Minnesota No-Fault Automobile Act's funeral and burial expense benefits increased.

HF1620-Atkins (DFL)**Civil Justice**

Recovery for loss of society, affection, and companionship of a child or parent authorized.

HF1621-Davnie (DFL)**K-12 Education Policy & Oversight**

Schools required to develop a plan and comply with requirements on using restrictive procedures for children with disabilities.

HF1622-Mack (R)**Finance**

Small business growth acceleration program modified, qualifying company definition modified, companies required to match contributions, money appropriated.

HF1623-Kalin (DFL)**Energy Finance & Policy Division**

Energy storage equipment and its installation in publicly owned buildings included in the definition of a qualifying solar electric project.

HF1624-Brown (DFL)**Finance**

Shooting Star Trail funding provided.

HF1625-Davnie (DFL)**Taxes**

Car sharing organizations exempted from rental car fee in lieu of registration tax.

HF1626-Sailer (DFL)**Finance**

Solar energy projects installation in public buildings grants provided.

HF1627-Kahn (DFL)**Civil Justice**

Cost of care requirements modified when a child is in a trial home visit.

HF1628-Kahn (DFL)**State & Local Government Operations Reform, Technology & Elections**

Campaign contribution limits and certain filing requirements modified, expenditures limited, political contribution and refund provisions modified.

HF1629-Demmer (R)**Environment Policy & Oversight**

Shining artificial lights restrictions and conforming penalties modified.

HF1630-Kalin (DFL)**K-12 Education Policy & Oversight**

Schedule established for aligning assessments to academic standards.

HF1631-Morrow (DFL)**Finance**

Minnesota Valley Regional Rail Authority loan forgiveness required.

HF1632-Severson (R)**Civil Justice**

Board of Judicial Standard's composition and powers modified, and presumptions in ascertaining legislative intent modified.

HF1633-Clark (DFL)**Energy Finance & Policy Division**

Energy facility definition amended.

HF1634-Clark (DFL)**Finance**

Minneapolis; Minnesota African American History Museum funding provided.

HF1635-Dettmer (R)**Higher Education and Workforce Development Finance and Policy Division**

Minnesota State Colleges and Universities system human resources systems improvements provided.

HF1636-Clark (DFL)**Public Safety Policy & Oversight**

Human trafficking victims' housing and support services provided and money appropriated.

HF1637-Clark (DFL)**Finance**

Minnesota Housing Finance Agency authorized to issue a modified amount of nonprofit housing bonds, portion of bonds issued dedicated to permanent supportive housing for victims of human trafficking.

HF1638-Magnus (R)**Taxes**

Federal taxable income provisions modified.

HF1639-Morrow (DFL)**Health Care & Human Services Policy & Oversight**

Minnesota sex offender program provisions modified, additional oversight and client grievance process established, supervision system access authorized, and vocational work program modified.

HF1640-Liebling (DFL)**Health Care & Human Services Policy & Oversight**

Prescription drug academic detailing program established and money appropriated.

HF1641-Liebling (DFL)**Health Care & Human Services Policy & Oversight**

Gifts from drug or medical device manufacturers or distributors to physicians and formulary committee members banned.

HF1642-Gardner (DFL)**Health Care & Human Services Policy & Oversight**

Medical assistance health opportunity account demonstration project established.

HF1643-Gardner (DFL)**Finance**

Referendum revenue modified.

HF1644-Clark (DFL)**Civil Justice**

Gender-neutral marriage laws provided.

HF1645-Clark (DFL)**Finance**

Youthbuild programs expanded.

HF1646-Huntley (DFL)**Health Care & Human Services Policy & Oversight**

Prescription drug prior authorization required for medical assistance payment.

HF1647-Huntley (DFL)**Health Care & Human Services Policy & Oversight**

Prescription drug coverage eliminated from prepaid medical assistance program contracts.

HF1648-Sailer (DFL)**Environment Policy & Oversight**

Video display device manufacturer and retailer reporting requirements amended, and recycled electronic product amounts limited that can be applied to future recycling obligations.

HF1649-Dill (DFL)**Finance**

Lake County; Clair A. Nelson Memorial Forest funding provided.

HF1650-Demmer (R)**Finance**

Lake Umbro design and restoration engineering funding provided.

HF1651-Davids (R)**Finance**

Spring Valley; new community theater facility funding provided.

HF1652-Davids (R)**Finance**

Preston; historic grain elevator funding provided.

HF1653-Bly (DFL)**Finance**

Contract alternative school funding extended.

HF1654-Pelowski (DFL)**Civil Justice**

Electronically stored personal notes excluded from government data.

HF1655-Mullery (DFL)**Civil Justice**

Marriage evaluation study group provided.

HF1656-Bigham (DFL)**Health Care & Human Services Policy & Oversight**

Required behavioral health coverage specified for children and young adults who have autism spectrum disorder.

HF1657-Paymar (DFL)**Finance**

Departments of Public Safety and Corrections funding provided.

**HF1658-Westrom (R)
State & Local Government
Operations Reform, Technology
& Elections**

County officer appointment law authorization repealed.

**HF1659-Solberg (DFL)
Health Care & Human Services
Policy & Oversight**

Human service authority established, county aid established, and workgroup created.

**HF1660-Eken (DFL)
Finance**

County cooperative weed management funding provided.

**HF1661-Loeffler (DFL)
Taxes**

Elderly living facilities provided as exempt from property taxation, and an exemption provided for the purchase of materials and supplies used in the construction of elderly living facilities from sales taxation.

**HF1662-Doepke (R)
Environment Policy & Oversight**

Wayzata; land conveyance modified.

**HF1663-Jackson (DFL)
Taxes**

Green Acres and agricultural property tax provisions modified, land conservation property tax program established.

**HF1664-Mullery (DFL)
Taxes**

Occasional sales tax exclusion provision modified to omit watercraft.

**HF1665-Swails (DFL)
K-12 Education Policy & Oversight**

Education; best practices center for shared services established.

**HF1666-Hayden (DFL)
Finance**

High-risk adults demonstration project funding provided.

**HF1667-Mariani (DFL)
K-12 Education Policy & Oversight**

Instruction of students temporarily placed outside of their district provisions modified.

**HF1668-Murphy, E. (DFL)
Health Care & Human Services
Policy & Oversight**

Advanced practice registered nurses practice requirements modified.

**HF1669-Gunther (R)
Finance**

Jobs, economic development, housing, and Minnesota Heritage funding provided, programs established and modified, activities and practices

regulated, and accounts, assessments, and fees provided.

**HF1670-Mariani (DFL)
Housing Finance & Policy & Public
Health Finance Division**

Municipality rent control provisions modified.

**HF1671-Carlson (DFL)
Commerce & Labor**

Labor or employee organizations provisions modified.

**HF1672-Davnie (DFL)
Transportation & Transit Policy &
Oversight Division**

Intersection gridlock prohibited, petty misdemeanor penalty imposed.

**HF1673-Wagenius (DFL)
Environment Policy & Oversight**

Conservation easement management account established, contributions required.

**HF1674-Hausman (DFL)
Environment Policy & Oversight**

Disposition of receipts to the parks and trails fund provided, grant program established, money appropriated.

**HF1675-Atkins (DFL)
Environment Policy & Oversight**

Pollution Control Agency directed to adopt rules to limit emissions of high global warming potential gases.

**HF1676-Morgan (DFL)
Taxes**

Credit reimbursements protected for cities that are net contributors to fiscal disparities from unallotment and aid cuts.

**HF1677-Simon (DFL)
Civil Justice**

Safe at Home program applicability specified, eligibility requirements modified, violation or refusal to recognize a designated address remedy provided, and public release of certain court records prohibited.

**HF1678-Nelson (DFL)
Commerce & Labor**

Workers' compensation provisions modified.

**HF1679-Davids (R)
Health Care & Human Services
Policy & Oversight**

Adoption records and original birth certificates access provisions modified.

**HF1680-Clark (DFL)
Health Care & Human Services
Policy & Oversight**

Minnesota Legislature resolved to apologize on behalf of citizens of the state to all persons with mental illness and development and other disabilities who have been wrongfully committed to state institutions.

HF1681-Ruud (DFL)**Commerce & Labor**

Direct-to-consumer genetic testing disclosures required.

**HF1682-Mahoney (DFL)
Commerce & Labor**

Department of Labor and Industry's duty to assist employees and employers to deal with the workers' compensation system clarified.

**HF1683-Obermueller (DFL)
Commerce & Labor**

Statutory warranties; notice and opportunity to repair certain conditions provided.

**HF1684-Holberg (R)
Civil Justice**

Background check notice and copy required, and terms defined.

**HF1685-Davnie (DFL)
Commerce & Labor**

Unreimbursed expense wage deduction regulated.

**HF1686-Gottwalt (R)
Commerce & Labor**

Minimum wage for tipped employees modified, and tip credit provided.

**HF1687-Gottwalt (R)
Commerce & Labor**

Prevailing wage provisions modified.

**HF1688-Liebling (DFL)
Public Safety Policy & Oversight**

Court authorized to offer or agree to continuance for dismissal.

**HF1689-Holberg (R)
Civil Justice**

Data privacy provisions amended.

**HF1690-Champion (DFL)
Civil Justice**

Determination modified when a party prevails on a claim removed from conciliation court to district court for the purposes of recovering district court costs.

**HF1691-Liebling (DFL)
Civil Justice**

Conciliation court alternative dispute resolution program provided.

**HF1692-Morrow (DFL)
Civil Justice**

Dispute arbitration provided, and Uniform Arbitration Act adopted.

**HF1693-Morrow (DFL)
Transportation & Transit Policy &
Oversight Division**

Environmental impact statement completion required.

**HF1694-Norton (DFL)
Finance**

Vinland Center for rehabilitation services funding provided.

HF1695-Ruud (DFL)**Health Care & Human Services
Policy & Oversight**

Home visitors allowed to be employment and training providers for certain MFIP participants.

**HF1696-Doty (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Limitations on salary changes for city council members modified.

**HF1697-Davnie (DFL)
Civil Justice**

Tenant rights clarified with respect to property subject to a mortgage foreclosure.

**HF1698-Davnie (DFL)
Civil Justice**

Rehabilitation provided for housing that is vacant and abandoned as a result of the foreclosure crisis; health, safety and welfare of the community protected through appropriate police powers, and legal process provided to appoint receivers for abandoned properties and recovery of funds expended to bring the property up to code.

**HF1699-Persell (DFL)
Higher Education & Workforce
Development Finance & Policy
Division**

Oriented strand board facilities required to be kept in salable operating conditions for one year after closing, and maintenance plan required.

**HF1700-Dettmer (R)
K-12 Education Policy & Oversight**

Alternative dispute resolution process and due process hearing guidelines modified for children with disabilities.

**HF1701-Newton (DFL)
K-12 Education Policy & Oversight**

School district obligations clarified to children with disabilities.

**HF1702-Davnie (DFL)
K-12 Education Policy & Oversight**

Grants authorized for the concurrent enrollment programs in the same manner as advanced placement and international baccalaureate programs.

**HF1703-Huntley (DFL)
Health Care & Human Services
Policy & Oversight**

Health care eligibility provisions amended for medical assistance, MinnesotaCare, and general assistance medical care, and Drug Utilization Review Board established.

**HF1704-Huntley (DFL)
Finance**

Withhold created to managed care plan payments for prepaid medical assistance and general assistance medical care.

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MINNESOTA INDEX

Health boards

Number of licensed professional counselors in the state.....	539
Number of licensed professional clinical counselors.....	12
Alcohol and drug counselor licenses granted in 2008.....	1,757
Number of complaints to Board of Behavioral Health and Therapy in 2008.....	153
Date the Board of Medical Practice was established.....	1887
Overall number of medical practice licenses held in state.....	23,365
Number of licenses granted in 2008.....	1,666
Number of complaints to the Board of Medical Practice in 2008.....	868
Year the Board of Chiropractic Examiners was established.....	1919
Number of new chiropractic licenses issued in 1998, 2008.....	1,767; 2,548
Number of the newest type of license (animal chiropractor) issued last year.....	5
Complaints received in 2008 to the Board of Chiropractic Examiners.....	167
Number of licensed/registered dentists.....	15,791
Complaints filed with the Board of Dentistry in 2008.....	237
Number of Minnesotans ages 16-64 with a disability.....	342,254
Percent of Minnesotans with disabilities who are employed.....	47
Percent of Minnesotans with no disabilities who are employed.....	81
Percent of Minnesotans with disabilities at or below poverty level.....	20
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Biannual number of licenses issued by Emergency Medical Services Board.....	30,000
Number of licensed marriage and family therapists in 2006, 2008.....	902; 1,080
Registered nurses, as estimate, licensed during fiscal years 2008-2009.....	79,000
Overall number of licensed optometrists for fiscal year 2008.....	1,004
Those who were newly licensed.....	74
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Disciplinary issues ordered.....	11
Number of licensed veterinarians in 2008.....	3,046
Those who were newly licensed.....	161
Social workers licensed in 2008.....	10,314
Those who were newly licensed.....	925

— S. HEGARTY

Source: House Housing Finance and Policy and Public Health Finance Division Budget Book.
Numbers reflected were as of June 30, 2008 unless otherwise noted.

FOR MORE INFORMATION

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SESSION WEEKLY

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MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
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TAXES: PROGRESSIVE, REGRESSIVE

BUY MINNESOTA BONDS

BUDGETS NOW ON THE TABLE

KEEPING MINNESOTA SAFE

HF1705 - HF1959

SESSION WEEKLY

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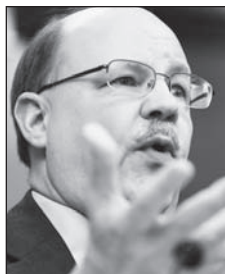
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FEATURES

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On the cover: Minnesota Historical Society conservation lab staff, *from top*, Sherelyn Ogden, Tom Brown and Ann Frisina, began to untie the staff from the 13th Minnesota Volunteer Infantry Regiment's flag as it lay March 16 in the Rotunda. Several flags were removed from the Rotunda flag cases for restoration.

— Photo by: Tom Olmscheid



PHOTO BY TOM OLMSCHEID

Rep. Paul Marquart, chairman of the House Property and Local Sales Tax Division, and Rep. Ann Lenczewski, chairwoman of the House Taxes Committee, study one of the “Green Acres” proposals that was heard March 17 during a joint hearing of the two bodies.

Making the state more progressive

Tax chairs take a stab at reform

By SONJA HEGMAN

If you went to the grocery store, would it make sense to pay a sales tax based on your ability to afford it? Maybe, maybe not, but that’s exactly what it would take to make the state’s sales tax more progressive.

Minnesota’s tax system is often dubbed progressive. This means the more money you make, the more you pay in tax. But according to the House Taxes Committee chairwoman, the state has only two progressive taxes: income and estate.

“Every other tax is regressive. Our whole net state tax system is slightly regressive,” said Rep. Ann Lenczewski (DFL-Bloomington).

Regressive means that the poorer a person is the bigger tax burden he or she pays relative to his or her situation. The gas tax is another example of a regressive tax. Like the sales tax, Lenczewski said it is not based on a person’s ability to pay it. “It’s based per gallon as an

excise tax. So, if the tax is a dime a gallon, on 10 gallons a person would pay \$1 in tax. That doesn’t matter if the price is \$2 or \$6 a gallon, she said.

“People didn’t think last year’s gas tax was a good idea because prices were so high, but the price (per gallon) had nothing to do with it,” Lenczewski said. “It’s still the exact same level of tax.”

Rep. Laura Brod (R-New Prague), lead Republican on the House Taxes Committee, agreed that the gas tax is regressive, but still didn’t see the logic in passing an increase to the tax last year. She finds the focus on regressivity this session interesting because

of the four taxes that have been passed over the last four years — gas, motor vehicle sales, transit sales and the constitutional amendment sales for environment and the arts — every one of them is a regressive tax.

“Folks are forgetting that all these taxes that have passed are more regressive and hit the lowest income folks the hardest,” she said. “If we want to make our tax system more progressive, what we ought to do is lower the regressive taxes that we have.”

Studying the consequences

This focus on regressivity is tied, in part, to the 2009 Minnesota Tax Incidence Study released earlier this month. Based on 2006 figures, the study shows that between 2004 and 2006, the state’s overall tax system became much more regressive. Meaning, among other things, that income distribution has grown more unequal.

“When you look at something like the tax

First Reading continued on page 4

incidence study, people often forget that we have one of the most progressive tax systems in the country,” Brod said. “So when we talk about regressivity, we’re talking about relative regressivity. Compared to other states, we do quite well in terms of being progressive.”

When people think of the income tax being so progressive, Lenczewski said they’re actually thinking of the federal income tax, which is hyper-progressive compared to the state’s.

She added that the word “progressive” gets attached to Democrats a lot. “That’s not the way to think about it. It’s not like Republicans like it to be regressive and Democrats like to be progressive. Both parties want a progressive system. Everyone gets that you want a progressive tax system, it’s just hard to get people to get there.”

Lenczewski said one way to look at progressive tax is that people who want it want it based on ability to pay. Often people

Understanding the Terms

Progressive versus regressive taxes

- Minnesota’s tax system is often dubbed progressive. This means the more money you make, the more you pay in tax.
- Regressive means that the poorer a person is, the bigger tax burden he or she pays relative to his or her situation.

think a flat tax would be fair, but 10 percent, for example, means something different to a college student who really has no income than to a millionaire.

“Flat taxes aren’t fair; they’re perfectly proportional, but they aren’t fair,” she said. The state’s income tax is slightly based on ability to pay with the lowest income earners being taxed 5.35 percent, middle income is taxed at 7.05 percent and the richest taxed at 7.85 percent.

“It kind of becomes a philosophical thing, but everyone can kind of get to the fact that regressive is not good.”

The reform proposal

With a projected \$4.6 billion deficit looming, Lenczewski sees an opportunity for some tax reform.

She and Rep. Paul Marquart (DFL-Dilworth) have come up with a proposal that would reform the state’s tax system by eliminating dozens of tax breaks while cutting income taxes for those of meager means.

While the plan is revenue neutral, Lenczewski has hinted that scenario could change with a property tax proposal expected before month’s end from Marquart.

“This is going to be a rough trip,” she said. “And we need an oil change.”

Lenczewski’s part of the plan, HF1782, proposes the most significant individual income and corporate franchise tax reform in more than 20 years, she said. This, in turn, would make the system more progressive. The bill is scheduled to be heard March 23 by the House Taxes Committee.

Tax breaks that would be eliminated include individual income tax benefits for JOBZ programs, the charitable contribution deduction and a low-income motor fuels credit.

“We should not be using the tax code to bury this stuff,” Lenczewski said. The plan would make Minnesota’s tax system fairer and easier to understand.

Rep. Kurt Zellers’ (R-Maple Grove) immediate reaction to the bill was that eliminating tax credits could hinder job growth.

“I just don’t see how, in a tough economic time, why that could be a good idea,” he said.

Brod added that the best way to jump-start the economy is to lessen the burden on family and business.

“I get a little frustrated when I hear people say, ‘Well in order to get out of here we’ve got to do X, Y, or Z.’ When I look at that I say, ‘OK, well, yes, we’re going to get out of here, and, yes, we’re required to get out of here, but if we only just get out of here and don’t strategically position ourselves to recover economically, we will have missed an opportunity and not done our job.’ It’s setting up a tax system that ensures the economy moves forward,” Brod said.

The proposal would lower the tax rates for the two lowest income categories, while creating a new credit that would benefit all taxpayers on the mortgage, charitable contributions and family front.

“The income tax system is too complicated, and there now seems to be bipartisan agreement that major reform is necessary,” said House Minority Leader Marty Seifert (R-Marshall) in a press release. “Republicans proposed reducing personal income tax rates in 2007 when the government had a surplus, so we are glad to have Rep. Lenczewski join us in saying Minnesotans need relief when it comes to income taxes.”

But he questioned Democrats credibility when it comes to their professed desire to make the tax system more progressive.

Lenczewski said the bill is modeled after President Reagan’s overhaul of the federal tax code in the 1980s, when several tax breaks were thrown out. She added that over the years these breaks have crept back in. “It’s time to sweep the barn.”



PHOTO BY TOM OLSCHIED

Paul Wilson, director of tax research at the Department of Revenue, presents the 2009 Minnesota Tax Incidence Study, to the House Taxes Committee March 11.

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Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held March-12-19. 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

Studying ethanol industry's impact

An analysis of the effects of the state's ethanol industry is called for under a bill that, over the years, has become known as the "Ag Special." It lays out legislative priorities and funding for agriculture and bioenergy research, and extension activities at the University of Minnesota.

This year's bill, HF1446, sponsored by Rep. Andy Welti (DFL-Plainview), would appropriate \$105 million during the 2010-2011 biennium for an analysis of the state's ethanol industry, such as:

- water use trends as compared to other industries;
- the carbon balance of ethanol production;
- the effect of ethanol blending requirements on transportation fuel prices; and
- the economic impact of ethanol production on employment, economic output, and state and local tax revenues.

"We are not prescribing what their outcome should be," Welti told the House Agriculture, Rural Economies and Veterans Affairs Finance Division March 18. He said the university's analysis would address concerns raised about the environmental byproducts of ethanol production. The bill was approved by the division, and now moves to the House Higher Education and Workforce Development Finance and Policy Division. It has no Senate companion.

Also, under the bill is a requirement for the university to convene agricultural advisory groups to develop effective ways of transferring best-practices information to producers. Further, it asks for research efforts regarding:

- vegetable crops;
- soil, ground and surface water conservation practices and contaminant reduction;
- breeding and development of turf seed and other biomass resources;
- discovering and developing plant varieties that use nutrients more efficiently;

TASTE TESTERS



PHOTO BY ANDREW VONBANK

Rep. Mary Ellen Otremba, lower right, says grace before taking part in a taste test of meat products given to the House Agriculture, Rural Economies and Veterans Affairs Finance Division March 18 as part of a budget discussion and presentation by the Agricultural Utilization Research Institute.

- consumer food safety education and outreach; and
- utilizing plant and livestock cells to treat and cure human diseases.

Rep. Kent Eken (DFL-Twin Valley) successfully amended the bill to include programs to meet the research and outreach needs of sustainable and organic livestock and crop farmers.

— L. SCHUTZ

BONDING

'Minnesota First' bonds

Minnesotans could invest in state general obligation bonds in denominations as small as \$500, under a proposal approved by a House division.

HF796, sponsored by Rep. Terry Morrow (DFL-St. Peter), would establish a Minnesota

First bond program that would allow Minnesota Management and Budget to issue a portion of state general obligation bonds to individual investors.

The bill would require MMB to administer the program and develop a marketing plan for the bonds, and place a yet-to-be-determined limit on the percentage of state bonds that could be sold under the program.

Morrow said the idea for the bill came from contractors and construction companies who want to invest in state bonds. He said MMB officials have told him that they support the idea and that brokers and dealers see it as another investment option they would like to have.

The House State Government Finance Division approved the bill March 18 and referred it to the House Capital Investment Finance Division. Sen. Steve Murphy (DFL-Red Wing) sponsors the companion, SF1016, which awaits action by the Senate State Government Budget Division.

— N. BUSSE

New ice arena for St. Paul?

St. Paul city officials want to build a new ice arena downtown, and they think they've identified a funding source: \$33 million the city owes to the state.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul), HF1263 would forgive the bulk of a \$48 million loan St. Paul took out in 1998 to help build the Xcel Energy Center. The city would divert the money to finance the Pond — a proposed 120,000-square foot, three-level ice arena across the street from the Xcel.

Mayor Chris Coleman said St. Paul is looking to expand its downtown event district, which has become a regional attraction. He said the Pond project would be good for the state's economy as well as the city.

"It creates jobs, it's shovel ready, and it's good for our economic future," Coleman said.

Mahoney said the request is fair, given the unusual arrangement that was made to pay for the Xcel. He said that while the state often provides direct aid for other cities' projects in the form of bonding dollars, it made St. Paul take out a loan instead.

"There's always a need for more ice time in the state of hockey," Mahoney added.

While supporters see the project as a stimulus, Rep. Keith Downey (R-Edina) characterized it as a "bailout package."

"The city of St. Paul should honor their loan. It was a good deal. No one forced them to come into it in the first place," Downey said. He suggested the city submit a bonding request to the Legislature, if it is serious about funding the Pond.

The House Higher Education and Workforce

Development Finance and Policy Division laid the bill over March 12 for possible inclusion in its omnibus finance bill.

Sen. Richard Cohen (DFL-St. Paul) sponsors the companion, SF1115, which awaits action by the Senate Economic Development and Housing Budget Division.

— N. BUSSE

BUDGET

Pawlenty's budget revised

Prefacing his revised 2010-2011 biennial budget as containing "some good news," Gov. Tim Pawlenty laid out changes reflecting more than a \$1 billion decrease in revenue and expenditures from his January proposal.

Unveiled March 17, the budget change is in response to the state's February Forecast that foretells of a more than \$6 billion deficit for the upcoming biennium. But it also takes into account \$2.6 billion in one-time federal stimulus funds the state expects to receive.

The governor's spending plan comes in at \$32.4 billion over the biennium, which begins July 1, 2009. It reflects a decrease from the \$33.9 billion in General Fund expenditures in the current budget.

His new budget would:

- increase by \$27 million K-12 education funding beyond what was previously proposed;
- restore \$304 million in cuts he had proposed to higher education;
- exempt from state taxes up to \$2,400 in unemployment insurance benefits per individual;
- provide an additional \$10 million for operation of state courts;
- move short-term offenders from county facilities to state prisons;
- provide more than \$10 million for a contingency fund to ensure state match for federal stimulus fund grants; and
- reconfigure the General Assistance Medical Care program, eliminating hospital and emergency care coverage.

Counties would see an \$8 million benefit from moving short-term offenders convicted of misdemeanors or gross misdemeanors to state prisons, Pawlenty said. The option of being incarcerated at a local facility versus a state prison has become a plea-bargain ploy, he said, resulting in an increased population at county jails.

His proposal to remove hospital and emergency care coverage for those on GAMC is intended to help redirect patients to clinics and boost preventive care. He would establish a fund for hospitals could tap to cover this care, when needed.

The governor's revised budget still relies on no new taxes, but retains use of one-time funds gained through the sale of "tobacco appropriation bonds," that would essentially bond for half of 20 years' worth of future revenues from the state's decade-old tobacco settlement. Previously proposed accounting shifts and cuts to local government aid are still part of the plan.

— L. SCHUTZ

CRIME

Abuse arrest time expansion

Police could have double the time to arrest someone without a warrant who is believed to have committed domestic abuse.

Sponsored by Rep. Paul Rosenthal (DFL-Edina), HF1273 would increase the maximum time from 12 to 24 hours.

Approved March 13 by the House Crime Victims/Criminal Records Division, it was sent to the House Public Safety Policy and Oversight Committee. A companion, SF1079, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Judiciary Committee.

"One of the things we know is that the time following the assault is often the most dangerous time for a victim of a domestic assault, especially if the defendant realizes the victim called police. The defendant may try and come back and re-assault the victim," said Assistant Minneapolis City Attorney Michelle Jacobson.

Supporters say that abusers are becoming more aware of the 12-hour limit, and will oftentimes hide to avoid an arrest. Currently, officers must seek a complaint warrant from a prosecutor once the time is expired.

"This would keep victims of domestic violence safer," Jacobson said.

— M. COOK

Misusing state funds

The fact that misusing taxpayer dollars is not a crime may come as a surprise to many. Rep. Ryan Winkler (DFL-Golden Valley) certainly found it surprising.

Following a rash of recent scandals involving fraud and financial mismanagement at state agencies, Winkler wondered why the state employees involved were being fired but not prosecuted. It turns out that knowingly misappropriating state money is not actually a crime.

That would change under the provisions of HF7. Sponsored by Winkler, the bill would specify that anyone who intentionally misuses state funds is guilty of a gross misdemeanor, and ask the appropriate authorities to prosecute violators.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill March 18 and referred it to the House Public Safety Policy and Oversight Committee.

Currently, misappropriating state money is grounds for dismissal of a state employee. In cases where a criminal investigation is warranted, county attorneys can file charges; however, only cases that involve a specific offense, such as fraud, can be prosecuted.

"The basic thrust of the bill is simply to clarify that misspending public funds ... actually constitutes a crime," Winkler said.

The bill also contains a provision asking Minnesota Management and Budget to establish a best practices policy for investigating employee misconduct. Winkler said the policy is necessary to ensure that investigations of employee misconduct do not compromise potential criminal prosecutions.

Some committee members expressed concern that the bill's language applied only to executive branch agencies. Rep. Morrie Lanning (R-Moorhead) suggested including employees of the Legislature and the court system in the bill.

A companion, SF107, sponsored by Sen. Ann Rest (DFL-New Hope), was held over March 9 by the Senate State Government Budget Division for possible omnibus bill inclusion.

— N. BUSSE

No firearm for you

State statute prohibits a person convicted of one of approximately three-dozen felonious crimes from owning a firearm.

The state's "crime of violence" list includes felonious murder, criminal sexual conduct, certain manslaughter or assaults, arson, simple robbery and burglary.

Under current law, a person convicted of such violent crimes may not possess a firearm, else they could get up to 15 years behind bars.

Rep. John Lesch (DFL-St. Paul) would like to add felony domestic assault and assault by strangulation to the group.

Sponsored by Lesch, HF1199 was approved March 13 by the House Crime Victims/Criminal Records Division, and sent to the House Public Safety Policy and Oversight Committee. A companion, SF994, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Judiciary Committee.

"As we see those in relation to the other crimes of violence listed, they're not nearly as clear," Tom Adkins, director of Washington County Community Corrections, who was speaking on behalf of the Minnesota Association of Community Corrections Act Counties.

"Right now, we deal with who can possess a firearm issues that are both state as well as federal. Those laws are complicated, and this would simplify that language and make it much clearer for us as we proceed."

— M. COOK

Updating criminal sexual misconduct

A person acting as a lookout or blocking an exit during a gang rape can now be charged with the most severe crime of the group.

Supporters of a bill sponsored by Rep. John

Lesch (DFL-St. Paul) would like to see all people charged with the same level offense if force or coercion is used.

That is just one of many provisions in HF1392. The omnibus sexual conduct technical review bill clarifies existing statutes and addresses technical changes.

"I would be able to charge the actual rapist with only third-degree criminal sexual conduct, which is penetration with force or coercion. I would, however, be able to charge the lookout with first-degree criminal

LIGHT MOMENT



PHOTO BY ANDREW VONBANK

George W. Crocker, executive director of North American Water Office, enjoys the sunshine coming through the French-style windows on the second floor of the State Capitol March 18.

sexual conduct because it was an aid or abet situation,” Assistant Scott County Attorney Cory Tennison told the House Crime Victims/Criminal Records Division March 13.

Approved by the division, the bill awaits action by the House Public Safety Policy and Oversight Committee. A companion, SF1186, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Judiciary Committee.

Caroline Palmer, staff attorney with the Minnesota Coalition Against Sexual Assault, said that 61,000 Minnesotans were harmed by sexual violence in 2005, and its statewide economic impact was in the \$8 billion range.

Other changes proposed in the bill include:

- extending the statute of limitations to the longer of nine years after committing an offense, or three years after reporting to law enforcement for individuals sexually assaulted as a minor;
- restoration of a 36-month presumptive sentence for repeat convictions of first-through fourth-degree criminal sexual conduct within 15 years of a previous offense; and
- adding the intentional deposit of seminal fluid or sperm on a victim or their clothing to the definition of sexual contact for second- and fourth-degree criminal sexual contact. Tennison said the act must be done with sexual or aggressive intent.

“We understand the changes to criminal statute may well result in fiscal impact,” Palmer said. “Still, we believe financial challenges should not prevent us from talking about what the state can do to improve the laws governing criminal sexual conduct.”

— M. COOK

EDUCATION

More measures better than one

Some lawmakers believe assessing student achievement in more ways than proficiency testing could significantly improve student learning and performance in the long term.

Rep. Kathy Brynaert (DFL-Mankato) sponsors HF1441, which would establish, over the next four years, three supplemental indicators of student achievement and growth besides the Adequate Yearly Progress measure required by federal law. She said the proposal complements the current assessment model.

Current annual standards-based testing shows how this year’s third graders perform compared with last year’s third graders. The idea is to promote school accountability for the results.

The bill would add “growth” and “value-added growth” assessments to measure a student’s performance from one year to the next. Proponents say these indicators could help schools identify students who aren’t making reasonable gains in proficiency and those who are growing at higher rates.

A second indicator of student success is course-taking patterns. Research suggests that taking rigorous courses, especially in math, is a better indicator of college preparedness than grade point average, test scores or class rank, according to Kent Pekel, executive director of the University of Minnesota’s College Readiness Consortium.

“In fact, every step you take beyond algebra II in the high school math curricula doubles your chance of earning a B.A.,” Pekel said.

The bill would also authorize the education commissioner to convene a group to identify indicators of student engagement, such as attendance, home support for learning and participation in activities beyond school.

University of Minnesota research has found that addressing student engagement early correlates with truancy prevention, diminished dropout rates and increased persistence, according to Jenni Norlin-Weaver, Edina Public Schools’ director of teaching and learning.

The House K-12 Education Policy and Oversight committee laid the bill over March 17 for possible omnibus bill inclusion. Its companion SF1406, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate Education Committee.

— K. BERGGREN

Helping homeless afford GED

People who are homeless face plenty of obstacles to stabilizing their lives. Rep. Frank Hornstein (DFL-Mpls) sponsors a bill which would offer them a hand up to help further their education.

HF1324 would allow the education commissioner to waive the fee for the General Equivalency for Diploma test for eligible people who are homeless, including those using emergency shelters. The state currently reimburses testing centers up to \$40 for each test administered, but test costs range from \$50 to \$100 among the 50 centers where it is administered.

To pay the balance “can be extremely cost-prohibitive for people who are experiencing homelessness,” said Matthew Ayers, Heading Home Hennepin project manager. He said about 26 percent of homeless adults in Minnesota do not have a high school diploma or GED, and that between 400 and 800 of those would be eligible and ready to pursue the GED.

Ayers said helping them to further their education “is the best way to ensure they will never again experience homelessness.”

Youthlink Program Director Paul Ramsour said 104 of the 1,400 homeless or “precariously housed” young people served there last year participated in education services. Thirty-seven percent earned the GED, and 62 percent enrolled in postsecondary institutions, many at Minneapolis Community and Technical College.

“This is a very important step for many people,” Hornstein said. “There is a real need for this, and it’s a very cost-effective way for people to take the first step toward self sufficiency. It’s needed and I think you can really make a difference in people’s lives.”

The House Early Childhood Finance and Policy Division laid the bill over March 17 for possible inclusion in its omnibus bill. Its companion, SF1364, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Home school mandates reduced

Home-schooled students usually score at or above average on national standardized tests, and home-schooling parents are usually very proactive about their children’s education, according to Atheen Johnson, a member of the Minnesota Homeschoolers’ Alliance and mother of a 7-year-old home-schooled daughter and an older daughter who is in a public school.

A bill would recognize that level of engagement by reducing certain reporting and testing mandates.

Some provisions of HF1037, sponsored by Rep. Marsha Swails (DFL-Woodbury), would benefit home-school parents by decreasing their paperwork and school superintendents by decreasing the number of reports that now funnel through their offices.

The state could benefit from a provision that would exclude home schools from nonpublic school services, such as the loan of textbooks and availability of counseling and health services. While nursing and counseling services are rarely needed by home-school students, textbooks are typically purchased by school districts then loaned to nonpublic schools including home schools. The bill would specify the services apply to nonpublic schools with enrollment of more than 15 pupils.

That proposal is “huge sacrifice for our families,” said John Tuma, legislative liaison for the Minnesota Association of Christian Home Educators. However, he said it would chop \$1.1 million off the state’s education bill, although the credit cost might be felt elsewhere in the system. Home-school

families could claim an income tax credit for those expenses under Minnesota's education tax credit law, which Tuma said is widely admired in other states.

The bill was approved March 12 by the House K-12 Education Policy and Oversight Committee and sent to the House Finance Committee. Its companion, SF846, sponsored by Sen. Gen Olson (R-Minnetrista), awaits further action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

ELECTIONS

Absentee voting overhaul

Lessons learned from the U.S. Senate race recount form the basis for a bill that would update Minnesota's absentee voting laws.

HF1351, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), would overhaul the state's absentee voting process, with the goal of avoiding many of the pitfalls that complicated the recount.

"We've learned a lot, and this bill incorporates things that we've learned," said Secretary of State Mark Ritchie.

Among other changes, absentee ballots would be processed by local ballot boards, similar to the process used for overseas and military ballots. Currently election judges count domestic absentee ballots at polling places on Election Day — something Ritchie said creates a "work nightmare" for election officials.

"One of the real opportunities of this year's recount was to be able to compare and contrast different parts of our voting system," Ritchie said, adding that the ballot boards showed themselves to be a much more accurate and efficient means of counting absentee votes.

The bill would also allow absentee voters to voluntarily provide more personal identifying information, such as driver's license or partial Social Security numbers, on their ballot applications. Beth Fraser, director of governmental affairs for the Office of the Secretary of State, said the change would help determine ballot eligibility in certain circumstances.

In its original form, the bill would have eliminated the current practice of allowing people to vote absentee in person at their local elections office the Saturday prior to an election. Winkler said the change would allow extra time for the ballot boards to process absentee votes; however, Rep. Jeremy Kalin (DFL-North Branch) successfully amended the bill to include provisions to allow absentee voting until noon on that day.

Approved March 17 by the House State and Local Government Operations Reform,

HERE'S LOOKING AT ME



PHOTO BY TOM OLMSCHIED

Hennepin Technical College President Cecilia Cervantes checks her likeness on the HTC Visual Presenter that welcomes Capitol visitors to the college's exhibit in the Great Hall March 16.

Technology and Elections Committee, the bill goes to the House Finance Committee.

Sen. Katie Sieben (DFL-Newport) sponsors the companion, SF1331, which awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Clarifying election laws

A package of mostly technical and clarifying changes to Minnesota's election laws was approved March 17 by a House committee.

HF1011, sponsored by Rep. Bill Hilty (DFL-Finlayson), contains election provisions recommended by the Office of the Secretary of State to expedite the voting process or otherwise update election statutes.

Among the changes proposed in the bill are:

- clarifying that voter registration drives must submit their registrations 10 business days before an election, rather than the current requirement of 10 calendar days;
- prohibiting the changing of a street name or residential address designation within 45 days of an election;
- clarifying processes by which the secretary of state and county auditors are to update records of voters' addresses in certain circumstances;
- specifying that any changes to a voting precinct resulting from a municipal boundary adjustment do not apply to an election that occurs within 21 days of the change;
- prohibiting voters from taking a photo or video of their ballot on Election Day; and
- prohibiting write-in candidates for office

from distributing labels to voters for purposes of sticking them on the ballot.

A companion, SF991, sponsored by Sen. Katie Sieben (DFL-Newport), awaits action by the Elections Subcommittee of the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

EMPLOYMENT

Buy uniforms in the US

Rep. Tom Rukavina (DFL-Virginia) continues to carry his "Buy American" theme from last legislative session when he sponsored a law requiring flags sold in Minnesota to be made in the United States.

He now sponsors HF1169 that would require public employers to buy uniforms, safety equipment and protective accessories manufactured in the United States. Among those affected, he said, would be school custodians and cafeteria workers, members of school sports teams and city, county, state agency, and public safety employees.

The bill would also require purchasing preference be given to manufacturers who pay an average annual income, including wages and benefits, of at least 150 percent of the federal poverty level for a family of four, which amounts to about \$15.90 an hour.

The House Labor and Consumer Protection Division approved the bill March 18 and referred it to the House Commerce and Labor Committee. Its companion, SF1058, sponsored by Sen. David Tomassoni (DFL-

Chisholm), awaits action by the Senate Business, Industry and Jobs Committee.

Opponents such as the League of Minnesota Cities and the Minnesota School Boards Association said the bill would create another mandate, and it could be hard to identify acceptable product sources while containing costs.

Proponents made patriotic, economic and human rights arguments.

"Abuses in the (global) apparel industry are well known," Workers United representative Jaye Rykunyk said, citing the use of child labor. In contrast, textile and clothing manufacturers paying union wages, such as Extreme Design in Chisholm, and employers in the southern United States have the capacity to fill new orders for uniforms, safety vests and t-shirts.

"Taking a long view and looking at clothing and uniforms that are made in our country, I think, is the patriotic thing to do," Rykunyk said. Several states have similar laws, including Maine, Pennsylvania, New Jersey, Ohio and California.

— K. BERGGREN

Calculating unemployment

The U.S. unemployment rate reached 8.1 percent in February. This is clearly bad news, but what if the real number were nearly twice that much?

In fact, it is, depending on what measures are used to calculate unemployment. According to the U.S. Bureau of Labor Statistics, the most comprehensive set of statistical measures available put the actual unemployment rate at 14.8 percent.

HF925, sponsored by House Majority Leader Tony Sertich (DFL-Chisholm), would ensure that the state's official unemployment estimates are always calculated using the more comprehensive method.

The new calculations would take into account people who are unemployed and no longer actively seeking work because of impediments like transportation issues or a lack of child care. It would also factor in those who are working part-time but who wish to work full-time.

Sertich said the new method would allow the Department of Employment and Economic Development, which produces the state's unemployment estimates, to give lawmakers and others a clearer picture of unemployment in Minnesota.

"This data is already collected. This would just make sure that our own DEED agency can manipulate — in the best sense of the word — manipulate that data and give us a better picture of why Minnesotans are underemployed or unemployed," Sertich said.

The House Bioscience and Workforce

Development Policy and Oversight Division approved the bill March 17 and referred it to the House Higher Education and Workforce Development Finance and Policy Division.

Sen. D. Scott Dibble (DFL-Mpls) sponsors the companion, SF1368, which awaits action by the Senate Business, Industry and Jobs Committee.

— N. BUSSE

ENERGY

Race for energy stimulus dollars

Several bills related to energy efficiency projects are scheduled to be considered March 23 by the House Energy Finance and Policy Division for possible omnibus bill inclusion.

Among the requests for federal stimulus funds are proposals for a biofuel production facility in northeast Minnesota; a solar energy system on a large dairy farm in Bricelyn; and the renovation of a former school building in Kennedy to support geothermal, wind and solar energy for a Go Green Business Center.

More than a dozen bills have been introduced seeking at least partial funding from the federal stimulus funds that are to be allocated to the Office of Energy Security, not the least of which is HF680. Sponsored by Rep. Jeremy Kalin (DFL-North Branch), it creates the framework by which the office would distribute the funds. It also explains the flow of money to existing energy efficiency programs, which will get a significant boost.

Director Bill Glahn told division members March 18 that his department's primary goals in distributing the money are that it creates and retains jobs and that energy savings result.

Strategies to reach those goals within the federal two-year timeframe include:

- \$131.9 million for the weatherization assistance program;
- \$54.2 million for a state energy program that includes: retrofitting public buildings; residential grants and loans through the Minnesota Housing Finance Agency; renewable energy rebates; workforce retraining; ingenuity grants; commercial/industrial incentives; and the creation of a Minnesota Energy Future Investment Fund;
- \$8.55 million for energy efficiency grants to local governments; and
- an undetermined amount for tax incentives, competitive grants and an Energy Star Appliance Rebate program.

With a majority of the money going to weatherization, Glahn said some significant changes are in store for the program.

Spending limits per household could increase from \$3,000 to \$6,500 and Glahn

estimated that up to 17,000 houses could be weatherized as a result. The federal government stipulates that at least 5 percent of the homes must be inspected. Glahn proposes that 10 percent be inspected, which would require the hiring of 10 state technical monitors and two financial monitors to oversee the program.

— S. HEGARTY

ENVIRONMENT

BWSR board could grow

Representatives from townships and cities may get a voice on the Board of Water and Soil Resources, under to a bill approved by the House Environment Policy and Oversight Committee March 12.

HF952, sponsored by Rep. Kent Eken (DFL-Twin Valley), would increase the BWSR board from 12 to 15 members by adding one township officer and two elected city officials to the governor-appointed board. One of the new seats would be filled by a Twin Cities metropolitan area city council member.

Representatives from townships and cities currently attend BWSR meetings but do not have voting privileges. Those who do include county commissioners, soil and water conservation district supervisors, watershed district representatives, commissioners from the departments of agriculture, health and natural resources and the Pollution Control Agency, the director of the University of Minnesota Extension Service and three citizen members.

"This has become an increasingly important place for cities, in particular on storm water issues," said Craig Johnson, intergovernmental relations representative for the League of Minnesota Cities. "As storm water becomes a bigger and bigger part of city responsibilities, the Board of Soil and Water Resources is the body where rules ... can be appealed for decisions on whether they are appropriate," Johnson added.

A companion, SF850 sponsored by Sen. Lisa Fobbe (DFL-Zimmerman), was laid over March 4 by the Senate Environment and Natural Resources Committee for possible omnibus bill inclusion.

— S. HEGARTY

Stimulus money for clean water

Stimulus money could be coming to a water project near you.

HF1756, sponsored by Rep. Kory Kath (DFL-Owatonna), would provide for the use of federal stimulus funds for clean water and drinking water purposes. It would also amend current laws governing Public Facilities Authority loans from the clean

water revolving fund and the drinking water revolving fund.

The clean water fund is expecting \$82.56 million and the drinking water fund is expecting \$24.57 million in federal stimulus money.

According to the bill:

- 50 percent of the funds must be provided as grants;
- at least 20 percent of the funds must be used for projects that address “green” infrastructure, energy and water efficiency improvements or other environmentally innovative activities;
- 50 percent of funds must be under contract for construction within 120 days, with all funds under contract within 12 months;
- projects must be listed on Pollution Control Agency wastewater/stormwater or Department of Health drinking water project priority lists; and
- funds will be awarded to eligible projects in the order they are certified by the PCA/MDH and submit as-bid costs to the PFA.

Approved by the House Cultural and Outdoor Resources Finance Division March 18, the bill awaits action by the House Finance Committee. A companion, SF1329, sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Finance Committee.

— S. HEGMAN

U of M water study funding

The University of Minnesota would receive \$750,000 to perform a comprehensive statewide study of ground and surface water, under a bill sponsored by Rep. Jean Wagenius (DFL-Mpls).

HF1031 was approved March 12 by the House Environment Policy and Oversight Committee and sent to the House Environment and Natural Resources Finance Division.

The appropriation would come from the Clean Water Fund, which will receive a portion of the three-eighths of 1 percent dedicated sales tax to begin being collected July 1, 2009.

Wagenius said the study would be similar to the Statewide Conservation and Preservation Plan completed by the university in June 2008. A set of study recommendations would create a framework of how to protect, conserve and enhance the quality of ground and surface water. Study results would be due to the Legislature Jan. 1, 2011.

“It’s a huge amount of money, but from everything we’ve heard, this is a drop in the bucket for what we need to take care of our waters,” Wagenius said in response to Rep. Steve Drazkowski (R-Wabasha), who questioned the allocation.

A companion, SF924, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

FAMILY

Raising child care funding

Full-time child care for a preschooler and an infant costs a family between \$15,000 and \$24,000 annually in the Twin Cities metropolitan area, and between \$12,000 and \$16,000 in Greater Minnesota, according to Child Care WORKS executive director Susie Brown. That’s not manageable for many low-income working families who may pay, on average, up to 30 percent of their income for child care.

However, the state’s Child Care Assistance Program’s Basic Sliding Fee subsidy, intended to help such families, has not kept pace with

the actual cost of providing care, even when parent co-pays are added. That disparity risks some providers’ business viability.

Rep. Carlos Mariani (DFL-St. Paul) sponsors HF768 that would raise the maximum provider reimbursement rate for child care assistance programs to 75 percent of market rate, and cover additional families on the waiting list for the sliding fee subsidy.

Mariani is concerned the state has “slipped” in its commitment to offer child care assistance since 2003, when the Legislature made significant cuts, but acknowledged the \$125.67 million price tag over the next two fiscal years is much to ask in the current fiscal situation.

“It’s not my intention that we approach this as all or nothing,” Mariani said.

The subsidy is important in economically stressed regions. Rep. Gail Kulick Jackson (DFL-Milaca) said that in 2003, when her youngest child was 3 years old, the child care facility where he was enrolled nearly closed when reimbursement rates were frozen at levels set in 2001.

“And that would have not only deprived those parents who were working at low-wage jobs,” said Jackson, “but it would have deprived me of having the one quality care center in a small town in rural Minnesota.”

The House Early Childhood Finance and Policy Division laid the bill over March 12 for possible omnibus bill inclusion. Its companion, SF575, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Health and Human Services Budget Division.

— K. BERGGREN

KIDS’ SHAMPOO



PHOTO BY TOM OLMSCHIED

Josh Winters holds his 2-year-old son, Noah, as his wife, Misty, talks to media members during a March 12 news conference bringing attention to a new report and tests released by the Campaign for Safe Cosmetics and Minnesota-based Healthy Legacy. The report shows that dozens of top-selling children’s bath products are contaminated with cancer-causing chemicals formaldehyde and 1.4 dioxane.

Surrogate parentage presumptions

When a woman who has had a hysterectomy wants a child, an egg donor and a woman to carry the baby to term must be found.

Because current law assumes that genetic parents are birth parents, Steve Snyder said a handful of court documents must now be filed at a cost of many hundreds of dollars or more, and court appearances must be made — even if all parties to the surrogate agree.

An attorney who has practiced in this area for more than 20 years and chairman of the American Bar Association Reproductive and Genetic Technologies Committee, Snyder said current laws are outdated. “They were drafted before genetics were split in terms of creating parentage, before egg donors were possible, before surrogate pregnancies were possible. It has an archaic way of establishing parentage that presumes the genetic parents are the birth parents.”

Rep. Steve Simon (DFL-St. Louis Park) sponsors HF890 to help update and streamline the process.

"This is a bill that has nothing to do with whether you think assisted reproduction is good, bad or otherwise. But it exists out there, and we want to make sure all our laws reflect the circumstances where all the parties agree," Simon said.

Approved on a split-voice vote March 16 by the House Civil Justice Committee, the bill awaits action by the full House. A companion, SF436, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Judiciary Committee.

Simon said the bill does four things:

- it says the same rules that apply to paternity determinations would also apply to maternity determinations;
- establishes a presumption of paternity if the parties expressly agree that there is an assisted reproduction agreement;
- allows courts to award custody based on agreement of the parties; and
- it allows prebirth orders of maternity or paternity.

"If there are contested procedures, the existing paternity law determines them," Snyder said. "It says nothing about the procedure as to permitting or facilitating compensation."

Minnesota Family Council President Tom Prichard expressed concern this would promote surrogacy and help with "facilitating movement away from biological parents being the parents of their children."

— M. COOK

GAME & FISH

Elk population needs thinning

Farmers from northwestern Minnesota are tired of elk herds destroying their crops and damaging their fences.

Appearing before the House Game, Fish and Forestry Division March 16, four farmers said they support an amendment to the division's omnibus bill that would require the Department of Natural Resources to either come up with a better management plan or declare open season on elk beginning this year.

The amendment is included in the omnibus bill, HF1238, sponsored by Rep. David Dill (DFL-Crane Lake). Approved by the division, it awaits action by the House Environment Policy and Oversight Committee. A companion, SF1116, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action by the Senate Environment and Natural Resources Committee.

The DNR issued 23 elk hunting permits in 2008 for Kittson and Marshall counties where two herds thrive, said Ed Boggess, deputy director of the department's fish and wildlife

division. If there is an elk hunt in 2009, the application deadline would be July 17, along with a \$10 application fee per hunter and a \$250 hunting license for a party of up to two hunters.

Farmers also traditionally have had recourse through a Department of Agriculture compensation fund, but the fund has dried up due to the propensity of elk causing problems.

Rep. Dave Olin (DFL-Thief River Falls) sponsors HF309, which, as amended by the House Agriculture, Rural Economies and Veterans Affairs Finance Division March 17, would raise the fund to \$150,000 during the current fiscal year and appropriate \$250,000 in fiscal years 2010 and 2011. The bill was held over for possible inclusion in the division's omnibus bill. Its companion, SF324, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), was held over by the Senate Agriculture and Veterans Budget and Policy Division for possible omnibus bill inclusion.

— S. HEGARTY

HEALTH

Containers for needle disposal

Most needles and syringes used in households are thrown in the garbage after use, putting solid waste disposal workers at risk of being punctured or contracting infectious diseases, according to Rep. Paul Gardner (DFL-Shoreview).

Gardner sponsors HF1372 that would require retailers who sell needles, lancets and syringes, known as sharps, to also give customers a sharps disposal container. For each box of 90 or more syringes sold, the customer must also be offered a container, which the sharps manufacturer must supply to the retailer at no charge. An estimated 30 million needles are sold each year in Minnesota, said Tom Erickson, chief executive officer of St. Paul-based UltiMed, which operates medical device manufacturing facilities.

The bill does not divert sharps from household waste into the medical waste-stream as he'd prefer, but it is a "step in the right direction," Erickson told the House Environment Policy and Oversight Committee March 17.

The committee approved the bill, which was moved to the House floor. Its companion, SF1323 sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

HIGHER EDUCATION

No aid cut for private schools

A proposal to cut financial aid for students at private, for-profit colleges was defeated by a House division.

HF1414, sponsored by Rep. Karla Bigham (DFL-Cottage Grove), would have made students at schools like Rasmussen College and Globe University/Minnesota School of Business ineligible to receive money through the state grant program.

Grants to students at for-profit schools currently account for more than \$20 million annually. Bigham said the bill would redirect that money to students at public colleges and universities and also private nonprofit schools like Macalester College and Hamline University.

During a March 17 hearing of the House Higher Education and Workforce Development Finance and Policy Division, supporters argued it makes sense for the state to prioritize funding for public and nonprofit schools during a budget crisis.

Graeme Allen, government relations director for the Minnesota State University Student Association, said that while half of U.S. states spend 75 percent or more of their financial aid funds on students at public institutions, Minnesota only spends 61 percent. He said Minnesota also ranks third in the nation in providing financial aid to students at for-profit schools.

"In a time of declining investment in higher education, especially for our publicly funded institutions, should we be funding those attending for-profit institutions?" Allen said.

That didn't sway opponents, who said the bill would unfairly take away options from students who are merely choosing the education they think will work best for them.

"I really believe that we need to support all forms of education in the state of Minnesota, and not just limit it to the state institutions," said Rep. Bob Dettmer (R-Forest Lake).

Sen. John Marty (DFL-Roseville) sponsors the companion, SF1361, which awaits action by the Senate Higher Education Budget and Policy Division.

— N. BUSSE

HOUSING

\$100 million for affordable housing

Affordable housing advocates seek multi-millions of dollars to provide additional affordable housing opportunities across the state.

Sponsored by Rep. Karen Clark (DFL-

Mpls), HF1354 would give the Minnesota Housing Finance Agency authority to issue up to \$100 million in nonprofit housing bonds to local governments and 501(c)(3) nonprofit organizations. Grantees could then acquire land for, or to construct, affordable rental housing units.

The agency might also provide grants to public land trust agencies, such as the City of Lakes Community Land Trust, which has provided homes for 650 families.

Under these programs, homebuyers receive counseling to help them manage and understand their mortgages, insurance policy and closing documents. Recipients own the home but not the land it sits upon. They are able to resell the home and receive a small percentage of the profit. The majority is reinvested in the land trust program, said Jeff Washburn, director of the City of Lakes Community Land Trust program.

The House Housing Finance and Policy and Public Health Finance Division held the bill over March 17 for possible inclusion in its omnibus bill. A companion, SF1382, sponsored by Sen. David Tomassoni (DFL-Chisholm), is scheduled to be heard March 20 by a Senate housing subcommittee.

Rural Minnesota agencies also provide similar support services, including help for foreclosures. First Homes, sponsored by the Rochester Area Foundation, manages nearly 200 homes within a 30-mile radius of the city.

"In Minnesota, we have towns like Mankato, Albert Lea, Austin, Northfield, Chatfield and Le Center that have their own serious foreclosure issues right now. Because those communities haven't received (Neighborhood Stabilization Funds), I think it's important to note that those cities don't have any subsidies available to do work in remediation for foreclosures," said Sean Allen, First Homes director.

— S. HEGARTY

Manufactured homes protection

Owners and residents of manufactured home parks are supposed to be paying into a relocation trust fund to protect the homeowners should the park owner decide to close the park or sell the land. The problem is only half of the park owners and residents pay into the trust fund and there appears to be no enforcement of the year-old law. Some homeowners fear there may not be enough in the fund, should they need to rely on it.

HF356, sponsored by Rep. Paul Gardner (DFL-Shoreview), would amend the law to allow park owners to collect a trust fund fee as a separate line item, along with the lot rent. The monthly fee would be \$1. An estimated 50,000 families live in manufactured homes in Minnesota.

The House Housing Finance and Policy and Public Health Finance Division laid the bill over March 18 for possible inclusion in its omnibus bill. A companion, SF1269, sponsored by Sen. David Tomassoni (DFL-Chisholm), was scheduled to be heard March 20 by the Housing Subcommittee of the Senate Economic Development and Housing Budget Division and Health, Housing and Family Security Committee.

A problem with the fee notification process is that it has been provided only in English. Rep. Karen Clark (DFL-Mpls), the division chairwoman, urged Gardner to include a provision that requires notification in multiple languages.

— S. HEGARTY

Reverse mortgage rules tightened

Though reverse mortgages can provide a safety net for many older Minnesotans hit hard by the economic downturn, they should be a "last resort" for most people, said Shirley Hunt Alexander, American Association of Retired Persons state advocacy chairwoman.

Seniors are increasingly using reverse mortgages "to pay for life necessities such as needed home repairs, health care or long-term care, and sometimes property tax," Alexander said.

Reverse mortgages are available to people age 62 or older who borrow a lump sum or receive monthly payments or a line of credit against the value of their home while they continue to live there. The loans must be paid in full when the borrower moves or dies.

Rep. Jim Davnie (DFL-Mpls) sponsors HF528, which he calls a "proactive measure" to protect seniors from unscrupulous lenders or counselors who target the reverse mortgages to people who don't really need them, or who try to sell borrowers other products simultaneously.

The bill calls for a 30-day waiting period during which a borrower could cancel a reverse mortgage, instead of the current three-day period, and would ban the lender from cross-selling other products such as long-term health care insurance or annuities funded by proceeds the reverse mortgage.

The 30-day period troubled opponents, who said it isn't realistic.

"Reverse mortgages have made a huge difference in my clients' lives," said Beth Paterson, executive vice president of Prestige Mortgage, allowing them to retire, pay medical bills and even avoid foreclosure.

She called the 30-day period impossible because the entire time frame of a reverse mortgage transaction from inquiry to closing is usually about that long.

Paterson advocates "testing and licensing

of anybody originating a reverse mortgage" to help prevent ill-advised transactions.

Approved March 13 by the House Labor and Consumer Protection Division and March 17 by the House Commerce and Labor Committee, it awaits action by the House Civil Justice Committee. Its companion, SF489, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Judiciary Committee.

— K. BERGGREN

Covering short-term housing costs

Homebuilders or remodelers who breach their warranty could pay for more than just repairs. They might have to pay for a homeowner's place to stay.

Sponsored by Rep. Paul Gardner (DFL-Shoreview), HF239 would add reasonable costs of necessary short-term housing to money that homeowners could receive for a warranty breach.

Approved March 18 on a split-voice vote by the House Civil Justice Committee, the bill next goes to the House floor. A companion, SF6, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the full Senate.

Reasonable costs could not exceed the current federal maximum per diem rate that applies to the property location.

"If you're a federal employee, if you're traveling on some federal contract of some kind, there's a master list of maximum, not-to-exceed dollar figures for lodging per day," Gardner said. "You couldn't be in Shoreview, where I live, and have to be out of your house and then check into a swanky hotel in Minneapolis. You'd have to go to the swanky Hampton Inn in Shoreview."

Although the bill has been reduced since first introduced, Lisa Frenette, government affairs director of the Builders Association of Minnesota, is still uncomfortable with the bill's subjectivity. She is concerned that it is not defined who would determine when and how long a person should stay away from their residence.

"We could have about 10 pages of legislation to determine exactly under what specific conditions you would have to leave your house," Gardner said. "But every house is different and every situation is different. I thought that would be a little bit too meticulous and nitpicky to try and do that."

— M. COOK

HUMAN SERVICES

No new resident restrictions

New residents would have been eligible only for state assistance equal to the amount

from the state they previously resided, under a bill defeated 12-7 by the House Health Care and Human Services Policy and Oversight Committee March 12.

Sponsored by House Minority Leader Marty Seifert (R-Marshall), HF1036 would limit the amount of General Assistance and Minnesota Family Investment Program payments for those living in the state for less than 12 months. Seifert said it would curb the number of people coming from other states who “take advantage of the state treasury and our good will.”

According to the nonpartisan House Research Department, the current wait time is 30 days with some hardship exemptions.

Opponents argue there isn’t data that proves people are moving here for state assistance. Further, the change would also violate the federal and state constitutions, Rep. Thomas Huntley (DFL-Duluth) said. Similar California legislation was ruled unconstitutional by the U.S. Supreme Court in 1999.

Ralonda Mason, attorney with St. Cloud Area Legal Services, said Minnesota has tried similar legislation twice before and both were found to be unconstitutional.

Rep. Paul Thissen (DFL-Mpls) asked how counties would implement and obtain benefit information from other states. Seifert acknowledged the implementation could pose problems, but said “it is doable.”

Brian Rusche, executive director of the Joint Religious Legislative Coalition, said the bill would “pour salts in the wounds of people who are already struggling.” It tries to curb something that is possibly very isolated, he said.

A companion, SF860, sponsored by Sen. Chris Gerlach (R-Apple Valley), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

Newborn screening revisited

Minnesota law requires written informed consent for the collection of genetic information.

HF1341, sponsored by Rep. Paul Thissen (DFL-Mpls), would exempt newborn genetic screening from this process, requiring that testing be done unless the parents opt out of the program. Under the bill, the Health Department would collect and test the samples for heritable and congenital disorders and destroy them within 25 months of birth.

The bill was approved March 17 by the House Health Care and Human Services Policy and Oversight Committee and now goes to the House Civil Justice Committee. A companion, SF1478, sponsored by Sen. Linda

Scheid (DFL-Brooklyn Park), awaits action by the Senate Health, Housing and Family Security Committee.

Since 1997, the department has collected and stored newborn screening samples. But, in 2007, a Minnesota administrative law judge ruled the department violates the Genetic Privacy Law in collecting the information.

Thissen said the bill is an attempt to, “save the newborn screening program,” while addressing concerns over the length of time the samples are stored. Gov. Tim Pawlenty vetoed a similar bill in 2008 that would have allowed the department to store the samples indefinitely.

Twila Brase, president of Citizens’ Council on Health Care, said the bill is “about the storage, use and dissemination of newborn blood and DNA without the consent of parents.” It would also allow hospital staff to sign a form saying they have informed the parents of their options, rather than requiring a parental signature.

The department’s Web site states the program tests infants for 53 rare and serious medical conditions that if not detected can lead to chronic conditions or death.

— P. OSTBERG

LOCAL GOVERNMENT

Annexation by ordinance

Many Minnesota cities say they’re being taken advantage of by residents in neighboring townships who use city services and infrastructure without helping pay for any of it. Rep. Ryan Winkler (DFL-Golden Valley) sponsors a bill intended to address the issue.

HF1297 would make it easier for cities to annex land in neighboring townships. The bill would provide for a streamlined annexation process and specify how much cities have to reimburse townships for annexed areas. In addition, it would define “urban or suburban” areas for purposes of annexation proceedings.

The House Local Government Division approved the bill March 16 and referred it to the House State and Local Government Operations Reform, Technology and Elections Committee.

Supporters say the legislation is needed to give cities the ability to bring township residents into their municipal property tax base.

Warroad Mayor Bob Marvin said residents in his city subsidize a public library, municipal airport, parks and other infrastructure. Their neighbors in Lake Township are able to take advantage of these facilities while paying a fraction of what Warroad residents pay in property taxes. Marvin said township officials

refuse to discuss annexation with the city, and that Warroad can’t afford the legal fees involved in annexation disputes.

Speaking in opposition to the bill, Minnesota Association of Townships Attorney Kent Sulem said it would strong-arm townships into accepting annexation under whatever terms the cities want. He added that it would rob property owners in townships of their voice in annexation proceedings.

“What the city wants, the city gets,” Sulem said, describing his take on the bill’s provisions.

Sen. Steve Dille (R-Dassel) sponsors the companion, SF1163, which awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Eminent domain redux

A group of frustrated property owners are pushing lawmakers to close what they say is a gaping loophole in state law restricting the use of eminent domain.

Three years ago, Minnesota enacted a law protecting property owners from having their land taken by local governments to make way for shopping malls, condominiums or other economic development projects. It left one big exception: utility companies. An electric utility company can, for example, still take private land it needs to construct new power lines.

Rep. David Bly (DFL-Northfield) sponsors HF1182 that would repeal the exemption for utilities and other public service corporations. The House Local Government Division approved the bill March 13 and sent it to the House State and Local Government Operations Reform, Technology and Elections Committee.

“This is a fundamental question that democracies must deal with, and that is: Can we protect the rights of individuals and also balance out the interests of others?” Bly said.

Rod Crass, a lawyer and landowner, said it doesn’t make sense that utilities don’t have to abide by the same rules as cities, counties and school districts in acquiring private property.

“I don’t understand ... why your property rights ought to depend on who takes your property. Those rights ought to be the same for everybody,” Crass said.

Opponents like Rep. Morrie Lanning (R-Moorhead) argue the bill would have serious implications for utility companies and their customers, and also make it more difficult to achieve the state’s renewable energy goals.

“If we take away this exemption, there’s no

doubt in my mind that we have the potential of making it more difficult to route needed transmission lines,” Lanning said. “That all is going to drive up cost to our customers.”

Sen. Kevin Dahle (DFL-Northfield) sponsors the companion, SF1112, which awaits action by the Senate Judiciary Committee.

— N. BUSSE

MILITARY

Getting equal credit

Experience matters, and those who take courses while in the military could be awarded credit toward a degree at the University of Minnesota or the Minnesota State Colleges and Universities system.

Course equivalency standards are in place for transfers between the institutions, but HF1281, sponsored by Rep. Lyle Koenen (DFL-Clara City), would instruct the institutions to develop course equivalencies for learning acquired as a result of successful completion of formal military courses.

Before being approved by the House Veterans Affairs Division March 13, Koenen amended the bill to delete a provision where a veteran could qualify for in-state tuition rates, irrespective of the veteran's state of residence prior to discharge from active military service.

“This is more than just about recognizing the service of veterans,” said Michael Lovas, veterans coordinator at the University of Minnesota. He explained the need for consistency across universities and college in regard to military credits, citing an example of a veteran receiving credit for military courses, but not having them apply to their university major. The student could then face the problem of a too high credit total, making them ineligible for financial aid to finish up the degree.

Currently, the university grants equivalency credit for courses it teaches, said Mary Kosken, director of student services. MnSCU uses the American Council on Education guidelines as it considers credit equivalency, she said.

Col. Eric Ahlness, director of government relations for the Department of Military Affairs, said the military tries to align its course curriculum with civilian standards and makes sure the teachers are qualified to instruct.

Also approved March 18 by the House Agriculture, Rural Economies and Veterans Affairs Committee, the bill now awaits action in the House Higher Education and Workforce Development Finance and Policy Division.

Its companion, SF361, sponsored by Sen. Ron Latz (DFL-St. Louis Park), was laid over by the Senate Higher Education Budget and

Policy Division for possible inclusion in its omnibus bill.

— L. SCHUTZ

Military honors proclaimed

A Minnesota Honors Vietnam Era Veterans day is being planned for June 13 on the State Capitol grounds.

Information about the event was announced during the House Veterans Affairs Division meeting March 13, when Rep. Jeremy Kalin (DFL-North Branch) offered HF1400 to declare the date as Welcome Home Vietnam Veterans Day in Minnesota.

“This is a time to bring healing and restoration. I believe this is going to be a worthwhile celebration,” said Richard Jenkins Sr., commander of the Military Order of the Purple Heart, and a Vietnam veteran who is among the event planners.

A replica of the Washington D.C. Vietnam Memorial is expected to be on display, and a Bob Hope impersonator is scheduled to recreate the entertainer's famous skits he would perform for troops.

According to information on the Web site, www.mnhonorsvietnamvets.org, the day will begin with a Gold Star Family prayer service and end with the evening entertainment.

The bill was approved by the division and March 18, by the House Agriculture, Rural Economies and Veterans Affairs Committee. It now moves to the House floor.

Sen. Steve Murphy (DFL-Red Wing) sponsors the companion bill, SF1142. It awaits action on the Senate floor.

Also approved in the committees was a bill to designate March 25 as Medal of Honor Day.

Sponsored by Rep. Mike Obermueller (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan) SF236*/HF433 would honor Minnesotans who have received the Medal of Honor, which was first presented on that date in 1863. The bill was passed by the Senate on March 16 64-0. It now awaits action by the House.

— L. SCHUTZ

RECREATION

Naturalists and kiosks in state parks

Research suggests that more children can identify cartoon characters than they can trees or wildflowers, said Jamie McBride, president of the Minnesota Naturalists' Association.

McBride told the House Environment Policy and Oversight Committee March 17 that although Minnesotans care about the environment, they don't know much about it, and they think they know more than they do. He supports HF1612 that would more than double the number of naturalists working in

state parks, create summer naturalist jobs for college students and build electronic informational kiosks near campgrounds.

Sponsored by Rep. Kate Knuth (DFL-New Brighton), the bill would establish a Minnesota Naturalist Corps under the supervision of the Department of Natural Resources. Thirty college students would be hired as summer naturalists to lead nature hikes, campfire programs and other educational and interpretive events at a cost of \$270,000 each year of the 2010-2011 biennium. Corps naturalists would be paid for their work.

Another \$640,000 would be used each year of the next biennium to double the number of full-time naturalists from eight to 16 in state parks.

A third aspect of the bill would allocate \$760,000 for the construction of informational kiosks to be placed near campgrounds in various regions of the state.

Funding for all of the projects would come from the Parks and Trails Fund, dedicated money resulting from the constitutional amendment voters approved last year for a three-eighths of 1 percent sales tax increase.

“If we're looking at ways to connect people to the out-of-doors, we need naturalist programming,” said Judy Erickson, a Parks and Trails councilmember.

The bill was referred to the House Environment and Natural Resources Finance Division. The companion, SF1612, sponsored by Sen. Katie Sieben (DFL-Newport), awaits action in the Senate Environment and Natural Resources Committee.

— S. HEGARTY

SAFETY

Pointing a laser at an aircraft

A laser device about the size of a ballpoint pen could help bring down a helicopter.

Jim Englin, a state patrol pilot, urged the House Public Safety Policy and Oversight Committee to imagine a bright flash bulb going off directly in their faces. “You'd blink it off, you may have some discomfort for a little while, but it would go away. You can imagine what the problem would be if you were in an aircraft.”

He said the state patrol suffered three laser illumination events in 2008. Arrests were made in two cases, but charges were never brought forth.

Current federal law is designed to secure larger air carriers, leaving a loophole and forcing states or local municipalities to prohibit discharging a laser into the cockpit of an aircraft.

Sponsored by Rep. Rick Hansen (DFL-South St. Paul), HF1097 would make it a felony

in Minnesota, punishable by up to five years in prison and a \$10,000 fine.

Approved March 12 by the committee, the bill was sent to the House Finance Committee with a requested re-referral to the House Public Safety Finance Division. A companion, SF1408, sponsored by Senate President James Metzen (DFL-South St. Paul), awaits action by the Senate Judiciary Committee.

Englin showed packaging for one such light, which runs on AAA batteries and can be bought at many office supply stores or big box retailers. "It's advertised as the most powerful legal green laser pointer available. It has a range of over 10 miles in just this one little simple pen." The device is rated 3A on a scale where four is a military or commercial application.

"We're less than 1,000 feet from the ground, and we're less than 100 mph. It gives the ability to track an aircraft in that flight regime fairly easily," Englin said. "This simple penlight can cause a great deal of damage and a great deal of carnage, if you will, if we were to crash."

The bill would exempt search and rescue situations when the person on the ground is indicating their location.

— M. Cook

Helping find missing adults

Nobody should have to go through what Annette and Brian Swanson are living through.

The Swansons son, Brandon, has been missing since May 14, 2008, when his car got stuck in a ditch near Taunton along the Lincoln and Lyon county line. As his parents

were on their way to help, the cell phone connection went dead at 3:10 a.m.

Choking back tears, Annette Swanson told the House Public Safety Policy and Oversight Committee March 12 that local authorities were informed three hours later that he was missing, but because Brandon was 19, no help was immediately provided. Following a one-day search, authorities told her to go home, and they'd call when more is known.

"I was in total shock and disbelief at that moment," she said.

Sponsored by House Minority Leader Marty Seifert (R-Marshall), HF1242 would help families like the Swansons by expanding the state's missing child program to adults who are missing and endangered. "This is about adults who go missing under dangerous circumstances," he said. "It makes minor changes in law, but makes big changes to families affected by having missing family, friends."

Approved by the committee, the bill was sent to the House Finance Committee. A companion, SF1146, sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Judiciary Committee.

The bill would piggyback off the child act by, in part, requiring law enforcement to take a missing persons report without delay, no matter the missing person's age; immediately conduct a preliminary investigation to determine if the person is missing, and whether the person is endangered; and promptly notify all other law enforcement agencies of the situation.

"Missing children must be entered into the

National Crime Information Center, while reporting missing adults is voluntary," Brian Swanson said. "This is where Brandon's Law steps in."

It also spells out information that must be released to the missing person's family and clarifies that the agency taking the report be the lead agency in the investigation.

Jim Franklin, executive director of the Minnesota Sheriff's Association, expressed concern about potential fiscal costs to local units of government, and concern about giving the family information in a bad situation, such as domestic abuse cases.

"I believe we can work through the differences," said Tim O'Malley, superintendent of the state's Bureau of Criminal Apprehension. "We can make this practical and workable."

— M. Cook

TAXES

Looking for a revamp

A program that hasn't changed since its inception could be studied to determine its effectiveness.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington), HF479 would provide \$50,000 for the commissioner of revenue to conduct a study of the metropolitan fiscal disparities program and report to the House and Senate tax committees by Feb. 1, 2010.

The House Property and Local Sales Tax Division held the bill over March 17 for possible inclusion in its report to the House Taxes Committee. A companion, SF1713, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Taxes Committee.

"This hasn't changed since before some of you were born," Lenczewski said. "Not a word of it has changed since then and it hasn't been studied."

According to the nonpartisan House Research Department, the fiscal disparities program is a system for the partial sharing of commercial-industrial property tax base among all jurisdictions within a geographic area. In Minnesota, two programs are used: the primary one was created in 1971 and operates in the seven-county Twin Cities metropolitan area; a smaller version was created in 1995 for the Iron Range.

The proposed study would be used to consider whether the program is meeting the following goals and what changes could be made:

- reducing the extent to which the property tax system encourages inefficient development patterns;
- ensuring that the benefits of economic



PHOTO BY ANDREW VONBANK

Brian and Annette Swanson listen to Rep. Marty Seifert, left, the bill's sponsor, testify March 12 before the House Public Safety Policy and Oversight Committee in support of establishing Brandon's Law, which would implement procedures for investigating missing adult cases. The Swanson's 19-year-old son, Brandon, has been missing since May 14, 2008.

growth are shared throughout the region;

- allowing taxing jurisdictions to deliver services in proportion to their tax effort;
- compensating jurisdictions for low-tax-yield properties that provide regional benefits;
- promoting a fair distribution of tax burdens across the region; and
- reducing economic losses from competition for commercial-industrial tax base.

— S. HEGMAN

Rating property tax

Property tax proposals could be subject to a rating system in deciding their usefulness.

Sponsored by Rep. Denise Dittrich (DFL-Champlin), HF1261 is the result of a working group charged with creating benchmarks, critical indicators and principles for legislators to use when evaluating property tax proposals. The House Property and Local Sales Tax Division held it over March 17 for possible inclusion in its report to the House Taxes Committee. There is no Senate companion.

"We rewrote and reworked this several times and still consider it a work in progress," Dittrich said.

The bill would also establish a 12-member property tax working group comprised of House and Senate members, various lobbying groups and the state's revenue commissioner. The working group would make its advisory recommendations to the chairs of the House and Senate tax committees by Feb. 1, 2011.

"This is outstanding work," said Rep. Paul Marquart (DFL-Dilworth), the division chairman. "There's a lot of accountability here, which is what we wanted to do. It raises the discussion to a new level."

Rep. Morrie Lanning (R-Moorhead) asked if local units of government could use the indicators to examine their own local tax effectiveness. Dittrich said local units were surveyed as to the kinds of tools they'd like the state to use, but "we did not look at that to the level you are talking about."

"(The state) needs to monitor critical indicators, but I think local units of government need to do the same thing," Lanning said.

Eric Willette, property tax analyst with the Department of Revenue, said that while he was supportive of implementing this scale, he had concerns. "I'm not exactly sure how it will work and how well it can be administered." He said it would add responsibility to people in the department during the busiest time to year, but "we want to give it a try."

— S. HEGMAN

Extra money for housing offenders

Rising costs and a lack of state money have created some issues for counties housing

sexual predators who are awaiting civil trial.

Sponsored by Rep. Larry Haws (DFL-St. Cloud), HF850 would authorize a special levy for the difference between one-half the costs of confining sex offenders undergoing the civil commitment process and any state payments for this purpose. The House Property and Local Sales Tax Division held the bill over March 18 for possible inclusion in its report to the House Taxes Committee. There is no Senate companion.

According to the Department of Revenue, if cities or counties choose to impose special levies under the bill, the result would be an increase in state payments of homestead property tax refunds due to an increased property tax burden on homeowners.

Keith Carlson, executive director of the Metropolitan Inter-County Association, said counties have been hit with about a cumulative \$7 million annual cost because of a rise in civil commitments.

Janet Reigstad, community supports division director with Stearns County, said between 2004 and 2008, the lowest amount paid by the county for sex offender holds was almost \$37,000 for three offenders in 2006. The next year it cost almost \$202,000 for five offenders.

"Hold costs should not be borne solely by the county real estate tax levy," Reigstad said. "Ideally there would be a state appropriation so the costs would be borne by the state or shared between the state and counties."

County social service agencies are required to carry out duties under the Civil Commitment Act for people considered sexually dangerous. Prior to the actual commitment court hearing, people can be held involuntarily at treatment facilities through either an emergency hold, by a doctor or by the court. Sex offenders can be held for an indefinite period beyond the 14-day limit. Counties are responsible for paying all costs for these holds.

— S. HEGMAN

TRANSPORTATION

Transportation council creation

People with disabilities living in the Twin Cities metropolitan area who cannot transport themselves can use programs like Metro Mobility to get around. In Greater Minnesota, vanpools or small buses on non-fixed routes perform those duties.

However, there is some overlap in service areas, which can mean greater user costs.

Rep. Paul Gardner (DFL-Shoreview) would like to see better coordination through the creation of a 17-member Minnesota Council on Transportation Access.

"We're expending a lot of public dollars

in a way that is not as efficient as it could be," he said, adding that costs are often four or five times greater to the user compared with mass transit. Current agency costs for transportation could not be provided, but Gardner expects the council recommendations to save money. The bill includes \$300,000 for council expenses.

Approved on St. Patrick's Day, March 17, by the House Transportation Finance and Policy Division, HF1373 awaits action by the House Finance Committee. A companion, SF1226, sponsored by Sen. D. Scott Dibble (DFL-Mpls) is scheduled to be heard March 27 by the Senate State and Local Government Operations and Oversight Committee.

"There is an inter-agency group that is working under an executive order to try and help agencies coordinate their efforts to help provide more efficiency," Gardner said. "This bill would pretty much raise that to a higher level so that council, which is made up of some of the folks who help direct some of these programs, can all be on the same page."

Gardner noted that executive orders can "fade out" with administration changes, and that a legislative direction would be permanent.

He said an efficiency coordination example could be the creation of one phone line a consumer can call to reach a universal dispatcher who would have access to all providers. That person could find the right ride at the right time, instead of having the consumer call multiple providers to schedule an appointment that meets their needs.

— M. COOK

GPS mounting bill passed

It might be easier for drivers to determine where to go without taking their eyes away from the windshield.

Approved 131-0 by the House March 19 without debate was HF85, sponsored by Rep. Al Juhnke (DFL-Willmar). It would allow GPS or other navigation systems to be mounted or located near the bottom-most portion of a windshield.

The bill now goes to the Senate, where Sen. David Tomassoni (DFL-Chisholm) is the sponsor.

State law currently allows rearview mirrors, sun visors and electronic toll collection devices be mounted on a vehicle's windshield, but many drivers illegally have their GPS unit attached as well.

Juhnke said the bill would help with road safety because a GPS system must now be mounted on a console, forcing drivers to look down at the device.

— M. COOK

Monday, March 16

HF1705-Hornstein (DFL) **Finance**

Bicycle and pedestrian accommodation inclusion required as part of trunk highway bridge improvement program.

HF1706-Rukavina (DFL) **Finance**

Virginia; Miners Memorial renovation funding provided.

HF1707-Otremba (DFL) **Finance**

Rural pharmacy planning and transition grant program funding provided.

HF1708-Hosch (DFL) **Health Care & Human Services** **Policy & Oversight**

Mental health provisions amended, Medical Assistance reimbursement and eligibility changed, provider qualification and training requirements changed, mental health behavioral aides services amended and an excluded service added.

HF1709-Hosch (DFL) **Health Care & Human Services** **Policy & Oversight**

Child welfare provisions changed.

HF1710-Hilstrom (DFL) **Finance**

Brooklyn Center; Northwest Hennepin Family Center grant funding provided.

HF1711-Jackson (DFL) **Finance**

Local bridge replacement and rehabilitation funding provided.

HF1712-Jackson (DFL) **Environment Policy & Oversight**

Residents 90 years of age or older provided free angling licenses.

HF1713-Abeler (R) **Health Care & Human Services** **Policy & Oversight**

Radiological technology examination preparation practices prohibited and penalties established.

HF1714-Paymar (DFL) **Finance**

Ordway Center for the Performing Arts funding provided.

HF1715-Emmer (R) **Health Care & Human Services** **Policy & Oversight**

Encounter data submission requirement repealed.

HF1716-Emmer (R) **Health Care & Human Services** **Policy & Oversight**

Payment reform and quality measurement requirements repealed.

HF1717-Atkins (DFL) **Commerce & Labor**

Motor vehicle sales and distribution regulated.

HF1718-Clark (DFL) **Transportation & Transit Policy & Oversight Division**

Driver's license application procedures and requirements modified.

HF1719-Atkins (DFL) **Commerce & Labor**

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

HF1720-Huntley (DFL) **Finance**

State health care program payment rates reduced to psychiatrists.

HF1721-Wagenius (DFL) **Environment Policy & Oversight**

Legislative-Citizen Commission on Minnesota Resources membership terms modified.

HF1722-Huntley (DFL) **Finance**

Physician payment rates for state health care programs reduced.

HF1723-Juhnke (DFL) **Finance**

Economic stimulus provided through renewable energy and energy efficiency grants.

HF1724-Faust (DFL) **Taxes**

Counties authorized to use certain tax-forfeited land proceeds for other purposes.

HF1725-Persell (DFL) **Energy Finance & Policy Division**

Residential heating and delivered-fuel supplier reports required.

HF1726-Persell (DFL) **Energy Finance & Policy Division**

Low-income customer rights provided for delivered home heating fuel vendors.

HF1727-Hansen (DFL) **Environment Policy & Oversight**

Wellhead protection areas made eligible for the reinvest in Minnesota reserve program, conservation reserve program modified.

HF1728-Loeffler (DFL) **Health Care & Human Services** **Policy & Oversight**

Provisions amended for child care programs, program integrity, adult supports including general assistance medical care and group residential housing and Minnesota Family Investment Program.

HF1729-Faust (DFL) **Finance**

Minnesota Public Radio, Inc. funding provided.

HF1730-Dill (DFL) **Finance**

Biomass facility grant funding provided.

HF1731-Mullery (DFL) **Finance**

Hennepin County; Victory Memorial Drive restoration funding provided.

HF1732-Clark (DFL) **Finance**

Demonstration project for high-risk adults funding provided.

HF1733-Eken (DFL) **Finance**

Water protection rules compliance funding provided.

HF1734-Lanning (R) **Environment Policy & Oversight**

Basin watershed boards, management policies and taxing authority established.

HF1735-Lanning (R) **Finance**

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

HF1736-Masin (DFL) **Health Care & Human Services** **Policy & Oversight**

Medical provider conflicts of interests prohibited, criminal and civil penalties provided.

HF1737-Brynaert (DFL) **Finance**

Minnesota State University, Mankato; International Renewable Energy Technical Institute funding provided.

HF1738-Mack (R) **State & Local Government** **Operations Reform, Technology & Elections**

Regular legislative sessions prohibited in even-numbered years.

HF1739-Sterner (DFL) **Commerce & Labor**

No-fault auto insurance policies modified, first-party benefits increased, arbitration awards regulated, balance billing by health care providers prohibited, accident record information regulated and civil liability in recovery of health care expenses clarified.

HF1740-Winkler (DFL) **Civil Justice**

Certain marriages performed in other states recognized in Minnesota.

HF1741-Hilty (DFL) **Finance**

Cromwell; energy-efficient furnace and light bulb funding provided.

HF1742-Hilty (DFL) **State & Local Government** **Operations Reform, Technology & Elections**

Percentage of votes a candidate for statewide or legislative office must receive in order to obtain public financing increased.

HF1743-Hausman (DFL) **Finance**

Transit improvement areas funding provided.

HF1744-Hilty (DFL) **State & Local Government** **Operations Reform, Technology & Elections**

Technology accessibility standards and advisory committee established.

HF1745-Ruud (DFL) **Health Care & Human Services** **Policy & Oversight**

Health occupations provisions modified; licensed health care professional definition expanded; food, beverage and lodging establishments provisions modified; federal government rules required to implement the minimum data set for resident reimbursement classification.

HF1746-Bigham (DFL) **Commerce & Labor**

Customers protected from injuries resulting from use of inflatable play equipment used for commercial purposes, trained supervisor presence and liability insurance required.

HF1747-Clark (DFL) **Finance**

Green jobs in the food production sector report required, farm-to-school and farm-to-home pilot projects funding provided.

HF1748-Sailer (DFL) **Finance**

National solar testing and certification laboratory funding provided.

HF1749-Winkler (DFL) **Commerce & Labor**

Retail liquor operation's separate limited storage facility use authorized.

HF1750-Abeler (R) **Health Care & Human Services** **Policy & Oversight**

Human services licensing provisions modified; and data practices, disqualifications and background study requirements modified.

HF1751-Kelly (R)
Transportation & Transit Policy & Oversight Division
Driver's license or identification card applicant permitted to designate an emergency contact person and emergency contact data access procedures established.

HF1752-Drazkowski (R)
Taxes
Political contribution tax refund repealed.

HF1753-Mahoney (DFL)
Finance
Summer academy established and tuition grant funding provided.

HF1754-Hilty (DFL)
Finance
Energy or commerce projects and activities funding provided; assessments, audits, insurance, public utilities, cooperative electric associations and municipal power agencies provisions modified.

HF1755-Beard (R)
Commerce & Labor
Agent wagering authorized.

HF1756-Kath (DFL)
Finance
Federal funds allocated for clean water and drinking water loans and grants.

HF1757-Brod (R)
Health Care & Human Services Policy & Oversight
Department of Health and Human Services established, merger of the Department of Health and the Department of Human Services required.

HF1758-Kahn (DFL)
Health Care & Human Services Policy & Oversight
Preteen immunizations information required, meningococcal disease, human papilloma virus and other diseases and vaccines information included.

HF1759-Kahn (DFL)
Health Care & Human Services Policy & Oversight
Hospital-acquired infections reporting required and advisory committee established.

HF1760-Thao (DFL)
Health Care & Human Services Policy & Oversight
Continuing health care provisions modified, Medical Assistance, nursing facilities and data management modifications provided.

HF1761-Anderson, S. (R)
Transportation & Transit Policy & Oversight Division
Single-occupant hybrid vehicles authorized to operate in high-occupancy vehicle lanes and dynamic shoulder lanes.

HF1762-Buesgens (R)
Finance
Sales and use tax rate increase dedicated for natural resources and cultural heritage purposes repealed and constitutional amendment proposed.

HF1763-Abeler (R)
Health Care & Human Services Policy & Oversight
Chiropractic practice provisions modified.

HF1764-Bigham (DFL)
Public Safety Policy & Oversight
Board of Pharmacy required to report all board recommended controlled substance schedule changes to the Legislature.

HF1765-Olin (DFL)
Public Safety Policy & Oversight
Fourth-degree assault crime expanded.

HF1766-Hilty (DFL)
Finance
Moose Lake; sex offender treatment program facilities funding provided.

HF1767-Nelson (DFL)
Commerce & Labor
Unlicensed construction contractor and subcontractor registration required and fee imposed.

HF1768-Lesch (DFL)
Public Safety Policy & Oversight
Sex trafficking criminal penalties increased; victim housing and support services provided; technical training for judges, prosecutors and law enforcement provided; public awareness increased; Minnesota Family Investment Program eligibility and waiver provisions addressed.

HF1769-Downey (R)
Health Care & Human Services Policy & Oversight
Human services licensing requirements exemption provided.

HF1770-Sailer (DFL)
Environment Policy & Oversight
Household hazardous waste joint powers boards audits required every five years.

HF1771-Scott (R)
Civil Justice
Child support provisions changed and child support payment redirected.

HF1772-Doty (DFL)
Finance
Debt service equalization aid program state support increased and school bond agricultural credit created.

HF1773-Bly (DFL)
Finance
Scott County; Spring Lake Regional Park funding provided.

HF1774-Nelson (DFL)
State & Local Government Operations Reform, Technology & Elections
Deferred compensation plan provisions amended, terms defined and state unclassified employees retirement program and data regulated.

HF1775-Obermueller (DFL)
Finance
School district renewable energy grant program created.

HF1776-Hayden (DFL)
Finance
Metropolitan Council and commissioner of transportation required to provide free transit passes for unemployed individuals seeking employment.

HF1777-Newton (DFL)
Transportation & Transit Policy & Oversight Division
Motor vehicle governing provision modified relating to the display of registration plates or tabs.

HF1778-Otremba (DFL)
Health Care & Human Services Policy & Oversight
Prepaid health plans and county-based purchasing plans serving state health care program enrollees required to offer contracts to health care providers subject to the MinnesotaCare tax.

HF1779-Hosch (DFL)
Finance
High-risk adults demonstration project continuation funding provided.

HF1780-Sailer (DFL)
State & Local Government Operations Reform, Technology & Elections
Revisor of statutes required to survey recipients of free state publications.

HF1781-Kahn (DFL)
Finance
General legislative and administrative expenses of state government provisions modified.

HF1782-Lenczewski (DFL)
Taxes
State government financing provisions modified relating to taxes; individual income, corporate franchise, property and sales and use additions required; federal section 179 expensing allowances conformed; subtractions disallowed; nonrefundable credits allowed; refundable Minnesota child credit allowed; various provisions repealed.

HF1783-Ruud (DFL)
Health Care & Human Services Policy & Oversight
Medical Assistance coverage eliminated for certain ineffective preventative services.

HF1784-Drazkowski (R)
State & Local Government Operations Reform, Technology & Elections
Public employee annual salaries that exceed \$100,000 during the biennium ending June 30, 2011, modified.

HF1785-Norton (DFL)
Finance
Accountability measures and reports required as a condition for receiving state funds.

HF1786-Haws (DFL)
State & Local Government Operations Reform, Technology & Elections
Unnecessary mandate elimination provided, better public understanding of the roles and responsibilities of state and county governments provided and financial accountability between state and county governments provided.

HF1787-Lillie (DFL)
Taxes
North St. Paul; five-year rule extension allowed for two districts.

HF1788-Juhnke (DFL)
Taxes
Exclusion provided for farm and small business properties.

HF1789-Fritz (DFL)
Commerce & Labor
Nonprofit Insurance Trust authorized to self-insure against certain liabilities.

HF1790-Doty (DFL)
Commerce & Labor
Casino machine check report required by director of gambling enforcement.

HF1791-Nelson (DFL)
Public Safety Policy & Oversight
Peace officer and corrections officer employment provided under joint power agreements.

HF1792-Kahn (DFL)
Higher Education & Workforce Development Finance & Policy Division
University of Minnesota adjacent neighborhood improvements provided.

HF1793-Nelson (DFL)
State & Local Government Operations Reform, Technology & Elections
Teachers Retirement Association Board of Trustees size increased by adding an additional elected retired member.

HF1794-Welti (DFL)
Commerce & Labor
Independent contractor standard definition provided for truck driver-operators for purposes of workers' compensation, unemployment compensation and income taxation.

HF1795-Ruud (DFL)
Health Care & Human Services Policy & Oversight
Birthing center licensure established, uncomplicated birth reimbursement limited and licensed birthing centers designated as essential community providers.

HF1796-Davids (R)
Taxes
Jobs credit allowed for increasing employment.

HF1797-Lieder (DFL)
Finance
Federal economic recovery fund receipt and appropriation provided.

HF1798-Hansen (DFL)
Taxes
Agriculture property tax program participation compliance required with certain laws.

HF1799-Morrow (DFL)
Finance
Minnesota Valley Line funding provided.

HF1800-Laine (DFL)
Health Care & Human Services Policy & Oversight
Individual health plans prohibited from refusing issue coverage because of a previous cesarean delivery.

HF1801-Laine (DFL)
Health Care & Human Services Policy & Oversight
Hospital policies on cesarean sections regulated.

HF1802-Eken (DFL)
Finance
Mahnommen County; group residential housing supplemental service rate provided.

HF1803-Scalze (DFL)
Health Care & Human Services Policy & Oversight
Travel expenses reimbursement limited for state employees.

HF1804-Lieder (DFL)
Finance
Transit facilities funding provided.

HF1805-Atkins (DFL)
Public Safety Policy & Oversight
Full-time firefighter licensing standards and fees established.

HF1806-Bly (DFL)
Finance
Northfield; public land and building acquisition spending authorized, public safety and regional emergency operations center funding provided.

HF1807-Zellers (R)
Commerce & Labor
Metropolitan Airports Commission authorized to extend hours of sale of alcohol.

HF1808-Brod (R)
Transportation & Transit Policy & Oversight Division
Death certificate of decedent data items expanded and protected, and surviving family members provided greater access to crashed vehicles.

HF1809-Hilty (DFL)
Finance
Department of Corrections' per diem law modified.

HF1810-Lesch (DFL)
Public Safety Policy & Oversight
Human trafficking notice posting required at establishments that sell alcoholic beverages at retail and certain lodging establishments that have been involved in prostitution-related activity.

HF1811-Slawik (DFL)
Health Care & Human Services Policy & Oversight
Autism Spectrum Disorder Task Force created, appointments provided and report required.

HF1812-Brod (R)
Public Safety Policy & Oversight
Governor of the State of California memorialized by the Minnesota Legislature to retain jurisdiction over Kathleen Ann Soliah.

HF1813-Juhnke (DFL)
Commerce & Labor
Elevators in grain elevators regulation provided.

HF1814-Winkler (DFL)
Health Care & Human Services Policy & Oversight
State employees' personal electronic health records criteria provided.

HF1815-Beard (R)
Finance
Design-build project provisions modified.

HF1816-Morrow (DFL)
Finance
Motor carriers, highways and Department of Transportation provisions modified and updated, clarifying and technical changes provided.

HF1817-Ruud (DFL)
Health Care & Human Services Policy & Oversight
Basic health plan alternative established for families with children eligible for Medical Assistance.

HF1818-Mariani (DFL)
State & Local Government Operations Reform, Technology & Elections
State commissioners required to provide a poverty impact statement on bills when requested by a legislator.

HF1819-Murphy, E. (DFL)
Finance
Support services required for families with children who are deaf or have hearing loss, testing fee modified.

HF1820-Rosenthal (DFL)
State & Local Government Operations Reform, Technology & Elections
Alcohol and controlled substances testing exemption extended.

Wednesday, March 18

HF1821-Kahn (DFL)
Health Care & Human Services Policy & Oversight
Genetic information treatment specified, informed consent required prior to collecting genetic information and biological specimens and data collection specified.

HF1822-Sailer (DFL)
Health Care & Human Services Policy & Oversight
Volunteer dentist liability immunity provided under certain circumstances.

HF1823-Simon (DFL)
Commerce & Labor
Church benefits board authorized to act as trustee of a trust.

HF1824-Severson (R)
Civil Justice
Marriage between a man and a woman recognized as the only domestic legal union valid in Minnesota, and constitutional amendment proposed.

HF1825-Urdahl (R)
Rules & Legislative Administration
President and Congress memorialized to repeal the federal legislation of 1863 ordering the removal of Dakota people from Minnesota and the Dakotas.

HF1826-Severson (R)
State & Local Government Operations Reform, Technology & Elections
Judge vacancies required to be elected, unfinished terms of office excluded from allowable service for retirement, retirement permitted at the end of the term in which the judge has reached the age of 70 and constitutional amendment proposed.

HF1827-Paymar (DFL)
Public Safety Policy & Oversight
Judicial sanctions enforced, fines, fees and surcharges included.

HF1828-Hornstein (DFL)
State & Local Government Operations Reform, Technology & Elections
Municipal comprehensive plan for affordable housing amendments authorized to be approved by a simple majority.

HF1829-Mullery (DFL)
Commerce & Labor
Deed and rental purchase agreement contracts regulated, attorney fees and remedies provided.

HF1830-Huntley (DFL)
Finance
Seven-county metropolitan area hospital payment rates modified.

HF1831-Huntley (DFL)
Health Care & Human Services Policy & Oversight
Performance withholds for managed care plans serving state health care program enrollees modified.

HF1832-Huntley (DFL)
Health Care & Human Services Policy & Oversight
State medical review team process modified and annual report required.

HF1833-Beard (R)
Finance
Scott County; Trunk Highway 169 Corridor Transit Way funding provided.

HF1834-Thissen (DFL)
Commerce & Labor
Plumbing practices and medical gas systems work regulated.

HF1835-Haws (DFL)
Finance
State grant program's living and miscellaneous expense allowance set.

HF1836-Sertich (DFL)
Energy Finance & Policy Division
Biomass mandate contracts amendment required and cost recovery authorized.

HF1837-Lesch (DFL)
Commerce & Labor
Minnesota Wireless Telephone Consumer Protection Act enacted.

HF1838-Persell (DFL)
Finance
Paul Bunyan State Trail funding provided.

HF1839-Hilstrom (DFL)
Health Care & Human Services Policy & Oversight
Commissioners of health and human services required to provide notice to cities of certain residential programs' licensure.

HF1840-Davids (R)
Finance
Lanesboro; dam renovation funding provided.

HF1841-Liebling (DFL)
Public Safety Policy & Oversight
Driver's license suspension provision modified.

HF1842-Kahn (DFL)
Finance
State Capitol restoration funding provided.

HF1843-Jackson (DFL)
State & Local Government
Operations Reform, Technology
& Elections

Milaca; street improvement districts establishment and street improvement fees apportionment authorized and street improvement plan adoption required.

HF1844-Koenen (DFL)
Public Safety Policy & Oversight
Restorative justice-based diversion programs established.

HF1845-Huntley (DFL)
Health Care & Human Services
Policy & Oversight

State health care program enrollees required to select care clinics with clinicians who are certified as health care homes.

HF1846-Sertich (DFL)
Finance
Chisholm; sanitary sewer and related infrastructure improvements funding provided.

HF1847-Fritz (DFL)
Health Care & Human Services
Policy & Oversight
Health plans required to establish equal out-of-pocket requirements for oral and intravenously administered chemotherapy medications.

HF1848-Newton (DFL)
Environment Policy & Oversight
Lifetimespearing and lifetime angling and spearing licenses established.

HF1849-Nelson (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Local governmental unit mandates removed, extended and modified.

HF1850-Haws (DFL)
Higher Education & Workforce
Development Finance & Policy
Division
Administration of training and employment functions reorganized, responsibilities transferred to Minnesota State Colleges and Universities.

HF1851-Mullery (DFL)
Finance
Prevailing wage enforcement funding provided.

HF1852-Knuth (DFL)
Finance
Renewable energy payment incentive period extended and payments directed to other projects from projects whose eligibility to receive payments expires.

HF1853-Atkins (DFL)
Commerce & Labor
Various licenses, forms, coverages, marketing practices and records regulated, data classified and coordination of health insurance benefits provided.

HF1854-Sertich (DFL)
Finance
Hibbing; fire station renovation funding provided.

HF1855-Thao (DFL)
Health Care & Human Services
Policy & Oversight
Athletic trainer provisions changed.

HF1856-Swails (DFL)
K-12 Education Policy & Oversight
School districts authorized to report actual costs instead of allocated costs for contracted services, field trip costs clarified, resident district involvement broadened when a student is placed in another district for care and treatment, maximum weight of type A-I school bus increased and seat back and tailpipe equipment standards modified.

HF1857-Pelowski (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Notice by electronic mail authorized.

HF1858-Lesch (DFL)
Public Safety Policy & Oversight
Criminal record expungement law recodified and restructured and expungement eligibility expanded.

HF1859-Bigham (DFL)
Public Safety Policy & Oversight
Board of Private Detective and Protective Agent Services merged with the Board of Peace Officer Standards and Training.

HF1860-Ruud (DFL)
Health Care & Human Services
Policy & Oversight
Lasers, intense pulsed light devices and radio frequency devices regulated.

HF1861-Champion (DFL)
Finance
Minnesota Shubert Center funding provided.

HF1862-Bly (DFL)
Energy Finance & Policy Division
Distributed generation cooperative formation authorized.

HF1863-Bly (DFL)
Environment Policy & Oversight
Solid waste disposal facility fee exempted.

HF1864-Sertich (DFL)
Finance
Hibbing; street reconstruction funding provided.

HF1865-Gottwalt (R)
Health Care & Human Services
Policy & Oversight
MinnesotaCare service provision modified, healthy Minnesota plan requirements established and healthy Minnesota accounts established for MinnesotaCare enrollees.

HF1866-Sertich (DFL)
Finance
Hibbing; city public library funding provided.

HF1867-Anderson, S. (R)
Finance
Interstate Highway 494 additional lane funding provided.

HF1868-Mullery (DFL)
K-12 Education Policy & Oversight
Parents or guardians allowed to designate a person to attend a school conference.

HF1869-Faust (DFL)
Finance
Entrepreneurship and technology business incubator funding provided.

HF1870-Dettmer (R)
Civil Justice
Marriage between a man and a woman is the only domestic legal union that shall be valid or recognized in Minnesota, and constitutional amendment proposed.

HF1871-Drazkowski (R)
Civil Justice
Marriage between a man and a woman is the only domestic legal union that shall be valid or recognized in Minnesota, and constitutional amendment proposed.

HF1872-Zellers (R)
Commerce & Labor
Minnesota Unlawful Trade Practices Act, Uniform Deceptive Trade Practices Act, Prevention of Consumer Fraud Act, and False Statement in Advertisement Act provided and private remedies modified.

HF1873-Lillie (DFL)
Finance
State trail rehabilitation funding provided.

HF1874-Drazkowski (R)
Taxes
Property tax refund provisions modified.

HF1875-McNamara (R)
Environment Policy & Oversight
Environmental review requirements modified, certain projects exempted that are subject to standards from environmental review and project proposers required to prepare environmental impact statements and environmental assessment worksheets.

HF1876-Lesch (DFL)
Civil Justice
Employment and training data regulated, data classified and terms defined.

HF1877-Hackbarth (R)
Environment Policy & Oversight
Analysis required for state air quality, hazardous waste and water quality standards.

HF1878-Smith (R)
Taxes
Medina; tax increment financing district time extension authorized.

HF1879-Smith (R)
Taxes
Mound; tax increment financing provisions modified.

HF1880-Severson (R)
Agriculture, Rural Economies & Veterans Affairs
Interview required for veterans listed as meeting minimum qualifications and claiming veteran's preference for positions of state government employment, state civil service applied to removal provisions in current local government law and report required of certain state employment statistics pertaining to veterans.

HF1881-Hackbarth (R)
Environment Policy & Oversight
Hunters', anglers', and trappers' bill of rights established, right to arms and the right to wear fur and display game protected, hunting and fishing access ensured, program established to allow public walk-in access on private property, money appropriated and constitutional amendment proposed.

HF1882-Winkler (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Legislative day definition modified.

HF1883-Davnie (DFL)
Finance
Maximum limit on state agricultural society's bonded debt and the sunset on the authority to issue bonds eliminated, authorized investments of debt service funds modified and notification of the commissioner of finance required.

HF1884-Anderson, S. (R)
Agriculture, Rural Economies & Veterans Affairs
Designation of state land required for use by veterans.

HF1885-Dittrich (DFL)
Taxes
Coon Rapids; compensation for final city aid base payment.

HF1886-Juhnke (DFL)
Agriculture, Rural Economies & Veterans Affairs
Feeding Minnesota Task Force established.

HF1887-Mullery (DFL)
Housing Finance & Policy & Public Health Finance Division
Rehabilitation of vacant and abandoned housing due to foreclosure crisis provided; health, safety and welfare of the community protected through appropriate police powers; and legal process provided to appoint receivers for abandoned properties and recovery of funds expended to bring property up to code.

HF1888-Mullery (DFL)**Finance**

Economic development definitions amended and money appropriated.

Thursday, March 19

HF1889-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Public employees authorized to buy into the state long-term care insurance program.

HF1890-Hosch (DFL)**Finance**

Nursing home moratorium exception projects approval period extended and additional moratorium exceptions authorized.

HF1891-Johnson (DFL)**State & Local Government Operations Reform, Technology & Elections**

State agencies required to develop policies regarding telecommuting by state employees.

HF1892-Johnson (DFL)**Commerce & Labor**

Supervisory employee definition modified.

HF1893-Carlson (DFL)**State & Local Government Operations Reform, Technology & Elections**

Retirement incentives authorized.

HF1894-Loeffler (DFL)**State & Local Government Operations Reform, Technology & Elections**

Classified employees duties and rights specified.

HF1895-Doty (DFL)**State & Local Government Operations Reform, Technology & Elections**

Morrison County; county treasurer office appointment process provided.

HF1896-Clark (DFL)**Finance**

Alcohol health and judicial impact fund established and impact fee imposed.

HF1897-Masin (DFL)**State & Local Government Operations Reform, Technology & Elections**

Dakota County; Metropolitan Council conveyance of land and buildings required.

HF1898-Hornstein (DFL)**Finance**

Local transit planning and development provisions modified and financial assistance for public transit providers provided.

HF1899-Gottwalt (R)**Commerce & Labor**

Prevailing wage suspension provided during certain budget deficits.

HF1900-Jackson (DFL)**Environment Policy & Oversight**

Mille Lacs County; Rum River area land removed from the wild and scenic rivers program.

HF1901-Haws (DFL)**Finance**

Minnesota youth program funding provided.

HF1902-Davids (R)**Taxes**

Sales and use tax exemption provided for items given away.

HF1903-Davids (R)**Finance**

Disaster readiness and recovery efforts grants provided.

HF1904-Severson (R)**Finance**

Correctional discharge planning funding provided.

HF1905-Gunther (R)**Finance**

Entrepreneurial and small business assistance grants provided.

HF1906-Loeffler (DFL)**Taxes**

New non-agricultural relative homesteads prohibited and residential rental property class rates reduced.

HF1907-Severson (R)**State & Local Government Operations Reform, Technology & Elections**

Elections recount procedures modified and certain verification programs required.

HF1908-Zellers (R)**Commerce & Labor**

Insurance industry trade practices regulated and loss experience data reporting regulated.

HF1909-Abeler (R)**Finance**

Positive abortion alternatives base funding increased.

HF1910-Davids (R)**Finance**

Outdoor heritage, clean water, parks and trails, and arts and cultural heritage sales tax debt management guideline application specified.

HF1911-Eastlund (R)**Civil Justice**

Passport restriction denial withdrawal based on child support arrearages prohibited.

HF1912-Eastlund (R)**Environment Policy & Oversight**

Suspension of registrations or licenses of off-highway motorcycles, off-road vehicles, snowmobiles, all-terrain vehicles and watercraft authorized in case of payment by dishonored checks

HF1913-Davnie (DFL)**Finance**

Hennepin County; solid and hazardous waste fund uses authorized.

HF1914-Hilty (DFL)**Finance**

Commissioner of commerce authorized to prepare and plan for receipt of federal stimulus money for investment in energy conservation and efficiency broadband deployment.

HF1915-Hilty (DFL)**Finance**

Federal stimulus funding allocated for residential energy conservation.

HF1916-Olin (DFL)**Public Safety Policy & Oversight**

Fire protection and first responder services advisory task force established.

HF1917-Davnie (DFL)**Commerce & Labor**

Exclusive liquor store wine tasting provision modified.

HF1918-Hornstein (DFL)**Finance**

Commissioner of transportation duties and powers prescribed and report required.

HF1919-Thao (DFL)**Health Care & Human Services Policy & Oversight**

Medical Assistance, MinnesotaCare and general assistance medical care coverage of chiropractic services modified.

HF1920-Liebling (DFL)**Finance**

Region 10 Quality Assurance Commission funding provided.

HF1921-Falk (DFL)**Finance**

Benson; well funding provided.

HF1922-Falk (DFL)**Finance**

Benson; well funding provided.

HF1923-Sailer (DFL)**State & Local Government Operations Reform, Technology & Elections**

Clearwater County Memorial Hospital's inclusion in Public Employees Retirement Association filing date extended.

HF1924-Champion (DFL)**Finance**

Certificates of good conduct established, certificate effects described and eligibility provided.

HF1925-Kiffmeyer (R)**Taxes**

Green Acres Law 2008 changes repealed and appointments provided.

HF1926-Clark (DFL)**Finance**

Restorative justice program funding provided.

HF1927-Anderson, S. (R)**Taxes**

Leased seasonal-recreational land exempted.

HF1928-Hansen (DFL)**Finance**

High-resolution digital elevation data funding provided.

HF1929-Bunn (DFL)**State & Local Government Operations Reform, Technology & Elections**

Bayport; Public Employees Retirement Association annuity repayment requirement waived for a certain independent contractor.

HF1930-Holberg (R)**Civil Justice**

Business screening service regulation amended.

HF1931-Falk (DFL)**Finance**

Hendricks; Ivanhoe; ISD 402 and 403 energy improvement grant provided for Lincoln High School.

HF1932-Murphy, E. (DFL)**Finance**

Summer scientific research program for students higher education institution grant provided.

HF1933-Champion (DFL)**Public Safety Policy & Oversight**

Ex-criminal offenders now in the community pilot project established to provide services and report required.

HF1934-Champion (DFL)**Finance**

Federal stimulus fund principles established for allocation and expenditure.

HF1935-Murphy, E. (DFL)**Health Care & Human Services Policy & Oversight**

MinnesotaCare and Medical Assistance consolidated, enrollment and eligibility procedures streamlined.

HF1936-Juhnke (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Star farm program established, Star farm board established and money appropriated from the clean water fund.

HF1937-Masin (DFL)**Taxes**

Meals served at certain residential facilities exemption expanded.

HF1938-Poppe (DFL)**Taxes**

Construction materials and equipment used to construct the Mower County courts facility exempted, and an obsolete provision removed.

HF1939-Kahn (DFL)**Finance**

Hennepin County; Midtown Greenway trail wayfinding signage and kiosk funding provided.

HF1940-Brod (R)**Agriculture, Rural Economies & Veterans Affairs**

Dependent returning from active military duty permitted to enroll as a dependent in the state employee group insurance program regardless of status as a full-time student.

HF1941-Brynaert (DFL)**Finance**

Extended employment service extended for persons with disabilities, purpose and need for extended employment established, and money appropriated.

HF1942-Urdahl (R)**Civil Justice**

Minnesota divorce reconciliation project established, portion of the marriage license fee redirected and participation in a marriage dissolution education program required before commencing marriage dissolution proceedings involving minor children.

HF1943-Loeffler (DFL)**Finance**

Hennepin County; riparian restoration and stream bank stabilization funding provided.

HF1944-Hosch (DFL)**Finance**

Minnesota Family Investment Program supported work funding provided.

HF1945-Masin (DFL)**Taxes**

Eagan; tax increment financing district activity duration and time extended, and adjustments to original net tax capacity established.

HF1946-Seifert (R)**Commerce & Labor**

Redwood County; limited exemption from state building code provided.

HF1947-Lesch (DFL)**Public Safety Policy & Oversight**

Statewide Minnesota prescription program established and use of tamper-resistant prescription drug forms required.

HF1948-Haws (DFL)**Finance**

Investment fund established for eligible organization and loans authorized.

HF1949-Dittrich (DFL)**Taxes**

Coon Rapids; tax increment financing districts extended.

HF1950-Kahn (DFL)**Finance**

Digital radio conversion funding provided.

HF1951-Kahn (DFL)**Health Care & Human Services Policy & Oversight**

In vitro fertilization therapy or gamete donation information required to be provided to patients.

HF1952-Abeler (R)**Finance**

Hearing aid dispenser fees limited.

HF1953-Slocum (DFL)**State & Local Government****Operations Reform, Technology & Elections**

Metropolitan area local government permitted to impose reasonable area or response time residency requirements for job-related reasons.

HF1954-Nornes (R)**Health Care & Human Services Policy & Oversight**

Dentists exempted from certain electronic transaction requirements.

HF1955-Holberg (R)**Finance**

Temporary transfers authorized from the metropolitan livable communities fund accounts and the right-of-way loan acquisition fund for transit operating deficits; funding sources modified for metropolitan livable communities fund accounts.

HF1956-Loon (R)**Transportation & Transit Policy & Oversight Division**

Hybrid vehicles temporarily allowed to be used toll-free and on high-occupancy vehicle lanes.

HF1957-Mack (R)**K-12 Education Policy & Oversight**

Charter school students allowed to participate in extracurricular activities in their resident school district.

HF1958-Juhnke (DFL)**Environment Policy & Oversight**

Certain rulemaking authority modified, study required, legislative oversight provided and appointments provided.

HF1959-Bunn (DFL)**Commerce & Labor**

Minimum wage standards regulated for tipped employees.

LATE ACTION

Education is DFL budget priority

The preschoolers through college-age students surrounding House Speaker Margaret Anderson Kelliher (DFL-Mpls) were the backdrop to emphasize the House DFL's commitment to education in their 2010-2011 budget proposal.

"Our priorities are crystal clear," Majority Leader Tony Sertich (DFL-Chisholm) said during a March 19 press conference to announce their plan to solve the \$4.6 billion deficit over the 2010-2011 biennium, and the caucus's spending priorities.

Under the proposal, early education through postsecondary would not see cuts to their budgets.

"We must maintain our commitment to

the next generation, and solve our problems boldly and honestly," Sertich said.

Other state programs are not held harmless, under the budget proposal. In what Kelliher termed "shared sacrifice," more than \$1.6 billion in cuts are proposed to state programming. Although, she pointed out, some of cuts would be mitigated by use of one-time money from the federal stimulus funds, formally known as the American Recovery and Reinvestment Act of 2009.

The budget also calls for \$1.5 billion in new revenue. Kelliher said the tax committees would be coming forward with recommendations, including a "bold" proposal next week from the House Property and Local Sales Tax Division and chairman Rep. Paul Marquart (DFL-Dilworth).

As with Gov. Tim Pawlenty's revised budget plan released early in the week, the

DFLers call for a shift, or as Kelliher termed it, a "delay in payment" of state money to schools — a budgeting mechanism that has often been used during deficit times. During this biennium, it would amount to about \$1.77 billion. They also propose a reserve increase of \$250 million for the biennium.

House Minority Leader Marty Seifert (R-Marshall) called the DFLs new revenue plan a sure way to drive jobs out of the state. He referenced the just released state jobless numbers showing the level at 8.1 percent in February, and said the only way the state can move forward is through job creation.

Seifert said his caucus is firmly behind the governor's budget plan that calls for no new taxes. He promised solidarity to uphold any veto the governor has promised regarding tax increases.

— L. SCHUTZ

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MINORITY LEADER: MARTY SEIFERT

MINNESOTA INDEX

Keeping Minnesotans safe

Billions of miles traveled on state roadways in 2007.....	57
Year the Minnesota State Patrol was established.....	1929
Number of current full-time equivalent state patrol positions.....	877
Number of sworn state troopers	530
Millions of miles traveled by troopers in 2007	15.5
Enforcement contacts in 2007	578,211
DWI arrests by troopers in 2007	6,495
In 2002	5,855
In 1997	5,469
Approximate gallons of gas used by the patrol each year, in millions.....	1
State patrol operating budget for fiscal year 2009, in millions.....	\$82.4
State patrol cruisers rear-ended between Dec. 1, 2008, and Jan. 20, 2009	26
Property damage crashes that troopers responded to during the four-day Martin Luther King Jr. Day weekend from 6 a.m. Jan 16, 2009, to 6 a.m. Jan. 20, 2009.....	618
Number of those that were rollovers.....	214
Personal injury, fatal crashes responded to in the four-day period	127, 2
Percent of Minnesotans who used seat belts in 2007.....	88
Percent in 1997	65
School bus safety inspections performed by the state patrol in 2007	14,499
State patrol canine teams around the state	12
Reconstruction specialists with the state patrol	34
Hours of work for average reconstruction.....	40
Fire departments in Minnesota in 2007	788
Year the State Fire Marshal Division was created.....	1905
Estimated inspections done in 2008 by the division	3,500
Inspections in 2007	3,290
State, federal violations found in 2007 inspections	12,161, 1,841
Estimated number of day care inspections per year.....	1,500
Number of full-time inspectors in 2008	18
Fire scenes in 2007 where division arson investigators were called.....	414
Of those, number determined to be arson.....	96
Millions in total property loss	\$9.3
Cigarette brand styles certified by the division to be sold as fire-standard compliant in Minnesota.....	798
Miles of pipeline in the state that are inspected by the state's dozen inspectors	65,000

—M. Cook

Sources: Testimony Jan. 20 before the House Transportation Finance and Policy Divisions and Feb. 10 before the House Public Safety Finance Division; 2010-2011 biennial budget documents; Minnesota State Patrol 2009 Legislative Fact Sheet; Office of Pipeline Safety.

FOR MORE INFORMATION

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SESSION WEEKLY

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COUNTY OPTION ON SALES TAX
FREE FISHING FOR SENIORS
MAKE WAY FOR STIMULUS FUNDS



HF1960 - HF2202

SESSION WEEKLY

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On the cover: Jason Mandle, 3, who attends the Minneapolis Early Childhood Family Education program, watches the Teddy Bear Band perform March 19 as part of the "Voices for Children Raised at the Capitol."

— Photo by: Tom Olmscheid



PHOTO ILLUSTRATION BY PAUL BATTAGLIA

Minnesota's unemployment rate currently stands at 8.1 percent and rising. Lawmakers have proposed everything from wage subsidy programs to corporate tax cuts to stimulate job growth.

Career non-opportunities

Lawmakers offer conflicting ideas on how to create jobs

By NICK BUSSE

Erick Ajax is the sort of employer that Minnesota wants. The co-owner of the Fridley-based E.J. Ajax and Sons Inc., manages a metal-forming plant that produces, among other things, approximately 70 percent of all the appliance hinges sold in North America.

"If you look at your refrigerator at home, the hinge that holds the door on it was probably made in our plant," Ajax told members of a House division March 19.

Over the years, Ajax — who boasts of not having any minimum-wage jobs in his company — has watched his employees double or even triple their starting wages, raise their families and "live the American Dream as metal-forming professionals." Unfortunately, as with so many other companies, E.J. Ajax and Sons has fallen on hard times.

"In November, the bottom fell out of our market worldwide," Ajax said. "In the last 90 days, we've gone from 50 employees to 21 employees — very, very painful changes that have had to take place in my business."

Those painful changes are not uncommon, as Minnesota and the rest of the country

struggle through what many economists are calling the worst recession since World War II. The state's unemployment rate reached 8.1 percent in February, marking the worst employment figures in more than a quarter-century. In the hardest-hit regions of the state, job-seekers outnumber job openings by a ratio of 11-to-1.

The situation has put job creation at the front and center of the legislative agenda. But while legislators on both sides of the aisle agree that something must be done, they have very different ideas about how to go about it.

Funding vs. fundamentals

As it happens, Ajax was testifying in favor of a bill that could help him hire some of his workers back.

Sponsored by Rep. Tom Rukavina (DFL-

Virginia), HF1326 would resurrect a program that helped put some 30,000 unemployed Minnesotans back to work during the tough economic times of the early-1980s. The Minnesota Emergency Employment Development program, as it was called, essentially paid employers a wage subsidy to help them hire new and recently laid-off workers. It lasted from 1983 to 1985, and many of the workers hired under the program were able to keep their jobs after it ended.

Rukavina is betting that a program that worked back then could work again now. He plans to meet with Gov. Tim Pawlenty to discuss the proposal; however, with a state budget deficit looming, he's also being realistic about his chances of getting the \$120 million asked for in the bill.

"If I can't get the money, I can't get the money. But I'm not going to sit on my hands while I know people are hurting out there and not try to do something," Rukavina told members of the House Higher Education and Workforce Development Finance and Policy Division. The division laid the bill over March 19 for possible omnibus bill inclusion.

Earlier this year, House DFL leaders signaled their commitment to job creation by making HF1, the first bill of the session, a vehicle to receive federal stimulus funds. The American Recovery and Reinvestment Act of 2009, better known as the federal stimulus package, will save or create some 45,000 jobs in Minnesota alone, according to an estimate

First Reading continued on page 4

by State Economist Tom Stinson.

Though such programs might help in the short-term, critics see a problem with proposals like Rukavina's bill and the federal stimulus: they don't last.

"If we prop (job-providers) up with taxpayer dollars, then the minute those dollars are gone, if the fundamentals aren't there to support those jobs, they're going to go away again," said Rep. Steve Gottwalt (R-St. Cloud).

Gottwalt knows something about "the fundamentals." Before coming to the Legislature, he spent years helping businesses locate and expand their operations in the St. Cloud area. According to Gottwalt, what businesses are really looking for is an environment in which they can thrive — and that means lowering taxes.

"We do hear from our businesses that they're concerned about the tax environment in Minnesota," Gottwalt said. "You go and talk to any manufacturer in this state — anybody who creates jobs — and they will tell you the tax burden in this state is a significant factor."

A report from the Governor's 21st Century Tax Reform Commission would seem to confirm this. The commission, a panel of mostly business executives established by Pawlenty to review the state's business tax climate, puts Minnesota's combined state and federal corporate tax burden as the third highest in the nation, behind only Iowa and Pennsylvania.

To address the issue, Pawlenty has proposed what he sees as the best way to stimulate private-sector growth: the "Minnesota Jobs Recovery Act," a package of tax incentives that includes a plan to cut the corporate tax rate in half over the next six years. House and Senate Republicans support the proposal.

Although he said the state needs a multi-faceted approach to economic development that includes a focus on infrastructure and creating an educated workforce, Gottwalt warns that legislators ignore the tax issue at their own peril.

"We've got to be careful of how heavy a tax burden and a regulatory burden we place on businesses, because it does make a difference, and they will leave," he said.

To tax or not to tax

Not everyone with expertise in economic development believes in the power of tax cuts, however.

Ann Markusen, a professor at the University of Minnesota and an expert on regional and industrial economics, calls corporate tax cuts "a terrible idea."

Job creation is front and center on the legislative agenda. But while legislators on both sides of the aisle agree that something must be done, they have very different ideas about how to go about it.

To begin with, Markusen said cutting taxes at a time when the state already has a record deficit will only leave an even bigger budget hole for policymakers to deal with. That, in turn, will lead to layoffs in the public sector, which will compound the state's economic problems.

"I don't think it's in businesses' interests to really encourage something that's going to result in further rounds of people spending less money on retail, more foreclosures and so on and so forth," Markusen said.

Even in the long-term, Markusen is skeptical that tax cuts will produce the desired effect of spurring job growth, since there is no guarantee companies will use the money to create jobs. Moreover, Markusen said much of the benefits from a corporate tax cut would flow to stockholders outside of Minnesota.

"I'm in the school — and in fact, most public finance economists believe this — that we're in a race to the bottom on these tax incentives," she said.

Markusen is not completely opposed to tax



PHOTO BY TOM OLMSCHIED

Rep. Tom Rukavina sponsors a bill that would pay employers a wage subsidy to help them hire new and recently laid off workers. The state had a similar program from 1983-1985.

breaks for businesses. The key, Markusen said, is that incentives have to be tied to specific goals.

"If companies are promising to create a certain number of jobs and quality of jobs, that's something that should be monitored," she said, adding that companies that don't live up to their end of the bargain should be held to account.

"You only want a tax cut to incentivize behavior," she said.

For now, Markusen said a temporary wage subsidy program like the one Rukavina proposed wouldn't be a bad idea. In the long run, she said the state needs to start doing economic development in a way that pays for results, and that looks at all economic development programs, including tax breaks, as state budget expenditures that should be tied to specific outcomes.

Rep. Ryan Winkler (DFL-Golden Valley), who serves with Gottwalt on a key House division dealing with workforce development — and who has engaged in frequent debates with his Republican colleague — agrees with Markusen.

"We need to make sure we have a tax and regulatory environment that is neither too heavy nor too light," Winkler said.

Winkler believes that the government's role in promoting economic development should be to ensure that the state has not only a suitable tax environment, but also a robust education system, well-managed infrastructure and other necessities — things that he said the corporate income tax helps pay for.

For the time being, businesses like E.J. Ajax and Sons could continue to hurt.

"We've cut all salaried wages for the management team by 20 percent. We've reduced all remaining employee wages by 10 percent. We've reduced the rent on our building 20 percent. We've had to cut back employee hours to 32 hours a week. We have had to reduce the temperature in our building by 10 degrees," Ajax said. "We're in the race of our lives right now." 🏰

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Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held March 19-26. 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

Policy on hemp production

Minnesota could join a neighboring state in its effort to allow the growing of industrial hemp.

Rep. Phyllis Kahn (DFL-Mpls) told the House Agriculture, Rural Economies and Veterans Affairs Committee March 25 that North Dakota is taking the lead on challenging federal law.

She sponsors HF608, which would lay out the policy for industrial hemp production in the state. However, Kahn said that nothing could happen until Congress approves the change and the U.S. Department of Justice, and Drug Enforcement Administration actually grant an application.

Approved by the committee, the bill now moves to the House Public Safety Policy and Oversight Committee. Its companion, SF1365, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Agriculture and Veterans Committee.

Hemp production was banned by the 1970

Controlled Substances Act, largely because of fears the plant could mask growth of its cousin, the marijuana plant.

Until that time, industrial hemp was grown legally in the United States for a wide variety of purposes including cloth and paper production.

Supporters say that products made from industrial hemp grown in Canada are currently available in this country, while others, including Rep. Dave Olin (DFL-Thief River Falls), are still concerned about any relationship with growing marijuana.

— L. SCHUTZ

CONSUMERS

Off-sale Sunday liquor sales

The state could see its revenue increase anywhere from \$4 million to \$10 million annually if a law that goes back to prohibition days is stricken from the books.

Minnesota is one of the few remaining states that retains one of the so-called "blue laws" prohibiting Sunday liquor sales. HF1294, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would change that.

Before the bill was held over March 24 by the House Commerce and Labor Committee for possible omnibus bill inclusion, a provision was removed that would have allowed for vehicle sales on Sunday as well.

Supporters of Sunday liquor sales emphasized that all surrounding states have removed the ban, and that stores in border communities lose sales. The change would put them on an even

playing field with their competitors in other states and with on-sale establishments.

"It's about fairness," said John Wolf, owner of Chicago Lake Liquors in Minneapolis. "This antiquated ban is out of step with most Minnesotans. ... It is only fair to admit that there are alcohol sales on Sunday," he said referring to on-sale establishments.

While the ability to be open would be optional, liquor store owners opposing the measure say they will be forced into opening if their competitors do so.

"Sunday is my day off. Sunday is my family day," said Brian Bluhm, owner of Top Ten Wine and Spirits in Cottage Grove. He contends that liquor manufacturers are behind the push, but that "greed is no justification for Sunday sales."

The bill has no Senate companion.

— L. SCHUTZ

CRIME

Increasing booking fees

Since 1997, counties have been permitted to charge up to a \$10 fee for each person booked for county jail confinement or released upon completion of the booking process.

However, Rep. Larry Haws (DFL-St. Cloud) said the fee does not equal the costs.

He sponsors HF1523, which would permit counties to charge an amount sufficient to cover booking costs. It was held over March 24 by the House Public Safety Finance Division for possible omnibus bill inclusion. A companion, SF1295, sponsored by Sen.

BALANCING ACTIONS



House Speaker Margaret Anderson Kelliher and House Majority Leader Tony Sertich are surrounded by students of all ages during a March 19 news conference as she points out the difference between the House, Senate and Gov. Tim Pawlenty's four-year budget balancing plans.



PHOTOS BY TOM OLMSCHIED

House Minority Leader Marty Seifert responds to a proposed \$2 billion tax increase in the Senate budget, after distributing the proposal to reporters March 12 in the Capitol press room.

Don Betzold (DFL-Fridley), awaits action by the Senate Judiciary Committee.

"They're using a public facility," said Rep. Tony Cornish (R-Good Thunder). "It doesn't mean they're terrible people, but they should have to pay their dues."

We look at it as a mandate reduction, said John Tuma, representing the Minnesota Inter-County Association.

Stearns County had almost 8,000 jail bookings in 2005, but took in only \$26,000 because many incidents were book and release, which they cannot charge for, Haws said; nor does the county charge the fee to those who have no money. If people can't pay, a judge could make the fee part of a sentence. If a person is found innocent, they get the money back.

"The fee was put in place back in '97 because of the significant amount of additional things we were asking for our officers to do at the moment of the book," Tuma said.

— M. COOK

EDUCATION

Commonwealth school grants

School districts or other local government entities could join forces to save money by sharing administrative or program services.

Rep. Kent Eken (DFL-Twin Valley) sponsors HF895, which would appropriate up to three competitive grants of \$100,000 each for school districts, in groups of three or more, to plan and implement the formation of "commonwealth districts" as a measure to encourage sharing resources among cash-strapped districts. They might share a superintendent, financial management, transportation, food, technology, purchasing and instructional services. The funds would be available for planning in fiscal year 2010 and implementation in fiscal year 2011.

The House K-12 Education Finance Division laid the bill over March 25 for possible omnibus bill inclusion. Its companion, SF440, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate E-12 Education Budget and Policy Division.

Menahga Public Schools Superintendent J.R. Nesland said the grants would provide "seed money," which would become an incentive for school boards to analyze, perhaps with the help of a third party, various scenarios for how a commonwealth arrangement could work.

"If I'm going to sit down with five superintendents," Nesland said, "which four of us are going to walk away and say, 'You be the one that stays.' We almost need some incentive sometimes to get us thinking."

Sam Walseth, director of legislative action for

the Minnesota Rural Education Association, called it a "softer, gentler approach" to help districts share than imposing mandates.

Reps. Jerry Newton (DFL-Coon Rapids) and John Ward (DFL-Brainerd) suggested local government units could be included in such an agreement.

Rep. Connie Doecke (R-Orono) suggested an amendment to require that a commonwealth district demonstrate it would save more than the \$100,000 it would receive in a grant. Eken said he would be willing to work with her to incorporate such an amendment so that if it is included in the omnibus bill it would reflect his intent to save schools money.

— K. BERGGREN

K-12 omnibus bill offered

Rep. Carlos Mariani (DFL-St. Paul) said the omnibus K-12 education policy bill maintains the integrity of the Department of Education's policy proposals while incorporating lawmakers' priorities.

Sponsored by Mariani, HF1179 was discussed March 26 by the House K-12 Education Policy and Oversight Committee. A vote was expected that evening.

Significant new provisions would begin to shape a comprehensive statewide policy on the frequency, nature and use of student testing. They include proposals to:

- use and evaluate computer-adaptive testing, which uses interactive technology to adjust a test to the ability of the test taker, allowing results to be quickly used by a classroom teacher to identify and correct instructional gaps;
- continue to expand growth model assessments in addition to proficiency and yearly progress; and
- direct the Office of Educational Accountability to convene a temporary advisory group to examine and make recommendations on the role of high-stakes assessments, such as the math Graduate Required Assessment for Diploma.

The bill would re-align many state special education provisions more closely with federal law, such as dispute resolution and due process hearings that parents may request regarding aspects of special education placement or services provided. It would repeal existing provisions regarding the use of "aversive and deprivation" procedures and replace them with updated definitions and proposals about when certain interventions to manage aggressive student behavior can be used and by whom. It could also repeal the requirement that school districts provide transportation for special education services for nonpublic school students.

School districts would be required to

develop a plan to improve student achievement among all groups of students and designate 5 percent of their basic revenue to implement research-based practices to advance that goal.

Not included in the bill is charter school reform, introduced in HF935, sponsored by Rep. Linda Slocum (DFL-Richfield), nor safe schools levy and maintenance of effort requirements, addressed in HF920, the education mandate reduction bill, sponsored by Rep. Tom Tilberry (DFL-Fridley).

The bill's companion, SF1253, sponsored by Sen. Chuck Wiger (DFL-Maplewood), is scheduled to be heard March 27 by the Senate State and Local Government Operations and Oversight Committee.

— K. BERGGREN

Improving difficult interventions

Managing students with severe behavioral challenges requires special knowledge, including techniques involving physical restraint of a student or seclusion in a separate room.

However, these procedures can put a child in harm's way if improperly applied.

Rep. Jim Davnie (DFL-Mpls) sponsors HF1621, which would require schools to have a plan that defines the emergency situations when such procedures could be used and how they fit into students' individual education plans. It would also limit their use to appropriately trained staff.

Davnies said the bill represents "community consensus on a difficult and troubling issue," and would bring about consistency between the schools and day treatment facilities where some children and teenagers are served alternately.

The House K-12 Education Policy and Oversight Committee laid the bill over March 20 for possible omnibus bill inclusion. Its companion, SF1630, sponsored by Sen. Patricia Torres Ray (DFL-Mpls), awaits action by the Senate Education Committee.

What's considered acceptable intervention has evolved significantly, said Sue Aberholden, executive director of National Alliance on Mental Illness-Minnesota. During the mid-1980s, common practices to enforce behavior included skin shock with cattle prods and putting Tabasco sauce on children's tongues.

"Now we would think that would be barbaric," Aberholden said. While restraint and seclusion are effective in certain emergency situations — when a student presents imminent danger to himself or herself, to another student or teacher, or threatens serious property damage — they are too widely used by improperly trained people in situations that don't merit such a response.

Deaths attributed to the misuse of restraint

include that of a 7-year-old Wisconsin girl in 2006. A child in Willmar ate paint chips while in seclusion unsupervised. Others have been left in a “time-out” room for hours without lunch or a bathroom break.

Restraint and seclusion are being used less frequently in favor of more effective positive behavioral support strategies, said Antoinette Johns, Northeast Metro Intermediate District 916 director of special education, even with the most challenging students with serious emotional and behavioral disturbances along with criminal histories or mental illness.

— K. BERGGREN

Schools save by sharing services

A kindergarten basic — learning to share — is a lifelong lesson not lost on school districts that have been sharing purchasing power and administrative services in order to save money.

Now districts are collaborating in other areas. Some are planning a common calendar and daily schedule, coordinating professional development and student activities or forming larger pools to offer better health insurance rates.

Reps. Marsha Swails (DFL-Woodbury) and Carol McFarlane (R-White Bear Lake) recently co-chaired a work group on education shared service, soliciting ideas and information from stakeholders. The resulting bill, HF1665, sponsored by Swails, would establish an online clearinghouse under the state auditor’s purview where school districts, regional education organizations and other government entities could post their best practices and link to service providers.

“We were looking for a common-sense tool for people to use that was not mandated,” McFarlane said. “We know that our school boards and our school administration want to be good stewards of the taxpayers’ dollars, and they already are. ... This is a tool for them to be able to do that.”

The bill was approved in its original form by the House K-12 Education Policy and Oversight Committee March 19 and in an amended version by the House K-12 Education Finance Division March 25. It now awaits action by the House Finance Committee. Its companion, SF1559, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate Education Committee.

While sharing services isn’t new to school districts, said Minnesota Rural Education Association Executive Director Lee Warne, “House File 1665 creates that opportunity for these ideas to be brought together and have them go viral.”

“They had a really unique idea, and they started by listening to school districts to

actually find out what was going on in shared services,” said Minnesota School Boards Association Director of Governmental Relations Grace Keliher, who attended work group meetings.

“It is common sense. We fully support this,” Keliher said.

— K. BERGGREN

New school reform option

Almost 40 percent of new teachers leave the profession not because they’re dissatisfied with their pay, according to Education/Evolving Managing Partner Curt Johnson, but because traditional schools tend to stifle their creativity and innovation.

Rep. John Benson (DFL-Minnetonka) sponsors a bill that would allow motivated teachers to plan and help run site-governed schools.

“We have been told for a long time what to do, how to do it, when to do it, by all the rules that are placed before us by federal, state and local entities,” said Minneapolis Federation of Teachers President Lynn Nordgren. “Teachers are often the last to be asked about what’s best for kids.”

GREEN FOOD



Starla Krause, a program leader with Kid’s Cook and the Loring Schoolyard Garden, testifies March 25 before the House Agriculture, Rural Economies and Veterans Affairs Finance Division in support of a bill that would require green jobs in the food production sector and provide farm-to-school and farm-to-home pilot project funding.

Current charter school law allows teachers to help form schools outside school district authority, while another statute permits school site decision-making agreements allowing for school reform if 60 percent of the licensed employees of a school request such an agreement.

Something of a hybrid, HF751 would allow smaller groups of teachers who envision a different school model to build it more quickly without leaving their district, but with the same exemptions from certain laws and rules as charter schools.

The bill would allow a school board to request proposals from licensed district teachers, parents or community members to create and run site-governed schools that provide alternatives to the traditional district model. Board approval would be needed within 60 days. Teachers would retain their district employment, union status, salary and benefits. Site-governed schools would be accountable for achieving performance standards that would be spelled out in agreements with the school board.

The House K-12 Education Policy and Oversight Committee approved the bill March 24 and sent it to the House Finance Committee. A companion, SF486, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

ELECTIONS

Automatic voter registration

A House committee approved a bill that would make voter registration easy — too easy, according to some Republicans.

Rep. Steve Simon (DFL-St. Louis Park) sponsors HF1053 that would overhaul Minnesota’s voter registration process. In addition to making it easier to update voter records by cross-checking various databases, the bill would automatically register any eligible voter who applies for a driver’s license or a state ID.

Secretary of State Mark Ritchie said the goal is to reduce the state’s approximately 600,000 Election Day voter registrations; however, some Republicans argued that simplifying the registration process might not be a good thing.

“I just think this is a fundamental change that we should not be making,” said Rep. Morrie Lanning (R-Moorhead). “I think voters should have to think about this and act to register, and not have it automatically done for them.”

Rep. Mark Buesgens (R-Jordan) suggested

automatic registration could lead the state “down the road towards compulsory voting.”

Simon responded that voters would still have to actively think and take the initiative to vote; only the registration process itself would be simplified.

In addition to establishing automatic voter registration, the bill would allow elections officials to keep updated voter rolls by:

- using data from the Department of Public Safety to check for non-citizens listed in the statewide voter registration system;
- comparing voter rolls with Social Security databases to check for deceased voters;
- forwarding name changes from the courts system to county auditors, who would then notify individuals with changed names that they have to re-register to vote; and
- requiring the Department of Corrections and the courts to update elections officials on the convictions and civil rights statutes of felons.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill March 19 and referred it to the House Finance Committee. A companion, SF660, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate State Government Budget Division.

— N. BUSSE

EMPLOYMENT

Hiring help for felons

Having a job can be one of the best ways for an ex-con to turn their life around, those in the corrections industry say.

Rep. Sheldon Johnson (DFL-St. Paul) sponsors HF1043, which would prohibit a public employer from considering the criminal history of an employment applicant until the person has been selected for an interview.

Employers with a statutory duty to conduct a criminal history background check or consider criminal history in the hiring process would be exempt.

Approved March 20 by the House Crime Victims/Criminal Records Division, the bill was included March 26 by the House Public Safety Policy and Oversight Committee in its omnibus bill. A companion, SF538, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the full Senate.

“It does not eliminate criminal record inquiries or background checks,” said Johnson, who has worked in corrections for more than 30 years. “It lets the person get a foot in the door, put a human face on the applicant, give them a chance to present themselves.”

“Often a person’s criminal background is

DATA PRACTICES



PHOTO BY ANDREW VONBANK

Former FBI agent and whistleblower Coleen Rowley testifies before the House Crime Victims/Criminal Records Division March 20 in opposition to a bill that would clarify criminal intelligence data under the Data Practices Act.

looked at more closely than the person’s actual skills and qualifications,” said Eric Branson, an employment facilitator at EMERGE Community Development. “I, too, am an ex-felon and have been denied employment by having to check a box. Luckily, I’ve had the support from people willing to speak on my behalf on my past work experiences, as well as found an employer who values my knowledge, skills and experience more than what a piece of paper says that I did in the past.”

A similar program has existed since December 2006 in Minneapolis, leading to decreased costs due to fewer background checks, while not slowing the hiring process.

— M. COOK

Giving veterans interview preference

It’s hard to get your employment foot in the door these days, when, for some positions, candidates by the hundreds are lined up for one or two open positions.

Rep. Dan Severson (R-Sauk Rapids) believes that military service should move a person to the front of the interview line, especially for state employment.

His bill, HF1880, would strengthen the state’s veterans preference law by requiring a

state agency to grant an interview to a veteran or disabled veteran serving after Sept. 11, 2001, if they meet position qualifications.

Severson told the House Veterans Affairs Division March 20 that a recent report to the Legislature shows the number of veterans in state agencies “on a significant decrease.”

Rep. Tim Faust (DFL-Mora) sees a problem. “With the economy the way it is, if you have 200 veterans applying for a job, it might be difficult to interview every single one.” He suggested that an interview formula be developed for job postings. He is also concerned about veterans becoming discouraged by going to “one interview after another” only because the hiring agency is required to interview the veteran.

Approved by the division and the House Agriculture, Rural Economies and Veterans Affairs Committee March 25, it now awaits action on the House floor. The bill has no Senate companion.

— L. SCHUTZ

ENERGY

Grant request to reduce truck idling

Truck drivers who idle their engines may be eligible for a state grant aimed at reducing greenhouse gas emissions and air pollutants.

HF877, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), would require the Pollution Control Agency to apply for a federal Environmental Protection Agency grant, available under the State Clean Diesel Grant Program. The program is one of the competitive grant programs included in the federal stimulus package.

Minnesota would request \$1 million so that local companies could buy and install auxiliary power units for their truck fleets. Local grants would be awarded that cover 50 percent of the purchase and installation of the units, which are portable systems that deliver heating, cooling and electricity to the cab without requiring the truck engine to run. Many truck cabs have sleeping compartments for drivers, who idle the engines to heat or cool the compartment.

Amber Backhaus, a lobbyist for the Minnesota Trucking Association, said 77 million gallons of fuel are annually emitted by idling truck engines in Minnesota. The association estimates that the units, which cost between \$1,500 and \$10,000, could reduce fuel emissions by 80 percent. Transit companies could apply for funding for up to half of their fleet, and no more than 20 percent of the money Minnesota receives could go to the same company. Twenty-five percent of Minnesota’s appropriation would be reserved

for companies that own 20 or fewer trucks.

The House Environment Policy and Oversight Committee approved the bill March 19 and referred it to the House Finance Committee for a recommended referral to the House Environment and Natural Resources Finance Division. Its companion, SF1203, sponsored by Sen. Paul Koering (R-Fort Ripley), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

Xcel Energy's central corridor model

When work likely begins next year on the Central Corridor light rail transit line to connect Minneapolis and St. Paul downtown districts, Xcel Energy wants to replace the utility infrastructure with new energy technologies and to provide a model for future energy-efficient development planning.

"Along this corridor there is a lot of flat roof space where solar could be demonstrated," Judy Pofert, regional vice president for Xcel Energy, told the House Energy Finance and Policy Division.

HF1434, sponsored by Rep. Sheldon Johnson (DFL-St. Paul), would establish "mass transit utility zones" where state-of-the-art energy generation and distribution facilities could be located. Its companion, SF1214, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), was laid over March 24 by the Senate Energy, Utilities, Technology and Communications Committee for further discussion.

Xcel Energy is also proposing supportive legislation to include a large-scale Smart-Grid research and development project, LED lighting, hybrid vehicle plug-ins, biogas options for commercial and industrial customers and solar partnerships with residential and small business customers within the corridor.

All of the corridor-related bills discussed March 23 were held over by the division for possible omnibus bill inclusion.

— S. HEGARTY

ENVIRONMENT

River corridor modifications proposed

A plan to update a 30-year-old executive order regarding the Mississippi River Corridor Critical Area is drawing opposition from riverfront owners who say the modifications could infringe upon their property rights and result in costly fees.

HF424, sponsored by Rep. Rick Hansen (DFL-South St. Paul), would direct the Department of Natural Resources commissioner to adopt new rules for the area, which encompasses 25 Twin Cities metropolitan area communities.

The House Environment Policy and Oversight Committee approved the bill March 24 and referred it to the House State and Local Government Operations Reform, Technology and Elections Committee. A companion, SF671, sponsored by Sen. Katie Sieben (DFL-Newport), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

Hansen said his bill is an opportunity to apply current science and technology, such as mapping data, to provide best management practices for the area.

One of the new rules would require cities and townships to notify the DNR in advance of public hearings for variances, conditional use permits and zoning amendments. Cities and townships would pay a fee to the DNR for reviewing variance requests and could then pass those fees on to the applicants.

Ken Ketter operates a canoe and kayak tour business along the Mississippi River. He does not favor more government restrictions and said riverfront homeowners make better stewards than legislators.

Local governments would retain authority over variance requests, but the DNR could take them or the applicant to court to halt action, said Kent Lokkesmoe, a DNR waters supervisor. To date, that hasn't happened within the corridor, he added.

— S. HEGARTY

Hatcheries, tree farms would close

A plan to eliminate state-owned and operated tree stock nurseries and cool water fish hatcheries by 2012 has drawn interest from the private sector and opposition from state labor unions.

HF1143, sponsored by Rep. Denny McNamara (R-Hastings), would phase out the Department of Natural Resources' production of tree seedlings at two nurseries by reducing the planting by 20 percent each year for the next five years. The nurseries would be appraised for sale and the money deposited into the General Fund. Similarly the same steps would occur with hatcheries that produce walleyes and muskies that are used to stock state fishing lakes.

The bill was laid over for further consideration by the House Game, Fish and Forestry Division March 23. It has no Senate companion.

McNamara said private hatcheries spend 37 percent less than the DNR and often produce superior walleye fingerlings stock. Due to differences in methodologies, the private sector is able to grow more fingerlings per pound and the fish are more consistent in size.

Employees who have worked at the fish hatcheries for decades opposed the bill.

Dennis Blumke, president of AFSCME Local 694, has worked in both the forestry and fish sector of state government for more than 32 years. "Maintaining healthy lakes and forests is a government responsibility," he said.

McNamara said state tree nurseries in Willow River and Akeley are only operating at up to 20 percent of their capacities. By law, they are required to break even, but they lost about \$1 million from 2004 through 2006. About 35 permanent staff and 165 seasonal staff work at the state nurseries. Many are senior citizens from the local communities.

In addition, the DNR collects seeds for sale to private growers. McNamara said the two nurseries are in the same growing zone and do not provide the diversity needed to ensure native and diverse tree stock for planting throughout the state.

— S. HEGARTY

FAMILY

Final respect for domestic partners

Tim Reardon and his partner, Eric, made sure to have all of their legal documents in order when their daughter, Tess, came into their lives. Three months after welcoming their baby girl, Eric was diagnosed with a malignant brain tumor. A few years later Eric died, and Tim was told by the medical examiner and the cremation society that he didn't have the right to determine what to do with Eric's remains.

"I felt betrayed and angry," Reardon told the House Health Care and Human Services Policy and Oversight Committee March 19.

HF454, sponsored by Rep. Erin Murphy (DFL-St. Paul), would add domestic partners to the list of those able to determine the disposition of remains. It was approved and now awaits action by the House Civil Justice Committee. A companion, SF341, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Judiciary Committee.

"The ability to carry out the final wishes of your loved ones is somewhat of a sacred duty," Murphy said. The change would eliminate costly legal documents that are ineffective, she said.

There are many stories across the state of same sex couples that have drawn up documents but they don't provide the same protections as marriage would for a heterosexual couple, said Laura Smidzik, executive director of Project 515, an organization that aims to ensure that same sex couples and their families have equal

— P. OSTBERG

GAME & FISH

Free licenses for elder Minnesotans

A bill that would give anyone at least age 90 a free fishing license is named for a 91-year-old Isle woman who, despite growing up near Lake Mille Lacs, didn't start fishing until well into her 80s.

"I never could go fishing when I lived on the farm by Mille Lacs because we had too much work to do," Irene Long told members of the House Game, Fish and Forestry Division March 23. "Even if you don't catch one, it's a joy to be out there."

Long and a few of her "grandma" friends have been fishing for eight years with Isle Postmaster Gene Miller, who takes the women out in shifts and is paid with Long's homemade fudge. Long has caught a 42-inch northern pike and a 43-inch muskie. Miller has a policy that the women have to reel the fish to the boat in order to take credit for the catch. Two years ago, she reeled in a 54-inch muskie that wiggled so much it tossed the glasses off her face and into the bottom of the boat.



PHOTO BY TOM OLMSCHIED

Irene Long, 91, tells members of the House Game, Fish and Forestry Division March 23 how, for a photo, she had a hard time getting her arms around the 54-inch muskie she caught. The division was hearing a bill that would provide free fishing licenses for residents at least 90 years of age.

"I could hardly move my arm for three days," she said.

Long, who lives on a fixed income of \$450 per month, told division members some of the "grandmas" can't afford a license and have stopped going on the trips. Last year, 937 licenses were sold to people age 90 or older.

"I'm hoping that we're going to get to where the seniors don't have to have a license so they can enjoy what's left of their life to go fishing," she said.

HF1712, sponsored by Rep. Gail Kulick Jackson (DFL-Milaca), the so-called "Irene Long Act," was laid over for possible inclusion in the division's omnibus bill. Its companion, SF1433, sponsored by Sen. Lisa Fobbe (DFL-Zimmerman), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

GOVERNMENT

Accountability for DEED

The state agency charged with overseeing the state's economic development initiatives would be required to do a better job of measuring the impact of its programs, under a bill approved by a House division.

Under HF1785, the Department of Employment and Economic Development would have to measure its return on investment in terms of state dollars spent. The department would also be required to report back to the

Legislature on whether its operations achieved certain goals like reducing unemployment and getting people off welfare.

The bill's sponsor, Rep. Kim Norton (DFL-Rochester), said the department currently doesn't provide lawmakers with enough information to evaluate the effectiveness of its programs.

"I just really believe we, as an accountability and oversight Legislature and committee, need information in order to make good decisions, and I just didn't see us getting it," Norton told the House Bioscience and Workforce Development Policy and Oversight Division.

Members on both sides of the aisle liked the idea.

"This concept ought to be in almost everything we do as a state," Rep. Steve Gottwalt (R-St. Cloud) said.

The division approved the bill March 24 and referred it to the House Higher Education and Workforce Development Finance and Policy Division. Its companion, SF1932, sponsored by Senate Minority Leader David Senjem (R-Rochester), awaits action by the Senate Business, Industry and Jobs Committee.

— N. BUSSE

HEALTH

Hearing testing fee proposed

A \$4 fee increase to the cost of heritable and congenital testing of newborns is being sought to provide a constant source of funding for



PHOTO BY ANDREW VONBANK

Laura Libby is joined by her 16-month-old son, Blake, as she testifies March 24 before the House Housing Finance and Policy and Public Health Finance Division in support of a bill that would require support services for families with children who are deaf or have hearing loss.

services to families of children with hearing-impairment disorders.

HF1819, sponsored by Rep. Erin Murphy (DFL-St. Paul), would raise the \$101 cost for the blood spot test to \$105. The money would be awarded by the health commissioner to a nonprofit organization, such as Lifetrack Resources, as a contract for service.

The House Housing Finance and Policy and Public Health Finance Division held the bill over for possible inclusion in its omnibus bill March 24. A companion, SF1512, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), awaits action by the Senate Health, Housing and Family Security Committee.

Last year, Lifetrack Resources used General Fund money to serve 929 families with children who have hearing impairment. Rather than ask for another one-time appropriation, the group hopes to receive \$4 from each fee paid for the required newborn testing.

Mary Hartnett, director of the Minnesota Commission of Deaf, Deaf Blind and Hard of Hearing Minnesotans, said once a child is identified as deaf, the commission's first call is to Lifetrack Resources, which provides parent-to-parent support services.

Laura Libby, the parent of a 16-month-old boy who is deaf, said the services gave her hope and helped her get assistance for her son that she might not otherwise have known about. Libby, who did not know anyone who was deaf prior to the birth of her son, said the agency's Hands and Voices program gave her unbiased and nonjudgmental information about how to raise a child who is deaf. Her son, Blake, entered the program at 6 months of age and his language skills are expected to be on par with hearing children by the time he is 5 years old.

— S. HEGARTY

Sunset date OK'd on marijuana bill

A bill to allow marijuana for medical purposes was approved by another House committee.

Amended and approved 9-6 by the House Public Safety Policy and Oversight Committee March 24, HF292, sponsored by Rep. Tom Rukavina (DFL-Virginia), next goes to the House Finance Committee.

The bill would regulate the use of medical marijuana by setting limits for allowable amounts, requiring patients and caregivers to possess registry identification cards, and specifying penalties for violations.

Proponents say medical marijuana would provide relief to people for whom other treatments do not work; opponents say it opens the door to increased drug abuse.

Rep. Karla Bigham (DFL-Cottage Grove) successfully amended the bill to reduce the



PHOTO BY ANDREW VONBANK

Behind a pile of processed marijuana, Bob Bushman, president of the Minnesota State Association of Narcotics Investigators, testifies before the House Public Safety Policy and Oversight Committee March 24 in opposition to a bill that would provide medical marijuana use. The bags of marijuana were brought to the committee as a visual aid to show how much a person could grow if they had 12 plants.

number of marijuana plants a person could have from 12 to six.

An amendment successfully offered by Rep. Tim Kelly (R-Red Wing) would require the health commissioner to begin issuing registry identification cards and registered organization licenses by Oct. 1, 2009. It would also put an Oct. 1, 2011, sunset on the bill.

Kelly said that would allow the state "to put this kind of in a petri dish and have us come back to see if all of these issues, whether bad or good, came out. We would have the ability to address them then and have this discussion again and see if what we're doing is the right thing to do."

Rukavina said none of the 13 states that permit medical marijuana use has tried to repeal this.

A companion, SF97, sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action by the Senate Finance Committee.

— M. COOK

HIGHER EDUCATION

Guaranteed tuition rates

Students at public colleges and universities would be protected from tuition increases while they finish their degrees, under a proposal being considered by a House division.

Under HF1374, undergraduates enrolled in the University of Minnesota and the Minnesota State Colleges and Universities system would be guaranteed a fixed rate of tuition for up to four years. The bill's

sponsor, Rep. Mark Buesgens (R-Jordan), said the change would give families a degree of certainty as they try to plan their finances.

"It does provide a tool where a prospective college student and their families can make long-term comparisons in the cost of their college education," Buesgens said.

He added that the four-year time limit (two years for associate degrees) on the fixed rate would provide a "built-in incentive" for students to finish their education on time.

There may be a catch, however: fixed tuition rates would likely mean higher tuition rates, because schools would charge more at the outset to compensate for their inability to raise tuition.

"This bill will not save students or families money," said Peter Zetterberg, a senior analyst for undergraduate education at the University of Minnesota. "If anything, a system like this ... will probably make tuition a little higher than might otherwise be the case."

According to Zetterberg, the university had an optional fixed-rate tuition program from 1995 to 2005. It even offered to pay students back the difference if they ended up paying more than those who weren't in the fixed-rate program. Despite this, Zetterberg said the program was discontinued because of "surprisingly little interest."

The House Higher Education and Workforce Development Finance and Policy Division laid the bill over March 19 for possible inclusion in its omnibus finance bill. There is no Senate companion.

— N. BUSSE

Loan forgiveness for vet grads

Many students graduating from veterinary school leave with approximately \$130,000 of debt. While there is no shortage of those seeking a degree in the field of veterinary medicine, the vast majority choose the lucrative small animal specialty after graduation. The consequence is that fewer veterinarians are locating in rural communities to service the large- or food-animal practice.

There are approximately 2,500 veterinary medicine graduates annually from the 28 colleges in the United States, including the University of Minnesota, that offer the degree. Trevor Ames, dean of the university's College of Veterinary Medicine, told the House Agriculture, Rural Economies and Veterans Affairs Committee March 23 that the number of graduates choosing to serve in a food-animal practice has dropped by 50 percent in the last decade.

According to statistics from the American Veterinary Medical Association, he said there are four Minnesota counties with over 25,000 in animal population that have no veterinarians.

To entice veterinary students to serve in underserved rural areas, HF1447 would provide a loan forgiveness incentive. The bill calls for a \$225,000 appropriation from the General Fund in fiscal year 2010.

Sponsored by Rep. Mary Ellen Otremba (DFL-Long Prairie), the bill would create a program to pay down loans for up to five graduates of the university's veterinary program who agree to devote at least half of their practice to large- or food-animal care. The graduate would need to serve at least five years in an underserved area to receive up to \$15,000 a year, or up to a \$75,000 maximum.

"This bill is kind of the capstone on what we are doing to recruit, mentor adequately train and provide financial incentives (for students) to go into these underserved areas," Ames said.

Approved by the committee, the bill was referred to the House Agriculture, Rural Economies & Veterans Affairs Finance Division. The companion, SF132, sponsored by Sen. Steve Dille (R-Dassel), was held over by the Senate Agriculture and Veterans Affairs Budget and Policy Division for possible omnibus bill inclusion.

— L. SCHUTZ

HOUSING

Steady funding to end homelessness

Establishing an annual General Fund base amount to end homelessness, rather than

relying on one-time appropriations, is the goal of Rep. Jeff Hayden (DFL-Mpls), sponsor of HF1491.

The bill would designate \$5.35 million during the 2010-2011 biennium to address homelessness throughout Minnesota and each biennium thereafter.

"All of these programs could use funds beyond this amount to serve our most vulnerable population. This bill just sets the floor so Minnesota's homeless don't have the rug pulled out from under them," Hayden told the House Housing Finance and Policy and Public Health Finance Division March 24. The bill was held over for possible omnibus bill inclusion. There is no Senate companion.

Beginning July 1, 2009, \$1 million would be appropriated annually for the Runaway and Homeless Youth Act to help provide shelter or housing for children during "crucial moments of their development," said Kirsten Anderson-Stembridge, policy coordinator for Lutheran Social Service of Minnesota. A 2007 appropriation of the same amount served 7,067 children.

Another \$3 million would be added to the base appropriation for programs that address long-term homelessness. Some of the recipients need help for up to 10 years to overcome the effects of mental illness, drug or alcohol abuse, joblessness and other factors related to homelessness.

Beginning in fiscal year 2010, the bill would appropriate \$750,000 for transitional housing programs and another \$600,000 for emergency services grants. Both amounts would be added to future base appropriations.

Currently the state spends about \$13 million on homelessness issues. Advocates said thousands are turned away each night due to lack of facilities, and 134 homeless people died last year, according to Sue Watlov Phillips, executive director of Elim Transitional Housing.

"We are spending more on data collection than we are on shelter in the state of Minnesota with the governor's proposed budget. We need good data, but we cannot be spending more money collecting data about homeless people than sheltering people that are experiencing homelessness," Phillips said.

— S. HEGARTY

Fighting foreclosure problems

Areas of Minneapolis and St. Paul hit hard by foreclosures in recent years have seen a lot of formerly owner-occupied houses turned into rental properties. According to Rep. Joe Mullery (DFL-Mpls), the change has taken a toll on the neighborhoods.

"With the foreclosures, people are coming in, buying them real cheap and turning them

into problem properties with tenants that aren't committed to the area," Mullery said.

As a result, areas like the Jordan neighborhood in north Minneapolis, which has seen its share of rental properties go from 21 percent to 49 percent, have seen an uptick in crime, stresses on the local school system and an increase in social problems.

To address the problem, Mullery sponsors HF157 that would allow cities to adopt ordinances providing for "owner-occupied" residential use. In other words, cities could prohibit buyers from scooping up foreclosed properties only to rent them out. The bill is designed to only apply to cities like Minneapolis and St. Paul that have been hit especially hard by the crisis.

"This would be another tool in our toolbox that would help cities with this issue," said Gene Ranieri, intergovernmental relations director for the city of Minneapolis.

Rep. Ryan Winkler (DFL-Golden Valley) expressed concern that the bill would shut out the only potential buyers of foreclosed properties, arguing that tightened mortgage lending restrictions have reduced the ability of low-income Minnesotans to purchase homes of their own.

Mullery responded that it would be better to have the houses sit vacant until a responsible buyer could be found than to have them turned into problem properties. He said there are many programs available to help people purchase homes in low-income neighborhoods.

The House Local Government Division approved the bill March 23 and referred it to the House State and Local Government Operations Reform, Technology and Elections Committee. There is no Senate companion.

— N. BUSSE

HUMAN SERVICES

Raising adult foster home capacity

Adult foster homes could raise their capacity from four to five residents, under a bill approved March 19 by the House Health Care and Human Services Policy and Oversight Committee.

Currently an adult foster care holder can have five persons only under special circumstances, such as an emergency crisis.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona), HF1114 awaits action by the House Health Care and Human Services Finance Division. A companion, SF1155, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), awaits action by the Senate Health, Housing and Family Security Committee.

Dennis Theede, executive director of Home and Community Options Inc., said providers

over the last five years have continually struggled with their budgets. Considering Gov. Tim Pawlenty's suggested 3 percent cut to their programs, the change would be a compromise while maintaining stability in services, he said.

The alternative is cutting the number of staff, which would decrease the number of community outings and other activities for those with disabilities. Adding a fifth person is "not a good long-term fix," but it would allow providers more flexibility in where they make cuts, Theede added.

Heidi Hamilton, a program administrator with the Human Services Department, said the change would only occur if there is a legislative reduction in adult foster care. The counties would negotiate with providers on how those cuts would occur, she said.

Kirsten Anderson-Stembridge, policy and advocacy coordinator for Lutheran Social Service of Minnesota, said providers should be able to recoup the savings. "We are very fearful in this environment, as we anticipate cuts," but want to provide quality service to those with disabilities, she added.

— P. OSTBERG

Public assistance made private

Adults covered by MinnesotaCare would be moved to private coverage, under a bill approved March 25 by the House Health Care and Human Services Policy and Oversight Committee.

Sponsored by Rep. Steve Gottwalt (R-St. Cloud), HF1865 would establish a "Healthy Minnesota Plan" that would allow adults to enroll in their choice of individual health plans under contract with the Human Services Department. If a person doesn't qualify for the program, they would be covered under the Minnesota Comprehensive Health Association. HMP services could cover up to a maximum of \$5 million that would include: eyewear coverage, maternity labor and delivery, dental coverage, prescriptions and preventive care.

The bill now goes to the House Finance Committee. A companion, SF1735, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Health, Housing and Family Security Committee.

MinnesotaCare costs about \$500 per adult, per month. Under HMP, a healthy 50-year-old male would cost about \$237 a month, said Greg Sailer, managing consultant for the Minnesota Association of Health Underwriters.

"The intent of this plan is to provide MinnesotaCare level of benefits, and then some," said Gottwalt. Additionally, services would be paid at private rates. Public programs currently don't pay providers sufficiently, causing cost shifting to other consumers, Gottwalt added.

NEWBORN SCREENING



PHOTO BY ANDREW VONBANK

Jennifer Arveson, left, and Tracie Christopherson testify March 23 before the House Civil Justice Committee in support of a bill that would modify newborn screening program provisions. Both women have children who would have died had it not been for newborn screening, they said.

"Ultimately we ought to have a health care system where the public programs pay the providers the same as everybody else," said Rep. Thomas Huntley (DFL-Duluth).

If the state pays higher rates for services in public programs, health plans should shift less cost onto other consumers, added Rep. Paul Thissen (DFL-Mpls), the committee chairman.

Phillip Griffin, representing PreferredOne and UCare Minnesota, said providers are already trying to deal with rising costs and struggling to continue current programs.

— P. OSTBERG

Childhood asthma relievers

Children enrolled in MinnesotaCare could have certain asthma reducing medical equipment paid for under a bill approved March 24 by the House Health Care and Human Services Policy and Oversight Committee.

Asthma is the number one cause for children missing school, said Rep. Karen Clark (DFL-Mpls), sponsor of HF264. Clark said the low-cost products would save money in the long run resulting in fewer doctor and emergency room visits.

Medical equipment covered would include high-efficiency particulate air (HEPA) cleaners, HEPA vacuum cleaners, allergy bed

and pillow encasements, high filtration filters for forced air gas furnaces and dehumidifiers that connect to floor drains.

A medical equipment study conducted by the Health Department showed that children's hospital visits declined by an average of one visit over a three-month period, unscheduled office visits by two visits, as well as a reduction in daytime and nighttime symptoms when certain products were used in the home, said Laura Oatman, a research scientist with the department.

On average, a child with asthma missed seven school days in a three-month period, Oatman said. That declined to less than one day 12 months later under the study, a cost savings of about \$1,900 per child.

Rep. Paul Thissen (DFL-Mpls) successfully amended the bill to not include all insurance programs and only incorporate those that use public assistance for those under age 21. He additionally requested that Clark add to the bill an education requirement to teach families how to properly use the medical equipment.

Rep. Laura Brod (R-New Prague) asked how the department would deal with smoking and pets in the home.

Oatman said they ask the family member if they would enroll in a smoking cessation program, and ask if they can find another home for pets.

The bill now goes to the House Finance Committee. A companion, SF178, sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the Senate Health, Housing and Family Security Committee.

— P. OSTBERG

LOCAL GOVERNMENT

County gets parkland money

**Signed
by
the
governor**

Stearns County can now receive the \$492,000 it was slated to get through last year's capital investment law for land acquisition for new parks and trails.

Effective March 24, 2009, the new law, signed one day earlier by Gov. Tim Pawlenty, makes a technical correction to last year's law that named the Central Minnesota Regional Parks and Trails Coordination Board as recipient of the money; however, the board cannot own land.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Michelle Fischbach (R-Paynesville), the money will now go directly to Stearns County, so that 23 acres adjacent to Warner Lake Park can be integrated into the Central Minnesota Parks and Trails.

HF56*/SF55/CH7

— L. SCHUTZ

Local disaster assistance fund

Rep. Terry Morrow (DFL-St. Peter) hopes to eliminate what has become an almost perennial happening at the Legislature: communities being forced to beg lawmakers for money to clean up after a tornado, flood or other disasters.

HF1378 would create a \$6 million local disaster assistance fund to help local governments deal with the aftermath of disasters that don't qualify for federal aid. Under the bill's provisions, local governments could apply to the state for financial assistance in the wake of an incident. Officials from the Department of Public Safety's Homeland Security and Emergency Management Division would evaluate applications and could authorize grants from the fund.

"The way we do this now is we get up on the House floor or we go to a committee and a member makes an impassioned plea for a community to get money. What we're trying to do here is put in a process and a procedure with criteria judged by the experts," Morrow said.

The bill would require local governments to provide a 10 percent match for any state aid; however, some members questioned whether that was enough.

Rep. Morrie Lanning (R-Moorhead) said that while he liked the idea of a disaster assistance fund, he worried that it might lead cities and counties to expect the state to always pick up the tab. He suggested the bill should include a specific cost threshold that disasters would have to meet to qualify for state assistance.

A separate provision in the bill would increase base funding for the state to match Federal Emergency Management Agency disaster assistance payments to \$5.6 million per year.

The House Local Government Division approved the bill March 20 and the House State and Local Government Operations Reform, Technology and Elections Committee approved it March 26. It now goes to the House Finance Committee. A companion, SF1270, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Judiciary Committee.

— N. BUSSE

METRO AFFAIRS

Bonding for Met Council needs

Two House committees approved a bill that would allow the Metropolitan Council to issue up to \$34.2 million in bonds for capital expenditures.

State law requires the council, the

planning agency serving the Twin Cities seven-county metropolitan area, to receive legislative approval to issue regional bonds for transportation purposes.

Sponsored by Rep. Paul Gardner (DFL-Shoreview), HF1333 was approved March 23 by the House Finance Committee, six days after approval by the House Transportation Finance and Policy Division. It awaits action by the House Taxes Committee. A companion, SF1851, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Transportation Budget and Policy Division.

Judd Schetnan, the council's government affairs director, said the money would be used in 2010 for things like fleet purchases, park-and-ride lot construction or expansion and other capital needs to help the regional transit programs operate more efficiently. It also provides local match to federal transit money and funds projects that are not eligible for federal dollars.

"Because many of the bus-related capital items do not have a 30-year life span, we're not able to use general-obligation bonds," he said. "The Legislature, years ago, gave us the authority to use these regional bonds. They are only for capital purposes."

Schetnan said the money also goes toward Metro Mobility and suburban transit providers.

Bonds are repaid through property taxes levied within the council's Transit Taxing District. "We only issue so much debt in a way that we keep our property taxes flat," Schetnan said. "Every year we retire roughly the equivalent of what we are seeking at the Legislature."

— M. COOK

One girl's dream for veterans

E'leese Madgett-Manrique is on a mission to build a ranch for returning Minnesota veterans in need of respite.

The idea came to the 12-year-old Plymouth girl during a 2007 trip to the Grand Canyon after questioning her mom about all the American flags she saw hanging from mailboxes. Her mom, Kerry Madgett, surmised they were displayed by proud parents of sons or daughters in the military. Her daughter decided to do something for those who serve, and the idea for a ranch was born. Her mom, however, cautioned about the importance of carrying through with any plan. "You can't tell families of sons and daughters in harm's way that you are going to do something and then just quit," she told her daughter.

Last summer one girl, her horse, and her mom went on one long ride to draw attention to her cause and as a fundraiser. From their 86-day journey around Minnesota,



PHOTO BY TOM OLMSCHEID

Rep. Sarah Anderson wipes a tear as E'leese Madgett-Manrique, left, tells members of the House Veterans Affairs Division March 20 about her emotional encounters with veterans as she rode her horse around the state. Kerry Madgett, right, and E'leese of One Girl One Ride are attempting to have state land designated for use by veterans.

they raised \$15,000 for the One Girl, One Ride organization formed to promote "The Ranch."

On March 20, the mother/daughter team was before the House Veterans Affairs Division taking the next step needed to bring the ranch to reality — asking support for HF1884.

The bill, sponsored by Rep. Sarah Anderson (R-Plymouth), asks the Department of Natural Resources by Jan. 15, 2010, to designate 1,000 acres of state-owned vacant land for use by military veterans in need of healing. Approved by the division, it awaits action by the House Agriculture, Rural Economies and Veterans Affairs Committee.

"The ranch would not be fancy," E'leese Madgett-Manrique said. "It will be humble, just like the men and women who serve our country."

She plans another ride on June 6, when over 1,000 participants are expected to ride the 20.7 miles from the State Capitol to Plymouth. "My job will not be done until the ranch is built and the first man or woman checks in," she said.

The bill's companion, SF1741, sponsored by Sen. Gen Olson (R-Minnestrissa), awaits

action in the Senate Environment and Natural Resources Committee.

— L. SCHUTZ

RECREATION

Non-resident ATV trail pass

Non-resident all-terrain vehicle enthusiasts may be able to ride off into the sunset with one less hassle thanks to a bill approved March 19 by the House Environment Policy and Oversight Committee.

Currently ATV owners who are not required to register their machines in their home state must register the machine at a Minnesota registrar's office before riding on state trails.

Citing complexity for visitors who must find an open registrar's office, Rep. Tom Hackbarth (R-Cedar) sponsors HF487 that would establish a non-resident trail pass. The bill would only affect non-residents from states without an ATV registration requirement. Those who do register in their home state/country are exempt from Minnesota registration requirements.

Authorized electronic licensing stations, such as convenience stores, would sell the passes. Each person riding the vehicle would need a \$20 trail pass, except when riding double occupant models, in which case only the operator would need a pass.

The current ATV registration fee is \$45 for a three-year period compared to a cumulative \$60 in trail pass fees over the same period.

The committee referred the bill to the House Environment and Natural Resources Finance Division. Its companion, SF1064, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

SAFETY

Saying no to REAL ID

Civil liberties and privacy issues versus national security and federal accessibility are at the heart of a bill vetoed last year by the governor, but supporters hope to put on his desk once again.

Rep. Carlos Mariani (DFL-St. Paul) sponsors HF988, which would prevent the Department of Public Safety from taking any steps to implement or plan for implementation of the federal REAL ID Act of 2005.

The House Public Safety Policy and Oversight Committee approved the bill March 24 and sent it to the House Civil Justice Committee. A companion, SF738, sponsored by Sen. Warren Limmer (R-Maple Grove),

awaits action by the Senate Transportation Committee.

A recommendation by the 9/11 Commission, the act's goal is to create uniform standards for documents such as driver's licenses and state identification cards, making them harder to forge, and thereby reducing identity fraud and tightening immigration standards.

Residents of states that do not adopt the federal standards by the end of this year would not be able to use their license or identification cards for federal purposes, such as boarding commercial aircraft or entering a federal building.

Charles Samuelson, executive director of the Minnesota chapter of the American Civil Liberties Union, said the act is unconstitutional. "It burns American's right to travel, which has been recognized as a right by the U.S. Supreme Court under the First Amendment."

Mariani expressed concern with the state giving large amounts of personal data to the federal government. "We'd be handing over to legislators in Washington D.C. to make important decisions relative to our data privacy issues that arise in terms of collecting information on our driver's license," he said. "We want these rights reserved for the states."

In an effort to compromise after vetoing the 2008 bill, Gov. Tim Pawlenty issued an executive order that would prevent state compliance before June 1, 2009, unless legislative approval is first given. He hoped the time would allow all sides to reach a compromise on issues such as federal funding, privacy and state control.

— M. COOK

TRANSPORTATION

Speeding without a record

Fewer speeding violations could end up on state driving records.

Under current law, a ticket does not appear on someone's driving record if the person was driving up to 10 mph over the speed limit in a 55 mph zone, or 5 mph over the limit in a 60 mph zone.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF1246 would add the 10 mph threshold to the 60 mph limit.

"This really isn't going to change anything, at least not significantly," Urdahl said. "The only thing it will change is that there won't be reporting to the state and that insurance companies will not up the rates on all these people." He emphasized the bill has nothing to do with raising speed limits.

The bill was held over March 23 by the

House Transportation and Transit Policy and Oversight Division for possible omnibus bill inclusion. A companion, SF1841, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Transportation Committee.

Enacted in 1986, the “Dimler amendment,” named for its sponsor, former Rep. Chuck Dimler (R-Chanhassen), governs which speeding violations are recorded on a driving record maintained by the Department of Public Safety.

The proposal was successfully amended onto last year’s House omnibus transportation policy bill, but the provision was removed in conference committee.

State Traffic Engineer Sue Groth said the increase would send the message that it is OK to drive 10 mph over the speed limit. “Speed and aggressive driving are critical in fatal and life-changing crashes on all of our highways. ... Illegal and unsafe speed is the greatest factor among our younger drivers.”

State Patrol Maj. Michele Tuchner said the two things that deter people from driving fast are they don’t want a ticket on their driving record and they don’t want to lose their license.

“You still get a ticket for speeding with this bill,” said Rep. Greg Davids (R-Preston).

— M. Cook

Don’t block the box

Drivers who try to sneak through a congested intersection without adequate room on the other side only to end up partially blocking a lane of oncoming traffic or a crosswalk when a stoplight changes could be ticketed.

Rep. Jim Davnie (DFL-Mpls) said HF1672 is an effort to keep traffic moving during heavily congested times in downtown Minneapolis — such as rush hour, after a largely attended sporting event at the Metrodome or when the snow flies — but would apply for all cities.

The bill was held over March 24 by the House Transportation and Transit Policy and Oversight Division for possible omnibus bill inclusion. A companion, SF1349, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Transportation Committee.

“Getting people successfully in and out of the city’s downtown core is vital to the health of our downtown and the many businesses that call Minneapolis home,” Davnie said. “Everyone wins if drivers respect the ability of cross traffic to move unimpeded.”

Mary Ellen Heng, assistant Minneapolis city attorney, said current law does not fit “blocking the box” behavior. “The law is written that you’re impeding traffic if driving

TREE TRUST



PHOTO BY TOM OLMSCHEID

Princess McGary, left, Samantha Kouman, right, and Jose Salinas tell the House Higher Education and Workforce Development Finance and Policy Division March 19 that they had just come from a work site that is part of the Tree Trust Youth Build program. The youth training program is seeking additional funding.

at a slow speed. Well, these drivers are not driving at any speed; they are literally parked in the intersection.”

Minneapolis Police Lt. E.T. Nelson said there could be a variety of ways to handle enforcement. He said in critical traffic times, such as rush hour or an emergency situation, the person blocking the intersection would be pulled over.

The penalty would be a petty misdemeanor, subject to a fine similar to speeding. Pierre Willette, a government relations representative for the city, said the goal is not to write tickets, but rather to get compliance and keep traffic moving.

— M. Cook

OK to spend federal dollars

Current statute prohibits the Department of Transportation from spending money without legislative approval.

With hundreds of millions in potential federal economic stimulus dollars heading to the state, a quick change is needed.

Sponsored by Rep. Bernie Lieder (DFL-Crookston), HF1797 allows the state to spend the stimulus dollars through the creation of a standing appropriation for MnDOT for any initial or future funds. It would expire June 30, 2013.

Approved 113-19 March 26 by the House, it now goes the Senate, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor.

“This lets us spend federal stimulus money even when the Legislature is not in session,” Kevin Gray, MnDOT chief financial officer, previously told a House committee. The possibility exists of the state getting additional dollars when money for other states is returned and reallocated to another state. Some money has to be used within 90 or 120 days of receipt, Lieder said.

The bill requires compliance with all federal requirements for the aid and orders department officials to “make every reasonable effort to seek and utilize” all funding available.

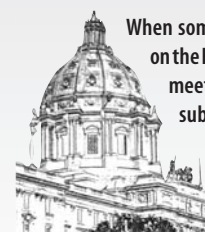
“Are we telling the department that no matter what they should go after money, even if it doesn’t fit into our transportation plans or it’s not something we want to subsidize the operating on?” Rep. Mary Liz Holberg (R-Lakeville) asked the House Transportation Finance and Policy Division March 17.

“The Metropolitan Council’s budget of 2009 went up millions of dollars unexpectedly due to ongoing obligations that they hadn’t anticipated with the Northstar rail, including salaries and benefits of employees,” Rep. Mark Buesgens (R-Jordan) told the House Finance Committee March 20.

The bill also deletes a state match for any aeronautics projects, because current state law requires a 20 percent local match. It also requires the commissioner to spend no more than 17 percent on administrative costs like engineering, right-of-way acquisition or environmental assessments.

— M. Cook

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Giving back local control

Counties could have option to impose sales tax

By SONJA HEGMAN

Though they know that sales tax is regressive, the House tax chairs are proposing it anyway as a way for counties to raise revenue.

With property taxes expected to surpass the income tax as the No. 1 revenue source in the state in fiscal year 2010 and massive cuts to various county aids proposed to help with the state's multi-billion dollar budget deficit, Rep. Paul Marquart (DFL-Dilworth) said he had to get a little creative.

HF2020, sponsored by Marquart, the House Property and Local Sales Tax Division chairman, would give counties the option to impose a half-cent local option sales tax to offset cuts to county aid.

"This is a serious and bold proposal and an important option for counties," he said.

Rep. Ann Lenczewski (DFL-Bloomington), House Taxes Committee chairwoman, said this proposal, along with HF1782, which

eliminates corporate tax credits, would be a foundation for the House omnibus tax bill.

Marquart unsuccessfully tried to pass legislation in 2007 that would base property tax payments on a person's ability to pay, a measure that would have made the system more progressive.

Marquart said his current bill would raise more than \$100 million in the upcoming biennium and \$200 million in the 2012-2013 biennium. This would mitigate some state cuts anticipated to local government aid, which is often used to pay for essential services, like police.

The half-cent option could be adopted by a majority vote of a county's commissioners. The tax could be overturned in a countywide

referendum that would take place if 5 percent of the county's registered voters or 300 people, whichever is greater, called for one.

Currently there are 23 cities with a local option sales tax. Any cities in counties that passed the half-cent increase would lose their local option sales tax, Marquart said. Counties would then be obligated to fund projects that had been funded through the city tax. Only three cities could be exempt from the elimination: Minneapolis, St. Paul and Duluth.

But counties would have a stable and growing revenue source, with more than half the money going to property tax relief, Marquart said.

According to the nonpartisan House Research Department, the bill would also repeal levy limits for cities, because the cities would not benefit from the local option sales tax. Counties that chose to impose the tax would not be able to levy back cuts to county aid through property taxes. Counties that do not impose a sales tax increase could levy that money back onto property taxes to make up for the cuts.

Marquart, along with Lenczewski, said they crafted a bill that would be similar to what Gov. Tim Pawlenty has signed in the

Property taxes continued on page 23



PHOTO BY TOM OLMSCHIED

Rep. Paul Marquart, chairman of the House Property and Local Sales Tax Division, and Rep. Ann Lenczewski, chairwoman of the House Taxes Committee, release their property tax plan during a March 23 news conference.

Monday, March 23

HF1960-Obermueller (DFL) Civil Justice

Alternative statutory short form created for military members who are in active service.

HF1961-Lillie (DFL) Civil Justice

Media coverage authorized in trial court proceedings.

HF1962-Kohls (R) Public Safety Policy & Oversight

Juvenile petty offender parents allowed probation supervisory duties.

HF1963-Winkler (DFL) Higher Education & Workforce Development Finance & Policy Division

Early warning system employers provided new requirements; new penalties applied for any employer failing to comply with the Worker Adjustment and Retraining Notification Act, United States Code, title 29, section 2101; and oversight authority enhanced.

HF1964-Faust (DFL) K-12 Education Policy & Oversight

Q-Comp and staff development program alternative and early intervention services integrated.

HF1965-Buesgens (R) State & Local Government Operations Reform, Technology & Elections

County governments allowed to opt out of state mandates.

HF1966-Sterner (DFL) Finance

Persons serving in active service or retired from active service application fees waived.

HF1967-Haws (DFL) Environment Policy & Oversight

Park and trails legacy grant program established and appointments provided.

HF1968-Gottwalt (R) State & Local Government Operations Reform, Technology & Elections

Public employee annual salaries that exceed \$100,000 modified during the biennium ending June 30, 2011.

HF1969-Bunn (DFL) Transportation & Transit Policy & Oversight Division

Trucks prohibited on Stillwater Lift Bridge and agreement with state of Wisconsin required.

HF1970-Solberg (DFL) Environment Policy & Oversight

Motor vehicle operation ordinances required.

HF1971-Abeler (R) Taxes

Anoka; tax increment financing districts established under special rules.

HF1972-Juhnke (DFL) Environment Policy & Oversight

Horse trail pass requirements modified.

HF1973-Wagenius (DFL) Finance

Lower Minnesota River biological assessment funding provided.

HF1974-Marquart (DFL) Taxes

Historic structure rehabilitation expenditure income tax credit provided.

HF1975-Marquart (DFL) Taxes

Senior citizen property tax deferral program modified.

HF1976-Koenen (DFL) Taxes

Levy limits abolished.

HF1977-Mullery (DFL) Finance

State agency hiring and contracting provisions enacted under the American Recovery and Reinvestment Act of 2009.

HF1978-Obermueller (DFL) Environment Policy & Oversight

Eagan; acquiring land authorized and subject to reversion to state to be used for a co-location facility.

HF1979-Morgan (DFL) Taxes

Sales tax exemption provided for energy-efficient equipment for restaurants.

HF1980-Davnie (DFL) Taxes

Digital products taxed.

HF1981-Kahn (DFL) State & Local Government Operations Reform, Technology & Elections

Minnesota Geospatial Information Office created.

HF1982-Anzelc (DFL) Environment Policy & Oversight

Carbon sequestration forestry report required.

HF1983-Kahn (DFL) State & Local Government Operations Reform, Technology & Elections

Minneapolis Firefighters Relief Association; number of representatives on the board of trustees modified.

HF1984-Sterner (DFL) Finance

Minnesota Zoo funding provided.

HF1985-Dean (R) Transportation & Transit Policy & Oversight Division

Municipal state-aid street fund allowed to be distributed to cities with a population under 5,000, conforming changes made and constitutional amendment proposed.

HF1986-Peterson (DFL) Health Care & Human Services Policy & Oversight

Registration and licensing provisions changed for housing with service establishments and entities under the Human Services Licensing Act.

HF1987-Hortman (DFL) Finance

Homebuyer savings plan trust established; income and franchise tax deductions provided.

HF1988-Murphy, E. (DFL) Health Care & Human Services Policy & Oversight

Managed care plan and county-based purchasing plan provider reimbursement rate information report required.

HF1989-Hayden (DFL) Finance

Housing Solutions Act provided, deed tax percentage adjusted, rental housing assistance provided and housing account for leverage opportunity established.

HF1990-Murphy, E. (DFL) Finance

Surcharge for certified birth records established and funds appropriated to the commissioner of health.

HF1991-Scalze (DFL) Environment Policy & Oversight

Coal tar prohibited, notification and planning required.

HF1992-Johnson (DFL) Finance

Solar cities working group established and report required.

HF1993-Clark (DFL) Energy Finance & Policy Division

Minneapolis; utility poles treated with or containing pentachlorophenol prohibited.

HF1994-Seifert (R) Environment Policy & Oversight

Drilling and installation of a vertical direct exchange system authorized.

HF1995-Sterner (DFL) Public Safety Policy & Oversight

Alcohol concentration limit for commercial driving reduced from .04 to .03 percent.

HF1996-Sterner (DFL) Agriculture, Rural Economies & Veterans Affairs

Alcohol and chemical dependency counseling services availability required for recently discharged veterans.

HF1997-Abeler (R) Health Care & Human Services Policy & Oversight

County mandate relief provided, children's mental health, general assistance medical care, family services collaboratives, MFIP and county funeral expenses provisions modified.

HF1998-Paymar (DFL) Taxes

Income tax rates increased.

HF1999-Haws (DFL) Finance

Regional public library system maintenance of effort provisions adjusted.

HF2000-Cornish (R) Public Safety Policy & Oversight

Peace officer firearm discharge reporting modified.

HF2001-Olin (DFL) Taxes

State-paid property tax credit for property in bovine tuberculosis management zones modified.

HF2002-Dean (R) Health Care & Human Services Policy & Oversight

General assistance medical care, Medical Assistance and Minnesota-Care billing and collections direction provided.

HF2003-Morrow (DFL) Finance

Minnesota transit providers' schedule of state payments for operating procedures modified.

HF2004-Hortman (DFL) Finance

Coon Rapids; bicycle and pedestrian trail grant funding provided.

HF2005-Kelly (R)**Finance**

Red Wing; Southeast Technical College land acquisition funding provided.

HF2006-Champion (DFL)**Finance**

Road authorities required to mitigate construction impacts on small businesses, and construction mitigation grant program established.

HF2007-Sailer (DFL)**Finance**

Capacity building grants funding provided.

HF2008-Persell (DFL)**Finance**

Pupil miles transported component added to the general education revenue formula.

HF2009-Laine (DFL)**Finance**

Emergency services grants and transitional housing funding provided.

HF2010-Dettmer (R)**Environment Policy & Oversight**

Watershed districts required to submit information to counties; county approval of levies and fees required.

HF2011-Magnus (R)**Taxes**

Production tax rate decreased.

HF2012-Brown (DFL)**Finance**

Shooting Star Trail funding provided.

HF2013-Drazkowski (R)**Civil Justice**

Children's equal parenting access act provided and rebuttable presumption established.

HF2014-Juhnke (DFL)**Finance**

Clean water fund appropriations allocated for clean water legacy and drinking water protection activities; star farms proposal report required.

HF2015-Dettmer (R)**Taxes**

Property taxes; limited market value extended.

HF2016-Buesgens (R)**State & Local Government****Operations Reform, Technology & Elections**

Anoka and Washington counties exempted from certain land plan requirements.

HF2017-Winkler (DFL)**Finance**

Perpich Center for Arts Education programs, services and current funding level maintained; moratorium on new education arts centers established.

HF2018-Falk (DFL)**Energy Finance & Policy Division**

Intervenor compensation provided in certificate of need proceeding.

HF2019-Falk (DFL)**Energy Finance & Policy Division**

Wind energy conversion systems capacity over which counties have authority to issue site permits increased.

HF2020-Marquart (DFL)**Taxes**

County local sales taxes authorized, certain existing local sales taxes eliminated, county program aid adjusted and levy limits modified.

HF2021-Falk (DFL)**Taxes**

Tax credit provided for certain residential solar energy system installations.

HF2022-Bigham (DFL)**Public Safety Policy & Oversight**

Registered housing included with services establishments in definition of health care facility for registration of predatory offenders.

HF2023-Newton (DFL)**Civil Justice**

Medical liability actions regulated; inadmissibility of certain health care provider statements, gestures and conduct provided.

HF2024-Sertich (DFL)**Finance**

Hibbing; Public Utilities Commission well grant funding provided.

HF2025-Sertich (DFL)**Finance**

Hibbing; street and storm sewer reconstruction grant funding provided.

HF2026-Solberg (DFL)**Public Safety Policy & Oversight**

Conditional partial pardon of a person's criminal conviction provided upon successful completion of the challenge incarceration program.

HF2027-Johnson (DFL)**Public Safety Policy & Oversight**

Probation officers and pretrial release agents authorized to conduct searches of persons on probation or pretrial release.

HF2028-Slawik (DFL)**Early Childhood Finance & Policy Division**

Departments of Human Services, Health and Education required to establish an inventory of early childhood services.

HF2029-Davnie (DFL)**Commerce & Labor**

Consumer small loan lenders and residential mortgage originators and servicers regulated, calculation of reserves and non-forfeiture values of preneed funeral insurance contracts provided and additional commerce provisions provided.

HF2030-Loeffler (DFL)**Finance**

Hennepin County library system maintenance of effort requirement modified.

HF2031-Hornstein (DFL)**Commerce & Labor**

Jennie-O Turkey Store and subsidiaries product purchases prohibited for state agencies and departments.

HF2032-Westrom (R)**Public Safety Policy & Oversight**

Governor and commissioner of corrections required to extradite foreign inmates back to their own countries.

HF2033-Faust (DFL)**Finance**

Research-based professional development funding provided for the St. Croix River Education District and "response to intervention" problem solving included.

HF2034-Brown (DFL)**Commerce & Labor**

Electronic pull-tab game rules adoption authorized.

HF2035-Swails (DFL)**K-12 Education Policy & Oversight**

Gifted and talented students' programs clarified.

HF2036-Gottwalt (R)**Health Care & Human Services****Policy & Oversight**

Commissioner of health required to convene an Alzheimer's disease working group and report required.

HF2037-Solberg (DFL)**Finance**

General Fund dedicated revenue appropriations transferred to other funds.

HF2038-Solberg (DFL)**Finance**

Office of Strategic and Long-range Planning established, additional revenue priorities in General Fund forecasts modified and report required.

HF2039-Jackson (DFL)**Environment Policy & Oversight**

Twenty percent of minnows imported for aquatic farms authorized to be sold as bait.

HF2040-Urdahl (R)**Commerce & Labor**

Shared work plan provided.

HF2041-Sterner (DFL)**Public Safety Policy & Oversight**

Probation violation provided for impaired driving offenders driving with any presence of alcohol during the period of probation.

HF2042-Sterner (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Financial counseling services availability required for recently discharged veterans.

HF2043-Sterner (DFL)**Finance**

Gold Star Family license plates created for family members of military personnel who have died in active military service; plate fee and registration tax exemptions provided for certain survivors.

HF2044-Sterner (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Mental health counseling services availability required for recently deployed service members.

HF2045-Winkler (DFL)**Public Safety Policy & Oversight**

Specialized emergency response teams provided to supplement resources responding to catastrophe.

HF2046-Laine (DFL)**Health Care & Human Services Policy & Oversight**

Smoking shisha tobacco products permitted in limited places.

HF2047-Drazkowski (R)**Finance**

Minneola Township; water quality and flood control structures grant funding provided.

HF2048-Thao (DFL)**Health Care & Human Services Policy & Oversight**

Broker required to coordinate and manage oral language health care interpreter services and payment rates set for interpreter services.

HF2049-Wagenius (DFL)**Finance**

Environment and natural resources funding provided.

HF2050-Rukavina (DFL)
Finance
Eveleth; water and sewer infrastructure improvement funding provided.

HF2051-Newton (DFL)
Finance
Integration revenue provisions modified.

HF2052-Simon (DFL)
State & Local Government Operations Reform, Technology & Elections
Home rule charter procedures established for jurisdictions that adopt ranked-choice voting.

HF2053-McFarlane (R)
Finance
Regional library basic system support grants modified.

HF2054-Slawik (DFL)
Finance
Ramsey County; land acquisition funding provided.

HF2055-Slawik (DFL)
Finance
Ramsey County; land acquisition funding provided.

HF2056-Mullery (DFL)
Taxes
Refundable credit provided for victims of sexual assault.

HF2057-Beard (R)
Finance
Science and technology initiative promoted, commission created, center established, economic development grant programs created, terms defined and reports required.

HF2058-Sterner (DFL)
Commerce & Labor
Automatic external defibrillators required in certain structures.

HF2059-Sterner (DFL)
Agriculture, Rural Economies & Veterans Affairs
Unpaid leave of absence from employment provided for an immediate family member of a person ordered into active military service during a time of war or other national emergency.

HF2060-Sterner (DFL)
Commerce & Labor
Public adjusters regulated, notice of cancellation and prohibited practices modified, and insurance claims regulated for residential roofing goods and services.

HF2061-Hilstrom (DFL)
Finance
Brooklyn Center; ISD 286; community schools grant authorized.

HF2062-Lanning (R)
Commerce & Labor
Ladder Out of Poverty Task Force established, membership and duties provided and legislative appointments provided.

HF2063-Hilstrom (DFL)
Public Safety Policy & Oversight
Commissioner of public safety required to present performance measures to the Legislature.

HF2064-Hilstrom (DFL)
Taxes
Minnesota Congressional delegation memorialized to sponsor and support the Main Street Fairness Act.

HF2065-Hilstrom (DFL)
Public Safety Policy & Oversight
Commissioner of corrections required to present performance measures to the Legislature.

HF2066-Mack (R)
Finance
Minnesota Zoo water quality funding provided.

HF2067-Mullery (DFL)
Taxes
Employers who employ qualified ex-felons allowed a credit.

HF2068-Kohls (R)
Environment Policy & Oversight
Game abandoned at game processing facilities added to the definition of wanton waste.

HF2069-Liebling (DFL)
Health Care & Human Services Policy & Oversight
Chemical health pilot projects created.

HF2070-Mullery (DFL)
Finance
Targeted neighborhood revitalization program modified and revolving fund created.

HF2071-Clark (DFL)
Finance
Summer programming provided for American Indian youth.

HF2072-Greiling (DFL)
Finance
Education finance reference updated.

HF2073-Greiling (DFL)
Finance
Education finance obsolete reference removed.

HF2074-Clark (DFL)
State & Local Government Operations Reform, Technology & Elections
Counties and cities authorized to establish a main street and neighborhood revitalization program.

HF2075-Hosch (DFL)
Agriculture, Rural Economies & Veterans Affairs
Local foods commission created.

HF2076-Loeffler (DFL)
Health Care & Human Services Policy & Oversight
Equal access and equitable funding health and human services reform created; steering committee created.

Tuesday, March 24

HF2077-Lenczewski (DFL)
Taxes
Cities provided mechanisms to respond to state aid reductions and other revenue shortfalls, revenue flexibility increased, cities authorized to establish street improvement districts and to apportion improvement fees, plans required and cities authorized to issue emergency debt certificates for unexpected revenue shortfalls.

HF2078-Kalin (DFL)
Taxes
Chisago City; Lindstrom; joint venture established, debt issued for use outside of the jurisdiction and shared revenues authorized.

HF2079-Rukavina (DFL)
Taxes
Progressive surtax imposed on individuals, estates and trusts.

HF2080-Carlson (DFL)
Finance
Higher education institutions required to partner with high schools to promote college attendance, Minnesota promise for higher education established and the achieves scholarship program revised.

HF2081-Bigham (DFL)
Civil Justice
Foreclosure proceedings governing use provisions modified to enforce homeowner association assessment liens.

HF2082-Hortman (DFL)
Civil Justice
Uniform Disclaimer of Property Interests Act enacted.

HF2083-Persell (DFL)
Finance
Bemidji; Headwaters Science Center funding provided.

HF2084-Eken (DFL)
Environment Policy & Oversight
State environment and natural resource agencies and departments reorganized, consolidated and restructured; new committees and boards established to advise Legislature and governor; and certain powers and

duties of related boards and agencies abolished.

HF2085-Koenen (DFL)
State & Local Government Operations Reform, Technology & Elections
Counties authorized to make joint purchases of energy and energy generation projects, and a tax levy authorized.

HF2086-Slocum (DFL)
Transportation & Transit Policy & Oversight Division
Chicago and St. Paul passenger rail line duties and powers prescribed of transportation commissioner, and design-build method of contracting in high-speed rail project authorized.

HF2087-Nornes (R)
Finance
Higher education funding provided, terms defined, appeals process provided, report required and awards provided for online courses.

HF2088-Slawik (DFL)
Finance
Early childhood education funding provided relating to school readiness programs, school readiness service agreements and prekindergarten exploratory projects; reports required.

HF2089-Hilty (DFL)
Energy Finance & Policy Division
Office of Energy Security transferred to the Pollution Control Agency and renamed Department of Energy and Environmental Protection, report required, technical and housekeeping changes made and various responsibilities transferred.

HF2090-Hilty (DFL)
Finance
Low-carbon fuel standard for motor vehicle fuels study and recommendations required.

HF2091-Downey (R)
Commerce & Labor
Collective bargaining provision application limited to certain minors.

HF2092-Eken (DFL)
Finance
Red River basin management and water quality improvement funding provided.

HF2093-Downey (R)
State & Local Government Operations Reform, Technology & Elections
Minnesota State Government Continuity Planning Commission created and report required.

HF2094-Rukavina (DFL)**Finance**

Minnesota business venture capital program created and revolving fund created.

HF2095-Kalin (DFL)**Finance**

Green industrial parks funding provided.

HF2096-Kalin (DFL)**Finance**

Minnesota Green Enterprise Authority created.

HF2097-Kahn (DFL)**Environment Policy & Oversight**

Chief environmental officer position established and report required.

HF2098-Davnie (DFL)**Finance**

Veteran home ombudsman position created.

HF2099-Zellers (R)**Commerce & Labor**

Commerce licensing and regulation provided; pre-license and continuing education requirements established.

HF2100-Juhnke (DFL)**Finance**

Commissioner of agriculture required to report to the Legislature on the use of federal money allocated for state biomass-related activities.

HF2101-Murdock (R)**Finance**

Deer Creek; wastewater treatment facility improvements funding provided.

HF2102-Murdock (R)**Finance**

Deer Creek; community center improvements funding provided.

HF2103-Murdock (R)**Finance**

Henning; utility and street improvements funding provided.

HF2104-Eken (DFL)**Health Care & Human Services Policy & Oversight**

Critical access nursing facilities designated.

HF2105-Bly (DFL)**K-12 Education Policy & Oversight**

Commissioner of education required to develop an assessment tool to fairly evaluate performance of alternative schools.

HF2106-Bly (DFL)**K-12 Education Policy & Oversight**

Alternative learning centers and charter schools five-year pilot program established to identify systemic improvement measures to best serve eligible students.

HF2107-Bly (DFL)**K-12 Education Policy & Oversight**

Schools authorized to use an interdisciplinary teaching and learning program model; interdisciplinary teaching license provided.

HF2108-Morgan (DFL)**Transportation & Transit Policy & Oversight Division**

Burnsville; design-build method of contracting required for interchange construction.

HF2109-Morgan (DFL)**Finance**

Burnsville; Trunk Highway 13 interchange reconstruction funding provided.

HF2110-Marquart (DFL)**Environment Policy & Oversight**

Invasive species management provisions modified.

HF2111-Clark (DFL)**Finance**

Neighborhood solar electricity demonstration project funding provided.

HF2112-Atkins (DFL)**Commerce & Labor**

Congress of the United States memorialized to oppose enactment of legislation of the substance and tenor of the National Insurance Act of 2007.

HF2113-Hansen (DFL)**Taxes**

Property valuation reduction provided for land constituting a riparian buffer.

HF2114-Clark (DFL)**Commerce & Labor**

Minneapolis; special liquor license authorized.

HF2115-Simon (DFL)**Finance**

Minnesota Film and TV Board funding provided.

HF2116-Hansen (DFL)**Finance**

Vehicle transaction fees increased, acceptable methods of payment provided and surcharge imposed.

HF2117-Sterner (DFL)**Environment Policy & Oversight**

Waste management reporting requirements modified.

HF2118-Rukavina (DFL)**Finance**

National Guard post-deployment health assessments funding provided.

HF2119-Johnson (DFL)**Civil Justice**

Appellate court appointments included in the Commission on Judicial Selection process.

HF2120-Mullery (DFL)**Taxes**

Corporate franchise taxation throw-back sales rule provided.

HF2121-Hackbarth (R)**Commerce & Labor**

Barbering and cosmetology boards separated, penalties imposed.

Wednesday, March 25

HF2122-Olin (DFL)**Environment Policy & Oversight**

Kittson; Marshall; Roseau; County board elk management plan required.

HF2123-Wagenius (DFL)**Finance**

Waters required to be monitored for endocrine disruptors and other compounds.

HF2124-Murphy, E. (DFL)**Early Childhood Finance & Policy Division**

Child care center licensing requirements modified.

HF2125-Clark (DFL)**Public Safety Policy & Oversight**

Chemical dependency aggressive initiative provided, alcoholic beverage tax increased to fund the initiative, obsolete language eliminated and technical corrections made.

HF2126-Loon (R)**Health Care & Human Services Policy & Oversight**

Minnesota residents permitted to buy health coverage approved in other states, Physician's Council on Health Care Policy created to analyze health coverage mandates and tax credit provided for persons without access to employer-based coverage.

HF2127-Loon (R)**Taxes**

Research tax credit modified.

HF2128-Eken (DFL)**Finance**

Clean water fund legacy activities funding provided.

HF2129-Bly (DFL)**Taxes**

State general levy reduced for historic commercial buildings.

HF2130-Juhnke (DFL)**Commerce & Labor**

On-sale event license requirement clarified.

HF2131-Hansen (DFL)**Finance**

Environment and natural resources funding provided.

HF2132-Gunther (R)**State & Local Government Operations Reform, Technology & Elections**

Lessard Outdoor Heritage Council administration modified.

HF2133-Eken (DFL)**Environment Policy & Oversight**

Storm water discharges regulation modified.

HF2134-Hausman (DFL)**Finance**

Asset preservation for various state agencies and higher education facilities funding provided.

HF2135-Juhnke (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Horse operation recommendations made by commissioner of agriculture.

HF2136-Hamilton (R)**Commerce & Labor**

Microdistilleries authorized.

HF2137-Morrow (DFL)**Commerce & Labor**

Disabled veteran organizations exempted from the prohibition on use of an automatic dialing device in certain situations.

HF2138-Atkins (DFL)**Commerce & Labor**

Insurance continuation coverage regulated, Minnesota law conformed to the requirements necessary for assistance eligible individuals who are not enrolled in continuation coverage to receive a federal premium subsidy under the American Recovery and Reinvestment Act of 2009.

HF2139-Abeler (R)**Transportation & Transit Policy & Oversight Division**

Ramsey; Trunk Highway 47 striping required from the intersection with Bunker Lake Boulevard NW to the intersection with Alpine Drive.

HF2140-Hayden (DFL)**Public Safety Policy & Oversight**

Restorative justice-based alternative disposition process provided for certain juvenile offenses.

HF2141-Slocum (DFL)**Finance**

Women's business development program grant provided.

HF2142-Dettmer (R)
Transportation & Transit Policy & Oversight Division
Forest Lake; church information display service sign installation required.

HF2143-Westrom (R)
Public Safety Policy & Oversight
Sex offenders required to wear tracking and monitoring bracelets after release from prison and penalties prescribed.

HF2144-Olin (DFL)
Environment Policy & Oversight
Roseau County; consolidated conservation lands authorized.

HF2145-Thissen (DFL)
Health Care & Human Services Policy & Oversight
State-County Results, Accountability and Service Delivery Redesign established and reports required.

HF2146-Pelowski (DFL)
State & Local Government Operations Reform, Technology & Elections
Minnesota Management and Budget oversight clarified and management analysis revolving fund established.

HF2147-Solberg (DFL)
Taxes
Grand Rapids; local sales tax imposition authorized and local government aid payment to the city adjusted.

HF2148-Huntley (DFL)
Finance
Medicare costs modified for purposes of nursing facility rebasing.

HF2149-Obermueller (DFL)
Health Care & Human Services Policy & Oversight
Medical licensing examination number of attempts to pass removed.

HF2150-Clark (DFL)
Finance
Health and human services agency funding provided.

HF2151-Brod (R)
Health Care & Human Services Policy & Oversight
Health care statewide system redesign plan developed.

HF2152-Peppin (R)
State & Local Government Operations Reform, Technology & Elections
Hennepin County; Three Rivers Park District town board consent required before acquisition of property.

HF2153-Falk (DFL)
Finance
Lac qui Parle Valley; ISD 2853 allowed to levy funds for a replacement elevator.

HF2154-Sailer (DFL)
Environment Policy & Oversight
Composting competitive grant program established.

HF2155-Gunther (R)
Finance
Select Committee on Recycling and the Environment activity continuation funding provided.

HF2156-Anderson, P. (R)
State & Local Government Operations Reform, Technology & Elections
Local election postponement or extension of voting hours provided in the event of inclement weather.

HF2157-Atkins (DFL)
Commerce & Labor
Joint Underwriting Association required to provide liquor liability insurance on the same basis as other insurance.

HF2158-Westrom (R)
Finance
Postsecondary enrollment option program modified.

HF2159-Westrom (R)
Energy Finance & Policy Division
Utility rebates provided to homeowners for certain renewable energy projects used to heat a residence.

HF2160-Westrom (R)
Energy Finance & Policy Division
Utility permitted to expend funds on renewable sources of electricity and receive credit to its conservation goals under certain conditions.

HF2161-Westrom (R)
Finance
Renewable energy projects grant established.

HF2162-Solberg (DFL)
Environment Policy & Oversight
Itasca County; tax-forfeited land lease terms modified.

HF2163-Loeffler (DFL)
Commerce & Labor
Small employer health insurance market expanded and small employer health coverage standard application form development process created.

HF2164-Sterner (DFL)
State & Local Government Operations Reform, Technology & Elections
Non-campaign disbursement costs and fees specified.

HF2165-Clark (DFL)
Finance
Ojibwe and Dakota immersion program funding provided.

HF2166-Lillie (DFL)
Commerce & Labor
Barber and barbering school regulation modified.

HF2167-Murphy, E. (DFL)
State & Local Government Operations Reform, Technology & Elections
Absentee ballot processing procedures modified and rejected absentee ballot review required by the county canvassing board.

HF2168-Persell (DFL)
Finance
Leech Lake Tribal College funding provided.

HF2169-Drazkowski (R)
Finance
Lewiston; ISD 857 allowed to collect special education revenue for hired special education teachers.

HF2170-Beard (R)
Finance
Science and technology initiative promoted, commission created, center established, economic development grant programs created, terms defined and reports required.

HF2171-Abeler (R)
Higher Education & Workforce Development Finance & Policy Division
Board of Trustees of MnSCU required to implement a policy on credit transfers and legislative report required.

HF2172-Lenczewski (DFL)
Taxes
Sales tax technical changes made.

Thursday, March 26

HF2173-Smith (R)
Environment Policy & Oversight
Water conservation rate structure requirement modified.

HF2174-Hackbarth (R)
Finance
Prorated registration tax credit established for vehicles scrapped or declared a total loss.

HF2175-Hortman (DFL)
Environment Policy & Oversight
Metro Transit diesel bus idling reduction technology grant program established.

HF2176-Obermueller (DFL)
Civil Justice
Nuisance property disclosure to potential buyers required.

HF2177-Ward (DFL)
Finance
Minnesota literacy collaborative program established.

HF2178-Peterson (DFL)
Finance
Quality rating and improvement system funding and education finance provisions provided.

HF2179-Jackson (DFL)
Taxes
Mille Lacs County; sales tax exemption provided for construction materials and equipment used to construct courts facility.

HF2180-Doty (DFL)
Taxes
Property tax exemption provided for certain nursing homes.

HF2181-Hausman (DFL)
Finance
Minnesota Film and TV Board film production investment grants authorized and reports required.

HF2182-Gardner (DFL)
Finance
Rating criteria required for capital project funding requests.

HF2183-Swails (DFL)
Finance
South Washington County; ISD 833 Center for the Arts grant funding provided.

HF2184-Swails (DFL)
Finance
South Washington County; ISD 833 Center for the Arts grant funding provided.

HF2185-Wagenius (DFL)
Finance
Pollution Control Agency required to recover costs for permits and certifications, and project proposer required to pay for costs of preparing environmental assessment worksheet.

HF2186-Nelson (DFL)
Taxes
Tax increment use authorized to offset state aid reductions.

HF2187-Peppin (R)
Public Safety Policy & Oversight
Offenses permitted to be charged in either the county of the offense or the home county of the arresting law enforcement agency.

HF2188-Anzelc (DFL)
Finance
Charter school transportation obligations transferred from school districts to charter schools.

HF2189-Nornes (R)
Finance
Textbook information amended, terms defined, resident status appeal allowed, additional award grant provided for online courses and report required.

HF2190-Hackbarth (R)
Transportation & Transit Policy & Oversight Division
Vehicle towing required under certain conditions.

HF2191-Davnie (DFL)
Taxes
Tobacco provisions modified relating to moist snuff.

HF2192-Sterner (DFL)
Finance
Minnesota Irish Cultural Center funding provided.

HF2193-Shimanski (R)
Agriculture, Rural Economies & Veterans Affairs
Minnesota processed foods labeling report required.

HF2194-Murphy, E. (DFL)
Taxes
Minnesota Colorectal Cancer Prevention and women's heart health program established, tobacco-related taxes increased and funds designated for public health programs.

HF2195-Clark (DFL)
Finance
Lead reduction grantee requirements modified.

HF2196-Sertich (DFL)
Finance
State appropriation bonds authorized.

HF2197-McNamara (R)
Finance
Lake St. Croix comprehensive water monitoring and phosphorus reduction funding provided.

HF2198-Mack (R)
Health Care & Human Services Policy & Oversight
Supplemental nutrition assistance program waiver application required.

HF2199-Ward (DFL)
Finance
Cuyuna Country State Recreation Area and Cuyuna Lakes State Trail funding provided.

HF2200-Juhnke (DFL)
Agriculture, Rural Economies & Veterans Affairs
County Veterans Services Working Group extended.

HF2201-McFarlane (R)
Finance
Solar-generated energy power equipment funding provided.

HF2202-Bly (DFL)
Finance
Early childhood education funding provided for after-school community learning programs.

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past. Lenczewski said this bill is like one that allowed Hennepin County to raise its sales tax for construction of a Minnesota Twins' ballpark.

"This is more conservative because we give the option of a reverse referendum," Marquart said.

"I agree that we need a diversified revenue stream," said Joe Mathews, general government policy analyst with the Association of Minnesota Counties. "There are concerns that a reverse referendum would result in a loss of county program aid with nothing to replace it."

Marquart said 26 other states allow this authority for counties and 20 states have a

higher sales tax than Minnesota.

Still, some members aren't so sure about the idea.

"You and I have both opposed local option sales tax and you come forward with this. We've been talking about our regressive tax system and sales tax is a regressive tax," said Rep. Morrie Lanning (R-Moorhead), the Republican lead on the House Property and Local Sales Tax Division.


He added that one aspect of the current local option sales tax is that receipts are used to fund projects of regional significance.

Marquart said the money from the half-cent sales tax could be used for that, if the county so chooses.

"Increasing the sales tax, in my view is no option at all," Lanning said.

He said the majority of state voters already approved a three-eighths of 1 percent sales tax increase for the arts and the outdoors, which takes effect this summer. "This half-cent would be on top of that."

Marquart said the big concern was the great inequities local option sales taxes cause. "If everyone has them, this minimizes the inequities."

Keith Carlson, executive director of the Metropolitan Inter-County Association, said this is a "been there and done that" scenario. He said a trust fund was opened in the 1980s and a sales tax was put into it for counties to use. Two years later, "the rug was pulled and the trust fund was eliminated. There's a lot of concern that we're going to find ourselves in the same place again." 

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MINNESOTA INDEX

'Want to get away?'

Billions spent by travelers in Minnesota between June 2007 and May 2008.....	\$12.12
Full-time jobs supported by that money.....	271,500
Billions in wages, salaries and proprietary income earned by those workers.....	\$6.74
Billions in state government revenues generated by those travelers.....	\$1.53
Millions in local government revenue generated by those travelers.....	\$497
Estimated percent of state sales taxes that comes from the leisure and hospitality industry..	15
Percent of the state's private sector employment provided by the industry	10.7
Estimated percent of total hotel/motel room-nights sold to meeting/convention travelers	20
Approximate number of bed and breakfast operations that have opened in Minnesota in the last 20 years.....	200
Approximate combined total of Minnesota hotels, motels and bed and breakfasts....	1,043
Estimated number of rooms available.....	62,833
Approximate number of resorts in Minnesota	890
Estimated number of units available	11,484
Approximate number of campgrounds on public and private lands in the state	670
Estimated number of campsites available	30,025
Occupancy rates between June 2007 and May 2008 for hotels/motels, resorts and campgrounds, as percent.....	64, 51, 35
Percent of guests between June 2007 and May 2008 at hotels/motels, resorts and campgrounds, who were Minnesota residents.....	51, 69, 76
Average daily rate between June 2007 and May 2008 for hotels/motels/bed and breakfasts	\$101.90
Rate for resorts, campgrounds.....	\$147.97, \$23.99
Ranking of Red Wing on the 2008 National Geographic Traveler magazine's Top Historic Destinations in the World	23
Height, in feet, of the legendary lumberjack Paul Bunyan near Brainerd.....	26
Floor of the open-air observation deck at the Foshay Tower in Minneapolis	31
Miles of shoreline in Voyageurs National Park.....	655
Islands in the park	500
Approximate number of lakes combined in the Chippewa and Superior national forests.....	3,000
Miles of the Mississippi River in Minnesota	680
Miles of the Great River Road in Minnesota	575

— M. Cook

Sources: Minnesota Vacation Home Rental Task Force Report and Recommendations; Explore Minnesota Tourism, January 2009; other Explore Minnesota Tourism publications, including Minnesota Explorer, Spring/Summer 2009; The Economic Impact of Expenditures By Travelers On Minnesota June 2007 – May 2008, Davidson-Peterson Associates.

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SESSION WEEKLY

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HEALTH OF HUMAN SERVICES

ACCESSIBILITY FOR ALL

'OMNI' FEST BEGINS

HF2203 - HF2276

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: St. Paul Police Sgt. Craig E. Nelson spends his March 26 lunch break on the Capitol steps as part of an LGA Rally to show his support for continued local government aid levels.

— Photo by: Tom Olmscheid



PHOTO BY TOM OLMSCHIED

People who end up in emergency rooms many times are uninsured. This cost is covered by the hospital. Health care reform advocates say cost efficiencies would be achieved by providing coverage that would keep people out of emergency facilities.

Complex problem, complex solution

Cuts to health and human services could create reform opportunity

By PATTY OSTBERG

Sleep has become a struggle for Rep. Thomas Huntley. The Legislature is facing the difficult decision of how to cut funds from health and human services programs, while maximizing the \$1.8 billion federal stimulus money coming to the state.

Knowing that service cuts will hurt somebody, the Duluth DFLer said the thought keeps him up some nights. "Some people think raising taxes will help, if we had a Democratic governor we could not raise enough taxes to fix our problem."

Between funding formulas for hospitals, qualifying federal factors and how the state pays providers for medical care, the choices on how to shift or cut costs can be daunting. "It's one of the most complex things we'll ever deal

with," said Huntley, chairman of the House Health Care and Human Services Finance Division.

"Obviously there's going to be cuts to the health and human services area, it's 30 percent of the state's budget. About 75 percent of that money is for Medical Assistance," explained Huntley. The other 25 percent is used mostly by counties for mental health and chemical dependency.

Tough decisions

At the root of the cuts are some of Minnesota's most vulnerable people, like elderly in nursing homes and the disabled. According to the Human Services Department, the state funds three public health care programs: Medical Assistance, MinnesotaCare and General Assistance Medical Care. The programs provide coverage for about 666,000 Minnesotans with about half of the enrollees being children under age 21.

Two ways to make reductions are removing specific benefits provided in public programs and reducing provider reimbursements from the state.

The governor's most recent proposal eliminates basic care benefits for public programs, such as dental services, physical therapy, occupational therapy and podiatry. Huntley doesn't like this at all and calls the

First Reading continued on page 4

services “an integral part of medical care.”

Huntley said the governor’s January proposal dropped 113,000 adults from health care coverage. “The people don’t go away, and in many cases if they have a chronic illness, in three months their chronic illness is out of control and they end up in a long-term care facility.”

That leaves the second option of cutting reimbursement rates to providers, which doesn’t violate any federal strings, he said.

But, if the uninsured end up in the emergency room they get treated and the hospital loses money because that person can’t pay their bills. What should be a state cost gets shifted to hospitals, he said.

Hospitals used to be able to raise their rates, but they are having a hard time doing that with the recession. “There will be hospitals that go under if we make the cuts in the governor’s proposal,” Huntley said. Cuts have to be made, but “the question is how big they are.”

Cost of total care

The House proposal will be worked on over the next few weeks in the finance division. “My goal is to protect institutions that might collapse during this two- or three-year period,” Huntley said.

Many of those are clinics and hospitals that have a high percentage of low-income people using the facilities. “We are going to have to cut what providers get paid — and that’s doctors, physical therapists, nursing home workers — and we’ll have to put some limits on services,” he said.

Part of the difficulty is figuring out how the state programs qualify within the federal guidelines for the stimulus money. The guidelines were released March 25.

Jayne Rankin, budget director of the Human Services Department, told the finance division March 30 that the state would begin drawing down the stimulus money in the next month. Part of the qualifications include that the state can’t change eligibility for programs,



PHOTO BY ANDREW VONBANK

Rep. Thomas Huntley chairs the House Health Care and Human Services Finance Division.

the funds can’t be deposited into a reserve account and the state can’t increase local shares of program costs, she said.

There are many strings attached to the \$1.8 billion in federal funds, and most of it is required to go toward caring for patients on Medical Assistance, including the elderly and those in nursing homes; hospital payments; and health care for people with disabilities, Huntley said.

Part of the problem is Minnesota manages its health care better than most states; but those efficiencies result in less federal money. “We need to be rewarded for being good,” Huntley said.

Health care reform laws passed in 2008 changed how the state handles managed care for those on public assistance, resulting in about a 12 percent savings. The initial proposal that wasn’t signed by the governor would have saved 20 percent, Huntley said, adding the proposal is likely to be offered again this year.

Those additional savings could come from a “total cost of care” approach, where hospitals and clinics coordinate an integrated delivery system. Providers would be given a fixed amount of money to care for patients with certain diseases and they could determine how to provide care according to that amount.

Huntley said the health reform changes from last session put the state well on its way to national health care reform.

“The only thing that keeps me going is the national health care reform I think is gonna happen,” Huntley said. Although it won’t happen in time to fix our budget this year, he added.

Cost control is the biggest step, and that is exactly where the state has been heading with health care reform. You have to pay for value and reward providers for keeping people healthy and out of the hospital. Currently our health care system rewards for treating people who are very sick, he said. 🏛️

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Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held March 26-April 2. 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

Leased farmland could be sold

A total of 5,000 acres of state land leased for agricultural use could go on the selling block.

HF1020, sponsored by Rep. Steve Drazkowski (R-Wabasha), could net the state an estimated \$8.5 million through the sale of land in the following counties: Aitkin, Becker, Beltrami, Cass, Clearwater, Crow Wing, Faribault, Fillmore, Goodhue, Houston, Hubbard, Itasca, Kittson, Koochiching, Lake of the Woods, Mahnommen, Marshall, Mille Lacs, Pine, Polk, Roseau, Wabasha, Winona and Yellow Medicine. In addition, single parcels in Morrison, Olmsted, Red Lake, St. Louis and Swift counties would also be up for grabs.

The House Game, Fish and Forestry

Division held the bill over March 30 for possible inclusion in its omnibus bill. It has no Senate companion.

The bill includes the sale of parcels that include mineral rights, which the Department of Natural Resources objects to selling because the properties could be worth millions of dollars if mined.

Other parcels will have to be removed from consideration because they are included in the School Land Trust Fund, said Marty Vadis, director of the Division of Lands and Minerals. Those remaining would be sold to the highest bidder at public auction and not limited to their appraised value.

Rep. Brita Sailer (DFL-Park Rapids) said given the current economy, it may not be feasible for the farmers who currently lease the agricultural land to purchase it at auction. Sailer said she'd like to hear from more than the three lessees that Drazkowski said were in favor of the bill.

— S. HEGARTY

Extending farm mediation law

A bill expected to sunset in 1988 still sees the light of day, and could have its life extended.

The state's agriculture economy was in crisis

Spring break

In observance of Passover and Easter, there will be no House floor sessions or committee hearings Wednesday, April 8 through Monday, April 13. House offices will be closed on Friday, April 10.

in 1986 when the Farmer-Lender Mediation Act was enacted, along with other initiatives to help farmers weather the bad times. The provision remains viable because every two years the Legislature extends its expiration date.

Rep. Al Juhnke (DFL-Willmar) sponsors HF841, which would extend the law's sunset date to June 30, 2013. It was held over March 31 by the House Agriculture, Rural Economies and Veterans Affairs Committee for possible omnibus bill inclusion.

In 2008, more than 2,000 cases were opened to negotiate \$156.3 million in farm debt, said Dick Senese, associate dean with University of Minnesota Extension, the agency that administers the program.

He said the average farm debtor seeking mediation service is 53 years old; has owned the land for 22 years; has an average net worth

WIND AND RAIN



PHOTO BY TOM OLMSCHIED

With umbrella and coffee in hand, Kevin Olson fights the morning wind and rain as he makes his way up the front steps of the Capitol March 31. The Twin Cities avoided a late-season snowstorm that added to difficulties for cities along the flooded Red River.

of \$698,662; has an average agriculture debt of approximately \$273,521; a median non-farm income of \$34,074; and a median annual living expenses of \$37,241.

Senese said that in 2008, statistics show that implement dealers and banks were owed the greatest amount by farm debtors.

Through the program, a creditor with a secured debt of more than \$5,000 against an agricultural property must offer farmer-lender mediation before proceeding with foreclosure, repossession, contract cancellation or collection of a judgment.

Several members and testifiers said if the service is meant to address emergency situations, the threshold does not adequately reflect the cost of doing business and should be raised.

Others said that many new farmers are opting for smaller operations where a debt that size could be catastrophic. Juhnke said by extending the sunset, the Legislature would buy time to revisit the threshold.

A companion, SF289, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), awaits action by the Senate Judiciary Committee.

— L. SCHUTZ

BONDING

Bonding bill heads to floor

A bill containing \$13 million for flood mitigation is headed to the House floor.

The \$247.6 million omnibus capital investment bill, HF855, sponsored by Rep. Alice Hausman (DFL-St. Paul), would provide \$55 million for the Minnesota State Colleges and Universities system, \$29.5 million for the Department of Transportation and \$23 million for the University of Minnesota. Of the total, \$200 million would be general obligation bonding.

Hausman, chairwoman of the House Capital Investment Finance Division, said she focused on projects that would help get people to work right away.

"I would have preferred a much larger bill," she said during a March 31 division hearing, but added that the state's budget problems prompted a restraint in borrowing.

Rep. Morrie Lanning (R-Moorhead) said the nearly \$13 million for flood mitigation is inadequate, adding that he and other members representing the Red River Valley would be bringing a recovery bill forward in the near future to deal with current flood damage.

"I don't begin to think we have the money to fund the floods going on right now," Hausman said.

During a House Ways and Means Committee hearing on the bill April 1, Rep. Kent Eken



PHOTO BY TOM OLMSCHIED

People reach to grab a copy of the House bonding proposal prior to the start of the March 30 House Capital Investment Finance Division hearing.

(DFL-Twin Valley) successfully amended the bill to include the city of St. Vincent, which is located on the Red River, for flood hazard mitigation grants.

The bill would also provide:

- \$24 million for the Department of Human Services, including \$20 million for an expansion of the sex offender program in Moose Lake;
- \$5 million to the Department of Corrections for asset preservation;
- \$4 million to the Housing Finance Agency for public housing; and
- \$3.6 million to the Department of Military Affairs for asset preservation.

The Senate's \$329 million omnibus capital investment bill, SF781, sponsored by Sen. Keith Langseth (DFL-Glyndon), was passed 56-8 on March 16. A conference committee is expected to work out the differences.

— S. HEGMAN

BUDGET

Committees receive spending targets

Now that a target is known, the real work of the session can begin — setting spending priorities and balancing the budget for the 2010-2011 biennium.

A resolution limiting General Fund expenditures to \$30.6 billion over the next fiscal two years was approved March 27 by the House Ways and Means Committee.

Including an expected \$816 million from the federal stimulus package to stabilize the budget, total expenditures reflect a 4.9 percent spending increase over the current biennium.

Rep. Loren Solberg (DFL-Grand Rapids),

the committee chairman, said the resolution also lays out the plan for a balanced budget for the 2012-2013 biennium, as required by a new law.

"Developing the budget resolution, particularly in this session is extremely difficult," Solberg said. The spending proposals reflect the input heard during the community meetings on the budget, where he said people understood there are "going to be cuts, and there is going to be revenue increases and there is going to be some shifts."

The February Forecast projects \$30.7 billion in revenue for the 2010-2011 biennium, which the House incorporates into its budget, along with use of \$219 million in carryover funds from fiscal year 2009.

Solberg said the House proposal would increase the state's budget reserve to \$250 million; support \$350 million for the cash flow account; and would leave an \$18.9 million balance on the bottom line at the end of the biennium.

The budget calls for \$1.5 billion in new revenue, which will be determined by the House Taxes Committee. In addition, \$1.8 billion in payment shifts is also proposed.

With spending targets in hand, the various House finance divisions will begin prioritizing their programming. It was noted that education, from pre-school through higher education, is held harmless in the two biennia. However, other state programming would see cuts of approximately \$1.6 billion. A concurrent resolution passed earlier this session requires House and Senate finance divisions to act favorably on omnibus appropriation bills by April 16.

Solberg said committees have flexibility with prioritizing programming, but they will

need to stay within their targets. He cautioned that because use of stimulus money is still being clarified, there may need to be target adjustments in the coming weeks.

The governor's spending plan comes in at approximately \$32.4 billion over the biennium. It reflects a 4 percent decrease from the \$33.9 billion in General Fund expenditures in the current biennium. It provides for no new taxes, but revenue from the sale of bonds and some payment shifts. The Senate proposes a 7 percent across-the-board spending cut, along with \$2 billion in new revenue.

— L. SCHUTZ

BUSINESS

Pet breeder bill tabled

A controversial proposal for stricter regulations of commercial dog and cat breeders met stiff opposition from the House Agriculture, Rural Economies and Veterans Affairs Committee March 27, and was tabled by an 8-0 roll call vote.

HF253, sponsored by Rep. Tom Tillberry (DFL-Fridley), made its way through two committees before opponents were successful in derailing its progress because of several concerns; among them that it would violate the Fourth Amendment to the U.S. Constitution regarding search and seizure.

The bill would provide state licensing and inspection procedures, additional standards of care, and administrative and criminal penalties for dog and cat breeders.

Keith Streff, director of humane investigations with the Animal Humane Society in Golden Valley, said current federal regulations are inadequate, and there are no state laws for dog and cat breeding.

But Frank Lanasa, president of the Minnesota Federation of Field Trail Clubs Inc., said the proposed regulations are unnecessary and the marketing of the bill has "trashed the character" of a whole industry of retail breeders.

The companion, SF7, sponsored by Sen. Don Betzold (DFL-Fridley), was tabled by the Senate Agriculture and Veterans Committee.

— L. SCHUTZ

CONSUMERS

BPA-free baby bottles

Within the next two years, some children's products such as bottles and sippy cups that contain the chemical Bisphenol-A, or BPA, could be off Minnesota store shelves.

Rep. Karen Clark (DFL-Mpls) sponsors HF326, which, in its original version, would have prohibited the chemical's use in more products including toys, teething products and infant formula containers. Clark amended the bill to narrow its scope and incorporate some retailers' and manufacturers' concerns.

The bill would ban manufacturers from selling children's products intended for use by children age 3 or younger that contain

BPA after Jan. 1, 2010, and retailers from selling them after Jan. 1, 2011. It was approved March 25 by the House Labor and Consumer Protection Division and March 30 by the House Commerce and Labor Committee, which sent it to the House floor.

In testimony one week earlier, Lindsay Dahl, policy and media coordinator with the Healthy Legacy Program of the Institute for Agriculture and Trade Policy, said that numerous peer-reviewed research studies have found BPA to be a carcinogen and endocrine disruptor. Its use in baby products is banned in Canada, and 14 other states are looking at a ban.

Testifying on behalf of the American Chemistry Council, Steven Hentges rejected Dahl's claims. He said international testing companies have not found BPA to be risky, and that European Union countries and regulating agencies have "found no reason to take action on BPA." He said the Canadian ban is only precautionary, not based on definitive evidence of risk. He also said manufacturing substitutes for BPA have not been as thoroughly tested as BPA.

BPA is widely used in consumer products such as eyeglasses, sports helmets, electronic toys and lining for beverage or liquid cans.

Rep. Patti Fritz (DFL-Faribault) said that as a nurse and a grandmother she wouldn't buy products containing BPA. "The world may not think this is harmful, but here in Minnesota with my own grandchildren I feel I could not purchase something with that in it today."

Some substitutes for products made with BPA are safe, but expensive, such as those made from plant-based materials, or breakable, such as glass.

— K. BERGGREN

Notice of mulch hazard to pets

Terry Hall hopes that others don't have to suffer the loss of a pet by placing what appears to be harmless mulch on their property.

Moose, Hall's 105-pound healthy chocolate Labrador retriever, died suddenly after ingesting cocoa bean shell mulch. Since that time, Hall has waged a campaign of consumer awareness, hoping for a notice requirement to be placed on the product that unprocessed cocoa bean shell mulch could be poisonous to pets, and provide a toll-free phone number for the Animal Poison Control Center.

Rep. Frank Hornstein (DFL-Mpls) sponsors HF1306 that would provide the notice.

"We are simply asking that you make consumers aware of this. ... It is an avoidable situation," Hall told the House Commerce and Labor Committee March 31.

In a letter to the committee, Moose's veterinarian said toxicology tests showed a significant presence of caffeine and



PHOTO BY ANDREW VONBANK

Sadie, an 8-week-old yellow Labrador, listens to testimony in the House Agriculture, Rural Economies and Veterans Affairs Committee March 27 with her owner, Rep. Joe Hoppe, during debate on a bill that would provide dog and cat breeder standards of care.

theobromine from the mulch in the dog's system and determined it was the likely cause of death.

The bill would require a posted notice wherever the product is sold warning that ingestion of the mulch could be poisonous to pets.

Rep. Cy Thao (DFL-St. Paul) cautioned that this could lead to placing labels on just about every product that could be harmful to pets.

Hall countered, "I think there is a bigger issue; there are a lot of folks out there that don't know the product is dangerous."

The bill now awaits action on the House floor. The companion, SF122, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the full Senate.

— L. SCHUTZ

DEVELOPMENT

Loans for rural businesses

A program designed to boost economic development in Greater Minnesota by providing capital for business loans won approval from a House division March 31.

HF1948, sponsored by Rep. Larry Haws (DFL-St. Cloud), would appropriate \$12 million for loans to new and expanding businesses outside the Twin Cities metropolitan area. The program would be run through the six Minnesota Initiative Foundations—economic development nonprofits created in 1986 by the philanthropic McKnight Foundation.

Tom Renier, president of the Duluth-based Northland Foundation, explained that the initiative foundations often step in to provide lending to businesses when local banks can't. He said the loans provided under the proposed program would supplement other loans from the federal government and various private funding sources.

"This is a long-term investment that will reap benefits to the state of Minnesota and be paid back," Renier said.

Under the bill's provisions, the Department of Employment and Economic Development would provide up to \$2 million from the fund to each foundation. The foundations would then use the money to provide business loans and would be required to pay back the state within 10 years. A 1 percent interest rate would be charged.

Rep. Joyce Peppin (R-Rogers) likes the idea, but questioned whether a \$12 million loan program would be feasible as lawmakers confront a \$4.6 billion state budget deficit. Haws responded that the tough economic times are precisely the reason the state needs a loan program to help businesses grow.

The House Bioscience and Workforce Development Policy and Oversight Division approved the bill and referred it to the House Higher Education and Workforce Development Finance and Policy Division.

A companion, SF1463, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Business, Industry and Jobs Committee.

— N. BUSSE

EDUCATION

Early childhood stimulus proposals

Two bills proposing ways to spend federal stimulus funds on child care, pre-kindergarten exploratory projects, quality improvements and after-school programs were laid over by the House Early Childhood Finance and

BELL RINGERS



PHOTO BY TOM OLMSCHEID

Ramsey International Fine Arts Center students Tommy Gennaula, from left, Liam Brindley and Jackie Rodewald-Jones present a bundle of letters to Gov. Pawlenty's receptionist Carol Ness March 31. The letters are in support of the University of Minnesota's Bell Museum being part of this year's bonding bill.

Policy Division March 31 for possible omnibus bill inclusion.

Rep. Nora Slawik (DFL-Maplewood) sponsors HF2088, which proposes spending on eight child care funding and quality improvement programs, including increasing child care assistance maximum rates. The bill would increase child care provider maximum reimbursement rates by 2 percent beginning July 1, 2009. It would also appropriate a yet-unspecified amount to a program to help child care providers prepare to apply for the Parent Aware quality rating system.

Slawik said \$26 million in federal stimulus funds is available for early learning and child care programs, of which \$3.4 million is designated for quality improvements. Parent Aware, now a pilot program in the cities of Minneapolis, St. Paul, Wayzata, and Blue Earth and Nicollet counties, is expected to be the model for a voluntary statewide quality rating program.

Its companion, SF1926, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Health and Human Services Budget Division.

Sponsored by Rep. David Bly (DFL-Northfield), HF2202 would appropriate \$10 million in federal stimulus money in fiscal year 2010 for After-School Community Learning Grants.

Youth Community Connections Executive Director Laura LaCroix-Dalluhn said the grants now fund 26 after-school programs serving about 9,000 students, and that 86 percent have a focus on improving academic achievement through homework help and mentoring. Specific amounts from the federal stimulus act are not yet determined for such programs.

Its companion, SF1997, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Support for college aspiration

Minnesota high school juniors and seniors could have an additional option to advance their education.

Rep. Pat Garofalo (R-Farmington) sponsors HF1177, which would create an early graduation achievement scholarship program. Students who graduate one semester early could earn \$2,500; \$5,000 if they graduate two semesters early; or \$7,500 for three semesters. The scholarship would be good at any accredited higher education institution.

Garofalo told members of the House K-12 Education Finance Division the bill could help make college more affordable for students and would save school districts money. The bill

was laid over March 31 for possible inclusion in the division's omnibus bill.

It is estimated that 8 percent of high school seniors, or about 5,300 to 5,500 students a year, might take advantage of the opportunity. Garofalo said his plan has "curb appeal" because it translates into direct savings on college costs, is simpler to navigate and available to any student, which isn't always the case with other programs such as Advanced Placement or College in the Schools.

Its companion, SF1977, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate E-12 Education Budget and Policy Division.

The division also heard HF1702, sponsored by Rep. Jim Davnie (DFL-Mpls), which would repeal the existing funding formula for concurrent enrollment programs but add them to the same funding pool as two other popular options for students interested in high-level academics, Advanced Placement and International Baccalaureate programs. Concurrent enrollment programs are those in which high school teachers offer college level classes to high school students with the guidance of a higher education institutions.

The division laid the bill over March 31 for possible omnibus bill inclusion. Its companion, SF1595, sponsored by Sen. Patricia Torres Ray (DFL-Mpls), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Preserving indigenous languages

There are just six fully fluent Dakota language speakers, and perhaps 100 such Ojibwe speakers in Minnesota, according to Marisa Carr, an Ojibwe language immersion teacher.

The youngest is 61 years old.

Rep. Kent Eken (DFL-Twin Valley) sponsors HF1240, which would establish a volunteer working group on revitalizing and preserving those indigenous Minnesota languages. The group would include members from each of the 11 federally recognized tribes in the state, representatives from various education entities, the Minnesota Historical Society and the Legislature. It would examine existing language programs and resources across the education spectrum and determine the viability of training teachers, developing a curriculum and creating a formal immersion or other learning program. The \$150,000 cost would come from the arts and cultural heritage fund.

Carr said movements to teach native languages such as Maori and Hawaiian elsewhere have had positive academic and social effects among learners, but there are "few, if any, certified



PHOTO BY TOM OLMSCHIED

Lillian Stand, back, and Lillian Rice of Wicoie Nandagikendan, an early childhood language immersion program, asked members of the House K-12 Education Policy and Oversight Committee March 27 to support the preservation of indigenous languages in Minnesota by establishing a volunteer working group to assess the health of the Ojibwe and Dakota languages.

teachers fluent enough" in Dakota or Ojibwe, the two indigenous languages of Minnesota, to teach in a full-day immersion program. Creating written materials from the oral languages is a challenge, too.

The hearing room hushed as Indian elders spoke of the urgency to the House K-12 Education Policy and Oversight Committee.

"I've often heard the word that when an elder passes away, it's a whole dictionary that's gone," said Lillian Rice, who is trilingual in Potawatomi, Ojibwe and English, and works with children and some adult learners. "We are doing the best that we can and we are working as hard as we can to help them learn the language. Because our language is our very sense of who we are, in our ceremonies, our values, our way of life. Without that, we're lost."

The committee approved the bill March 27 and sent it to the House K-12 Education Finance Division, recommending it be re-referred to the House Cultural and Outdoor Resources Finance Division. Its companion, SF1256, sponsored by Sen. Mary Olson (DFL-Bemidji) awaits action by the Senate Finance Committee.

— K. BERGGREN

Remedial math for school funding

Lawmakers are promoting remedial math — not only for students, but for the education funding formula they say isn't adding up for many Minnesota school districts.

Rep. Mark Buesgens (R-Jordan) sponsors HF1376, which would change the compensatory revenue category based on numbers of students eligible for free or reduced-cost lunch to a remedial revenue program based on numbers of certain students requiring academic remediation.

The proposal would allocate the same per-pupil amount for each eligible student, eliminating the concentration factor that generates more revenue for districts such as Minneapolis and St. Paul, which have more school sites with higher percentages of eligible students than most suburban or rural districts. Currently the same student might generate \$100 at a low-percentage site but \$2,500 at a high-percentage site.

"There needs to be a little more logic placed on how we fund schools and some fairness and balance throughout," Buesgens told the House K-12 Education Finance Division March 26.

In the current site-based system, said Rep. Pat Garofalo (R-Farmington), "We are actually building an incentive into the program for districts to draw their attendance boundaries in a manner that crams all the poor kids into one school."

Garofalo and Buesgens said they are unaware of any other state using the concentration factor to the extent Minnesota does.

St. Paul Public Schools' lobbyist Mary Gilbert said she "respectfully disagrees" with the premise that all need is equivalent.

"There is a difference between poor people and people in poverty," Gilbert said, because urban families often face acute destabilizing factors, such as lack of adequate housing, health care and family literacy with less access to helpful resources, such as extended family and church or community support, than families in small town or rural areas.

The division laid the bill over for possible omnibus bill inclusion. It has no Senate companion.

— K. BERGGREN

Safer schools for all learners

School boards must adopt written sexual, religious, racial harassment and violence policies that conform with the Minnesota Human Rights Act.

A bill would expand current law by enumerating specific characteristics of people who could be targets of bullies, including disability, socioeconomic status, sexual orientation, gender identity or expression or associating with others with those characteristics.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF1198 would add bullying, intimidation and hazing, including their electronic and Internet-based forms, to prohibited actions. It would require teachers to be trained to implement district policies and respond to bullying or harassment, without specifying a particular training.

The K-12 Education Policy and Oversight Committee approved the bill April 2 and sent it to the House floor. Its companion, SF971, sponsored by Sen. D. Scott Dibble (DFL-Mpls) awaits action on the Senate floor.

Advocates of people with disabilities, gay rights and racial minorities expressed support for the bill. However, some parents said specifying sexual orientation or gender identity or expression could ultimately promote beliefs they don't share.

Perpich Center for Arts Education senior Andy Berlin, who is gay, said that from sixth to eighth grade he was the target of homophobic slurs, physical harassment and intimidation

at a former school. He felt "humiliated and depressed," skipped school often and couldn't concentrate on his school work. He found few allies among school staff, and eventually transferred to Perpich where his grades improved and he feels respected.

Opponents said the bill represents the agenda of gay rights groups and fear school curricula could supplant parental rights to teach their children about sexuality.

Lesley Chaudry, whose children attend Hale School in Minneapolis, said materials used in a pilot diversity curriculum sponsored by Rainbow Families were "intended to indoctrinate young children to accept homosexual marriage," which counters her family's Muslim beliefs. She said her opposition to the curriculum made her the target of harassment when her sidewalk was defaced with graffiti, the school principal publicly chastised her and others called her "gay-basher."

Rep. Randy Demmer (R-Hayfield) worried that very specific language could be a "trip wire" for school and staff liability.

— K. BERGGREN

ELECTIONS

Felon voting rights

Convicted felons have their right to vote restored after they serve out their sentence and finish any parole or probation; however, they're not always told about it. Rep. Bobby Joe Champion (DFL-Mpls) wants to make sure someone tells them their right to vote is restored.

HF545 would require Department of Corrections officials to notify individuals charged with a felony that a guilty plea or conviction will result in the loss of their civil rights, including the right to vote. Upon having their sentences fully discharged, they would be notified that the right has been restored.

Andre Corbett, a former inmate who now runs a Goodwill Easter Seals job readiness program for ex-offenders, said that although they are to receive notification of their civil rights status in a letter after being discharged, many ex-offenders never get the letter because they are frequently moving and living with friends and relatives.

The Office of the Secretary of State supports the bill, as it supports any effort to inform voters of their rights, said Beth Fraser, the office's director of governmental affairs; meanwhile, Barbara Cox, director of government relations for the DOC, said the department is neutral on the bill.

Rep. Steve Gottwalt (R-St. Cloud) joined



PHOTO BY TOM OLMSCHIED

Perpich Center for Arts Education senior Andy Berlin told the House K-12 Education Policy Committee April 1 that he was the target of homophobic slurs, physical harassment and intimidation before being accepted at his current school.

several members in opposing the bill, arguing it is unnecessary since the information is already provided to offenders.

"Government already gives notice to them in the discharge order, and I don't assume that felons or anybody coming out of jail is necessarily ignorant," Gottwalt said.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill on a 9-7 vote March 26. Approved April 2 by the House Public Safety Policy and Oversight Committee, it now awaits action on the House floor.

Sen. Mee Moua (DFL-St. Paul) sponsors the companion, SF763, which awaits action by the full Senate.

— N. BUSSE

EMPLOYMENT

Youth programs funding favored

They didn't fare well in Gov. Tim Pawlenty's budget proposals, but several grant programs for workforce training and youth initiatives may still see their funding survive.

Members of a House division might vote to maintain or even increase funding for grants to the Minnesota Alliance of Boys & Girls Clubs, the Minnesota Inventors Congress and other organizations that were cut out of Pawlenty's budget recommendations.

The House Higher Education and Workforce Development Finance and Policy Division held hearings March 26 and March 31 on bills that would fund various Department of Employment and Economic Development grant programs. Division Chairman Rep. Tom Rukavina (DFL-Virginia) laid them over for possible inclusion in the division's omnibus finance bill.

The Boys and Girls Clubs, which saw their entire \$2 million state appropriation cut in the governor's recommendations, would be restored to \$1.8 million under HF1104, sponsored by Rep. Larry Haws (DFL-St. Cloud). The money would go to fund job skills training programs for young people from mostly ethnic minorities. Sen. Rod Skoe (DFL-Clearbrook) sponsors the companion, SF1207, which has been laid over for possible omnibus bill inclusion by the Senate Economic Development and Housing Budget Division.

Haws also sponsors HF1901 that would authorize \$3.5 million per year in grants for the Minnesota Youth Program, which currently receives \$3.3 million. That bill has no Senate companion.

HF939, sponsored by Rep. Tim Mahoney (DFL-St. Paul), would increase biennial funding for Twin Cities RISE! from \$910,000

to \$1.3 million. Funding for the program, which provides job training and placement to low-income adults and "hard-to-train" populations like ex-offenders, would be reduced to \$700,000 under Pawlenty's proposals. Senate President James Metzen (DFL-South St. Paul) sponsors the companion, SF792, which has been laid over for possible omnibus bill inclusion by the Senate Economic Development and Housing Budget Division.

Rep. Paul Torkelson (R-Nelson Township) sponsors HF1587 that would restore \$170,000 in funding to the Minnesota Inventors Congress that was completely cut from the governor's budget. Sen. Dennis Frederickson (R-New Ulm) sponsors the companion, SF1039, which awaits action by the Senate Economic Development and Housing Budget Division.

— N. BUSSE

ENERGY

Nuclear moratorium remains

A House division defeated a bill that would have opened a closed door for additional nuclear power plants in Minnesota.

After two evenings of public testimony on HF1091, the House Energy Finance and Policy Division voted 12-9 March 26, largely along party lines, to keep the current moratorium in place. On a roll-call vote, DFLers rejected the bill, with the exception of Rep. Joe Atkins (DFL-Inver Grove Heights). A companion, SF1078, sponsored by Sen. Jim Carlson (DFL-Eagan), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul), the bill was supported by local union laborers who said a new plant would create thousands of new jobs.

But a larger issue kept many from supporting the proposal: what to do with 66,000 tons of America's nuclear waste that is being stored at 120 locations in 39 states. With no deep geological depository on the horizon to house the radioactive material, the waste keeps piling up at Minnesota's two nuclear power plants in Monticello and Prairie Island.

Arjun Makhijani, president of the Institute for Energy and Environmental Research, told a joint meeting of the division with the Legislative Energy Commission and the Senate Energy, Utilities, Technology, and Communications Committee March 25 that the only lesson to learn from France, which transferred nearly all of its energy production to nuclear within a 25-year period, is to stay focused on a course of action. Makhijani said Minnesota should focus on research and

development for alternative fuels. "We cannot afford to be intellectually lazy," he said.

Division Chairman Rep. Bill Hilty (DFL-Finlayson) agreed with Makhijani. "If we imply that we have an immediate nuclear energy future in Minnesota it will be a distraction from the course that we have ... put Minnesota on to develop its own renewable resources to the greatest extent that we can. The utilities all find that challenging, but they're doing it. Let's keep focused on the path that we have already started," he said.

— S. HEGARTY

ENVIRONMENT

Water fund distribution proposed

With an anticipated \$158 million flowing into the Clean Water Fund during the next biennium from increased sales tax revenues, Rep. Kent Eken (DFL-Twin Valley) sponsors a bill that would distribute \$151 million of the funds to state agencies.

The House Environment and Natural Resources Finance Division held the bill over April 1 for possible omnibus bill inclusion.

As proposed, HF2128 would appropriate the money as follows:

- Board of Water and Soil Resources would receive \$50.5 million for targeted nonpoint source pollution reduction grant projects, technical assistance and engineering grants, county subsurface sewage treatment system grants, feedlot water quality grants, nonpoint source protection activities, and grants for shoreland and roadside protection and restoration projects;
- Public Facilities Authority would receive \$46.2 million for total maximum daily load grants, phosphorus reduction grants, loans and grants for small community wastewater treatment, and for technical assistance to small community grant recipients;
- Pollution Control Agency would receive \$35.96 million for a statewide assessment of surface water, TMDL plans for impaired waters, civic engagement in TMDL development/implementation, groundwater assessment, drinking water protection and endocrine disruptor monitoring/analysis;
- Department of Agriculture would receive \$7.2 million for evaluating and monitoring agricultural practices, TMDL development, a best management practices loan program, pesticide monitoring/assessment, groundwater assessment and drinking water protection activities;
- Department of Natural Resources would receive \$7 million to assist in identifying impaired waters, TMDL development/

SRI LANKA GENOCIDE



PHOTO BY TOM OLMSCHIED

Supporters of stopping the genocide on the Tamil community in Sri Lanka by the Sinhalese-dominated government marched in the Rotunda April 1.

implementation, restoration/protection of nonpoint source pollution, ground-water assessment and drinking water protection;

- Department of Health would receive \$3.25 million to assess drinking water contaminants and to conduct activities to protect water at its source; and
- Metropolitan Council would receive \$739,000 to implement its master water supply plan.

Though the bill has wide support from the recipient agencies, the Minnesota Farm Bureau and Minnesota Chamber of Commerce, some legislators cautioned about spending the funds for regulatory expenditures. They note the constitutional amendment approved by the majority of state voters in November, requires that spending supplant, and not substitute, money already being spent to “protect, enhance and restore water quality in lakes, rivers and streams and to protect groundwater from degradation.”

A companion, SF1913, sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

— S. HEGARTY

Driveway sealant questioned

A chemical found in some blacktop sealants has been linked to hazardous waste discovered in a White Bear Lake storm water pond, resulting in proposed legislation to ban the purchase of the product by state agencies.

HF1991, sponsored by Rep. Bev Scalze (DFL-Little Canada), would prohibit the state from using undiluted coal tar sealant on surfaces, such as driveways and parking lots, unless it has been mixed with asphalt because it contains high levels of polycyclic aromatic hydrocarbons.

Storm water washes the sealant, commonly used on residential driveways, into sewer systems and nearby retention ponds where the chemical collects at the bottom of the water bodies. The White Bear Lake pond cost \$500,000 to clean up.

“There’s many cities that are going to have to deal with this in the future,” Scalze said.

The House Environment Policy and Oversight Committee approved the bill March 26 and referred it to the House Environment and Natural Resources Finance Division. It has no Senate companion.

The bill also would appropriate \$155,000

from the Clean Water Fund for the Pollution Control Agency to develop a cleanup plan for all storm water ponds under its jurisdiction that are found to contain the contaminated sludge.

After the PCA has studied the problem, Scalze expects additional legislation may be needed next year to ban the coal tar sealants. For now, her current bill gives “due process” to developing a best management process for dealing with the problem.

— S. HEGARTY

Shoreland property rules modified

Shoreland property owners who want to build or rebuild on their land could be helped by HF519. The bill is the result of key players building consensus between property owners and state and local governments charged with protecting lakes, rivers and streams.

The House Environment Policy and Oversight Committee approved the bill March 26 and sent it to the House floor. A companion, SF747, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Environment and Natural Resources Committee.

Without the legislation, sponsored by Rep.

Mike Nelson (DFL-Brooklyn Park), some lots would be considered unbuildable due to setback requirements or because the lot sizes are too small based on Department of Natural Resources' shoreland regulations.

As proposed, if an existing non-conforming cabin or other structure is damaged more than 50 percent of its market value by fire, tornado or another disaster, the property owner would be allowed to rebuild, but not increase the size of a home or cabin in the same space. If there is room to conform to setback requirements, the new structure would be relocated on the lot to meet the standards.

— S. HEGARTY

Zoo seeks clean water funds

The Minnesota Zoo is requesting \$1.5 million from the state's Clean Water Fund to permanently improve the water quality of its central lake, which serves as a breeding ground for trumpeter swans.

HF2066, sponsored by Rep. Tara Mack (R-Apple Valley), would appropriate the money to make drainage improvements caused by "classic urban runoff," Zoo Director Lee Ehmke told the House Environment and Natural Resources Finance Division March 31.

The bill was laid over for possible consideration for Clean Water Fund usage. That recommendation is to be sent to the House Cultural and Outdoor Resources Finance Division.

A companion, SF1944 sponsored by Sen. Jim Carlson (DFL-Eagan), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

The zoo proposes to work with students from the adjacent School of Environmental Studies to help monitor the lake's water quality. The plan also includes the planting of native vegetation and reuse of storm water runoff for irrigation purposes.

Ehmke said zoo attendance, which reached 1.2 million guests in 2008, is ahead of projected goals, due in large part to recent state capital investments that paid for new exhibits, such as Russia's Grizzly Coast. The grizzly exhibit incorporated an irrigation system that zoo officials would like to replicate in other areas.

— S. HEGARTY

GAMBLING

No recession for state lottery

Despite the recession, Minnesotans are still buying lottery tickets.

Don Feeney, Minnesota State Lottery research and planning director, told members

of the House State Government Finance Division on March 31 that the lottery is on track to break records this year, both for ticket sales and for profits to the state.

"This is unusual. This is not the case for most of the country," Feeney said, adding that lottery officials are not exactly sure why Minnesota's ticket sales are up at a time that many other state lottery sales are declining.

By the end of the current fiscal year, Minnesota is expected to sell \$483 million worth of lottery tickets and collect \$122 million in state revenues. Feeney also predicted that Minnesota would see its lottery sales and revenues increase in both years of the coming biennium.

Under state law, 60 percent of net proceeds from the lottery go into the state's General Fund, and the other 40 percent go into the Environment and Natural Resources Trust Fund. In addition, lottery ticket sales generate in-lieu-of-sales tax revenue to the state, with 36 percent going to the game and fish fund, 36 percent to the natural resources fund and 28 percent to the General Fund. Last year, these combined lottery revenues generated \$116 million for the state.

— N. BUSSE

HUMAN SERVICES

Youth violence prevention

Combating youth violence with a public health perspective is the focus of a bill approved April 1 by the House Health Care and Human Services Policy and Oversight Committee.

HF1328, sponsored by Rep. Paul Thissen (DFL-Mpls), would require the health commissioner to collaborate with other departments to identify five community-based violence prevention programs that work to: create connections between at-risk youth and trusted adults; intervene at the first signs a youth is at risk; and rehabilitate youth who have been involved in violence.

The programs would need to work with schools to keep students engaged and help prepare them for higher education and job training; teach self-respect and respect of others; provide mentorship and job placement; and parent and family intervention while teaching parenting skills.

The bill now goes to the House Finance Committee. A companion, SF1235, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Health and Human Services Budget Division.

Minneapolis Mayor R.T. Rybak said the city has seen a decrease in youth violence by instituting a similar program. Eighty percent of the children picked up for curfew

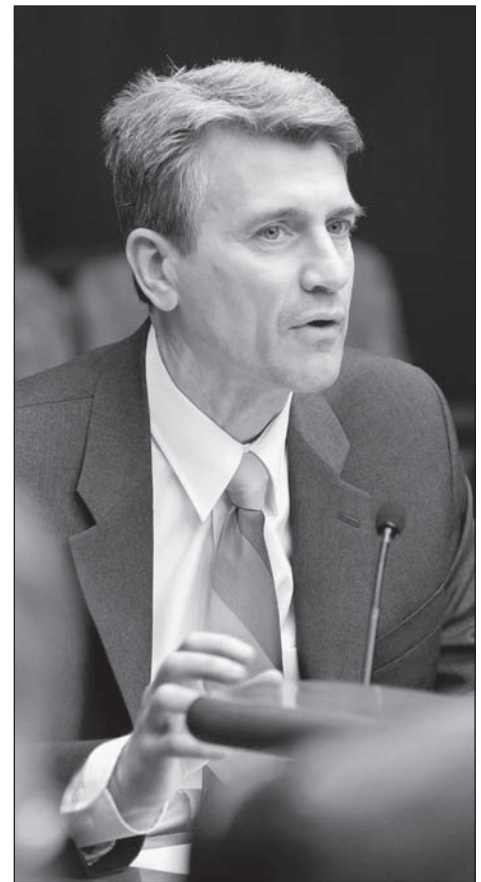


PHOTO BY ANDREW VONBANK

Minneapolis Mayor R. T. Rybak testifies April 1 before the House Health Care and Human Services Policy and Oversight Committee in support of a bill that would address youth violence as a public health problem, and coordinate and align prevention and intervention programs addressing risk factors of youth violence.

and truancy don't return to their centers, he said.

The public health approach means, "if you're involved in public health, you don't just bandage the wound, you try and understand how it got there in the first place," Rybak said.

"It is important that we have a coordinated system that addresses youth violence," Rep. Jeff Hayden (DFL-Mpls). "It affects us all," he added.

— P. OSTBERG

Related conditions expanded

Fetal alcohol spectrum disorder could be added to the list of related conditions that would qualify for Medical Assistance under disabled children's services.

HF581, sponsored by Rep. Larry Hosch (DFL-St. Joseph), would add the disorder to the list of others currently defined as related conditions, such as cerebral palsy, epilepsy, autism and Prader-Willi syndrome.

The bill was approved March 26 by the House Health Care and Human Services

Policy and Oversight Committee and sent to the House floor. A companion, SF501, sponsored by Sen. Ann Lynch (DFL-Rochester), awaits action by the full Senate.

The change would only qualify those if other eligibility requirements are met and would bring more awareness to the condition, Hosch said.

Sara Messelt, executive director of the Minnesota Organization on Fetal Alcohol Syndrome, said the bill would give credibility to those with FASD and would cause social workers to give it a second look as a disability. About 8,500 babies a year are born in Minnesota with the incurable disorder, she said.

— P. OSTBERG

HUMANITIES

Cultural group funding proposed

Several cultural organizations have a better idea of what their budgets might look like now that a \$142.8 million omnibus bill has been introduced.

Sponsored by Rep. Mary Murphy (DFL-Hermantown), HF2229 would provide money to the Minnesota Public Facilities Authority, Minnesota Historical Society, Science Museum of Minnesota and others. The funds expected from the Legacy Amendment — the three-eighths of 1 percent sales tax increase passed by state voters last November — are expected to come forward in the next few weeks.

“Our task was not an easy one,” Murphy said April 1 during the House Cultural and Outdoor Resources Finance Division, which she chairs. “It’s not what we all wished for, but it’s the reality of the day.”

While cuts were made in almost every area, some were not cut as much as in the governor’s budget proposal.

Things of note for the 2010-11 biennium include:

- \$45.3 million for the Minnesota Historical Society, which Murphy said is a 7.15 percent reduction;
- \$33.2 million for public libraries;
- \$20.6 million for Explore Minnesota Tourism, including money for the Snowbate film program;
- \$19.06 million for the Arts Board, which includes money for grants and art councils;
- \$3.9 million for public broadcasting, which includes public television and Minnesota Public Radio; and
- \$2.37 million for the Science Museum of Minnesota.

Amendments to the bill are scheduled to be heard April 6. There is no Senate companion.

— S. HEGMAN

LAW

Increased court costs possible

Representatives of the state’s judicial system have warned lawmakers about possible court closures, service reductions and other consequences of budget reductions.

Rep. Debra Hilstrom (DFL-Brooklyn Center) has offered a quartet of bills that could help alleviate funding concerns. The House Public Safety Finance Division held each over March 31 for possible omnibus bill inclusion.

“There will be fee increases. I’m quite sure of that,” said Rep. Michael Paymar (DFL-St. Paul), the division chairman. “It’s just the amount that hopefully we can all live with.”

To use the governor’s terminology, Hilstrom said she was offering some “revenue enhancers” that the division could choose from when compiling its omnibus bill. “I went to the courts and asked, ‘How much would this raise?’” She noted the governor signed a 2003 law that contained court fee increases.

In addition to the regular court filing fee, HF1540 would impose a \$1 per page charge on many court papers, including: initial documents filed in a civil action or marriage dissolution; certified copies from a civil or criminal proceeding; motion papers in a civil, family or guardianship case; and a judgment transcript. Proceeds would go into a special revenue fund appropriated to the Supreme Court.

Based on page counts from eight counties, the bill could bring in an additional \$3.98 million in fiscal year 2010 and \$5.31 million in each of the three ensuing fiscal years.

Rep. Paul Kohls (R-Victoria) does not oppose having court users contribute to operating costs; however, he is concerned that increased fees could hurt people with fewer resources.

“If I’m litigating a case, I could decide not to vigorously defend my client and only put in a four-page response to the plaintiff’s 25-page summary judgment motion with 400 pages of exhibits. I’m not sure I’d be doing a good job as a lawyer.”

The other bills offered are:

- HF1541, which would amend court filing fees and criminal surcharge amounts;
- HF1542, which would assess a \$50 public defender fee on all licensed attorneys, with the estimated \$1.6 million raised used to help fund public defenders; and
- HF1578, which would raise the public defender co-pay from the current \$28 to an unspecified amount. Hilstrom said doubling the amount would bring in about \$450,000 annually.

Sen. Leo Foley (DFL-Coon Rapids) sponsors companions (SF1786, SF1791 and SF1785) to the first three bills, while the public defender bill has no companion. The trio is included in an omnibus public safety bill, SF2018, sponsored by Sen. Mee Moua (DFL-St. Paul). It awaits action by the Senate Finance Committee.

— M. COOK

Partner wrongful death actions

Rep. Steve Simon (DFL-St. Louis Park) is trying to make more people eligible for an award when a loved one is wrongfully killed.

He sponsors HF1494, which would permit some domestic partners to be the beneficiary of a damage award resulting from a wrongful death suit.

“Right now, if a legally recognized spouse is wrongfully killed, like in a car accident, the surviving spouse can sue the person responsible and recover expenses, medical expenses, funeral expenses, etc,” Simon said. “This bill just updates and modernizes the law to provide same sex couples to recover costs after a wrongful death.”

However, Rep. Melissa Hortman (DFL-Brooklyn Park) successfully amended the bill to remove same sex domestic partners so the Legislature is “not creating a new equal protection problem to replace the existing equal protection problem we have in law.” The bill was approved March 27 by the House Civil Justice Committee and sent to the House floor.

Under the bill, domestic partners include people who:

- are adults and mentally competent to enter into legally binding contracts;
- have assumed responsibility for each other’s basic common welfare, financial obligations and well-being;
- permanently share a common domicile and primary residence with each other;
- have a committed interdependent relationship with each other, intend to continue that relationship indefinitely and do not have this type of relationship with any other person; and
- are not married to another person and have not entered into a domestic partnership arrangement that is currently in effect.

A companion, SF1321, sponsored by Sen. Linda Higgins (DFL-Mpls), has been incorporated into SF341, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth). It awaits action by the full Senate.

— M. COOK

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LOCAL GOVERNMENT

Mandate relief package

Local governments would have fewer state mandates to worry about under a proposal approved by a House division.

HF1849, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park), would eliminate various minimum salary requirements for local governments and help them recover costs in certain circumstances.

Among the proposed changes are:

- providing two set times per year for new rules to take effect if they require local governments to change their ordinances;
- allowing towns to recover the full cost of employing “fence viewers” who help settle private land disputes;
- striking a \$10 cap on booking fees and allowing counties to recover the actual costs of booking;
- eliminating annual limits on the number of best-value contracts that may be entered into versus low-bid contracts;
- easing a requirement for counties to publish claims against them in local newspapers; and;
- removing minimum salary requirements for various county offices.

The House Local Government Division approved the bill March 30 and referred it to the House Finance Committee. Sen. Ann Rest (DFL-New Hope) sponsors the companion, SF1544, which awaits action by the Senate Rules and Administration Committee.

Rep. Ryan Winkler (DFL-Golden Valley) successfully amended the bill by removing a requirement that local governments report on their compliance with gender pay equity laws every five years instead of every three years. Opponents said the provision would send the wrong message about the importance of equal pay for male and female public employees. The provision was removed on a vote of 6-5.

Some of the bill’s provisions are also included in HF1195, sponsored by Rep. Morrie Lanning (R-Moorhead), which awaits action by the House Property and Local Sales Tax Division. That bill has no Senate companion.

— N. BUSSE

Rep. Roger Reinert (DFL-Duluth) sponsors HF938 that would allow state workers to apply to Minnesota Management and Budget for up to 40 hours of additional sick leave per year to receive treatment for veteran health issues.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill March 31 and referred it to the House State Government Finance Division.

Reinert said the issue was brought to him by a veteran who lives in Duluth and has to commute to the Twin Cities for treatments. The long drives force him to use more sick time than he has available, Reinert said.

Reinert added that the issue might grow more prevalent in coming years as state employees return from military service in Iraq and Afghanistan.

“There aren’t a lot of folks right now; it could be a growing issue though,” Reinert said, adding that MMB estimates the bill’s potential cost at approximately \$30,000 a year.

A companion, SF334, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), has been laid over for possible omnibus bill inclusion by the Senate State Government Budget Division.

— N. BUSSE

Medal recipients honored annually

**Signed
by
the
governor**

Minnesotans who have served in the United States military or naval forces and received the Congressional Medal of Honor will have their own day of honor.

A new law, signed April 1 by Gov. Tim Pawlenty, and effective the day after, designates March 25 as Medal of Honor Day in the state. On that date, the governor will issue a proclamation honoring this observance, which commemorates the issuing of the first medal on March 25, 1863.

The law is sponsored by Rep. Mike Obermueller (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan).

SF236*/HF433/CH8

— L. SCHUTZ

SAFETY

A day to honor fallen firefighters

Peace officers and members of the armed forces who lose their lives in the line of duty are honored on certain days of the year; now, firefighters might get their own day of remembrance.

Rep. Mike Obermueller (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan) sponsor HF422/SF237* that would designate the first Sunday

in October as Fallen Firefighters Memorial Day. The bill specifies that Minnesota and U.S. flags on the Capitol grounds must be flown at half-staff on that day.

Obermueller said there is currently a national day to honor fallen firefighters, but that there is some confusion about how it applies to Minnesota. The bill would establish Fallen Firefighters Memorial Day as an official holiday in the state.

“This seems to be a narrow group of people who haven’t been recognized the way we would like them to be,” Obermueller said.

The bill awaits action by the full House after being approved March 31 by the House State and Local Government Operations Reform, Technology and Elections Committee.

The Senate passed the bill 62-0 on March 9.

— N. BUSSE

Omnibus bill proposed

A House committee has approved changes to predatory offenders, crime victims, courts, licensing of drivers, public safety and corrections.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), HF1301 was approved, as amended, March 26 by the House Public Safety Policy and Oversight Committee. The omnibus public safety policy bill, which contains nearly three-dozen bills, awaits action by the full House.

The bill takes aim at registered predatory offenders by prohibiting those on intensive supervised release from accessing or using instant messaging, chat room or social networking Web sites that permit minors to participate.

“It also clarifies that the registration period for a predatory offender restarts if they are arrested for a new offense or determined to have violated probation or parole,” Hilstrom said.

Three provisions would assist crime victims.

Under the bill, a prosecutor would be required to provide victims of criminal sexual conduct with information on civil protection orders. The statute already applies to domestic assault and harassment victims. It also increases from 12 to 24 hours the time an officer may arrest a person who the officer has probable cause to believe committed domestic abuse and expands the ability of judicial districts to create domestic fatality review teams.

A potential highlight of the courts section is the establishment of criteria to determine public defender eligibility based on the person’s income and severity of the charge.

For a misdemeanor, a defendant could

MILITARY

Extra sick time for some veterans

State-employed veterans who suffer from a service-related disability might be able to apply for extra sick leave in some circumstances, under a bill approved by a House committee.

receive the aid of a public defender if their annual income does not exceed 150 percent of federal poverty guidelines. The percentages increase to 175 percent for a gross misdemeanor and 200 percent for a felony. Under current law, a person or their dependent residing in the same household who receives "means-tested government benefits" is eligible for a public defender.

"We want to make certain we give lawyers for free to those who really can't afford it, and those that can afford it pay," Hilstrom said.

Included in the public safety and corrections portion of the bill is:

- a prohibition on retailers from selling any toy designed primarily for use by children under age 12 that has been recalled for safety related reasons;
- officers could use forcible entry into a home to return an escaped juvenile to custody;
- a public employer would be barred from considering the criminal history of an employment applicant until the applicant has been selected for an interview;
- creation of a gross misdemeanor penalty for a person possessing a device or substance used to enhance an animal's ability to fight;
- a clarification that inmates convicted of assaulting a correctional officer must serve their additional sentence consecutively, not concurrently; and
- an amending of the trespass law to include entering any public or private area lawfully cordoned off by a peace officer.

What's in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus public safety policy bill:

HF130 – Bigham
HF145 – Hilstrom
HF166 – Sanders
HF509 – Hilstrom
HF1021 – Kelly
HF1043 – Johnson
HF1273 – Rosenthal

— M. Cook

TAXES

Green Acres awaits signature

Awaiting action by the governor is a conference committee report that would update federal tax conformity and make changes to the Green Acres program.

The report on HF392, sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Tom Bakk (DFL-Cook), was passed 130-3 by the House March 30 and 59-5 by the Senate April 1.

"I think we have a good compromise here," said Rep. Paul Marquart (DFL-Dilworth).

"We think this program is better than what we currently have in place."

In 2008, the Green Acres law was modified by changing the definition of land allowed in the program. As approved by the conference committee, the Green Acres program would now institute a rural preserve program, in which land could be placed if it is classified as "rural vacant land." If signed into law, the Green Acres changes would not take effect until 2011.

"Rural preserve is a 10-year covenant which runs with the land, not the person," said Rep. Al Juhnke (DFL-Willmar). This addressed one of many concerns of selling or transferring land which would have been subject to a back tax payback. To qualify for rural preserve, a conservation plan must be written. The covenant provision would take effect in 2013, which means people have until then to make a decision on what to do with the land.

But some members still didn't think the new changes went far enough.

Rep. Rob Eastlund (R-Isanti) said while the changes are an improvement over last year's changes, he was still disappointed.

"This is coming from the Senate," he said. "You took what the Senate brought forward and modified it a little. It's not the outcome I'd hoped for and not what most people would have liked to have seen. It doesn't address the real issue, the need to take pressure off our farmers."

Lenczewski said since the changes wouldn't take effect until 2011, there would still be time to make other changes, but that something on the issue had to be done now and this was the compromise.

The federal tax conformity portion of the bill includes most changes implemented between February 2008 and Dec. 31, 2008.

Things that were removed are: a teacher classroom deduction and a provision that would prevent the governor from appointing anyone who has been convicted of a criminal violation of a federal or state tax or revenue law.

— S. HEGMAN

Commission advice becomes a bill

Expanding the state's sales tax to necessities could become reality after a report from the Governor's 21st Century Tax Reform Commission.

A result of the commission's report is HF2263, sponsored by Rep. Ann Lenczewski (DFL-Bloomington). The 15-member commission, appointed last year by Gov. Tim Pawlenty, reported its recommendations to the House Taxes Committee April 1. No action was taken.

Based on those recommendations, the bill would raise cigarette taxes by as much as \$1 a pack and expand the state's 6.5 percent sales tax to items like clothing, baby products, textbooks, caskets and burial vaults.

The additional sales tax would help offset almost \$1 billion in business tax cuts. Aimed at making Minnesota more competitive, the corporate income tax would be repealed and businesses would be offered other tax credits and exemptions.

Commission member John Spry, a University of St. Thomas business professor, said business taxes are inefficient and ultimately paid by consumers. He said consumers would be helped more by a healthy business climate.

"I'm smart enough to know that when you put 13 business people on a committee to figure out what to do with taxes, it's going to come out with, 'Cut business taxes,'" said



PHOTO BY ANDREW VONBANK

Rep. Paul Marquart, back to camera, answers a question from Rep. Paul Anderson during the March 30 floor debate on the Green Acres bill.

Rep. Tom Rukavina (DFL-Virginia). “You’re hammering unfairly with sales tax increases and cigarette tax increases on the very people who are paying a very disproportionate share of their income.”

According to the Department of Revenue, the bill would guarantee revenue neutrality by adjusting that state’s sale tax rates. Both the 6.5 percent general sales and the constitutionally dedicated three-eighths of 1 percent sales tax rate added last November would have to be adjusted to maintain revenue neutrality, based on projected revenue changes in fiscal year 2011. Based on preliminary estimates, the rates would fall to 6.387 percent and 0.311 percent, respectively, to put the combined sales tax rate at 6.698 percent. The constitutional amendment allows its dedicated sales tax to be adjusted in a revenue-neutral way for changes in the tax base.

There is no Senate companion.

—S. HEGMAN

TRANSPORTATION

Omnibus policy bill approved

A bill that its sponsor said could be a “world-record small transportation omnibus bill” was given a green light by a House division.

Sponsored by Rep. Frank Hornstein (DFL-Mpls), HF928 was amended and approved March 27 by the House Transportation and Transit Policy and Oversight Division. It now goes to the House Transportation Finance and Policy Division.

Just five bills, which Hornstein said, “had no controversy attached to them,” were included in the original proposal:

- HF570, sponsored by Rep. Bobby Joe Champion (DFL-Mpls), which would prohibit certain acts at rest stops, including improper trash disposal and consuming or possessing open containers of alcohol;
- HF1088, sponsored by Rep. Marsha Swails (DFL-Woodbury), which would conform commercial driver’s license recordkeeping to federal standards;
- HF1191, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), which would broaden the capability of the Metropolitan Council to make loans to local governments to purchase homestead property in anticipation of a trunk highway project;
- HF1464, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park), which would add two members from labor organizations involved in freight and commuter rail lines to a Transportation Department committee that provides commuter rail advice; and
- HF1672, sponsored by Rep. Jim Davnie (DFL-Mpls), which would prohibit driving

into an intersection until the vehicle can move completely through without blocking cross-traffic.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF1246 was amended to the bill on an 8-6 vote.

Often referred to as an expansion of the “Dimler amendment,” it would keep tickets for going up to 10 mph over the speed limit in a 55 mph or 60 mph zone off a person’s driving record. Currently that is only the case at 55 mph.

“This would change one thing — how speeding is recorded, and thus how much insurance companies charge on their premiums,” Urdahl said.

Opponents said that it would encourage speeding and aggressive driving.

State Patrol Maj. Michele Tuchner also countered Urdahl’s assertion that it would reduce the number of court cases.

“I would argue that it would actually increase the number of court trials because more people would attempt to go to court to get it pled down to an Urdahl, instead of a Dimler.”

— M. COOK

Governor approves federal dollar use

Signed
by
the
governor

The Department of Transportation can spend potential federal economic stimulus dollars.

Signed April 1 by Gov. Tim Pawlenty, and effective the next day, a new law will create a standing appropriation for MnDOT to spend any initial or future funds. Hundreds of millions of federal dollars are expected to be Minnesota bound for transportation purposes. The law expires June 30, 2013.

MnDOT officials said the law allows them to spend stimulus money even when the Legislature is not in session. Current statute prohibits the department from spending money without legislative approval.

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Steve Murphy (DFL-Red Wing), the law also requires compliance with all federal requirements for the aid; orders department officials to “make every reasonable effort to seek and utilize” all funding available; permits no more than 17 percent of funds to be used for program delivery, such as engineering, right-of-way acquisition or environmental assessments; and deletes a state match for any aeronautics projects. Current state law requires a 20 percent local match for aeronautic projects.

HF1797*/SF1511/CH9

— M. COOK

Primary seat belt OK’d

Safety versus personal choice is again the common theme for supporters and opponents of a bill that would require all riders in a passenger vehicle to wear a seat belt, and extends the seat belt law to drivers and passengers of commuter vans, type III school buses and type III Head Start buses.

Drivers would be fined \$25 for each person under age 15 violating the seat belt use requirement. However, the \$75 surcharge statutorily put on criminal and traffic offenders would be reduced to \$25.

Cheri Marti, director of the Department of Public Safety’s Office of Traffic Safety, said states with a primary seat belt law have seen a citation increase, thereby offsetting some costs.

Sponsored by Rep. Kim Norton (DFL-Rochester), HF108 would also allow primary enforcement of the seat belt law, meaning a motorist can be stopped for the violation. Currently, a motorist must be stopped for another offense to be issued a no seat belt citation. People ages 11 and up can now ride in a back seat unbuckled.

Approved 10-9 by the House Transportation Finance and Policy Division March 31, and 9-6 by the House Public Safety Policy and Oversight Committee April 2, it awaits action by the House Finance Committee. A companion, SF42, sponsored by Sen. Steve Murphy (DFL-Red Wing), has been approved by two Senate committees and two divisions. It awaits action by the Senate Finance Committee.

Division testimony was limited to financial implications of the bill, although a couple of supporters did mention safety aspects.

“This will be fiscally responsible and it will save lives,” said St. Paul Police Chief John Harrington. There are about 200 unbelted deaths on state roads each year, with another 430 people suffering serious, life-altering injuries.

In addition to the state receiving \$3.4 million in federal funding for transportation safety programs, supporters said passing the bill would save \$11 million per year in hospital-related costs beginning next year.

Norton said a study using 2004-05 crash data showed that unbelted victims have hospital costs that are 60 percent greater than belted victims. “Taxpayers pay for those. Government resources, including Medicaid, were charged \$42 million a year for unbelted hospital charges in the years covered by that study.” She said the numbers do not include costs of outpatient treatment, specialists, follow-up care, rehabilitation or assisted-living care.

— M. COOK

Hopeful education goals in a dismal year

Omnibus bill addresses changing needs and future demands

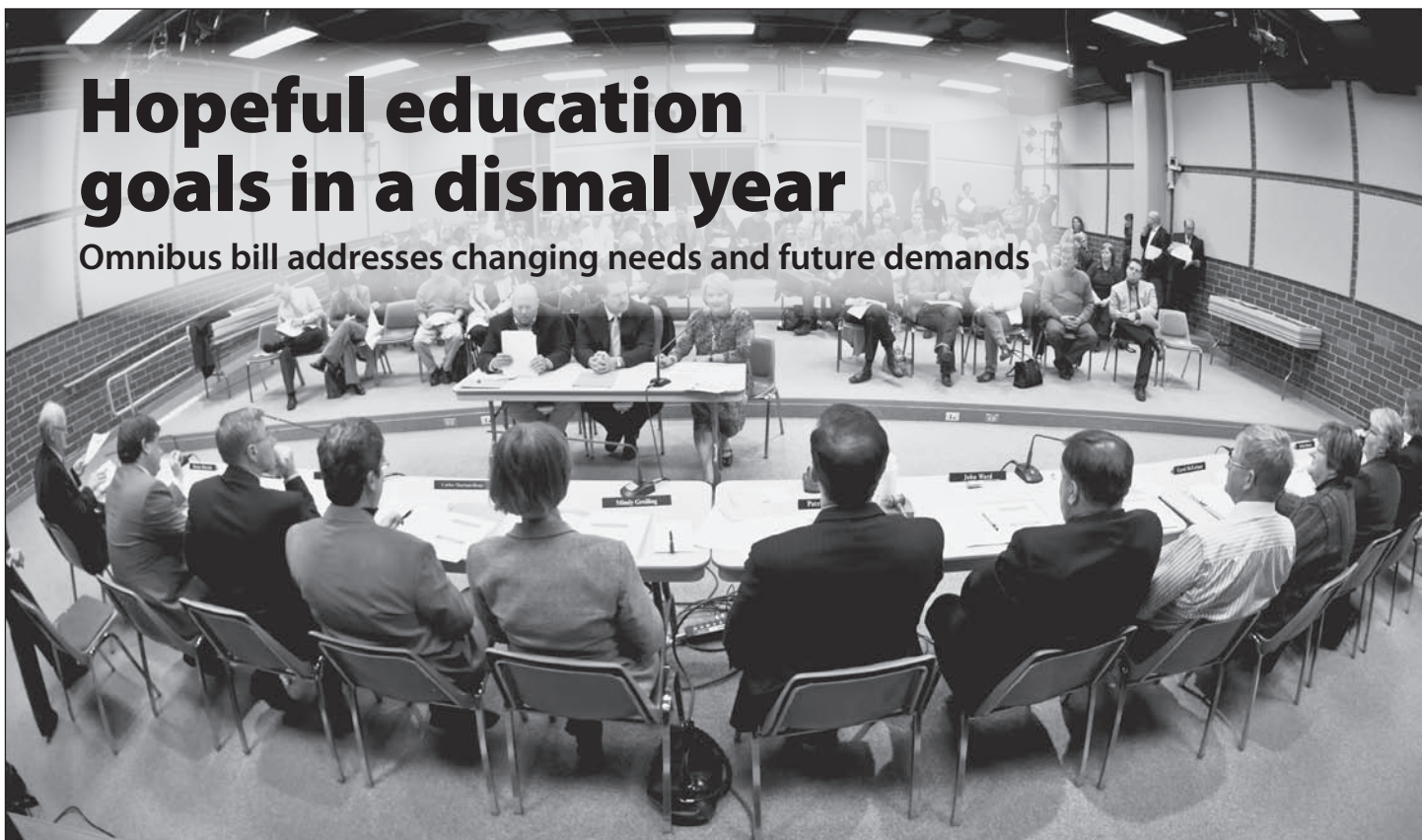


PHOTO BY TOM OLMSCHIED

Members of the House K-12 Education Finance Division listen to testimony from Farmington Schools Finance Director Jeff Priess, from left, Superintendent Brad Meeks and Assistant Superintendent Christine Weymouth during a March 31 hearing at the Farmington High School Little Theater. The division went on the road to discuss education funding in growing school districts.

By KRIS BERGGREN

In this dismal budget year, the House K-12 Education Policy and Oversight Committee crafted its omnibus bill with an eye to a more robust future.

Committee Chairman Rep. Carlos Mariani (DFL-St. Paul), who sponsors HF1179, said the state's changing economy characterized by new energy technologies, globalization and changing demographics "begs for us to deliver science, math, language and cross-cultural competencies in new ways with all kids, not just those who are already performing well."

The committee approved the bill March 26. After adopting some amendments, the House K-12 Education Finance Division laid the bill over April 1 for possible inclusion in its omnibus bill.

Incentive for innovation

The bill proposes "incentive revenue" for school districts to accomplish those goals. Starting in fiscal years 2014-2015, they would be required to use 5 percent of any increased basic revenue for research-based practices or curriculum shown to improve learning across the student spectrum. Mariani knows it's an unusual action and that there won't be extra revenue this year.

"For me it really has more to do with the policy of placing expectations. We're not going to simply put more money into K-12, we're going to drive new policy that attempts

to catch up with the changing nature of our student demographic and the changing demands of our economy."

Calming testing anxiety

Lots of time and money is invested in testing, such as the Minnesota Comprehensive Assessment series. Such "snapshot" tests capture some useful data, including performance in a given year in a school or within a certain group or grade of students and create system-wide benchmarks, but other kinds of assessments capture data that's more useful to classroom teachers.

Proposed is a five-year grace period on the math Graduation Required Assessment for Diploma and an alternative path to graduation for the projected 38 percent of 11th graders who could fail the math GRAD they're scheduled to take this month. That would buy time for lawmakers to study the value of high

Education continued on page 23

Innovating property taxes

House division chair takes a stab at reform

By SONJA HEGMAN

Preaching on the platform of reform, Rep. Paul Marquart (DFL-Dilworth) said his plan to solve the state's property tax system might take a "leap of faith."

"We can't go down the same road again," said the House Property and Local Sales Tax Division chairman. "I don't see this getting better any time soon, and we can't keep shifting taxes and using one-time money."

Marquart presented his division's report, HF2020, March 30, March 31 and April 1. Approved by the division, it now moves to the House Taxes Committee where it will be considered for the omnibus tax bill. It has no Senate companion.

"This (report) has little or no property tax increases," Marquart said. "I think taxpayers are going to breathe a sigh of relief."

"You did significant bold reform," said Rep. Ann Lenczewski (DFL-Bloomington), House Taxes Committee chairwoman. "This is a plan that survives."

But with \$250 million in aid cuts, some might not like the plan.

"Cities and counties don't want this to happen to them," Lenczewski said. "They are in a really tough spot and expected to do heavy lifting for the state. We don't want to make cuts, but I think there's been an effort to create flexibility."

Among other things, local government aid and county program aid growth appropriations would be frozen at amounts paid in 2009.

Local option sales tax

In March, Marquart came forward with a plan to give counties a revenue option to offset cuts to county aid. The provision, included in the division report, would give counties the option to impose a half-cent local option sales tax.

"Counties will have to take a serious look at their revenue options. We have too many long-

term things working against us," he said.

Lenczewski has said this would be part of the foundation for the omnibus tax bill.

This portion of the bill would raise more than \$100 million this biennium and \$200 million next biennium. It would save some state cuts anticipated to local government aid, which is often used to pay for essential services, like police.

"I still have heartburn about the local option sales taxes," said Rep. Morrie Lanning (R-Moorhead). "There's no perfect solution to what we're facing. I look forward to discussions on this in the tax committee."

The half-cent sales tax option could be adopted by a majority vote of a county's commissioners.

The tax could be overturned in a countywide referendum that would take place if the greater of 10 percent of the county's registered voters or 500 people called for one. This is a change from the 5 percent and 300 people in the original draft of the bill.

Currently there are 23 cities with a local option sales tax. Any cities in counties that passed the half-cent increase would lose their local option sales tax, Marquart said. Counties would then be obligated to fund projects that had been funded through the city tax. Only three cities could be exempted from the elimination: Minneapolis, St. Paul and Duluth.

Counties that impose the tax would not be able to levy back cuts to county aid through property taxes, unlike counties that do not impose sales tax.

Marquart said that 26 other states allow this authority for counties and 20 states have a higher sales tax than Minnesota.

Working groups

Marquart created three working groups to focus on mandate relief, measuring the performance standards of local governments and creating benchmarks for evaluating property tax proposals.

Three bills were drafted from the working group meetings and are included in the report.

HF1195, sponsored by Lanning, would, among other things, eliminate property tax levy limits, impose a two-year moratorium on new maintenance of effort (MOE) requirements on local governments, and provide a mechanism for cities and counties to reduce their library spending MOE requirement. It would also establish a Legislative Commission on Mandate Reform to make recommendations to the Legislature on reforming or eliminating other local government mandates. It would expire in 2013. It has no Senate companion.

HF1201, sponsored by Marquart, would establish a Council on Local Results and Innovation to develop minimum standards for measuring the performance of local governments. The council would be charged with establishing approximately 10 measures to evaluate efficiency and effectiveness. The


"This (report) has little or no property tax increases. I think taxpayers are going to breathe a sigh of relief."

— Rep. Paul Marquart



standards would be voluntary; however, cities and counties that choose to adopt them would be eligible for per capita reimbursements and be exempted from levy limits and truth-in-taxation hearing requirements.

A companion, SF1603, sponsored by Sen. Rod Skoe (DFL-Clearbrook), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Rep. Denise Dittrich (DFL-Champlin) sponsors HF1261, which would create benchmarks, critical indicators and principles for legislators to use when evaluating property tax proposals. It would also establish a property tax working group. There is no Senate companion. 

Making technology accessible

Lawmakers want to open state Web sites to individuals who are deaf, blind or hard-of-hearing

By Nick Busse

Rep. Torrey Westrom (R-Elbow Lake) knows how frustrating it can be trying to access government information.

Westrom, who lost his eyesight in a 1987 car incident, uses his computer to read documents via software that converts text into speech. He can often be seen around the Capitol complex wearing a pair of headphones, using his laptop to read bills, answer e-mails and perform other routine legislative tasks.

While such accessibility software is becoming increasingly commonplace, the state's information technology systems are often not compatible with it. As a result, even Westrom, an elected official who works every day in the bustling nerve center of state government, has a difficult time accessing state Web sites, documents and other electronic media.

This year, Westrom co-sponsors a bill that he hopes will fix the problem and help open government information to a whole new audience.

HF1744, sponsored by Rep. Bill Hilty (DFL-Finlayson), would ask the Office of Enterprise Technology to develop a set of technology accessibility standards for the state. The goal is to ensure that future purchases of state computer hardware, software and other products are compatible with the latest accessibility software, such as text-to-speech programs.

"This doesn't have to be a costly measure," Westrom said. "It just has to be a procedure that we start adopting on the front end rather than asking afterwards, 'Oh, well how do we make this accessible for those that need accessible speech?'"

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill April 1 and referred it to the House Finance Committee.

A companion, SF1600, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate State Government Budget Division.

The standards proposed in the bill wouldn't just be a boon to blind individuals; deaf people would benefit as well.

Sean Virnig, a school administrator and the founder of Northfield-based Rawland Cycles, said almost none of the videos available on state Web sites have been captioned. As a result, Virnig,

who is deaf, is unable to access recordings of legislative committee hearings, Supreme Court proceedings and other materials.

"Any obstacles along the way... can leave people with disabilities discouraged and unable to reap the benefits that e-government has to offer," Virnig said, speaking through a sign-language interpreter. He added that accessibility standards would have benefits for non-disabled individuals as well, including forcing state Web sites to properly organize their content.



Likewise, Chris Bell, a board member of the American Council of the Blind of Minnesota, said the state's aging population will likely benefit in coming years from the use of technology that enables people with hearing and vision problems to better access information.

Some state officials are concerned about the financial implications of any accessibility standards, however. John Lally, OET planning director, said that while his office supports the intent of the bill, they are concerned that the implementation cost could be "astronomical."

Depending on how the bill's language is interpreted, Lally said state IT staff might end up having to look "screen by screen" at every computer and software application in state government to determine whether it is in compliance with the standards — something OET doesn't have the staff to do.

"The intent is, I think, admirable. ... But creating an impossible standard for us to follow does not make sense," Lally said.

"This doesn't have to be a costly measure. It just has to be a procedure that we start adopting on the front end rather than asking afterwards, 'Oh, well how do we make this accessible for those that need accessible speech?'"

— Rep. Torrey Westrom

Of particular concern is the possibility that OET would have to analyze systems the state is currently using and make them retroactively compatible with the standards. Lally said this would be impossible

with many of the state's aging software applications.

Mary Hartnett, executive director of the Commission of Deaf, DeafBlind and Hard of Hearing Minnesotans, rejected that possibility. Noting that the bill provides for the standards to be set by a new advisory committee that includes the state's chief information officer, Hartnett argued OET would play a role in setting the standards, and could shape them in a way that places no undue burden on the state. 🏛️

Monday, March 30

HF2203-Clark (DFL)

State & Local Government Operations Reform, Technology & Elections

Landlords prohibited from limiting posting of campaign material in the window of a tenant's residence.

HF2204-Marquart (DFL)

Taxes

Property tax refund enhanced and market value homestead credit reduced.

HF2205-Hansen (DFL)

Public Safety Policy & Oversight

South St. Paul; Special School District No. 6 authorized to contract with South Metro Fire Department for fire inspection services.

HF2206-Lieder (DFL)

Transportation & Transit Policy & Oversight Division

Rehabilitation requirements specified for certain repeat impaired driving offenders as a condition for a limited license to drive to work.

HF2207-Lieder (DFL)

Transportation & Transit Policy & Oversight Division

Waiting period specified for issuance of a limited license following a non-driving violation of the no alcohol requirement of a conditional driver's license.

HF2208-Hilstrom (DFL)

Taxes

Tax increment financing district limitations amended.

HF2209-Fritz (DFL)

Taxes

Faribault; wastewater treatment facility construction materials sales tax exemption provided.

HF2210-Smith (R)

Finance

Westonka; ISD 277 energy efficiency funding provided.

HF2211-Persell (DFL)

Finance

Beltrami County; jail energy-efficiency improvements funding provided.

HF2212-Doepke (R)

Finance

Three Rivers Park District; Dakota Rail Regional Trail grant funding provided.

HF2213-Howes (R)

Environment Policy & Oversight

Permit requirements and fees modified for fishing contest permits.

HF2214-Abeler (R)

Finance

Facilitated postsecondary enrollment options pilot program established.

HF2215-Abeler (R)

Finance

Anoka County; Trunk Highway 47 maintenance authorized.

HF2216-Abeler (R)

Finance

Anoka County; local match to federal aid funding provided for adding a lane to a portion of Trunk Highway 10.

HF2217-Dill (DFL)

Taxes

Cook County; local sales and use tax and bonding authority limit for certain projects modified.

HF2218-Kahn (DFL)

Taxes

Sales and use tax exemptions modified to include event souvenir clothing.

HF2219-Loon (R)

Taxes

Tax credit provided for certain health insurance premiums.

HF2220-Abeler (R)

Finance

Commuter rail extension between Minneapolis and St. Paul feasibility study required.

HF2221-McNamara (R)

Environment Policy & Oversight

Bow fishing to take rough fish restrictions modified.

HF2222-Davids (R)

Finance

Caledonia; Trunk Highway 76 interchange funding provided.

HF2223-Davids (R)

Finance

Caledonia; sewer line design and construction funding provided.

HF2224-Marquart (DFL)

Finance

School district authority modified to issue and sell certain general obligation bonds without voter approval, and levy authorized for certain other postemployment benefits.

HF2225-Solberg (DFL)

Finance

St. Paul; Hibbing; Grand Rapids; progressive development and employment opportunities grant funding provided.

HF2226-Haws (DFL)

Finance

Local government units encouraged to participate in inter-local service sharing agreements in the delivery of public safety services.

HF2227-Hilty (DFL)

State & Local Government Operations Reform, Technology & Elections

Board of Innovation reestablished; board powers and duties imposed.

HF2228-Ward (DFL)

Health Care & Human Services Policy & Oversight

Information displayed prior to an abortion established, wrongful death action added, and civil and criminal penalties provided.

HF2229-Murphy, M. (DFL)

Finance

Library funding provided from General Fund.

HF2230-Murphy, M. (DFL)

Finance

Low referendum districts funding increased.

HF2231-Nelson (DFL)

Transportation & Transit Policy & Oversight Division

Road authorities allowed to remove snow from certain roads in uncompleted subdivisions.

HF2232-Carlson (DFL)

Finance

Minnesota Planetarium appropriation extended.

HF2233-Clark (DFL)

Civil Justice

Stay of mortgage foreclosure proceedings allowed under conditions and tenant rights of foreclosed property provided.

HF2234-Dittrich (DFL)

Taxes

Seasonal-recreational land leased.

HF2235-Clark (DFL)

Finance

Drinking water source protection funding provided.

HF2236-Sertich (DFL)

Finance

Chisholm-Hibbing Airport improvement funding provided.

HF2237-Hosch (DFL)

Commerce & Labor

Residential construction board authorized to establish a subcommittee on continuing education, compensation of subcommittee members provided, course approval requirements changed, approval allowed after courses are commenced or completed, online courses authorized and fees changed.

HF2238-Hosch (DFL)

Agriculture, Rural Economies & Veterans Affairs

Veteran preference in hiring and dismissal from state and local government employment expanded by applying current veterans' preference law to teachers.

HF2239-Garofalo (R)

Finance

General education revenue increased by \$51 per pupil unit, state reimbursement increased for school lunch meals from 12 to 18 cents per meal, aid portion of integration revenue eliminated and school desegregation rule repealed.

HF2240-Garofalo (R)**Taxes**

Application date changed to the metropolitan agricultural preserve program.

HF2241-Hansen (DFL)**Finance**

Environmentally responsible arts education projects funding provided.

HF2242-Dill (DFL)**Environment Policy & Oversight**

Seizure and forfeiture of certain off-highway vehicles provided, operating restrictions modified for all-terrain vehicles and criminal penalties provided.

HF2243-Clark (DFL)**Health Care & Human Services Policy & Oversight**

Minnesota Legislature memorialized to support smoking cessation efforts among native people.

Wednesday, April 1

HF2244-Davids (R)**Civil Justice**

Deceased professional's surviving spouse permitted to retain ownership of a professional firm that was solely owned by the decedent for up to one year after the death.

HF2245-Bunn (DFL)**State & Local Government Operations Reform, Technology & Elections**

Study of inclusion of school district employees in the state employee's group insurance plan by the commissioner of finance required.

HF2246-Reinert (DFL)**State & Local Government Operations Reform, Technology & Elections**

Dog park matching grant program established.

HF2247-Hilstrom (DFL)**Finance**

Homelessness prevention and safer homes and neighborhoods accounts established and report required.

HF2248-Dill (DFL)**Finance**

Environment and natural resources funding provided.

HF2249-Scalze (DFL)**Finance**

Metropolitan regional parks funding provided.

HF2250-Murphy, M. (DFL)**Commerce & Labor**

Carlton County; Thomson Township wine and malt liquor license issuance authorized.

HF2251-Solberg (DFL)**Finance**

Federal stimulus oversight funding allocated for certain state agencies.

HF2252-Dean (R)**Finance**

Commissioner of transportation directed to construct paved apron at certain intersections.

HF2253-Dill (DFL)**Taxes**

Lawful gambling tax provisions modified.

HF2254-Doty (DFL)**Taxes**

Little Falls; food and beverage tax extended.

HF2255-Loeffler (DFL)**Finance**

Minneapolis; Sheridan Veterans Memorial Park on the Mississippi River funding provided.

HF2256-Laine (DFL)**Health Care & Human Services Policy & Oversight**

Health care availability and affordability guaranteed for every Minnesotan, Minnesota Health Plan, Health Board, Health Fund, Office of Health Quality and Planning, ombudsman for patient advocacy and inspector general for the Minnesota Health Plan established.

HF2257-Winkler (DFL)**State & Local Government Operations Reform, Technology & Elections**

State government duties assign relating to internal controls and internal auditing.

HF2258-Thissen (DFL)**Finance**

Complementary and alternative medicine demonstration project implementation required to provide integrated services to state health care program enrollees with neck and back problems; report required.

HF2259-Davids (R)**Finance**

Spring Grove; arts and education grant project provided.

HF2260-Clark (DFL)**Finance**

East Phillips Cultural and Community Center funding provided for a cultural fitness and wellness center.

HF2261-Dettmer (R)**K-12 Education Policy & Oversight**

Special education burden of proof adjusted in due process hearings.

HF2262-Loeffler (DFL)**Finance**

Forest protection funding provided for an invasive pest early detection system.

HF2263-Lenczewski (DFL)**Taxes**

The Governor's 21st Century Tax Reform Commission recommendations adopted; tax bases, credits and rates modified, and corporate franchise tax repealed.

HF2264-Persell (DFL)**Finance**

Deer River; regional community facility funding provided.

HF2265-Howes (R)**Finance**

Mississippi Headwaters Board funding provided.

HF2266-Reinert (DFL)**Finance**

Lake Superior Center Authority abolished and all assets related transferred to the facilities and operations of the Lake Superior Center to the Board of Regents of the University of Minnesota.

HF2267-Reinert (DFL)**Finance**

Duluth; Great Lakes Aquarium grant provided to pay debt.

HF2268-Mahoney (DFL)**Finance**

Ramsey County; chain of lakes master plan funding provided.

HF2269-Slawik (DFL)**Finance**

Words Work grant provided for early childhood literacy.

Thursday, April 2

HF2270-Downey (R)**State & Local Government Operations Reform, Technology & Elections**

Legislative Audit Commission and the commissioner of finance duties assigned relating to financial management and internal controls.

HF2271-Abeler (R)**Finance**

Health licensing boards funding provided.

HF2272-Davids (R)**Finance**

Ground fuel storage grant funding provided.

HF2273-Thao (DFL)**Health Care & Human Services Policy & Oversight**

Dental professional licensure provided.

HF2274-Lesch (DFL)**Taxes**

Film investment credit provided.

HF2275-Morgan (DFL)**Transportation & Transit Policy & Oversight Division**

Sioux Trail Transit Way designated and Metropolitan Council required to conduct Sioux Trail Transit Way feasibility study.

HF2276-Kelly (R)**Finance**

Lake City; ISD 813 funding provided for lighting and sound equipment.

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Education continued from page 18

stakes tests and to hammer out a long-term solution, such as end-of-course examinations, acceptable to all parties, including the governor, who opposes the alternative path.

Rep. Randy Demmer (R-Hayfield) unsuccessfully sought March 26 to strike the provision.

"I was concerned about us veering away from our resolve to get assessments of our kids that had meaning," Demmer said later. "I honestly believe that if we don't give tests meaning and purpose, make these tests high stakes, we're not going to get good data because students won't take them seriously."

The bill would also implement computer adaptive testing starting in the 2010-11 school year for grades 3-8, which uses interactive technology to adjust a test to the ability of the test taker and allows results

to be quickly used by a classroom teacher to identify and correct instructional gaps. The proposal could save school districts money by eliminating duplicative testing.

Schools could expand their use of growth model assessments, in addition to those measuring proficiency and yearly progress. Students would be measured against their own performance and growth between two or more points in time which can show they're making progress, even if they're not fully proficient.

What's in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus education policy bill:

HF106 - Swails
HF320 - Dettmer
HF462 - Urdahl
HF501 - Mariani
HF523 - Bigham
HF553 - Dittrich
HF898 - Hornstein
HF1037 - Swails
HF1186 - Mariani
HF1179 - Mariani
HF1212 - Brown
HF1430 - Mariani
HF1441 - Brynaert
HF1484 - Kath
HF1538 - Mariani
HF1621 - Davnie
HF1630 - Kalin
HF1701 - Newton

Boosting teacher quality

The bill calls for teacher professional development for re-licensure based on job-embedded, reflective, evidenced-based methods of improving classroom practice, not just on logging a certain number of hours. It also links Q Comp to evidence of effective practice, which Mariani predicted could prove thorny as the bill progresses, as the governor strongly prefers to link Q Comp to student outcomes.

Special education

State special education provisions would align more closely with federal laws and rules. For example it would shift the burden of proof in a due process consideration from the district to demonstrate it is complying with the law to the party seeking relief. It would also repeal the requirement that school districts provide special education services for nonpublic school students, as well as the use of some restraint and isolation procedures,

replacing them with updated interventions that trained staff would use to manage aggressive student behavior.


Rep. Carol McFarlane (R-White Bear Lake) had moved March 26 to strike that provision, but was pleased her amendment prompted stakeholders to hammer out a compromise.

"I would suggest that after amendments that were made today we're heading in the right direction," she said after the April 1 hearing. "I appreciate that people have been willing to come together to make good policy."

Capacity building

Other provisions involve capacity-building and policy analysis with a wide view of education policy across the educational spectrum. One would add four legislators to the P-20 Partnership, an existing think-tank on education policy involving stakeholders beyond K-12 silos. Another would direct the independent Office of Educational Accountability to report to the Legislature on statewide educational accountability information.

Not included in the bill is charter school reform legislation, introduced separately as HF935, sponsored by Rep. Linda Slocum (DFL-Richfield), nor education mandate reductions, the subject of HF920, sponsored by Rep. Tom Tillberry (DFL-Fridley).

A companion bill, SF1253, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate E-12 Education Budget and Policy Division. 

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Talkin' baseball

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Approximate seating capacity in the Metrodome.....	55,300
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— M. Cook

Sources: Minnesota Twins 2009 Media Guide; Minnesota Amateur Baseball Hall of Fame; Minnesota Senior Men's Amateur Baseball Association; Minnesota High School Baseball Coaches Association.

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SESSION WEEKLY

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ONE SCHOOL DOESN'T FIT ALL
BREAD AND BUTTER BONDING
E-WASTE PROGRAM
HEALTH CARE PRIVATE/PUBLIC OPTION

HF2277 - HF2303

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: Libby Rupp of St. Paul holds her 7-year-old daughter, Isabella, who is autistic, April 2 during a World Autism Awareness Day gathering in the Capitol Rotunda. The rally was designed to demonstrate public support for autism-related legislation.

— Photo by: Tom Olmscheid

One school doesn't fit all

Efforts put forward to tailor charter school law

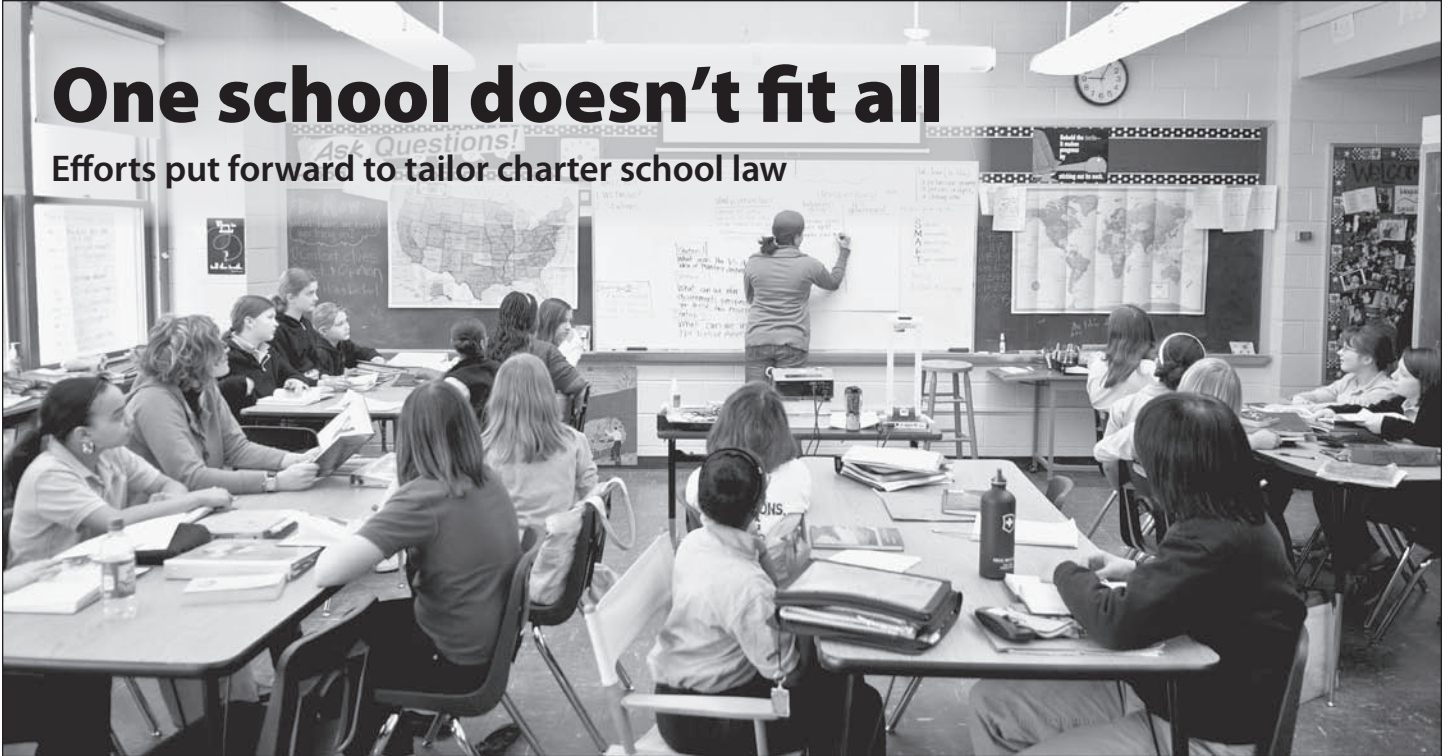


PHOTO BY TOM OLMSCHIED

Students pay attention in class at Laura Jeffery Academy, a new year-round charter school for girls in grades five-eight in St. Paul. It's expected to enroll up to 200 students by fall of 2010.

By KRIS BERGGREN

Former Rep. Becky Kelso co-owns a cozy Shakopee quilt shop where people who love to piece things together stock up on fabric and supplies to make something in their mind's eye real: an heirloom bed covering, a warm jacket, a decorative wall hanging.

She's far from her old legislative life these days, but nearly two decades ago Kelso was on the cutting edge of public education when she helped craft a 1991 law that began the nation's charter school movement. She said that movement was twofold: giving students and parents choices within the public school system, and as a laboratory for innovative curriculum or teaching methods.

"My feel is the passage of charter schools was a sign of the times," Kelso said recently. "It was part of a progression in the state."

Nation-leading in school choice

Minnesota was already ahead of the curve in school choice, having implemented

alternative learning centers, open enrollment and post-secondary enrollment options that had become law during the 1980s, as well as home schooling and education tax credits.

"To a certain degree, I think there was a pride in Minnesota that we were leading the country at that time in public school innovation," Kelso said. "In other words, I don't think charter schools could have passed before open enrollment, before PSEO. There was just a feeling that Minnesota is confident and strong enough in our public school system that we can take some chances that other states couldn't."

Charter schools are now integral pieces in the patchwork of public K-12 education. From the original eight schools authorized to

open in 1991; Minnesota now has 153 charter schools enrolling more than 32,000 students. They include schools focused on language immersion, Montessori, environmental education, performing arts and the needs of chemically dependent students.

The smallest, Minnesota North Star Academy, a bilingual American Sign Language and English school, has just 28 students. The largest, Minnesota Transitions School, has 1,263 students at several sites. The first to open in 1992 was City Academy, which still serves high school students who have dropped out or are poised to drop out of conventional schools. One of the newest is Laura Jeffrey Academy, an all-girls middle school named for one of the first black librarians in St. Paul.

For all their promise, charter schools' weaknesses were highlighted in a 2008 report by the Office of the Legislative Auditor. They include some sponsors' governance and oversight and some schools' lackluster academic results.

A bill sponsored by Rep. Linda Slocum (DFL-Richfield) would mend some of the charter system's frayed edges. The House K-12

First Reading continued on page 4

Education Finance Division laid HF935 over March 10 for possible inclusion in its omnibus bill. Its companion, SF867, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate E-12 Education Budget and Policy Division.

How the bill would help schools

The bill clarifies and strengthens sponsors' authority for charter school performance and management. In fact, they would be called authorizers rather than sponsors.

"That's not just semantics, it's a very clear message," said Minnesota Charter Schools Association Executive Director Eugene Piccolo. "'Sponsor' has a connotation of your buddy, your friend, your guide. 'Authorizer' has ability to approve you, to oversee you and to close you."

The OLA report found that while some sponsors are diligent, attending charter board meetings regularly and reviewing standardized test scores and financial statements, others never do any of these tasks. One sponsor said she did not know the school she helped sponsor had not made Adequate Yearly Progress. AYP is a measurement of the standards-based proficiency of a school's students.

Under the bill, authorizers would collect higher fees from their charter schools for their oversight work. Some sponsors told the legislative auditor that more compensation would allow them to devote more time to their sponsorship duties.

The bill would also require charter boards to be trained, and licensed teachers would no longer be required to be the majority of a board, though they would still comprise 20 percent of its members.

Winona's Bluffview Montessori School was the first to sign its charter after the 1991 law passed, though it took another year and a half to begin its conversion from private tuition-based school to charter. And, it has taken until recently for teachers to get comfortable with their governance responsibilities.

"Because we started as a private school where parents were the primary control, then went into a charter where by definition the teachers were in primary control, that resulted in some struggles unique to the three or four or five early charters," Director of Operations Les Hittner said.

"There were no models, no mentors," Hittner said, but since the current board chair insists on board training for every member, "we now have one of the best boards I've ever worked with."



PHOTO BY TOM OLMSCHEID

Several bills regarding charter schools this session hope to address accountability issues raised in a recent auditor's report.

Other provisions in the bill include:

- sectarian organizations would not be allowed to sponsor charter schools;
- all eligible charitable organizations that sponsor charters here would have to be based in Minnesota; and
- it adds pupil achievement to the list of purposes for chartering a school.

Although charter schools are usually smaller than district sites, have lower student-to-teacher ratios and offer lots of personal attention, they have not produced remarkable academic results in general. With some exceptions, the OLA report found academic performance at charter schools lower than comparable district schools, but the differences diminished when adjusted for factors such as poverty and high student mobility.

Piccolo said it's possible some sponsors could drop out of the business and even that some charter schools could close because of the changes, but overall, the bill would strengthen the chartering system by giving "clear authority to sponsors to hold schools accountable."

Competitors or collaborators?

Despite the proposed changes, some education veterans remain skeptical of the claim that charter schools make a substantial difference in education, and fear they're

sometimes perceived as a way to fill a vacuum created when district schools close. They're also concerned for teachers who lose their union rights and pay by moving to charter schools not participating in collective bargaining agreements.

Longtime Minneapolis Federation of Teachers advocate Rose Hermanson was the union's point person opposing the original charter law. She remains lukewarm about charter schools because they haven't truly fulfilled their original vision to empower teachers to innovate by freeing them from mandates and district rules, especially to reach students who weren't being served by conventional schools.

"It was all built around taking down rigid walls around who was running the shop," Hermanson recently said, but "charters have evolved into business models" and "for the most part, they aren't about innovation."

Hermanson's union looks more favorably on another bill, HF751, sponsored by Rep. John Benson (DFL-Minnetonka) that would allow groups of teachers along with parents to create site-governed schools within districts. Like charters, they'd be incubators of innovation. Unlike charters, they'd be more nimble to operate, requiring school board approval but not outside authorization, and would serve students already in the community rather than draw them from all over. Furthermore, teachers would retain district employment and union benefits.

Slocum is also a longtime union member and steward at Field Community School in Minneapolis, where she teaches seventh and eighth grade English and social studies.

"I believe in unions, but also believe in creativity in education," Slocum said. "Kids aren't all the same; they don't all learn the same. My bottom line is what is best for the child and the child's family."

"Whether someone hates charters or loves them they're not going away, therefore, wouldn't it make some sense to make them more responsive and more responsible and better in our communities?"

Hittner takes a sanguine view of school competition.

"If you look at public schools as a team, then the public school systems can be very competitive in the educational marketplace, but each member of the team has a role to play. In that respect, the students win, the republic wins, the people win, when we think what's best for the children, and not what's best for any one player on this team. We win the game as a system of public education, all of us together." 🏆

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held April 2-9. 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

Bill support splits along party lines

Traditional bipartisan support for the bill that lays out agriculture and veterans affairs biennial spending was nowhere to be found April 7 as Republicans objected to the House spending target for programming.

House Agriculture, Rural Economies and

Veterans Affairs Finance Division members struggled for consensus, shuffling money from one fund to another, hoping to preserve jobs and initiatives in both areas before approving the omnibus agriculture, rural economies and veterans affairs finance bill on an 8-5 party-line vote. It awaits action by the House Finance Committee.

With a biennial spending target of \$206 million, the bill would allocate \$117 million to the Veterans Affairs Department; \$73 million to the Department of Agriculture; \$10.3 million to the Board of Animal Health and \$5.7 million to the Agricultural Utilization Research Institute. Its total is approximately \$18 million below the governor's spending recommendation.

While recognizing the "tough spot" the state is in economically, and the overall

collegiality of division members, Republicans stuck together in support of the governor's spending target, and questioned why the House cut agriculture and veterans so deeply, calling it a "political football" to preserve money for health care and human services.

After consideration of nearly 30 amendments, HF1122, sponsored by Division Chairman Rep. Al Juhnke (DFL-Willmar), amounts were shifted around resulting in more money for veterans affairs than first offered by deferring some ethanol producer payments and initiating cuts to other agriculture-related programming.

"I think you've done a good job with the hand you are dealt," said Rep. Doug Magnus (R-Slayton), the division's Republican lead. "No one in the room wants to cut ag, and no one wants to cut vets. It's not that we don't

VETERAN LISTENER



PHOTO BY ANDREW VONBANK

After emotional testimony to the House Agriculture, Rural Economies and Veterans Affairs Finance Division April 7, John Cox, legislative chairman of the Minnesota American Legion, along with fellow veterans in the audience, listens to the discussion of the omnibus agriculture, rural economies and veterans affairs finance bill.

respect you guys on other side, it is a basic philosophy difference, and I don't think I will be able to support the bill."

As amended, General Fund spending includes:

- \$85.8 million for the Veterans Homes Special Revenue Account;
- \$13.6 million for department of agriculture administration and grant assistance; and
- \$9.5 million for agriculture marketing and development initiatives, including Minnesota Grown promotions.

Members

concerned about what they called "severe" cuts to the veterans homes were successful in amending the bill to ensure enough money for increased food and pharmaceutical costs. The Minnesota Assistance Council for Veterans was successful in seeing its base funding restored for one year to help assist homeless veterans.

The bill's companion, SF1779, sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action by the Senate Finance Committee.

— L. SCHUTZ

What's in the bill

The following are selected bills that have been incorporated in part, or in whole, into the omnibus agriculture, rural economies and veterans affairs finance bill:

HF47 - Juhnke
HF1880 - Severson
HF572 - Haws
HF797 - Emmer

EDUCATION

Plan to coordinate children's services

The House Early Childhood Finance and Policy Division likes a proposal to create an inventory of early childhood services.

The division approved HF2028, sponsored by Rep. Nora Slawik (DFL-Maplewood), as amended April 7 and sent it to the House floor. Sen. Patricia Torres Ray (DFL-Mpls) sponsors a companion, SF1797, which awaits action by the full Senate.

The State Advisory Council on Early Childhood Education and Care would gather comprehensive information about health care, education and human services programs serving children age 5 and younger. It would suggest budget allocations toward outcome areas to help the Legislature and executive branch plan coordinated services.

"There have been efforts over the years to capture the information included in this inventory, but none as broad and detailed as this," said Ready 4 K Government Relations Specialist Eric Haugee. He said that in particular, collecting data around geography and demographics as proposed would be useful for planning and budgeting.

Haugee said this new task for the council would dovetail with its federally required task to conduct a regular needs assessment of the same population.

Rep. Bud Nornes (R-Fergus Falls) wanted to clarify the bill's intention to identify program budgeting to outcome areas.

"We are trying to move towards priority funding here and zero-based budgeting," said Slawik, so it's important to link funding to outcomes the state agencies have prioritized.

Slawik intends the proposal as an adjunct to HF641, sponsored by Rep. Sandra Peterson (DFL-New Hope), to create an Office of Early Learning that would coordinate a high-quality early childhood system. That bill has been held over for possible inclusion in the division's omnibus bill. Sen. Tarryl Clark (DFL-St. Cloud) sponsors its companion, SF487, which awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Help for school consolidation

"The handwriting is on the blackboard," Rep. Ron Shimanski (R-Silver Lake) told lawmakers on the House floor April 7.

McLeod West Public Schools faces its imminent demise — and a reorganization debt estimated at \$3 million — but the district would like to minimize the consequences for neighboring districts that will absorb its 500 students.

A May 2009 election is scheduled to decide if the district is to be consolidated among the Gibbon-Fairfax-Winthrop, Buffalo Lake-Hector and Glencoe-Silver Lake districts, which have agreed to absorb McLeod West students. Shimanski doesn't want those districts to find themselves in financial constraints that could lead to statutory operating debt.

Sponsored by Shimanski and Sen. Steve Dille (R-Dassel), HF1040/SF811* would allow the McLeod West district to issue general obligation bonds without voter approval. It was approved 127-4 by the House, six days after the Senate passed it 65-0. The bill now goes to the governor.

"This bill is an effort to do an orderly consolidation rather than dissolution of the district," Shimanski said. "It saves the three districts from absorbing any debt."

McLeod West was created when Stewart and Brownston schools merged in 1998. It has experienced severe enrollment decline, as well as facilities disrepair in the face of voters' defeat of both building bond and operating referenda.

— K. BERGGREN

Integration revenue modified

Four years after the Office of the Legislative Auditor reported that the school district integration revenue program's purpose remains unclear and its implementation and oversight are lacking, lawmakers are proposing changes.

Rep. Jerry Newton (DFL-Coon Rapids) and Rep. Robin Brown (DFL-Moscow Township) led a working group on integration revenue, which totals nearly \$92.85 million to 113 eligible school districts this year. The categorical program, intended to reduce racial segregation, is 70 percent state funded and 30 percent from local levies.

Newton sponsors HF2051, which would specifically link integration revenue to closing the achievement gap and eliminate desegregation funding for districts with less than 15 percent "protected" students in certain categories.

Rep. Pat Garofalo (R-Farmington) doesn't think the changes go far enough. He said the entire spending category is based on a flawed premise.

"The thing that's most insulting about the integration categorical is it presumes that every minority child is having problems," Garofalo said. "So tying it to race, tying it to purely income classifications, I have a big objection with. We should be tying these things to who are the kids who are really behind and then targeting the assistance that's necessary there."

Assistant Education Commissioner Morgan

BUDGET

Deficiency spending approved

Signed by the governor

Deficiency funding for a pair of state departments has received gubernatorial approval.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Richard Cohen (DFL-St. Paul), the law, signed April 6 and effective the next day, provides a combined \$17.06 million to the Human Services and Public Safety departments.

The law provides \$16 million for the Minnesota Sex Offender Program in Moose Lake and St. Peter and \$1.06 million to provide a final match for federal relief money for southeast Minnesota areas where flooding occurred last year.

Of the sex offender money, \$14.4 million will come from the General Fund, with the other 10 percent coming from counties.

The funding requests came from Minnesota Management and Budget through the governor's office.

HF117/SF95*/CH13

— M. COOK

Brown testified that the governor's proposal is to cap integration revenue at current levels for districts already receiving it, and to freeze any new applications from eligible districts.

The bill was laid over April 2 by the House K-12 Education Finance Division for possible inclusion in its omnibus bill. It has no Senate companion.

The division also laid over a second bill, HF425, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), for possible omnibus inclusion.

It would put the Brooklyn Center, Richfield and Columbia Heights school districts, whose student demographics mirror those of Minneapolis and St. Paul, in a higher revenue category as are the urban districts and Duluth.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsors a companion, SF466, which awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

School innovation catalyzed

The House K-12 Education Finance Division considered a proposal April 7 that would facilitate school innovation.

Rep. David Bly (DFL-Northfield) sponsors HF981, which would establish an appointed New Schools Minnesota commission to identify new school models; make recommendations to the governor, education commissioner and Legislature; and seek private and federal funding. The commission would collaborate with the Department of Education to review charter school applications for the federal charter school grant program and make recommendations for approval of the applications.

It would eventually become a separate organization similar to ServeMinnesota, which began more than a decade ago as a state commission on community service but spun off in 2002 as a nonprofit organization. ServeMinnesota coordinates several statewide programs involving AmeriCorps volunteers and others and is a conduit for private and federal funding to match state grants to its programs.

New Schools Minnesota could be a catalyst for education in the same way, Bly said, "set aside from government but still answerable to the Legislature."

Assistant Education Commissioner Morgan Brown said New Schools Minnesota would be a good means of "breaking down silos in our public education system and getting more direct discussion and exchange between the district sector and the charter sector in terms of replicating high quality school models and effective practices."

Bly intends his bill as a partner to HF751, sponsored by Rep. John Benson (DFL-Minnetonka), which would allow teachers to create "site-governed" district schools where they could implement their innovative ideas. Benson compared the concept to moving from a "factory model" of education to the professionalism of "forming a practice, like a law firm or doctor's office."

Both bills have been laid over for possible omnibus inclusion. Sen. Kathy Saltzman (DFL-Woodbury) sponsors their Senate companions, SF1037, which awaits action by the Senate Education Committee, and SF486, which awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

ELECTIONS

Popular vote bill defeated

Minnesota will not be joining an interstate compact to elect the president by popular vote anytime soon, after a House committee defeated the proposal April 2.

On an 8-8 vote, members of the House State and Local Government Operations Reform, Technology and Elections Committee failed to approve HF512. Sponsored by Rep. Steve Simon (DFL-St. Louis Park), the bill would



PHOTO BY ANDREW VONBANK

With the bill's sponsor, Rep. Steve Simon, by his side, Chris Pearson, secretary of National Popular Vote Inc., testifies April 2 before the House State and Local Government Operations Reform, Technology and Elections Committee in support of a bill that would enact an agreement among the states to elect the U.S. president by national popular vote.

provide that all of Minnesota's eight electoral votes go to whichever U.S. presidential candidate wins the national popular vote.

The bill's provisions would only take effect if enough states signed on to the compact to provide the 270 electoral votes needed for a candidate to win. Four states have already signed the compact.

Simon said the change would ensure that no candidate could lose the popular vote and still be elected president — as was the case in 2000. Simon noted that it almost happened again in 2004, when U.S. Sen. John Kerry nearly won a majority of electoral votes despite being 3.5 million popular votes behind President George W. Bush.

"Most people, if you were to ask them, don't think it's right that in the world's greatest democracy, the second-place vote-getter can be president of the United States," Simon said, adding that public opinion polls show overwhelming support for electing presidents by popular vote.

Opponents criticized the bill for potentially taking away the right of Minnesota voters to determine how the state's electoral votes are allocated.

"It seems to me this is a creative way around the Constitution," said Rep. Morrie Lanning (R-Moorhead).

Rep. Paul Marquart (DFL-Dilworth) said the proposal might cause Minnesota to lose some of the benefits it reaps from being a "battleground state" where presidential candidates are forced to campaign to court voters.

Sen. Ann Rest (DFL-New Hope) sponsors the companion, SF446, which awaits action by the full Senate.

— N. BUSSE

Recount changes proposed

Election recounts could become a less frequent occurrence under a bill approved April 2 by a House committee.

Rep. Bill Hilty (DFL-Finlayson) sponsors HF1137 that would reduce the vote difference threshold that automatically triggers a recount. Under current law, any state or federal race that results in a difference of less than 0.5 percent of the vote between the two leading candidates requires a recount. The bill would reduce the threshold to 0.25 percent.

"The effect would be to trigger fewer recounts. We're saying that in order for a recount to be triggered, there has to be a smaller number of votes," Hilty explained.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill and referred it to the House State Government Finance Division. Sen. Katie Sieben (DFL-Newport) sponsors the companion, SF768, which awaits

action by the Senate State Government Budget Division.

In addition to changing the threshold, the bill would require the apparent losing candidate to file a written request for a recount with the State Canvassing Board. Beth Fraser, director of governmental affairs for the Office of the Secretary of State, said the purpose is to avoid initiating recounts in cases where a losing candidate doesn't actually want one.

The bill would also change the threshold for local elections. For races where 25,000 or more votes are cast, the threshold would be 0.25 percent; for races with between 400 and 25,000 votes cast, it would be 0.5 percent; and for races with 400 or fewer total votes, the threshold would be 10 votes or less.

The bill also includes a requirement that individuals challenging ballots on behalf of a candidate be Minnesota residents. Hilty said many of the problems experienced during the recent U.S. Senate race recount resulted from out-of-state challengers who were not familiar with Minnesota's election laws.

— N. BUSSE

EMPLOYMENT

Unemployment stimulus dollars

**Signed
by
the
governor**

A new law will let Minnesota use \$130 million from the federal stimulus package for state unemployment benefits.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. David Tomassoni (DFL-Chisholm), the law makes mostly technical changes to the state's unemployment insurance statutes. The modifications are necessary for Minnesota to receive the federal funds from the American Recovery and Reinvestment Act of 2009.

Signed April 8 by Gov. Tim Pawlenty, most of the law takes effect Aug. 2, 2009. A provision authorizing the expenditure of federal funds is effective April 9, 2009.

In addition to the technical changes, which will put the state's unemployment insurance program in conformity with federal law, the law modifies eligibility requirements and other parts of the program. Some of these changes include:

- granting eligibility to workers who are forced to quit their jobs due to situations involving domestic abuse of themselves or family members;
- granting eligibility to workers who quit their jobs to care for an immediate family member;
- allowing a worker who quits their job to relocate with a spouse whose job has been moved to be eligible for benefits, if the

commute to work from the new location is impractical; and

- calculating an applicant's unemployment benefits using more recent wages than are currently used.

HF1227/SF1197*/CH15

— N. BUSSE

ENERGY

Omnibus energy bill approved

For members of the House Energy Finance and Policy Division, energy is becoming a variable resource prefaced with adjectives such as: biogas, C-BED, geothermal, green, hydroelectric, renewable, solar and wind.

On the heels of defeating a bill that would have lifted a moratorium on nuclear energy plants, the division, chaired by Rep. Bill Hilty (DFL-Finlayson),

approved its omnibus energy finance and policy bills April 2. The finance bill, HF1754, was laid over for possible inclusion in the House Environment and Natural Resources Finance Division omnibus bill. The policy bill, HF863 awaits action by the House Ways and Means Committee.

Also on April 6, the Senate passed its energy omnibus bill, SF550 sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth). Approved 52-15, the bill includes language that would lift the nuclear power moratorium.

Carrying language from more than two dozen bills, the proposed House legislation includes a \$55 million appropriation from the General Fund to implement energy policies and programs.

One policy cornerstone that emerged was energy conservation.

Rep. Jeremy Kalin (DFL-North Branch) successfully incorporated one of his bills that would require the Public Utilities Commission to make conservation a utility's most profitable business initiative. In essence, utilities would become service providers for a whole menu of options, including conservation.

Another cornerstone of the omnibus bill focuses on renewable energy initiatives.

A policy bill sponsored by Rep. Paul Thissen (DFL-Mpls) was incorporated that would encourage the use of solar energy and the combustion of grasses, agricultural wastes, trees and other vegetation to produce thermal

energy for heating buildings and for industrial processes.

One recognized problem with wind and solar energy production methods is that it can be intermittent. The bill would provide the University of Minnesota with \$5 million to develop energy storage capabilities and analyze what types of policies are needed to implement emerging energy technology.

In anticipation of the Central Corridor rail line construction between St. Paul and Minneapolis, legislation proposed by Rep. Sheldon Johnson (DFL-St. Paul) was included that would enable Xcel Energy to create a multi-source mapping of electricity for the corridor, including residential, commercial and industrial buildings. Xcel Energy officials said the zone could become a national model for developing metropolitan transit zones.

— S. HEGARTY

ENVIRONMENT

Emerald ash borer prevention

A beetle that has the potential to wipe out millions of ash trees has been found within 1 mile of Minnesota's border. Discovery of the emerald ash borer beetle in Victory, Wis., prompted quick action by the Department of Agriculture and proposed legislation to stop it before it crosses state lines.

Rep. Diane Loeffler (DFL-Mpls) sponsors HF2262, a forest protection bill that, among other things, would appropriate \$1.5 million from the General Fund for the early detection of invasive tree pests and another \$125,000 to develop a response plan in case the little green bugs are found in the state.

The House Environment and Natural Resources Finance Division held the bill over April 7 for possible omnibus bill inclusion. There is no Senate companion.

Geir Friisoe, plant protection division director for the Department of Agriculture, said federal resources may be available for surveillance and detection, but the U.S. Department of Agriculture does not fund eradication efforts. Friisoe said Michigan has spent up to \$50 million to get rid of the beetle but without success.

The devastating bug, in its larvae stage, begins boring beneath the bark of ash trees and filling the cavities that carry water and nutrients through the tree. Treatment of infected trees includes injections with insecticide, and recent research suggests the use of wasps as a biological solution to the problem, Friisoe said.

Bob Fitch, executive director of the Minnesota Nursery and Landscape Association, said Minnesota has a response

BEE-WEAR



PHOTO BY TOM OLMSCHIED

Erin Rupp, dressed as a beekeeper, and Katie Speckman, dressed as a bee, come up the Grand Staircase April 6 to meet with House Speaker Margaret Anderson Kelliher and Senate Majority Leader Larry Pogemiller to encourage funding for a new Bell Museum on the University of Minnesota's St. Paul campus. The pair are education specialists with the museum, now located on the university's Minneapolis campus.

plan in place and the readiness task force has "kicked in." Fitch said the immediate need is to fund public education to inform residents and visitors about the potential for harm. Ash trees would be quarantined within the county where the beetles are discovered and the trees would most likely have to be destroyed. There are an estimated 900 million ash trees in the state. As campgrounds prepare to open, one way to avoid the spread of the emerald ash borer is not to transport firewood from one area of the state to another for campfires.

— S. HEGARTY

Stimulus funds for clean water

**Signed
by
the
governor**

Some federal stimulus funds will be used for clean water and drinking water.

The new law, signed April 8 by Gov. Tim Pawlenty and effective the next day, amends current laws governing Public Facilities Authority loans from the Clean Water and the Drinking Water revolving funds.

The Clean Water Fund is expecting \$82.56 million and the drinking water fund is expecting \$24.57 million in funds from the American Recovery and Reinvestment Act of 2009.

According to the law:

- 50 percent of the total funds must be provided as grants;
 - a minimum of 20 percent of the total funds must be used for projects that address "green" infrastructure, energy and water efficiency improvements or other environmentally innovative activities;
 - all projects must comply with the federal Davis-Bacon Act regarding prevailing wages and the Buy American Act;
 - 50 percent of funds must be under contract for construction within 120 days, with all funds under contract within 12 months; and
 - projects must be listed on either the Pollution Control Agency wastewater/stormwater or Department of Health drinking water project priority lists.
- HF1756/SF1329*/CH16

— S. HEGMAN

Clean Water Fund spending

A \$118.23 million appropriation bill for Clean Water Fund expenditures in the 2010-2011 biennium was approved by the House Environment and Natural Resources Finance Division April 7, despite one member's attempt to delete everything in favor of another bill.

HF1973, sponsored by Division Chairwoman Rep. Jean Wagenius (DFL-Mpls), next goes to the House Finance Committee with a requested re-referral to the House Cultural

and Outdoor Resources Finance Division. The division will determine the final list of recommended projects to fund from the Clean Water Fund's portion of the three-eighths of 1 percent dedicated sales tax revenues voters

What's in the bill

The following are selected bills that have been incorporated in part, or in whole, into the Clean Water Fund appropriations bill:

HF424 - Hansen
HF1031 - Wagenius
HF1325 - Doty
HF1618 - Persell
HF1991 - Scalze

approved last November. The bill has no Senate companion.

Although the overall recommended spending matches that in the governor's proposed budget, there are fundamental shifts within each. That prompted Rep. Paul Torkelson (R-Nelson Township) to unsuccessfully offer two amendments, including a delete-all amendment that would have doubled the amount awarded to the Board of Water and Soil Resources for water protection grants to local governments.

"I do believe the desire of the folks who voted for the constitutional amendment was to see as much money hit the ground, so to speak, as possible," Torkelson said.

Under the approved bill, the Pollution Control Agency would receive \$40.2 million, largely to develop and implement total maximum daily load projects and to provide partnership grants.

The bill also allocates \$14.7 million to the Department of Natural Resources, the bulk of it for collecting digital elevation data, a provision not in the governor's budget.

Another difference from the governor's recommendations is \$1.57 million in the bill for the University of Minnesota to undertake a statewide sustainable water study and to support ongoing geological surveys by counties.

— S. HEGARTY

Lakeshore majority for drawdowns

In the Land of 10,000 Lakes, many Minnesotans enjoy the benefits that go along with owning lakeshore property. But when a public lake becomes impaired with algae or pesky weeds, local governments often find their hands are tied to correct the problem.

If just one property owner on a lake objects to a temporary water "drawdown," meaning partially draining the lake to mimic an extreme drought condition, then the management practice cannot be performed.

HF1539, sponsored by Rep. Paul Rosenthal (DFL-Edina), would make it easier for local governments to perform temporary drawdowns by reducing from 100 percent to 75 percent the number of votes required by the affected property owners. Rep. Tony Cornish (R-Good Thunder) successfully amended the bill to require a 75 percent vote for a drawdown, rather than the 60 percent originally proposed. Cornish said the lesser amount might have allowed one large lakeshore property owner to vote against the objections of many smaller property owners.

The House Environment Policy and Oversight Committee approved the bill

April 2 and sent it to the House floor. The companion, SF640, sponsored by Sen. Ken Kelash (DFL-Mpls), awaits action by the full Senate.

Drawdowns help eliminate non-native plant species, such as curly leaf pond weed, which can grow in 15 feet of water. Rosenthal said some lakes in his district have up to 50 percent coverage of the unwanted plant, capable of elevating phosphorous levels in lakes.

Apple Valley Mayor Mary Hamann-Roland said drawdowns are performed during the winter months. The city has wanted to perform a drawdown on Long Lake but one property owner's objection has prevented that from happening.

— S. HEGARTY

Lessard council funding bill

The first package of funding recommendations from the Lessard Outdoor Heritage Council won the approval of a House division April 7.

Rep. Rick Hansen (DFL-South St. Paul) sponsors HF2131, which proposes to spend \$69.5 million in the next fiscal year on mostly environmental projects. The bill comprises the recommendations of the council, which was established to spend money from the three-eighths of 1 percent sales tax increase that was approved as an amendment to the state constitution by voters on last year's ballot.

The following is a rough breakdown of funding proposed by the bill:

- \$20.8 million for wetland acquisition and restoration projects;
- \$20 million for the acquisition of forest land and easements;
- \$14.2 million for prairie restoration projects, consisting mostly of land acquisitions;
- \$13.9 million for fish and wildlife habitat projects; and
- \$870,000 for administrative costs.

Funding for the projects would flow through the Department of Natural Resources, which would work in conjunction with local governments and state and national nonprofit groups.

The House State Government Finance Division approved the bill and referred it to the House Finance Committee. Sen. Tom Saxhaug (DFL-Grand Rapids) sponsors the companion, SF1927, which awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

Some division members raised questions about a provision that would fund a \$4 million competitive grant program under the supervision of the National Fish and Wildlife Foundation. Chairwoman Rep. Phyllis Kahn (DFL-Mpls) said she didn't

like the idea of having a private organization administer a state-funded program. She successfully amended the bill so that the money would go to the DNR instead.

— N. BUSSE

FAMILY

Unusual child care exception offered

Child care provider Heather Quale lost her job due to an incident that led to a maltreatment investigation even though the parent of the child involved commended Quale for how she handled the incident.

HF2124, sponsored by Rep. Erin Murphy (DFL-St. Paul), could keep experienced providers like Quale on the job if it's shown they don't pose an ongoing risk to children.

In August 2007, a child in Quale's care at a New Horizon Academy facility injured her fingers in a door and required medical treatment. An investigation led to a determination of maltreatment and Quale's disqualification from working with children the following March. She now works at a bank.

"Everyone involved knows this was an accident," Paul Stone, the father of two children formerly in Quale's care, told the House Early Childhood Finance and Policy Division April 2. "There is no evidence of true neglect."

The division approved the bill and sent it to the House floor. Its companion, SF1884, sponsored by Sen. John Doll (DFL-Burnsville), awaits action by the full Senate.

The bill would lift the current requirement that a child care center must post a public notice of an employee's disqualification for maltreatment for two years if that employee appeals the decision and receives a "set-aside" or variance. Parents of enrolled children would continue to be notified of the incident and determination.

Quale was granted a set-aside after six months, meaning she could go back to working with children, and has applied for a reversal, but she still awaits the hearing.

Department of Human Services Licensing Director Jerry Kerber said the law was enacted in 2005 in reaction to media reports that child care centers had hired workers having criminal histories without notifying parents. He apologized for Quale's unduly long process.

New Horizon Academy Advocacy Director Cisa Keller, speaking on behalf of the Minnesota Child Care Association, said, "We want to be able to keep the teachers we have in our programs. We are not trying to change how the department does their investigations."

The change could spare others the "job loss,

character defamation and embarrassment” Quale said she experienced.

— K. BERGGREN

GAME & FISH

Anglers seek to extend bow season

Following a trial season last year, anglers are proposing to extend the bow fishing season in Minnesota and to expand it to more lakes and rivers.

HF2221, sponsored by Rep. Denny McNamara (R-Hastings), would permanently extend the season from May 1 to the last Sunday in February during the day or night. The same dates were used during the pilot season.

The House Game, Fish and Forestry Division laid the bill over April 6 for possible inclusion in its omnibus bill. Its companion, SF1798, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), was laid over for possible omnibus bill inclusion.

Mark Morrison, co-founder of the Land of Lakes Bow Fishing Association, said the 73 lakes or rivers where bow fishing is allowed are too congested. Morrison estimates he took 3,000 rough fish during the 40 nights he fished last June through August. Many of the fish are considered invasive species.

The bill requires that between sunset and sunrise anglers cannot discharge their bows within 150 feet of an occupied cabin or home and within 300 feet from a campsite.

It also expands bow fishing night or day on the Mississippi and Minnesota rivers. Once caught, fish may not be dumped on the water banks or returned to the water.

— S. HEGARTY

GOVERNMENT

More ‘legislative days’

Lawmakers might be given some added flexibility to do their work on the House and Senate floors without running afoul of the Minnesota Constitution.

Under the constitution, legislators can meet in regular session no more than 120 “legislative days” in each biennium. “Legislative day” is currently defined in statute as any day in which either the House or Senate meets for a floor session.

HF1882, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), would change the definition of “legislative day” to include only those days on which the House or Senate gives a bill its first, second or third reading, or overrides a governor’s veto. House and Senate members could meet in session for other reasons without having it count against

QUIET REFLECTION



PHOTO BY TOM OLMSCHIED

Rep. Mike Obermueller is reflected in a mirror April 2 during the House K-12 Education Finance Division meeting. Rep. Jim Davnie, author of proposed anti-bullying legislation, brought the prop to remind members that when they see themselves in the mirror, it should be a reflection of anti-bullying policies.

the 120-day limit. It was approved April 2 by the House State and Local Government Operations Reform, Technology and Elections Committee, and awaits action in the House Rules and Legislative Administration Committee.

“Right now, we have a system of 120 legislative days that serves no purpose,” Winkler said. He argued that lawmakers end up running out of legislative days when they need to meet in session to re-refer bills and make other procedural motions.

Opponents criticized the bill as “enabling procrastination” by allowing legislators to skirt their own rules and avoid having to plan their time carefully.

“You can always get around the rules. This just makes it a little easier to do it by making sure that you don’t have to burn another legislative day when you go move bills from one committee to the other,” said Rep. Tom Emmer (R-Delano).

Winkler countered that the bill would not lengthen legislative sessions, only allow legislators to meet on the floor more often.

The bill’s companion, SF1117, sponsored by Senate Majority Leader Larry Pogemiller (DFL-Mpls), awaits action on the Senate floor.

— N. BUSSE

Open-source government

A pair of bills that would put more government data online and make it easier for the public to search might be included in the omnibus state government finance bill.

HF625, sponsored by Rep. Paul Gardner (DFL-Shoreview), would require that the state’s accounting and procurement system use software that includes an application programming interface. Using an API, members of the public could access databases on state contracts, appropriations and expenditures in an open electronic format.

Gardner said the idea is to allow the public to develop their own third-party applications and Web sites using the information. For example, he said someone might use the raw data to analyze the relationship between inflation and the state’s tax system and put it online.

Similarly, HF20, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), would direct Minnesota Management and Budget to maintain a Web site with a publicly searchable database of information on state contracts, expenditures and tax information.

Winkler said a similar Web site launched this week by MMB is difficult to use and is only accessible via Microsoft Internet Explorer. He said the bill’s provisions would establish a more comprehensive and user-friendly Web site similar to one created by the state of Missouri.

Both bills were laid over April 7 by the House State Government Finance Division for possible inclusion in its omnibus finance bill.

Some division members said that while they liked the bills, they should be crafted with a keen attention to data practices. Rep. Mary Liz Holberg (R-Lakeville) said the state needs to be careful not to disclose private information, businesses’ proprietary information and information about security features in state contracts.

Sen. Ann Rest (DFL-New Hope) sponsors SF91, the companion to HF20. It has been incorporated into SF2, sponsored by Sen. Richard Cohen (DFL-St. Paul), which awaits action by the Senate Rules and Administration Committee. HF625 has no Senate companion.

— N. BUSSE

Rewards for saving state dollars

State employees who devise ways to cut costs in government could be rewarded with some of the money they help save, under a bill approved by a House committee.

HF834, sponsored by Rep. Paul Kohls (R-Victoria), would direct the Department of Administration to establish a program for soliciting cost-saving suggestions from state employees. Suggestions that result in documentable savings would earn an employee a one-time financial award of 10 percent of the annual savings up to a maximum of \$2,500.

Kohls said the idea came from a constituent, a U.S. Air Force veteran who told him that such a program had been used effectively by the military.

“I think it’s a way to get state employees to buy in to not only the challenges we’re facing this year, but challenges I think we’re going to continue to see as a state in the near term,” Kohls said.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill April 7 and referred it to the House Finance Committee.

Rep. Paul Marquart (DFL-Dilworth) called the idea “wonderful,” and said a similar program was implemented in his home city with great success.

“The employees know where the savings are,” Marquart said.

Some members suggested it might be difficult to implement the program. Noting that a similar bill was introduced two years ago by Rep. Andy Welti (DFL-Plainview), Rep. Bill Hilty (DFL-Finlayson) said the department opposed the idea because it would be difficult to document actual savings.

Sen. Claire Robling (R-Jordan) sponsors the companion, SF713, which awaits action by the

full Senate. It has also been incorporated into SF2, sponsored by Sen. Richard Cohen (DFL-St. Paul), which awaits action by the Senate Rules and Administration Committee.

— N. BUSSE

HOUSING

Homebuyer savings plan proposed

Rent prices often equal monthly mortgage payments, but what keeps first-time buyers from purchasing is their inability to make a down payment, said Rep. Melissa Hortman (DFL-Brooklyn Park).

Hortman sponsors HF1987, which would establish a homebuyer savings trust fund between a hopeful buyer and their employer. She said the plan would look similar to a 401k savings plans available to employees and their employers. Likewise, the savings amount would be tax deductible, so long as it is eventually used to purchase a home. Standard penalties would occur if it was not.

Similar programs operate in Illinois, North Carolina and Hawaii, Hortman said.

The House Housing Finance and Policy and Public Health Finance Division approved the bill April 3 and referred it to the House Finance Committee. A companion, SF1963, sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits action by the Senate Economic Development and Housing Budget Division.

— S. HEGARTY

HUMAN SERVICES

Reducing dental coverage

A 25 percent cut in dental services for non-pregnant adults on public programs could be forthcoming.

HF961, sponsored by Rep. Julie Bunn (DFL-Lake Elmo), would limit dental visits and types of care for patients, place certain restrictions on critical access care providers and authorize pilot projects to reduce the total cost to the state for dental services in public programs. The bill would reduce by \$18 million spending from the General Fund and the Health Care Access Fund.

The House Health Care and Human Services Finance Division held it over April 7 for possible omnibus bill inclusion. There is no Senate companion.

Under the bill, patients would receive yearly periodic exams and certain X-rays. Comprehensive exams and panoramic X-rays would be limited to once every five years. Bunn said the intent is to “retain some level of dental benefit for adults in public health programs,” while saving some money. When coverage is not provided, hospitals have an

increase in emergency room visits resulting in uncompensated care, she said.

Providers of critical access care would be subject to disciplinary actions. The restrictions on providers would help curb abuses in billing, frequency and quality that were reported by the working group that came up with the suggested cuts, Bunn said.

Under the governor's budget, all dental benefits and the critical access program would be eliminated to save \$47 million.

A notion that Dr. Anthony DiAngelis, chief of dentistry at Hennepin County Medical Center, called cruel and fraught with unintended consequences. "Dental services represent a miniscule portion of medical costs," he said, adding that maintaining basic dental services is something patients need.

Dr. Michael Helgeson, a dentist and founder of Apple Tree Dental, expressed concern over the limitation of anesthesia in the bill, saying patients with brain injuries and Alzheimer's disease need certain sedation procedures during dental visits, not just in the hospital.

— P. OSTBERG

Health policy omnibus

What was a technical bill turned into the omnibus health care and human services policy bill that was approved April 2 by the House Health Care and Human Services Policy and Oversight Committee.

Sponsored by Rep. Paul Thissen (DFL-Mpls), the committee chairman, HF1760 initially included technical changes to continuing care for aging and adult services. Thissen successfully amended in additional provisions, including: changes to newborn screening, health care provider reporting to licensing board changes, prescription expiration dates moved from two years to one year, changes to Doula services definitions, modifications to safe patient handling in clinical settings and the establishment of a working group to study nursing staffing levels when adverse health care events occur.

A companion, SF1526, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action by the full Senate. It includes only continuing care changes.

Thissen said many of the provisions were in separate bills approved by the committee, and "instead of hearing 17 bills on the floor" the omnibus bill was created.

Under the bill, the collection of genetic information from newborns would be exempt from written informed consent. Opponents have said allowing DNA to be taken from newborns without the consent of parents is a violation of privacy.

Doula services would be defined as "continuous emotional and physical

support throughout labor and birth, and intermittently during the prenatal and postpartum periods."

Rep. Laura Brod (R-New Prague) said some of the added changes are controversial, particularly the newborn screening language. "Turning a technical bill into a controversial vehicle I think is really an unfortunate thing," she said. Brod unsuccessfully moved to strike the newborn screening changes from the bill.

"We've had full debate on every single one of these bills," Thissen responded.

— P. OSTBERG

Chemical dependency pilot project

A chemical dependency pilot project to help counties better manage resources was approved April 2 by the House Health Care and Human Services Policy and Oversight Committee.

HF2069, sponsored by Rep. Tina Liebling (DFL-Rochester), would establish a "state-county chemical health care pilot project" to redesign the state and county relationship in delivering chemical dependency services more cost effectively.

The counties would have authority to design

SECURE PRESCRIPTIONS



PHOTO BY ANDREW VONBANK

John Harden, national sales manager for Secure Rx Solutions at Standard Register, testifies before the House Public Safety Policy and Oversight Committee April 2 in support of a bill that would establish a statewide Minnesota prescription program, and require use of tamper-resistant prescription drug forms.

and operate a new service delivery model. They would also develop binding agreements with the Human Services Department to clarify performance outcomes.

The department would be required to report to the Legislature by Jan. 15, 2011, on the effectiveness of the project.

The bill now awaits action by the House Health Care and Human Services Finance Division. A companion, SF1766, sponsored by Sen. Julie Rosen (R-Fairmont), was laid over April 1 by the Senate Health and Human Services Budget Division.

Kelly Harder, Steele County human services director, said the proposal would benefit the system with more flexibility and integrate resources with primary and mental health systems to save money. He said it could answer the question of "How do we bring the right amount of chemical health care home to the right person in the right amount of time?"

"This is exactly where we should be going," said Rep. Jim Abeler (R-Anoka), adding that consolidating state and county functions would improve the system.

Bob Melson, past president for the Minnesota Association of Resources for Recovery and Chemical Health, questioned the bill's necessity, saying counties can currently contract any service that is needed. He said changes in eligibility and maintenance of effort would help deliver services more efficiently.

— P. OSTBERG

Vouchers for organics

Vouchers for the special supplemental program for Women, Infants and Children could be used to purchase organic foods, under a bill approved April 2 by the House Health Care and Human Services Policy and Oversight Committee.

Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Sharon Erickson Ropes (DFL-Winona), HF285/SF213* would require the health commissioner to evaluate the list of WIC foods and add any organic foods determined to be cost neutral.

The bill now goes to the House floor. The Senate passed the bill 58-4 Feb. 19.

"This is a matter of consumer choice," Clark said. The cost of organic foods continues to go down, so they are more affordable, she said.

Tom Petersen, chairman of the Organic Advisory Task Force, said the proposal is one the task force has been working on for a number of years. He said the state of Washington has a similar program that allows for the purchase of some fruits, vegetables, breads, brown rice and legumes.

Rep. Tina Liebling (DFL-Rochester) said there is always concern for substances

found in foods as it pertains to childhood consumption, and the bill is a step in the right direction. "These are our youngest most vulnerable kids and pregnant women and little children."

— P. OSTBERG

LOCAL GOVERNMENT

No county office appointments

A House committee defeated a bill that would allow counties to make certain offices appointed rather than elected.

HF1278, sponsored by Rep. Phil Sterner (DFL-Rosemount), would allow counties to make the positions of auditor, recorder, treasurer and auditor-treasurer appointed. Currently, this can only be done if county voters approve a referendum to authorize the change; the bill would eliminate the referendum requirement.

Under the bill's provisions, a vote of 80 percent of the county board members would be required for the change to take place, and the board would have to give public notice. Residents would have 60 days to file a petition for a reverse referendum to oppose the change.

Supporters said the practice has become more common over time, as job duties for these offices have become more specialized and complex. They point out that lawmakers have passed similar legislation many times in the past for individual counties.

"You've heard similar legislation before on a county-by-county basis. What we're looking for is a uniform authority for all counties to go through an open and transparent process by which they could make these positions appointed rather than elected," said Joe Mathews, policy analyst for the Association of Minnesota Counties.

Opponents argued the change would be anti-democratic.

"I just think when you are taking a voting-right away from a person — changing an elected position into an appointive one — that should be the people deciding on a referendum," said Rep. Paul Marquart (DFL-Dilworth).

The bill was defeated 9-7 on April 7 by members of the House State and Local Government Operations Reform, Technology and Elections Committee. Sen. Sandy Pappas (DFL-St. Paul) sponsors the companion, SF1125, which awaits action by the Senate Rules and Administration Committee.

— N. BUSSE

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FOOD OUTREACH



PHOTO BY ANDREW VONBANK

Colleen Moriarty, executive director of Hunger Solutions Minnesota, testifies before the House Housing Finance and Policy and Public Health Finance Division April 3 in support of a bill that would provide food shelves and food stamp outreach funding.

Public finance bill proffered

Counties might be able to use bond proceeds to fund public works facilities and foreground buildings.

The annual public finance bill, HF1298, sponsored by Rep. Ann Lenczewski (DFL-Bloomington), includes that and other things brought forward by practitioners in public finance.

It was laid over by the House Taxes Committee April 7 for possible omnibus bill inclusion, but Lenczewski, chairwoman of the committee, said the bill might be sent on its own through the process. A companion, SF1257, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Taxes Committee.

Stephen Rosholt, a bond attorney with Faegre & Benson LLP, presented the bill on behalf of the Minnesota Institute of Public Finance, Inc. He said the bill would make a number of modifications relating to issuing bonds and financing for public improvements, special service districts and restrictions on mail elections.

For example, it would expand the definition of capital equipment and improvements for purposes of issuing debt obligations, modify

the treatment of residential property in a special service district and remove the limit on the number of questions that may be submitted at a mail election.

— S. HEGMAN

MILITARY

Post-deployment health review

Soldiers returning from deployments sometimes experience psychological problems that don't become apparent until tragedy strikes. Such was the case with one of Rep. Tom Rukavina's constituents.

"I had a constituent who met with me whose son returned from active duty. . . Everything seemed fine, but it wasn't, and the young gentleman ended up committing suicide," the Virginia DFLer told members of the House State Government Finance Division on April 7.

Rukavina sponsors HF2118 that he hopes will help prevent similar tragedies in the future. The bill would require the Minnesota National Guard to conduct "health and wellness assessments" for all guard members returning from overseas deployments.

The bill states that the assessments must be conducted between six months and one year after the end of a guard member's deployment. Col. Eric Ahlness, director of government relations for the guard, said the comprehensive assessments would cover the soldiers' physical, mental, financial and educational well-being.

"We're not going to just sit them down and give them one survey to check on their mental health," he said.

Ahlness said the guard could administer the program using reintegration funds the Legislature appropriated during the last biennium. He said the assessments would be conducted during guard members' normal drill weekends, so that special arrangements would not have to be made.

The division laid the bill over for possible inclusion in its omnibus finance bill. Sen. David Tomassoni (DFL-Chisholm) sponsors the companion, SF1987, which has been laid over by the Senate Agriculture and Veterans Budget and Policy Division for possible omnibus bill inclusion.

— N. BUSSE

Honoring all Vietnam era veterans

Signed
by
the
governor

An event to honor the state's Vietnam era veterans is planned June 13 for the State Capitol grounds, and Gov. Tim Pawlenty signed legislation April 3 declaring it Honoring

All Vietnam Era Veterans Day in Minnesota.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Steve Murphy (DFL-Red Wing), the law is effective April 4, 2009.

According to the event's Web site, www.mnhonorsvietnamvets.org, the day will begin with a Gold Star Family prayer service and end with evening entertainment. A replica of the Vietnam Veterans Memorial in Washington D.C. is expected to be on display, and a Bob Hope impersonator is scheduled to recreate the entertainer's famous skits he would perform for troops.

HF1400/SF1142*/CH10

— L. SCHUTZ

RECREATION

State trail back on track

**Signed
by
the
governor**

Work can resume on the Great River Ridge State Trail in Olmsted and Wabasha counties now that the project's paper trail is back on track.

The 14-mile trail was established during the 2006 session, but because Wabasha County officials didn't file some of the required paperwork with the Office of the Secretary of State, the project never moved forward.

Signed April 3 by Gov. Tim Pawlenty, and retroactive to June 2, 2006, a new law re-establishes the trail. It also reauthorizes \$1.5 million from last year's bonding bill for trail construction.

Originating in Plainview in Wabasha County, the trail will extend southwest through Elgin and Viola before connecting to the Chester Woods Trail near Rochester in Olmsted County.

Rep. Andy Welti (DFL-Plainview) and Sen. Ann Lynch (DFL-Rochester) sponsor the law.

HF865*/SF983/CH11

— S. HEGARTY

Parks and Trails Fund spending

Nearly \$53.1 million in spending from the new Parks and Trails Fund has been earmarked by the House Environment and Natural Resources Finance Division for a variety of improvements to the state's outdoor recreation areas.

The division bill, HF1493, lists one-time funding projects for the House Cultural and Outdoor Resources Finance Division to consider for approval. A companion, SF1729, sponsored by Sen. Thomas Bakk (DFL-Cook), has been laid over for possible inclusion in the Senate omnibus environment, energy

and natural resources finance bill.

The fund was established after voters approved a constitutional amendment last November for a three-eighths of 1 percent sales tax increase. Of those dedicated taxes, 14.25 percent is to be deposited into the fund to support parks and trails of regional and statewide significance. The tax takes effect July 1 and runs through July 30, 2034.

Through targeted programs, legislators hope to attract 350,000 more visitors to the state parks and trails system and increase jobs within the sector.

As proposed, \$30.6 million would be broken down for the following projects:

- hire eight more full-time naturalists and a dozen more naturalist interns;
- open or reopen visitor centers at Lake Bronson, Blue Mounds, St. Croix and Grand Portage state parks and expand visitor center hours;
- reach younger audiences with 50 MP3 audio trail guides, educational touch screen computers, podcasts and video casts;
- start a pilot project to include electronic kiosks loaded with park and trail information;
- add cross-country ski opportunities at 10 state parks or trails; and
- publish a new state map of the parks and trails facilities.

The funds would also be used to restore 700 acres of state parkland, conduct prescribed burns, remove invasive species, improve handicapped accessibility and repair trail surface areas.

The division also recommends investing in solar technology to reduce energy costs within the state parks. Solar installations are proposed at a new Split Rock Lighthouse State Park campground, and at St. Croix State Park and Itasca State Park campgrounds.

"I think there's some great vision here with the solar and putting people to work with the Conservation Corps," said Rep. Leon Lillie (DFL-North St. Paul), the bill's sponsor.

Metropolitan and regional park departments could leverage up to \$3 million in grant money to incorporate solar thermal technology in their own park projects, provided the improvements reduce dependence on fossil fuels and educate park visitors about energy conservation and climate change.

The bill requires that a strategic plan be developed for ongoing fund spending and to design a logo that would be affixed to signs, naturalist uniforms and other places that have received fund receipts.

An Office of Public Accountability for Constitutionally Dedicated Funding would be established and it would maintain a Web site. Additionally there would be a requirement for

the regular auditing of the funds.

The recommended \$53.1 million in spending matches the governor's budget request, although Gov. Tim Pawlenty is proposing that more money be used for regional park grants. He did not include the solar grant program or the legislative oversight and auditing provisions in his budget.

— S. HEGARTY

SAFETY

Omnibus finance bill proposed

An omnibus public safety finance bill that its sponsor said was "not easy" to put together received division approval.

However, Rep. Michael Paymar (DFL-St. Paul) told the House Public Safety Finance Division that HF1657 is better than it could have been.

"We were originally asked to cut \$66 million; we ended up with a \$52 million target to cut," he said. "We tried to prioritize, we tried to be creative, and we demanded efficiencies through reform."

The bill includes funding for state courts and the Departments of Corrections, Human Rights and Public Safety. It was approved on a split-voice vote April 7 and sent to the House Finance Committee. It has no Senate companion.

Paymar noted that the \$2.01 billion bill — \$1.78 billion from the General Fund — is better than the budget proposed by Gov. Tim Pawlenty in a number of areas. For example, the bill calls for a 0.79 percent courts reduction; the governor wants a 2.46 percent cut. It also calls for a 3.1 percent cut to the Department of Human Rights, whereas the governor sought almost 10 percent.

However, while Pawlenty seeks a 2.12 percent increase for the Corrections Department, the bill calls for a 0.55 percent decrease.

"It will be almost impossible for the facilities to maintain the safety of the staff by these kind of cuts," said Lynn Dingle, deputy commissioner for the department's Facility Services Division.

Countered Paymar: "We're asking them to make less than a 1 percent cut in a billion-dollar bureaucracy." The bill directs the department to reduce its daily adult facility per diem cost of \$89.77 by 1 percent.

However, the department could get more inmates because the bill calls for the elimination of the short-term offender program that allows offenders with less than six months remaining on their sentence to serve that time in a local jail. This would take effect with those sentenced on or after July 1, 2009. Pawlenty included this in his

budget proposal. Local officials said state reimbursement is far short of actual costs.

In addition to a \$1 surcharge increase for traffic offenses, the bill contains a dozen court filing fee increases, including a \$60 increase in the initial filing fee for a marriage dissolution and a \$7 increase to deposit a will. Nearly \$30 million in revenue is expected to be raised.

"I understand why you did it, and I appreciate the result of that. I think there might be some better ways to juggle the money and help the courts without raising fees," said Rep. Paul Kohls (R-Victoria).

Other provisions in the bill include:

- a \$50 increase to registration fees on all licensed attorneys, with proceeds to help fund public defenders;
- a public defender co-pay increase from \$28 to \$75;
- the interest rate on a court judgment over \$50,000 would increase from "simple interest per annum" to 10 percent per year;
- a two-year extension of the nonviolent drug offender conditional release program; and
- the Public Safety Department is to reduce its car fleet by 20 percent in the seven-county Twin Cities metropolitan area; the Corrections Department is to reduce its entire fleet by 20 percent.

— M. COOK

County pavilion exemption sought

Redwood County residents could have more space for summertime class reunions, wedding receptions and church picnics.

House Minority Leader Marty Seifert (R-Marshall) and Sen. Dennis Frederickson (R-New Ulm) sponsor a bill that would allow the upgrade of a popular picnic shelter to accommodate larger groups.

As amended by House language, HF1946/SF1477* would allow an exemption to the state building code so the pavilion may be remodeled without a costly sprinkler system that would ordinarily be required. Plans call for the 36-by-76 foot building to be enlarged by 10 feet, an accessible restroom added and a fire alarm system and other safety features installed. The building has no stoves or heating, although slow-cooking devices may be used.

The county has already raised \$150,000 in private funds and seeks no funding, but only a code exemption to save it the \$75,000

sprinkler system price tag, which would put the project on hold.

Approved April 3 by the House Labor and Consumer Protection Division, the bill awaits action by the House Commerce and Labor Committee. It was approved 62-0 by the Senate March 23.

Division members were concerned whether large groups of people would be able to exit the building in the unlikely event of a fire, as its garage-style doors are often kept closed on windy days. However, they were comfortable with an amendment offered by Rep. Loren Solberg (DFL-Grand Rapids) that would require a written exemption by the state fire marshal, who would inspect and approve the building plan.

Visitor numbers to the site and its surrounding grounds of the historic Gilfillan Estate have increased from about 6,000 people in 1998 to 13,000 last year. Seifert said the pavilion is used by thousands of people every summer during Farm Fest, a large regional agricultural festival; the Redwood County Relay for Life, a cancer charity event; and many local reunions and social events.

— K. BERGGREN

TAXES

Green Acres, federal conformity

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the
governor

Farmers with concerns about the Green Acres program might have fewer sleepless nights now that changes have once again been made to the law.

A new law, signed April 3 by Gov. Tim Pawlenty, with most changes effective in 2011, creates a rural preserve program, in which land can be placed if it is classified as "rural vacant land."

Rural preserve is a 10-year covenant that runs with the land, not the person. To qualify for rural preserve, a conservation plan must be written. The covenant provision will take effect in 2013, which means people have until then to make a decision on what to do with the land.

Also in the law are new federal tax conformity pieces that include most changes implemented between February 2008 and Dec. 31, 2008. Those changes are effective April 4, 2009.

HF392*/SF252/CH12

— S. HEGMAN

Bracket restructuring, rate increase

In an attempt to make the state's income tax more progressive, a bill would raise the rate on top earners.

HF1998, sponsored by Rep. Michael Paymar

(DFL-St. Paul), would increase the current state income tax of 7.85 percent for top wage earners to 8.5 percent, and restructure the current three tax brackets into four. An 8 percent rate would be imposed on taxable income over \$100,000 for married joint filers, with the threshold adjusted for other filing statuses.

Paymar said his bill is an attempt to reinstate a more progressive income tax, which rolls back the income tax cuts made in 1999 and 2000.

"I voted for the cuts in 1999 and 2000," Paymar said. "It was a mistake, a mistake that I regret. This (bill) is something I think the public would think is fair."

The new 8 percent and 8.5 percent rates would be set at 7.525 percent and 8.175 percent for tax year 2009. The delay in fully implementing the rate increase would act to smooth out withholding table changes since the withholding tables would not be adjusted for the new rates until July 1, 2009, halfway through the 2009 tax year.

The bill was laid over April 6 by the House Taxes Committee for possible omnibus bill inclusion. There is no Senate companion.

"You're not looking at all the taxes, just state," said Rep. Pat Garofalo (R-Farmington). "When you look at all the taxes, top incomes pay the most. No matter how you manipulate the numbers, there is no way you can possibly argue that the richest 1, 5, 10, 20 or 40 percent pay a lower percentage of their taxes than the bottom bracket. It is totally false ... now you can go out to Fairyland and see what they're paying in an alternative universe, but to sit here and argue that the richest don't pay a fair percentage is a lie."

"There's no way you can tell me that's a true statement," countered Rep. Tom Rukavina (DFL-Virginia). "We could continue this debate, but I do live in an alternate world. I'm Bizzaro, I guess. I don't believe that what you're saying is anywhere near the truth."

— S. HEGMAN

No business tax on paper

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by
the
governor

Out-of-state customers don't have to pay the state's business tax on paper they provide to printing companies.

A new law, signed April 6 by Gov. Tim Pawlenty and effective for taxable years beginning after Dec. 31, 2008, states that when an out-of-state customer provides paper or other media to a Minnesota printer for printing jobs for that same customer, doing so does not allow Minnesota to impose its corporate franchise tax on the customer. This exception does not apply if the out-of-state

customer is part of the same unitary business as the printing company.

The law is sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Tom Bakk (DFL-Cook).

HF1073/SF832*/CH14

— S. HEGMAN

Taxing digital downloads

You might have to pay extra for that song you bought on iTunes.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF1980 would expand the sales tax to digital products that are currently taxable in physical form. The bill was laid over by the House Taxes Committee April 2 for possible inclusion in its omnibus bill. A companion, SF1839, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Taxes Committee.

"If I buy this CD of music in Minnesota, I pay sales tax," Davnie said, while holding up a Bonnie Raitt CD. "If I download the same music in my basement from the iTunes store, I pay no taxes."

He added that a growing number of states are passing legislation to tax digital downloads. Currently, 13 states legislatively impose this tax.

Stephen Kranz, a lawyer with Sutherland Asbill and Brennan LLP, said this is a very difficult area of tax law that requires very technical bill drafting.

"Washington (state) spent a year drafting their bill," he said. "They spent that time to make sure things like online dating and online career services aren't inadvertently taxed."

Kranz also said the bill would impose a tax on "green" products because digital products don't require shipping or cardboard packaging.

— S. HEGMAN

TRANSPORTATION

Bike, pedestrian bridge access

Having a transportation system that includes access for both motorized and non-motorized vehicles could require some infrastructure changes.

Sponsored by Rep. Frank Hornstein (DFL-Mpls), HF1705 would require the inclusion of bicycle and pedestrian facilities on certain bridges repaired or replaced using the trunk highway bridge improvement program that was enacted last year. The spans would also need to meet accessibility requirements of the Americans with Disabilities Act.

The program requires the Transportation Department to identify and prioritize fracture-critical and structurally deficient bridges for repair or replacement.

"We've seen an increasing number of bike connections that are actually interrupted by bridges that don't have these accommodations, as well as pedestrian and ADA issues," Hornstein said. "This bill will make bridges clearly safer and more accessible."

Approved April 2 by the House Transportation Finance and Policy Division,

it awaits action by the House Finance Committee. A companion, SF1484, sponsored by Sen. D. Scott Dibble (DFL-Mpls), has been incorporated into SF1455, the Senate omnibus transportation policy bill.

"This is one step MnDOT and the state can take to make things safer for everyone," said Chris Bell, chairman of the advocacy

BUSINESS DISRUPTION



PHOTO BY TOM OLMSCHIED

Manny Gonzalez, owner of Manny's Tortas in Minneapolis, testifies April 2 before the House Transportation Finance and Policy Division about the hardships for a small business when road construction makes it difficult for customers to reach the business. The division was taking testimony on a bill that would require road authorities to mitigate construction impacts on small businesses.

and legislation committee for the American Council of the Blind of Minnesota.

HornsteinsaidMnDOTalreadyincorporates bicycle and pedestrian facilities in many cases, but he would like this in statute to ensure it will happen with all qualifying bridges.

The requirement applies only to bridges located in a city or that link to a pedestrian path, trail or bikeway. The provisions would not apply if MnDOT determines there is no demand or a “reasonable alternative” crossing is located within one-quarter mile of the bridge.

A fiscal note indicates adding bike/ pedestrian accommodations could cost from \$500,000 to \$6 million per bridge.

Ethan Fawley, transportation connections coordinator with Fresh Energy, noted most bridges have a 50- to 75-year life span. “If we make a mistake now and want to go back and retrofit the bridge later, that becomes a very expensive endeavor.”

— M. Cook

Honoring a House speaker

Awaiting the governor’s signature is a bill that would attach the name of a former House speaker to a northern Minnesota highway.

Sponsored by Rep. Tom Anzelc (DFL-Balsam Township) and Sen. Tom Saxhaug (DFL-Grand Rapids), HF110/SF335* was passed 132-0 by the House April 7. Senate approval was given 63-0 Feb. 12.

The bill would designate Trunk Highway 53 from Virginia to International Falls as the “Speaker Irvin N. Anderson Memorial Highway.” The Department of Transportation would design and erect the signs that would be paid for through nonstate funds.

First elected in 1964, Anderson spent 34 non-consecutive years in the Legislature, serving from 1964-82 and 1990 until retiring in 2006. He was House speaker from 1993-96. He passed away last November.

“There was never a more tireless, aggressive advocate for transportation in northern

Minnesota — in all of Minnesota — than Speaker Irv Anderson,” Anzelc said. “He traveled this stretch of highway hundreds and hundreds of times back and forth to this Capitol so he could serve the people of his district and Minnesota.”

House Majority Leader Tony Sertich (DFL-Chisholm) said a remembrance of “this lion of the Legislature” is expected later this session.

The bill also gives MnDOT permission to remove a memorial highway sign if it needs maintenance and a reasonable attempt has been made to obtain necessary funds from nonstate sources for repair or replacement.

— M. Cook

Veterans status on driver’s license

A person might be able to prove their veteran status by showing his or her driver’s license.

Not only would it be a way to receive discounts at businesses, it could double as a way for police to deal with a potentially more serious issue.

Col. Eric Ahlness, government relations officer with the Department of Military Affairs, said the bill would help law enforcement recognize a veteran, approach them in a proper manner during a traffic stop and suggest help, if needed. He said a member of law enforcement brought forward the idea for the bill.

Rep. Larry Haws (DFL-St. Cloud) sponsors HF572 that would modify state driver’s licenses and identification cards to allow for a military veteran designation.

“If we have a problem with a veteran, we have veteran’s programs that specifically are for that veteran, and this is an opportunity to really identify that and say, ‘Can we get you to the proper place now?’” he said.

Approved April 2 by the House Transportation Finance and Policy Division, the bill awaits action by the full House. A companion, SF1014, sponsored by Sen. Tarryl Clark (DFL-St. Cloud), awaits action by the Senate Finance Committee.

Because the program would be opt-in, an applicant must request the designation at time of application or renewal, pay a required fee and provide a certified copy of discharge papers in order to obtain the designation.

The veteran’s status would initially be noted only on the person’s driving record that is viewable by the Department of Public Safety and law enforcement.

To keep the bill cost-neutral, the designation would not appear on the license or identification card until the state enters into a new contract for card design, at which point the designation could be part of the bidding process.

“Our vendor charges \$80,000 to make a change to the design of the card,” said Pat McCormack, director of the DPS Driver and Vehicle Services Division.

— M. Cook

Clearwater County vets highway

More than 28 miles of northern Minnesota trunk highway could honor those that have protected America.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids) and Sen. Rod Skoe (DFL-Clearbrook), HF121/SF451* was approved 132-0 by the House April 7. Passed 64-1 by the Senate March 5, it awaits the governor’s signature.

The proposed “Clearwater County Veterans Memorial Highway” would be about 1.5 miles of Trunk Highway 200 from County State-Aid Highway 39 to its junction with Trunk Highway 92 at Zerkul, and about 27 miles of Trunk Highway 92 from that intersection north to County State-Aid Highway 5 in Clearbrook.

“This would be the continuation of a highway that started in Frazee in Becker County and is moving up through Clearwater County,” Sailer said.

The Transportation Department would design and erect appropriate signs, subject to the availability of nonstate funds to pay the costs. Sailer said the Bagley, Clearbrook and Gonvick American Legions would pay for the signage.

— M. Cook

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'Bread and butter' emergency borrowing

Omnibus bonding bill heads to conference committee

By SONJA HEGMAN

With the goal of being carbon neutral by 2010, the University of Minnesota Morris could be the recipient of funding that would build a one-of-a-kind facility.

The \$3 million allocated in the House omnibus capital investment bill would be used to design, construct, furnish and equip a national solar testing and certification laboratory to test, rate and certify the performance of equipment and devices that utilize solar energy for heating and cooling air and water for electricity.

Rep. Alice Hausman (DFL-St. Paul), who sponsors HF855, said the motivation for including this project was a letter from a man who had waited several months for testing on his solar panel. A Florida lab tests solar thermal water heating panels, but does not

test air panels, so Hausman said the man sent his panel to a one-of-a-kind Canadian lab that tests for both water and air. After 18 months, he found out the panel wasn't likely to be tested because the facility was closed for an indefinite period of time.

"Minnesota has an opportunity to attract a tremendous amount of development in the renewable energy sector through the creation of a testing facility such as this," Hausman said. "With the capacity to test both solar thermal and solar electric panels, Minnesota can easily position itself as a continuing leader in the renewable sector. There are dozens of

companies in the U.S. waiting for a facility just like this."

Currently, the lab could be built at the Morris campus, but the Twin Cities campus has existing infrastructure that could be used.

After almost two hours of debate April 6, the House passed its \$200 million bonding bill 93-40. The Senate passed its \$329 million bill, SF781, sponsored by Sen. Keith Langseth (DFL-Glyndon), 56-8 on March 16. A conference committee has been called for to work out the differences.

"We need to prioritize needs over wants," said House Minority Leader Marty Seifert (R-Marshall). "We're doing nothing to take care of the state's deficit. When you're in a hole, stop digging. We're drowning in red ink as a country and as a state."

The House bill would provide \$55 million for Minnesota State Colleges and Universities system, nearly \$30 million for the Department of Transportation and \$23 million for the University of Minnesota. It also includes nearly \$13 million for flood mitigation grants, but some legislators wanted more.

Rep. Morrie Lanning (R-Moorhead) and Rep. Paul Marquart (DFL-Dilworth) supported an unsuccessful attempt by Rep. Greg Davids (R-Preston) to shift bonding money from colleges to flood mitigation — their main concern was that of the current flooding in the Red River Valley. Davids' southeast Minnesota district had severe flooding in August 2007.

"In my tenure I have always voted for bonding bills," Lanning said. "It pains me to vote against this bill because of a major flaw in flood mitigation. (Constituents) want us to address higher ed, but they also want us to address the flooding issue in this state."

Lanning has said he and other members who represent the Red River Valley would be bringing forth a flood recovery bill in the near future if it wasn't dealt with adequately in the bonding bill.



PHOTO BY TOM OLMSCHIED

Rep. Alice Hausman (DFL-St. Paul) explains the omnibus capital investment bill, which she sponsors, on the House floor April 6.

Bonding continued on page 23

Control-alt-delete

Electronic waste collections called 'too successful'

By SUSAN HEGARTY

"Ask and you shall receive" could be the slogan of Minnesota's electronics recycling legislation.

The Minnesota Electronics Recycling Act of 2007 requires manufacturers of computers and other electronic devices to keep control-alt-deleting consumers' unwanted items.

Between July 1, 2007 and June 30, 2008, solid waste agencies, retailers and manufacturers collected 6.3 pounds of electronic waste per Minnesotan.

In all, 11.6 tons were diverted from landfills in 2007. Thousands of people waited in their cars for hours to dump old electronics at a three-day event next to the Mall of America in November 2007. The widely advertised free collection was so successful, it had to be shut down on the second day.

"We were, to some extent, a victim of our own success," said Rep. Brita Sailer (DFL-Park Rapids), who sponsors HF1648 to amend the recycling act.

Each year, manufacturers are required to collect the equivalent of 60 percent in discarded electronics compared to the amount of items they sold during the previous year. If they collect more than 60 percent, they are awarded recycling credits. Manufacturers built up so many credits the first year of the program they could go three years without having to collect one more item. That poses a problem for counties that find themselves caught in the middle.

"We're going to end up having to pay to get those recycled. Most counties had some sort of arrangement with the recycler, which piggybacked off the arrangement between the recycler and manufacturer, where the collector was getting about 2 cents per pound, about \$40 a ton in revenue, to come in and help offset some of their program costs — the advertising, the consolidation, organizing the materials and getting them ready for

shipment," said Jon Steiner, Polk County solid waste administrator and president of the Solid Waste Administration Association.

With manufacturers sitting on top of their credits, Sailer's bill attempts to restore incentives. It removes a three-year cap for manufacturers to use their credits. Instead, they would only be able to apply 25 percent of their credits toward their yearly obligation to collect electronic waste.

The bill, and its companion, SF1486, sponsored by Sen. Linda Higgins (DFL-Mpls), await action on the House and Senate floors, respectively.

Some legislators said more education about where and how to recycle electronics is needed for people with all of the pent-up waste.

Most counties accept electronic waste free of charge or for a small fee.

Retailers are also accepting discarded electronics on behalf of the manufacturers.

In January, Richfield-based Best Buy rolled out its "Take Back" program at 1,000 stores nationally, after successfully piloting the program in Minnesota last July, according to Laura Bishop, director of government relations for the retailer. The retail chain accepts used electronic products that it also offers for sale. There is a \$10 recycle fee on screen devices, but customers receive a \$10 gift card in exchange for the fee, Bishop said. Items recycled under the Insignia brand, Best Buy's house label, do not require a \$10 recycling fee.

While recycling efforts have been strong in metropolitan areas, rural opportunities may not be quite as commonplace. Steiner said a handful of counties still do not accept electronic waste and others may charge a fee.

Rep. Al Juhnke (DFL-Willmar) disputes the statewide success of the year-old law. He said electronic waste in rural Minnesota is apt to wind up in roadside ditches or in the landfills.

"The program is not successful until it has no fees and it's available, reasonably, to every resident in the state," Juhnke said.


MRM, a provider of electronic waste recycling management services to manufacturers, has developed a network of 21 locations in the state. Executive Director Tricia Conroy said the company's Minnesota members are responsible for collecting 33 percent of what's been recycled, or 18 million pounds. A list of those locations can be found at www.mrmrecycling.com. 



PHOTO BY TOM OLMSCHEID

John Reese of CRT Processing in Oakdale adds another computer monitor to an e-waste bin April 8.

Providing 'pretty darn good coverage'

A new approach to public health could save millions in benefits, advocates say

By PATTY OSTBERG

Aadults covered under MinnesotaCare would be moved to private coverage under a bill sponsored by Rep. Steve Gottwalt (R-St. Cloud).

Called the "Healthy Minnesota Plan," HF1865 would allow adults to enroll in their choice of individual health plans under contract with the Human Services Department. Plan services could cover up to \$5 million in lifetime services that would include: eyewear coverage, maternity labor and delivery, dental coverage, prescriptions and preventive care.

"The intent of this plan is to provide MinnesotaCare level of benefits, and then some," Gottwalt said, estimating the plan would cover about 84,000 adults now on public programs.

If a person doesn't qualify for the program because of a pre-existing condition, they would be covered under the Minnesota Comprehensive Health Association. "A fairly sizable number of these people probably would end up in MCHA," said Gottwalt.

By providing private coverage, the state would reduce its costs to ensure long-term stability for public programs and better benefits, Gottwalt said. In the long run, he said it could reduce state costs by an estimated \$100 million per year.

The bill was approved March 25 by the House Health Care and Human Services Policy and Oversight Committee and now awaits action by the House Health Care and Human Services Finance Division. A companion, SF1735, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Health, Housing and Family Security Committee.

MinnesotaCare costs about \$500 monthly per adult resulting in a state cost of about \$6,000 a year, a number Gottwalt said is

unsustainable. In the private market that would provide some "pretty darn good coverage."

MinnesotaCare has a \$10,000 inpatient maximum, while HMP would provide a \$5 million lifetime maximum. Insurance for a healthy 55-year-old male would cost only about \$237 a month, said Greg Sailer, president-elect of the Minnesota Association of Health Underwriters.

Under MCHA those rates go up about 25 percent, added Thomas Aslesen, the association's director.

Under Gottwalt's bill, the state would pay a deductible of up to \$2,100. Once the enrollee has used that amount, they

would be responsible for a \$1,000 out-of-pocket deductible per year. The state and enrollees would also pay premiums on an income-based sliding fee schedule, just as with MinnesotaCare.

Enrollees could take more ownership in their health care by deciding where they want to spend the state-covered deductible. Because the plan would be their own health care coverage, they could take the plan with them into an employment situation where an employer could possibly pay a portion, Gottwalt said. In addition, because it would be a private plan, co-payment and deductible

rates could be adjusted per individual.

Rep. Julie Bunn (DFL-Lake Elmo) questioned what would happen to an enrollee who is unable to pay the \$1,000 deductible.

That is the current situation under MinnesotaCare with hospitals on the hook for those costs, Gottwalt said.

Public programs do not pay providers nearly enough to cover health care costs, and they get stuck with unpaid copayments and deductibles, he said. When costs go unpaid, cost-shifting occurs to others, perhaps making health care unaffordable.

Gottwalt added that many providers won't see MinnesotaCare enrollees because they know they won't be reimbursed enough. Cost-shifting could possibly be eliminated if providers know they will be reimbursed at commercial rates while creating more access for enrollees.

"Ultimately we ought to have a health care system where the public programs pay the providers the same as everybody else," said Rep.



Rep. Steve Gottwalt

By providing private coverage, the state would reduce its costs to ensure long-term stability for public programs and better benefits, Gottwalt said. In the long run, he said, it could reduce state costs by an estimated \$100 million per year.

Thomas Huntley (DFL-Duluth).

If the state pays higher rates for services in public programs, health plans should shift less cost onto consumers in private plans, added Rep. Paul Thissen (DFL-Mpls), the committee chairman.

Phil Griffin, representing PreferredOne and UCare Minnesota, said the differences in public programs have grown dramatically, noting that providers are already trying to deal with rising costs and struggling to continue current programs. 🏛️

2009-2010 Minnesota House of Representatives

District	Member/Party	Room*	Phone 651-296-	District	Member/Party	Room*	Phone 651-296-
48B	Abeler, Jim (R)	203	1729	34A	Kohls, Paul (R)	313	4282
19A	Anderson, Bruce (R)	295	5063	50A	Laine, Carolyn (DFL)	407	4331
13A	Anderson, Paul (R)	239	4317	9A	Lanning, Morrie (R)	259	5515
43A	Anderson, Sarah (R)	217	5511	40B	Lenczewski, Ann (DFL)	509	4218
3A	Anzelc, Tom (DFL)	417	4936	66A	Lesch, John (DFL)	537	4224
39B	Atkins, Joe (DFL)	503	4192	30A	Liebling, Tina (DFL)	553	0573
35A	Beard, Michael (R)	207	8872	1B	Lieder, Bernard (DFL)	423	5091
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57A	Bigham, Karla (DFL)	353	4342	59A	Loeffler, Diane (DFL)	349	4219
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25A	Brod, Laura (R)	291	4229	37A	Mack, Tara (R)	321	5506
27A	Brown, Robin (DFL)	337	8216	22A	Magnus, Doug (R)	253	5505
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35B	Buesgens, Mark (R)	307	5185	65B	Mariani, Carlos (DFL)	563	9714
56A	Bunn, Julie (DFL)	521	4244	9B	Marquart, Paul (DFL)	597	6829
45B	Carlson Sr., Lyndon (DFL)	479	4255	38A	Masin, Sandra (DFL)	527	3533
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20A	Falk, Andrew (DFL)	431	4228	32A	Peppin, Joyce (R)	279	7806
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53A	Gardner, Paul (DFL)	581	2907	27B	Poppe, Jeanne (DFL)	487	4193
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39A	Hansen, Rick (DFL)	401	6828	54B	Scalze, Bev (DFL)	451	7153
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8A	Hilty, Bill (DFL)	559	4308	18A	Shimanski, Ron (R)	227	1534
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34B	Hoppe, Joe (R)	317	5066	55B	Slawik, Nora (DFL)	403	7807
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16A	Jackson, Gail Kulick (DFL)	531	6746	65A	Thao, Cy (DFL)	359	5158
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Monday, April 6

HF2277-Bunn (DFL) Finance

Capital gains volatility reduction account established and commissioner of finance directed to adjust amounts in the account based on forecasts of individual income tax revenue resulting from taxation of capital gains income in comparison to a five-year average.

HF2278-Atkins (DFL) Transportation & Transit Policy & Oversight Division

Vehicle weight limitation violation penalties and requirements modified.

HF2279-Davnie (DFL) Commerce & Labor

Home values guarantee pilot program established, five-year guarantee against depreciation in value of certain properties provided and incentives to restructure mortgage loans provided.

HF2280-Severson (R) Taxes

Sauk Rapids; tax increment financing district time extension authorized.

HF2281-Fritz (DFL) Taxes

Faribault; job opportunity building zone time extension authorized.

HF2282-Davids (R) Finance

Caledonia; city hall energy efficiency improvements funding provided.

HF2283-Davids (R) Finance

Caledonia; wastewater treatment plant funding provided.

HF2284-Davids (R) Finance

Caledonia; sewer and water infrastructure funding provided.

HF2285-Hansen (DFL) Finance

History education learning program grants established.

HF2286-Murphy, E. (DFL) Finance

Lutheran Social Service of Minnesota capacity building grant for financial counseling program expansion funding provided.

HF2287-Hilty (DFL) Finance

University of Minnesota, Duluth; Natural Resources and Research Institute funding provided.

HF2288-Welti (DFL) Finance

Spring inventory, assessment and monitoring funding provided.

HF2289-Thao (DFL) Finance

Reimbursement grant for certain farmers incurring crop damages funding provided.

HF2290-Persell (DFL) Finance

Local grant program provided to acquire and manage aquatic management areas.

HF2291-Swails (DFL) Finance

Teacher licensure by portfolio funding provided.

HF2292-Haws (DFL) State & Local Government Operations Reform, Technology & Elections

Contiguous political subdivision cooperative service plans provided and special levy provided.

HF2293-Kalin (DFL) Finance

State green product aggregation program established for state agencies.

HF2294-Hortman (DFL) Finance

Trunk highway bridge improvement program requirements amended and trunk highway bond authorization amended.

HF2295-Hansen (DFL) Finance

Department gift cards and certificates authorized.

HF2296-Atkins (DFL) Commerce & Labor

Tanning facilities regulated and certain minor use prohibited.

HF2298-Newton (DFL) State & Local Government Operations Reform, Technology & Elections

Local units of government provided additional financing of parks, trails and recreational facilities by special assessments.

HF2299-Downey (R) State & Local Government Operations Reform, Technology & Elections

State agency information technology systems and services consolidated, duties specified for information technology services and equipment, duties of the chief information officer transferred to the Office of Enterprise Technology, reports required.

HF2300-Howes (R) Commerce & Labor

Consumers permitted the option of waiving auto insurance no-fault medical coverage that duplicates other medical coverage, and coordination of benefits effects specified.

HF2301-Juhnke (DFL) Finance

Clear water activities relating to agriculture funding provided.

HF2302-Holberg (R) Environment Policy & Oversight

Conservation easements restricted in certain conditions and time period modified to implement local water plans.

HF2303-Olin (DFL) Finance

Northland College grant provided for an online high school agricultural education program.

Tuesday, April 7

HF2297-Koenen (DFL) Taxes

Counties authorized to make joint purchases of energy and energy generation projects and tax levy authorized.

Bonding continued from page 19

"I don't begin to think we have the money to fund the floods going right now," Hausman said, adding that she has every intention of addressing those concerns once a damage total is more accurate. She said the main purpose of the bill is to preserve public infrastructure and put people to work.

"I will tell you that this is one of those bare bones, bread-and-butter bonding bills that takes care of the basics," Hausman said. "It focuses on both paintbrush and shovel-ready projects that can be undertaken immediately."

Rep. Sarah Anderson (R-Plymouth) successfully amended the bill to include

greater accountability as to how many jobs will be created or retained, salaries and economic development.

"This bill will provide money for jobs," said House Majority Leader Tony Sertich (DFL-Chisholm). "Some of us would like to see a bigger bill. This money does borrow, but what it buys is jobs and asset preservation."

The bill also includes:

- \$24 million for the Department of Human Services, including \$20 million to expand the Moose Lake Sex Offender Treatment Facility;
- \$7.1 million for the Veteran's Affairs Department;
- \$5 million to the Department of Corrections for asset preservation;

- \$4 million for the Housing Finance Agency for public housing;
- \$3.6 million for the Department of Military Affairs for asset preservation; and
- \$2.06 million for Minnesota Historical Society asset preservation.

Members of the House who will hammer out the final details of the bill with the Senate are Hausman, Rep. Larry Howes (R-Walker), Rep. Tom Rukavina (DFL-Virginia), Rep. Bev Scalze (DFL-Little Canada) and Rep. Jean Wagenius (DFL-Mpls). Langseth will be joined at the conference committee by Sen. Dick Day (R-Owatonna), Sen. Ann Lynch (DFL-Rochester), Sen. Katie Sieben (DFL-Newport) and Sen. David Tomassoni (DFL-Chisholm). 🐾

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MINORITY LEADER: MARTY SEIFERT

MINNESOTA INDEX

Extreme weather

April dates set aside in 2009 for Severe Weather Awareness Week	20-24
State's highest recorded temperature in degrees Fahrenheit	114
Year recorded in Moorhead, July 6	1936
State's lowest recorded temperature, in degrees Fahrenheit	-60
Year recorded in Tower, Feb. 2	1996
State's rank nationally for all-time coldest recorded temperature	6
State's maximum 24-hour change in degrees Fahrenheit	71
Year recorded in Lamberton on April 3	1982
State average high and low temperatures in degrees Fahrenheit	83.4, -2.9
Year of first reported tornado in Minnesota at Fort Snelling	1820
Number of counties reporting 40 or more tornadoes from 1950 to 2005 2 (Otter Tail, Polk)	
Number of reported tornadoes in state in 2008	43
Number of people injured as a result	21
Number of deaths	1
Year of earliest recorded tornado of season in Truman on March 18	1968
Year of greatest number of recorded tornadoes in state (74)	2001
Most tornadoes in one day in state recorded on June 16, 1992	27
Most fatalities from a single tornado, on April 14, 1886	72
Maximum 24-hour rain total, in inches, in 2007 in Hokah	15.1
Minimum annual total, in inches, in 1976 in Ortonville	6.37
Longest dry spell in days	79
Highest sustained wind in state, in mph	110
Highest wind gust in state, in mph	180
Earliest recorded ice-out date in March 2009 at Lake Sarah in Murray County	22
Average May ice-out date on Rainy Lake along the Canadian border	3
Year of state's earliest recorded snowfall in Duluth on Aug. 31	1949
In inches, most snow in one month recorded in Collegeville in March 1965	66

— L. SCHUTZ

Sources: University of Minnesota, SHG Resources, Department of Natural Resources, National Weather Service.

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SESSION WEEKLY

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THE OMNIFEST BEGINS

FOLLOW THAT BILL

WHO'S WATCHING THE MONEY?

VETERAN STATUS FOR ALLIED FORCES

HF2304 - HF2323

SESSION WEEKLY

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On the cover: Five-year-old Aiden Kennedy, left, and his 7-year-old brother, Riley, gaze up at the dome in the Capitol Rotunda during an April 7 visit. The brothers are guests of their uncle, Rep. Paul Thissen.

— Photo by: Andrew VonBank

Protecting public dollars

Lawmakers push for better financial controls at state agencies

By NICK BUSSE

At a time when lawmakers are pinching pennies to fill a \$4.6 billion budget hole, the last thing they want to hear is that state funds are being stolen, misspent or otherwise squandered. But according to the state's internal watchdogs, that's exactly what's been happening — over and over again.

Take the Department of Natural Resources, which inappropriately spent \$300,000 on a private conference that included a golf tournament and fishing trip — or the Board of Barber and Cosmetologist Examiners, where \$10,000 has gone missing, possibly due to employee fraud. Then there is the Department of Human Services, where a supervisor managed to defraud the state of more than \$1 million over a five-year period before a bank teller finally got suspicious and tipped off authorities.

These recent examples represent some of the

the state of internal controls and financial management across a great number of state agencies," said Rep. Ryan Winkler (DFL-Golden Valley), who has worked extensively on the issue.

In theory, agencies are supposed to have policies and procedures in place that prevent state funds from being misspent. These accounting practices, known as "internal controls," are designed to ensure that funds are spent appropriately and according to generally accepted accounting principles. For example, one commonly used internal control

Nobles and his staff have found that the problem of lax internal controls is a common theme at state agencies. He points to the DHS incident as a classic example; even though a single individual perpetrated the fraud, Nobles said the department as a whole bears responsibility because lack of oversight enabled it to happen.

"Clearly, it was a criminal act, but it was a criminal act that was allowed because of weak internal controls," he said.

Fixing the problem

According to statute, Minnesota Management and Budget is the state's lead agency on internal controls, meaning that it bears ultimate responsibility for the financial management policies used by the state. In the wake of so many negative legislative audits, many lawmakers want MMB to step up its oversight.

Winkler, who serves as vice chairman of the House State Government Finance Division, and Rep. Keith Downey (R-Edina), a former consultant at an accounting firm, have teamed up to push for a bipartisan solution to the state's internal controls problem.

HF1781, the omnibus state government finance bill, contains language crafted by the pair that would strengthen internal control structures across state agencies using well-known private-sector accounting standards. Rep. Phyllis Kahn (DFL-Mpls) sponsors the bill, which awaits action by the House Finance Committee. A companion, SF1395, sponsored by Sen. Don Betzold (DFL-Fridley), awaits action by the Senate State Government Budget Division.

The Winkler and Downey proposal would ask MMB to take a more proactive role in promoting proper internal controls in state government. It would also expand the job duties of the Legislative Audit Commission, and establish an independent "financial controls council" that would review and make



Rep. Ryan Winkler

Rep. Ryan Winkler (DFL-Golden Valley), who serves as vice chairman of the House State Government Finance Division, and Rep. Keith Downey (R-Edina), a former consultant at an accounting firm, have teamed up to push for a bipartisan solution to the state's internal controls problem.



Rep. Keith Downey

worst cases documented by the Office of the Legislative Auditor. But what worries legislators even more is a series of recent OLA reports revealing a pattern of inadequate financial oversight at state agencies nearly across the board, suggesting that the potential for future abuse of taxpayer dollars is even greater.

"The legislative auditor's reports have been, I think, very damning in the last year about

is to ensure that financial transactions are always handled by more than one person; this way, a single employee cannot commit an act of fraud without someone else noticing.

"It's a kind of check-and-balance within an organization," explained Legislative Auditor Jim Nobles, who said the state of internal controls in Minnesota state government is "in need of strengthening."

First Reading continued on page 4

First Reading continued from page 3

recommendations on the state's financial management practices.

"The idea is to be very clear in statute about what internal control policies (Minnesota Management and Budget) is required to establish," Winkler told members of the division April 7. He added that the legislation provides "a lot more detail" than current statutes about what internal controls should encompass.

Downey said parts of the legislation are based on lessons learned from his experiences in the private sector, where he said best practices for accounting are already widely agreed on.

"I think we need to have a very intentionally designed internal audit, risk assessment and proactive approach to internal auditing that we don't have today," Downey said, adding that public sector organizations can learn much from the business world.

Winkler faults the Pawlenty administration for allowing staff reductions at MMB to weaken the state's internal controls over the years.

"In the last eight years, the department of finance has lost 30 percent of its staff. As part of that total reduction, they have eliminated all auditor positions," Winkler said, calling the reductions a sign that the administration hasn't made a priority of taxpayer accountability.

Downey agrees that state agencies need to have a larger audit staff, but disagrees that the Pawlenty administration has let the



PHOTO BY TOM OLMSCHIED

Human Services Commissioner Cal Ludeman, left, and Finance Commissioner Tom Hanson testify before the Legislative Commission on Planning and Fiscal Policy April 2.

state's internal controls lapse. He points to a proposal in the governor's budget to provide MMB with an additional \$700,000 a year to expand its financial oversight activities. As outlined in the agency's budget narrative, the proposal acknowledges that recent legislative audits "have identified a disparate set of weaknesses in agency financial controls," and recommends "more robust training and support" for agency staff.

Nobles said he generally supports Winkler and Downey's legislation, and has been in touch regularly with Winkler on the issue. Although he does not agree on the necessity

of the "financial controls council" proposed, he said the overall effect would be to give OLA extra leverage to push for good internal controls in state government.

Moreover, Nobles said the mere fact that legislators are giving the issue so much attention this year is making his job easier by raising awareness of the issue.

"They have really been attentive to this issue this year, and I compliment them on that. And getting that backing from legislators... is very helpful to the work that the legislative auditor does," he said. 🏛️

Minnesota State Agencies

Administration	651-201-2555
Agriculture	651-201-6550
	800-967-2474
Commerce	651-296-4026
Corrections	651-361-7200
Education	651-582-8200
Employee Relations	651-259-3637
Employment and	
Economic Development	651-259-7114
	800-657-3858
Enterprise Technology	651-296-8888
Explore Minnesota Tourism	651-215-9041
	800-657-3535
Travel Info	888-868-7476
Finance	651-201-8000
Health	651-201-5000
Higher Education Services	651-642-0567
	800-657-3866

Housing Finance Agency	651-296-7608
	800-657-3769
Human Rights	651-296-5663
Human Services	651-431-2000
Iron Range Resources	218-744-7400
	800-765-5043
Labor and Industry	651-284-5005
	800-342-5354
Mediation Services	651-649-5421
Metropolitan Council	651-602-1000
Military Affairs	651-268-8925
Natural Resources	651-296-6157
	888-646-6367
Pollution Control Agency	651-296-6300
	800-657-3864
Public Safety	
General Information	651-201-7000
Alcohol and Gambling	
Enforcement Division	651-201-7507

Division of Homeland Security	
and Emergency Management	651-201-7400
Driver and Vehicle Services	651-297-3608
Driver's License	651-297-3298
Driver & Public Vehicle Info	651-296-6911
Motor Vehicles	651-297-2126
State Duty Officer	
(24-Hour Emergency)	651-649-5451
	800-422-0798
State Patrol	651-201-7100
Revenue	
General Information	651-296-3403
Income Tax Helpline	651-296-4444/296-3781
Sales and Use Tax Line	651-296-6181
Transportation	651-296-3000
	800-657-3774
Veterans Affairs	651-296-2562

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held April 9-16. 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.

BONDING

Conferees begin their work

At their first gathering April 14, House and Senate conferees compared differences of their respective omnibus capital investment bills.

The bills, HF855, sponsored by Rep. Alice Hausman (DFL-St. Paul), and SF781, sponsored Sen. Keith Langseth (DFL-Glyndon), differ by \$129.2 million, with the Senate funding more projects.

Langseth said that in an odd-numbered year, the bonding bill would not normally be this large, but because of current interest

rates this would be a good time to bond and build.

Both bills contain money for asset perseveration for several things, including the University of Minnesota and Minnesota State Colleges and Universities system.

Major differences between the bills include:

- \$41.4 million in the Senate bill for the Metropolitan Council versus \$21 million from the House;
- \$26 million in the Senate bill versus the House's \$12.7 million for flood mitigation grants;
- \$24 million in the Senate bill for a new Bell Museum at the University of Minnesota versus zero in the House; and
- \$20 million in the House bill for an expansion at Moose Lake for its sex offender program versus zero in the Senate.

The next meeting of the conference committee has not been scheduled.

Conferees are: Hausman, Rep. Bev Scalze (DFL-Little Canada), Rep. Jean Wagenius (DFL-Mpls), Rep. Tom Rukavina (DFL-Virginia), Rep. Larry Howes (R-Walker), Langseth, Sen. Dick Day (R-Owatonna), Sen. David Tomassoni (DFL-Chisholm), Sen. Ann Lynch (DFL-Rochester) and Sen. Katie Sieben (DFL-Newport).

— S. HEGMAN

BUDGET

House trims spending targets

The House Ways and Means Committee April 15 shaved approximately \$22.3 million from the House spending target of \$30.65 billion.

The target amendment reflects budget changes needed in transportation, taxes, energy, housing and public health.

A \$14.8 million cut to the tax target reflects budget changes because of a new law conforming the state's tax code to federal law.

"The cost to that bill occurs during fiscal year 2009 so the tax target for the 2010-2011 biennium is being lowered by that amount," said Bill Marx, House chief fiscal analyst. "That essentially means they will have to raise that much more money in fiscal '10 and '11." He added that about \$10 million has already been addressed in the federal conformity law.

A \$7.56 million adjustment is being made to the omnibus transportation finance bill. This money will be spent during fiscal year 2009 to

address a Greater Minnesota transit cash flow problem, said Rep. Loren Solberg (DFL-Grand Rapids), the committee chairman.

The new target also addresses some federal economic stimulus money the state is receiving. According to Marx, \$5 million will be moved from an account within the House Taxes Committee's jurisdiction to a target for the omnibus housing and public health finance bill.

The cut also reflects changes to the energy finance bill target by \$173,000.

— L. SCHUTZ

EDUCATION

Early childhood bill gets nod

Rep. Nora Slawik (DFL-Maplewood) said that despite "the tough environment with our big budget deficit" — and with the help of federal stimulus funds — the omnibus early childhood finance bill addresses "three overarching goals" the division has maintained throughout the session: getting an early start on closing the achievement gap, improving



PHOTO BY TOM OLMSCHIED

Bell Museum of Natural History Director Susan Weller, top, along with Gretchen Kreuter, center, and Lin Nelson Mayson wear moose antlers as they talk April 14 before the first meeting of the Capital Investment Finance Conference Committee. The House proposal does not include funding for a new museum, but the Senate bonding proposal does fund the project.



PHOTO BY ANDREW VONBANK

Joy Massard, a family child care provider from Shakopee, testifies April 14 before the House Early Childhood Finance and Policy Division to voice concerns about provisions contained in the omnibus early childhood finance bill.

child care quality and readying children for kindergarten.

Republican members of the House Early Childhood Finance and Policy Division largely support those policy goals but want to limit new spending. Rep. Mark Buesgens (R-Jordan) unsuccessfully offered amendments to strike the proposed \$5 million expansion of a statewide quality rating system based on the current Parent Aware pilot project, and to remove the provision to create an Office of Early Learning.

Approved by the division April 14 and the House Finance Committee the next day, HF2088, sponsored by Slawik, awaits action by the House Taxes Committee.

The bill features no cuts to spending targets but proposes larger accounting shifts for some programs. It would cost \$455 million in fiscal years 2010 and 2011, including \$262.8 million for Human Services Department programs, including Minnesota Family Investment Plan child care and economic assistance grants and the basic sliding fee Child Care Assistance Program for low-income working families. The Education Department would receive \$192.2 million for its programs, including adult basic education, Head Start, after-school program grants and school readiness

services that prepare at-risk children for kindergarten. It excludes a pre-kindergarten education allowance program that some lawmakers aren't convinced produces the desired results.

About \$6 million in federal stimulus funds would be used to improve child care quality, and another \$20 million would increase child care provider reimbursement rates for MFIP and CCAP providers and help reduce the waiting list for basic sliding fee subsidies. The governor proposes to reduce both programs and keep provider reimbursement at current rates.

Other key provisions would:

- establish an Office of Early Learning to coordinate a high-quality early childhood system, including programs administered by the departments of Human Services and Education, and to create a statewide inventory of child services;
- create a statewide quality rating system based on the pilot Parent Aware voluntary rating system and help child care providers get ready to meet quality expectations if they wish to apply for inclusion in the rating system;
- transfer \$1 million of the unspent balance from federal funding for basic sliding fee

program to the Education Department to fund Words Work, a literacy teacher training program and another \$1million for after-school program grants; and

- increase by 2 percent the state's reimbursement rate to child care providers who accept the basic sliding fee or MFIP subsidies and significantly reduce the waiting list of those eligible for sliding fee subsidies, while limiting retroactive eligibility.

While acknowledging that it's late to bring new policy ideas forward, Rep. Keith Downey (R-Edina) unsuccessfully proposed to expand a little-used program that, in effect, allows certain low-income parents to use their child care subsidy to pay themselves to stay home with an infant in lieu of paying an outside caregiver. He proposed to include children up to age 5.

Rep. Carolyn Laine (DFL-Columbia Heights) likened the idea to "a European model" of supporting parental care of young children through state subsidies, but suggested the details need to be more fully worked out in a future session.

— K. BERGGREN

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

PAPER PLANES



PHOTO BY ANDREW VONBANK

Paper flies from the racks April 14 when lobbyists reach for sections of the House omnibus housing and public health finance bill.

Omnibus K-12 finance bill OK'd

House K-12 Education Finance Division Chairwoman Mindy Greiling (DFL-Roseville) began the session proposing to stabilize and simplify education funding according to a scalable plan that would eventually equalize state aid to districts across the state and eliminate property tax levies from the funding formula.

The omnibus K-12 education finance bill approved by the division April 15 contains her original plan but makes it effective not next year, but in fiscal year 2014, when the state's budget will presumably be in better shape, Greiling said. She called the amended version of HF2 a "Spartan bill" that represents "quite an accomplishment" given the enormous deficit made worse by factoring in the effects of inflation.

Although Greiling indicated her distaste for accounting shifts, the bill conforms to House DFL targets by lowering the aid payment shift from 90 percent to 73 percent beginning in fiscal year 2010. However, it would authorize an advance payment shift of 90 percent for school districts in statutory operating debt. It would also reestablish a levy recognition shift at 49.1 percent effective in 2010.

The shifts would bring the education General Fund spending to the targeted \$11.6 billion for the biennium. Without them, but including \$275.6 million in federal stabilization funding, the cost would be \$13.66 billion.

Rep. Pat Garofalo (R-Farmington) does not support the shifts and is disappointed the proposal cuts education spending by \$506,000 more than the governor's education proposal; fails to fund any of his initiatives, such as alternative teacher training plans; doesn't eliminate a "wasteful" integration revenue program; and sets up expectations for future reform without specifying how to pay for it.

He wondered why education advocates who decried 80 percent shifts in 2003 aren't opposing the current, harsher shifts.

Rep. Paul Marquart (DFL-Dilworth) suggested that they realize how serious the situation is now and that despite cuts elsewhere "when you can hold 40 percent of the budget harmless in education, it's showing that education is our top priority. I think this is a bill that makes tough decisions in tough economic and budget times."

What's in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus K-12 education finance bill:

HF920 – Tillberry
HF935 – Slocum
HF1179 – Mariani
HF1701 – Newton

The proposed funding formula changes would eliminate property tax levies to make education completely state aid funded; create new declining enrollment and location equity components of general revenue formula; fully fund the state's portion of special education spending; remove the concentration factor from some spending categories, such as compensatory and Limited English Proficiency revenue; and increase basic per pupil revenue from \$5,124 to \$7,500. None would take effect for four years.

Rep. Will Morgan (DFL-Burnsville) successfully offered an amendment to strike an alternative teacher licensure path that would have created a fast track to licensure for some candidates, such as Teach for America volunteers. Rep. Bob Dettmer (R-Forest Lake) won approval for his amendment to adjust how school districts pay the difference between the base active duty military pay and a teacher's pay to lessen financial consequences for teachers in the National Guard or armed forces reserve members who are called to duty.

Garofalo unsuccessfully offered an amendment to remove the provision allowing schools to start before Labor Day, and successfully offered one calling for an early graduation incentives program working group.

The House Finance and Ways and Means committees are scheduled to hear the bill April 17.

— K. BERGGREN

Teacher background checks detailed

The House approved a bill that would allow the Board of Teaching to disclose to school boards and administrators whether a prospective teacher has a disciplinary record that includes sexual misconduct. Currently, that information is not disclosed because of privacy laws.

HF523, sponsored by Rep. Karla Bigham (DFL-Cottage Grove), was passed as amended April 16 by a 127-1 vote. It now goes to the Senate where Sen. Kathy Saltzman (DFL-Woodbury) is the sponsor.

The bill would also require candidates to provide information in the employment application regarding any history of disciplinary actions by the board, and give employers the standing to ask the candidates for information directly. It excludes disclosure of failure to pay court-ordered child support, spousal support or delinquent taxes.

Rep. Mark Buesgens (R-Jordan) introduced an amendment to include those exceptions.

"We're talking about educators. We're talking about people who are entrusted with a high level of honor working with the youth of this state. I think any disciplinary action should be disclosed," he said.

Buesgens' amendment was defeated, but another offered by Rep. Mary Liz Holberg (R-Lakeville), which added testing positive for alcohol use on school grounds during the school day to the types of misconduct that would be disclosed, was adopted.

Motivated by recent news reports revealing that a Bloomington school hired an employee whose criminal background check was inaccurate, Rep. Sarah Anderson (R-Plymouth) offered two amendments that would have stipulated criminal penalties for law enforcement officials failing to provide full background information on school job candidates.

Both amendments were ruled out of order. "If we are going to make public officials criminally responsible for not doing their duties, that is a dramatic expansion of this bill," Rep. Melissa Hortman (DFL-Brooklyn Park) advised House Speaker Margaret Anderson Kelliher (DFL-Mpls).

Board of Teaching Director Karen Balmer told the House K-12 Education Policy and Oversight Committee Feb. 19 that the threshold for taking disciplinary action is high, supported by "volumes of files" of evidence for those agreements, "but those files are not public, and in fact they're very tightly protected by the data privacy laws."

The actual stipulation agreement of disciplinary action, Balmer explained, is negotiated between the board and an individual teacher. It becomes public information, but rarely reveals the actual cause for the action.

— K. BERGGREN

EMPLOYMENT

Funding for jobs programs

A temporary increase in a fee paid by employers on taxable wages would help fund programs to put unemployed Minnesotans back to work, under provisions of a bill passed April 15 by a House division.

Rep. Tom Rukavina (DFL-Virginia) sponsors HF869, the omnibus higher education and workforce development finance bill. It would provide \$2.9 billion in biennial funding for the state's employment and economic development programs. The House Higher

What's in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus higher education and workforce development finance bill:

HF1207 – Slocum
HF1263 – Mahoney
HF1326 – Rukavina
HF1785 – Norton
HF1941 – Brynaeart
HF2071 – Clark

Education and Workforce Development Finance and Policy Division voted 15-4 to approve the bill and send it to the House Finance Committee.

The jobs and economic development portion of the bill would fund the Department of Employment and Economic Development, the Department of Labor and Industry and a variety of professional licensure boards. It would ask for approximately \$16 million more than Gov. Tim Pawlenty includes in his budget recommendations.

The bill would raise \$35.4 million in new revenue through a temporary biennial increase in the workforce assessment fee levied on employers. During an April 15 hearing, Rep. Sarah Anderson (R-Plymouth) moved to delete the provision, arguing it would be coming at a time when businesses can least afford it. Her motion was defeated.

The bill includes \$15 million for a proposed Minnesota Emergency Employment Development program similar to the one used to combat unemployment in the early 1980s. It would provide employers with a wage subsidy to hire laid-off workers.

Funding for programs Gov. Tim Pawlenty proposes to cut in his budget recommendations would be partially restored by the bill. This includes the Minnesota Inventors Congress, the Minnesota Alliance of Boys & Girls Clubs and the Minneapolis and St. Paul Summer Youth Programs. The bill also includes proposed funding increases for workforce development programs like Twin Cities RISE! and the NetWork for Better Futures.

The bill also includes a provision that would forgive nearly \$33 million of a \$48 million no-interest loan the City of St. Paul took out in 1998 to help build the Xcel Energy Center. The city would divert the money to finance construction of The Pond — a proposed 120,000-square foot, three-level ice arena across the street from the Xcel.

A companion, SF155, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Higher Education Budget and Policy Division.

— N. BUSSE

ENVIRONMENT

Omnibus lands bill approved

Camp Ripley is a 53,000 acre property used for military training by the Minnesota National Guard. Neighbors may again be offered the opportunity to distance themselves from the military base through a voluntary buffer program.

The Army Compatible Use Buffer project uses federal dollars to purchase perpetual conservation easements on neighboring lands.

TEA PARTY



PHOTO BY TOM OLMSCHIED

Crystal Quiring of Shakopee brought her tea set to the Minnesota Tea Party on the front lawn of the Capitol April 15. The party theme was to cut taxes and protest against the stimulus, bailouts and Wall Street bonuses.

The House Game, Fish and Forestry Division's omnibus lands bill, HF696, sponsored by Rep. David Dill (DFL-Crane Lake), would authorize the Department of Natural Resources to buy additional easements along a three-mile area next to the camp.

Willing landowners would be paid 60 percent of appraised land value if they agree not to construct any new structures within the easement, or 70 percent if they also grant

public access for outdoor recreation.

Other land sales and acquisitions were also included in the bill, which was approved by the division March 30. It now awaits action by the House Environment and Natural Resources Finance Division.

One of the largest acquisitions may include 123 acres of lakeshore, wetlands and prehistoric burial mounds that may be incorporated into Mille Lacs Kathio State Park, a National

Historic Landmark located on Shakopee and Ogechie lakes.

Surplus land would be sold through public or private sale. Private sales could include:

- a section of a Ham Lake hiking trail that would be sold to the city;
- the White Earth Band of Ojibwe could purchase land and a building in Clearwater County;
- Fillmore County property would be sold to the Eagle Bluff Environmental Learning Center for installation of a geothermal heating system;
- Afton Alps would be able to buy land owned by Washington County;
- the City of St. Louis Park would be allowed to purchase a strip of land adjacent to Minnehaha Creek;
- Wayzata would obtain a corner parcel for use as a road, contingent upon the city's acquisition of the adjacent gas station;
- tax-forfeited land in Breitung could be sold to a private landowner;
- several tax-forfeited lots could be sold by St. Louis County for private ownership; and
- Murray Township could acquire a road into Lake Shetek State Park as public roadway.

In addition, about 500 feet of property fronting the Clearwater River would be conveyed to the City of Red Lake Falls for use as a public park.

A companion, SF1123, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate Environment, Energy and Natural Resources Budget Committee.

— S. HEGARTY

Omnibus bill clears hurdles

Consumer protection policies, help for flooded areas and increases in fees for services and inspections are included in the omnibus environment and natural resources finance bill.

Sponsored by Rep. Jean Wagenius (DFL-Mpls), HF2123 includes spending recommendations for the Department of Natural Resources, Pollution Control Agency, the Board of Water and Soil Resources and the Metropolitan Council. On average, the agencies would be affected with 6 percent cuts, except for the Conservation Corps, which the bill proposes to fully fund. The bill contains a \$744.2 General Fund allocation for the 2010-2011 biennium.

What's in the bill

The following are selected bills that have been incorporated in part, or in whole, into the omnibus lands bill:

HF355 - Solberg
HF926 - Dill
HF933 - Olin
HF1054 - Doty
HF1978 - Obermueller
HF2162 - Solberg

TAX DAY



PHOTO BY TOM OLMSCHEID

Julie Scheurer carries a baby doll along with a ball and chain attached to a sign to express her opinion that the next generation will have their future mortgaged to pay for federal stimulus funded programs. She is surrounded by members of the Minnesota Coalition for a People's Bailout during their Tax Day Protest—Tax the Rich! Bailout the People! rally April 15 on the Capitol steps.

The House Environment and Natural Resources Finance Division and the House Finance and Ways and Means committees approved the bill over a three-day period beginning April 14. It awaits action by the full House.

The bill would:

- prohibit the use of yard waste bags that do not meet the American Society for Testing and Materials standard specification for compostable plastics
- protect children from toxic chemicals by establishing a priority listing of harmful substances, and requiring mandatory

reporting by manufacturers of children's products that contain the listed chemicals; and

- allow consumers to purchase DNR gift cards and certificates that could be redeemed to buy recreational licenses or to make purchases at historic site gift shops. The gift cards would retain their value until redeemed.

A large portion of the appropriation would focus on water quality issues, including:

- the Red River Watershed, which experiences frequent flooding;
- development of new urban storm water runoff design standards;
- prevention of lake, river, stream and groundwater degradation;
- water restoration practices that require planting native vegetation and seed; and
- grants to counties for the feedlot pollution prevention projects.

Funding for the state's tree nurseries remains in the bill despite attempts by Rep. Denny McNamara (R-Hastings) to phase out the state's two tree nurseries. In addition, an amendment by Rep. Tom Anzelc (DFL-Balsam Township) was successfully added that would require the Minnesota Forest Resources Council to submit recommendations to the Legislature by Jan. 15, 2010 to increase tree planting for the sequestration of carbon.

Due to the budget crisis, no money is in the bill for new state trails, although many park and trail bills were introduced.

Wagenius also didn't include appropriations from the Clean Water Fund, which comes from the new dedicated sales tax, because she and other division members wanted to avoid any appearance that they were replacing budget cuts with the new dedicated tax dollars. The Clean Water Fund receipts must not replace traditional sources of funding.

A plan to use \$940,000 from several dedicated outdoor recreation accounts to recruit and retain visitors to state natural areas was successfully amended out of the bill by Rep. Tom Hackbarth (R-Cedar). The DNR would have used the money to attract youth and new immigrant families to outdoor recreation opportunities. Hackbarth and other members said they support recruitment activities, but not at the expense of the dedicated spending accounts.

The House Finance Committee incorporated

the omnibus energy finance bill, HF1754, into this bill in order to align it with the Senate version. In addition, appropriations for the Minnesota Zoo and the Science Museum of Minnesota, at the direction of the House Cultural and Outdoor Resources Finance Division, were amended onto the bill.

— S. HEGARTY

GOVERNMENT

State government funding approved

A House division narrowly approved an omnibus state government finance bill that includes funding — and some big changes — for the Legislature and several state agencies.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls), HF1781 would provide biennial funding for the Legislature, Minnesota Management and Budget, the Department of Revenue and several smaller agencies. Members of the House State Government Finance Division voted 7-6 to approve the bill April 15.

The bill includes budget reductions for the Legislature and the state's constitutional offices, and a variety of policy provisions relating to state government. In all, it proposes \$618 million in net General Fund spending — \$65 million less than Gov. Tim Pawlenty proposed in his budget. This would be accomplished, in part, by raising more than \$33 million in new revenue, largely through a new tax compliance initiative by the Revenue Department. Also included is partial funding for a project to overhaul the state's accounting and procurement computer systems.

Policy provisions in the bill include domestic partner benefits for state employees, strengthened internal financial controls for state agencies and measures to streamline the voter registration process.

An amendment offered successfully by Rep. Karla Bigham (DFL-Cottage Grove) made several significant changes to the bill, including:

- removing a provision that would have asked the state lottery to operate slot machines at the Minneapolis-St. Paul International Airport;

- requiring Pawlenty to cut nearly all deputy commissioners and assistant commissioners in his cabinet to save the state money; and
- removing a proposal to shift \$18.6 million in state aid for teachers retirement funds into the next biennium.

Kahn argued against removal of the airport slot machines provision. The proposal was expected to generate nearly \$7.4 million in new revenues to the state in the next biennium.

The bill also includes the language from HF8, the proposed Minnesota False Claims Act. Sponsored by Rep. Steve Simon (DFL-St. Louis Park), the bill would impose penalties on those who make false claims to the state. That provision is still moving forward as a separate bill in the House, and is scheduled to be addressed April 21 by the House Transportation Finance and Policy Division.

Sen. Don Betzold (DFL-Fridley) sponsors the companion, SF1395, which awaits action by the Senate State Government Budget Division.

— N. BUSSE

HEALTH

Ensuring contract integrity

A bill to create more oversight of health care cooperatives was approved April 15 by the House Health Care and Human Services Finance Division.

HF120, sponsored by Rep. Larry Hosch (DFL-St. Joseph), would require the health commissioner to review and authorize contracts and business and financial arrangements made by cooperatives to ensure they are not in violation of federal antitrust law.

The bill now goes to the House Finance Committee. Its companion, SF203, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the Senate Finance Committee.

Under the bill, the commissioner would have 30 days to approve an application with contracts and financial arrangements from a cooperative. If the commissioner does not ask for more information from the cooperative, after 60 days the application is automatically approved. A \$2,000 fee would be assessed for the commissioner's cost of reviewing and monitoring the arrangements.

Opponents of health care cooperatives have said the negotiations through joint bargaining violate antitrust laws and result in price fixing. A letter from the Federal Trade Commission states concerns with the limited time frame of the commissioner's review process.

Highlights continued on page 15

What's in the bill

The following are selected bills that have been incorporated in part, or in whole, into the omnibus environment and natural resources finance bill:

HF250 - Knuth
HF1754 - Hilty
HF2154 - Sailer

What's in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus state government finance bill:

HF7 - Winkler
HF8 - Simon
HF715 - Newton
HF1018 - Kalin
HF1981 - Kahn
HF2257 - Winkler
HF2270 - Downey

The process begins

A bill's path through the House of Representatives



PHOTO BY TOM OLMSCHEID

Speaker Margaret Anderson Kelliher passes the capital investment proposal to Chief Clerk Al Mathiowetz for action by the members of the House.

Each session, thousands of bills are introduced, and when the speaker passes a bill to the chief clerk, the bill's fate is about to be placed in the hands of the members.

A bill that previously had its first reading and has gone through the committee process will be reported by the chief clerk for its second reading. The speaker will then recognize the chief sponsor of the proposal to present the legislation to all members.

Following an overview of the bill, each House member has an opportunity to change the bill by introducing one or more amendments. Those are debated and voted up or down by a voice vote or a requested roll call vote.

A voice vote is an audible vote by the members whereby the speaker decides which side prevails. If the speaker is unsure which side prevailed, he or she can ask members to stand to be counted. Members who disagree with a speaker's decision following a voice vote can call for a division, in which case members again need to stand to be counted.

Following its request, 15 members must agree for a roll call vote to occur. A roll call vote is made by members pressing a red or green button on their chamber desk. This causes the electronic voting boards on either side of the chamber to light up like a Christmas tree with green lights for "yes" and red lights for "no" votes. Once the speaker closes the board, the vote is electronically tallied and displayed on both Vote Register boards in the

House Chamber. Unlike the voting boards in the Senate, the House board does not have a visible tally as votes are cast.

After all amendments have been heard, debated and voted upon, the speaker will announce the bill's third reading. At that time, final arguments about the bill can be made, but it can no longer be amended. Once members wanting to speak have voiced their opinion, a final vote is taken. An affirmative vote sends the bill to the Senate for its consideration or to the governor for his or her signature. A negative vote does not necessarily kill the bill as it may be reconsidered in the future. However, all bills not passed at the end of the biennium's second year are dead.



A bill's path through the House of Representatives

Photos by Tom Olmscheid



House Majority Leader Tony Sertich makes closing statements during the third reading of the bill.



Rep. Alice Hausman, chief sponsor of the House omnibus capital investment bill, pres



Members get to their desks to vote



ents the proposal to members of the House.



on final passage of the bill.



House Page Megan Swanberg places an amendment on a member's desk for action by the House during the bill's second reading.



House Minority Leader Marty Seifert also makes closing statements during the third reading of the bill.

How a Bill Becomes Law in Minnesota

1. Bill

The idea for a new law is drafted as a bill and introduced by sponsors in both the House and the Senate.



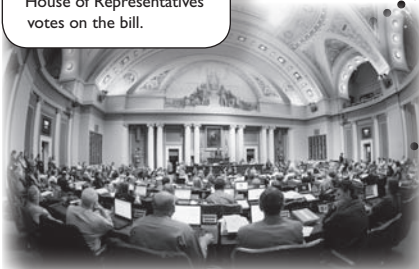
2. House Committees

The House holds committee hearings on the bill to discuss it and make changes, if necessary.



3. House Floor

After the committees finish their work, the full House of Representatives votes on the bill.



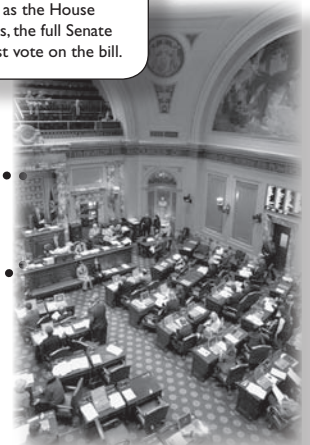
4. Senate Committees

The Senate also holds committee hearings on its version of the bill. These can go on before, during or after the House's hearings.



5. Senate Floor

Just as the House does, the full Senate must vote on the bill.



6. Passage

If the House and Senate pass the same version of a bill, then it is sent to the governor for action. If the bills' language differs, then the differences have to be worked out by a conference committee.



7. Conference Committee

If the House and Senate can't reach an agreement on the language, they can work out the differences using a conference committee.



8. Governor

If the Senate passes the same version of the bill that the House does, then it goes to the governor where it can be signed into law or vetoed.



Highlights continued from page 10

Although rural cooperatives have been somewhat beneficial in providing coverage to many people, cooperatives have an unfair advantage as a public entity, said Rep. Steve Gottwalt (R-St. Cloud). He believes the bill would reduce competition for organizations.

Hosch said the cooperatives ensure access to health care in rural areas. "The Minnesota Rural Health Cooperative has helped in granting access to thousands of Minnesotans throughout the state."

— P. OSTBERG

Public health omnibus bill

The omnibus housing and public health finance bill would decrease departmental budgets, increase revenue and target spending and policies regarding children's issues.

Sponsored by Rep. Karen Clark (DFL-Mpls), HF2150 was approved by the House Housing Finance and Policy and Public Health Finance Division April 15 and referred to the House Finance Committee, where some provisions are expected to be separated out and incorporated into larger omnibus finance bills, such as health and human services.

The public health portion of the bill would initiate and increase several fee structures. Republican members tried unsuccessfully to delete or lower anticipated inspection fees.

Among those who could expect to pay more are hospitals, doctor offices, dentists and veterinary clinics.

Other fee changes include:

- \$200 to \$5,000 more than current amounts for the review and inspection of public pools and spas;
- a \$4 increase for heritable/congenital disorder testing of newborns to provide support to families with children who are deaf or have hearing loss; and
- food and beverage licensing fees replace permits at recreational campgrounds and summer camp kitchens.

Licensed social workers, on the other hand, would see their fees decrease.

Two demonstration projects are in the bill: one for colorectal cancer screenings and one for women's heart disease prevention. Both would receive \$100,000. In addition, Clark

successfully amended the bill to require the commissioner of health to make smoking prevention and cessation activities a top priority among low income, indigenous and minority communities when the department works in collaboration with the Clear Way organization. Clear Way receives 3 percent of the state's tobacco settlement funds to support quit-smoking programs.

Craig Acomb, the health department's chief financial officer, said tobacco use in American Indian communities may have other cultural implications other than just public health. Clark said her amendment is in response to requests from these communities for more support.

Through dedicated funding, the Cooper/Sams volunteer ambulance trust fund would provide money for emergency medical services training, including an ambulance apprenticeship program for returning veterans.

Children's issues also play key roles in the bill.

On a split vote, Rep. Jeff Hayden (DFL-Mpls) successfully amended the bill to include a program to treat youth violence as a health issue. Funding for the program would be contingent upon the Health Department receiving a grant from the Department of Public Safety, which would offer the grant program through federal economic stimulus dollars. Though public safety interacts with youths after they commit a crime, the Department of Health would spend the funds for prevention efforts.

Rep. Kate Knuth (DFL-New Brighton), who sponsors legislation to identify and monitor toxic chemicals in children's products, successfully amended an adjustment to what is being called the Toxic Free Kids Act. The act would allow the Pollution Control Agency to gather information about chemicals found in children's products, to prioritize those chemicals, to require manufacturers to use safer alternatives if sold in the state and to share information through a national clearinghouse for consumer products information.

— S. HEGARTY

HIGHER EDUCATION

Higher education funding approved

Federal stimulus money would be used to lessen the pain of cuts to Minnesota's colleges and universities, under the higher education funding package approved April 15 by a House division.

HF869, sponsored by Rep. Tom Rukavina (DFL-Virginia), constitutes the omnibus higher education and workforce development

finance bill. It would provide biennial funding for the Office of Higher Education, University of Minnesota and the Minnesota State Colleges and Universities system.

The House Higher Education and Workforce Development Finance and Policy Division approved the bill April 15. It now goes to the House Finance Committee, where it is scheduled to be addressed April 17.

The bill would appropriate \$1.2 billion each to MnSCU and the university from the General Fund. Approximately \$130 million of MnSCU's funding and \$231 million of the university's funding would be taken from stabilization dollars from the federal stimulus package. The totals are identical to Gov. Tim Pawlenty's funding recommendations.

Rukavina said the stimulus funds would allow lawmakers to buy down potential tuition increases at state-funded postsecondary schools. For MnSCU, tuition hikes would be pushed down to 2 percent per year using the funds, while tuition at the university would increase by no more than \$300 per year.

Speaking at an April 14 hearing, Rukavina warned that the tuition buy-downs would be temporary, and that once the one-time money runs out, students at both MnSCU and the university might be looking at much larger tuition increases in the next biennium unless the economy turns around.

"I just wanted to be perfectly honest with what could happen, because we're using that stimulus money to try to serve the students as best we can, but it's not sustainable," Rukavina said.

OHE would receive \$385.4 million from the General Fund under the bill's provisions, with \$348.7 million of that going toward student financial aid. Pawlenty recommended \$15 million less for the office's total funding.

A companion, SF615, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Higher Education Committee.

— N. BUSSE

HOUSING

Omnibus housing bill approved

An estimated \$90 million appropriation for the 2010-2011 biennium to the Minnesota Housing Finance Agency was approved by a House division April 15.

The housing portion of the omnibus housing and public health finance bill, HF2150, would provide help for struggling homeowners and renters and fix a problem with a trust fund for tenants of manufactured home parks. Rep. Karen Clark (DFL-Mpls) sponsors the bill, which has no Senate companion.

An additional \$10.8 million from the

federal stimulus funds is expected to be routed directly to other state departments or local housing agencies for programs related to foreclosure, home financing and renovations of homes for low- to moderate-income families.

Houses built prior to 1978 likely contain lead-based paint, which increases the risk of lead poisoning. The bill includes revised regulations related to companies who work on lead abatement renovations. It includes training policies and certification requirements of lead technicians.

The budget allocations break down to:

- \$10.5 million for the housing trust fund;
- \$9 million for the challenge grant program;
- \$8.9 million for the acquisition, renovation and debt restructuring of federally assisted rental property and equity loans;
- \$7.4 million for the family homeless prevention and assistance programs;
- \$4.2 million to rehabilitate rental housing developments; and
- \$2.6 million for a rental housing assistance program for adults with mental illness.

Division members also seek to correct problems with a law intended to help homeowners relocate when a manufactured home park closes.

The law requires that park owners and lot tenants pay \$1 per month into a trust fund. Tenants can draw on the account if they are required to move because the home park closes. However, the manufactured home relocation trust fund is not adequately funded, due to lax enforcement.

The bill would add language from HF356, sponsored by Rep. Paul Gardner (DFL-Shoreview), which enables park owners to list the annual fee along with their tenants' mobile home lot rent. Park owners would collect and pass the fees on to Minnesota Management and Budget for deposit in the trust fund.

— S. HEGARTY

HUMAN SERVICES

Creating lifetime communities

A bill specifying criteria for building communities with the aging population as its focus was passed 92-36 by the House April 14.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF936 would define "communities for a lifetime" as partnerships of small cities, counties, municipalities, charter cities and towns whose citizens extend supportive services to persons age 65 and older to help them continue to be contributing, civically engaged residents.

The bill now goes to the Senate where Sen. Kathy Sheran (DFL-Mankato) is the sponsor.

"We are facing this coming age wave and it's important we start thinking about it," said Thissen. Creating such communities would allow people to stay in their communities and have access to an array of services, he said.

Under the bill, "communities for a lifetime" would have to offer opportunities such as:

- participating in the paid workforce with flexible schedule and hours;
- socializing, recreation and wellness activities, including both physical exercise and mental stimulation;
- a variety of affordable, accessible housing options, including single-family housing, independent congregate senior housing and senior housing services;
- community-wide mobility and access to public transportation, including door-to-door assistance and weekend and evening access; and
- an array of home and community-based services to support seniors' options to remain in an independent living setting as they age and become more frail.

"I think it will get our communities thinking a little bit more about this," said Rep. Steve Gottwalt (R-St. Cloud). The first baby boomers are going to retire next year and the state isn't prepared, he said.

— P. OSTBERG

Health technology infrastructure

A bill to align the state with federal stimulus requirements in the Health Information Technology for Economic and Clinical Health Act was approved April 14 by the House Health Care and Human Services Finance Division.

HF384, sponsored by Rep. Paul Thissen (DFL-Mpls), would align state definitions such as "interoperable electronic health record" to mean one that securely exchanges health information with another electronic health record system that meets national requirements.

The health commissioner, in conjunction with the Minnesota Administrative Uniformity Committee, would be required to study and make recommendations on the feasibility and barriers to simplifying health care administrative transactions through electronic data interchange, under the bill.

The bill now goes to the House Finance Committee. Its companion, SF704, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate Finance Committee.

The act was included in the federal stimulus bill to help health care providers create electronic health records that would be

interchangeable between health systems. It's a change that advocates say would save money and lives.

To ensure systems are worth the investment, data reports will be required, said James Golden, director of health policy for the Health Department. Data collected would include whether a health care provider has an electronic health record and what it is being used for; if the provider is using it to exchange information; and whether collection of business data is being used for Medicare and Medicaid.

"None of this data would involve patient data," he said.

One concern from providers is that, in the future, systems might not work with others because there is not a set of standards, said Rep. Steve Gottwalt (R-St. Cloud).

"This whole movement is probably the most important thing we're gonna do," said Rep. Thomas Huntley (DFL-Duluth), the committee chairman. He said the bill is key to changing the way medicine is practiced.

— P. OSTBERG

INSURANCE

Speeding up insurance claims

Let's say you own a store and a fire destroys the building and your inventory. You have insurance, but you may find you have to hire a lawyer to get them to pay up.

"So despite the fact you've paid all this money for insurance premiums, you've got about half of what you should have had if the insurance would have paid out immediately," said Rep. Joe Atkins (DFL-Inver Grove Heights).

He sponsors HF417 that would allow for a 12 percent interest charge on the insurance proceeds calculated from the time the insured requests payment of the policy amount, plus reasonable attorney fees and court costs.

"Right now the cards are stacked in favor of the insurance company and this just tries to make folks whole and put them on a little more level footing," Atkins said.

The bill was passed 75-56 by the House April 16. It now moves to the Senate, where Sen. Tom Bakk (DFL-Cook) is its sponsor.

Opponents say the legislation would increase insurance litigation costs, and in turn, increase insurance payments. Some say the bill goes beyond similar regulations in other states.

Several amendments were defeated on the House floor that proposed to cap attorneys' fees at \$30,000 and award anything above that amount to organizations such as the Legal Aid Society. Rep. Tom Emmer (R-Delano) said attorneys ought to be able to do the job for that amount.

Rep. Jim Abeler (R-Anoka) was successful

with his amendment that, among other things, specifies that no entity administering an insurance plan shall require a patient to pay for care provided by an in-network provider in an amount that exceeds the fee negotiated for the covered service between the entity and that provider.

— L. SCHUTZ

TAXES

Cigarette tax proposed

A \$1 per pack cigarette tax is on the table as a way to fund colorectal cancer prevention and women's heart health programs, but some don't think it goes far enough.

"What do you think if I amend (the bill) to \$5 a pack? Or ban it?" asked Rep. Greg Davids (R-Preston) during an April 15 House Taxes Committee hearing.

"I wouldn't support that if you tried to amend the bill in that way," said Rep. Erin Murphy (DFL-St. Paul), sponsor of HF2194. "I've never been a proponent of banning tobacco use, and I think \$5 is too steep of an increase."

The bill was laid over for possible omnibus tax bill inclusion. A companion, SF1990, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Finance Committee.

Murphy's bill would add \$1 per pack on top of the federal cigarette tax of 62 cents that went into effect April 1. Four years ago, a state 75-cent per pack health impact fee was imposed.

Money from the proposed tax would be deposited into the health care access fund and appropriated for the colorectal cancer prevention and women's heart health programs.

Health care costs are rising faster than any other area of the state budget, Murphy said, adding that this legislation would provide money for two problems with a predictable and stable revenue source.

"I think what you're trying to do is so important," said Rep. Kurt Zellers (R-Maple Grove). But he added that the state would likely lose revenue because many people would probably go out of state to buy cigarettes.

Dr. Marc Manley, vice president and medical director of population health at Blue Cross and Blue Shield of Minnesota, said the company calculated that diseases caused by tobacco cost the state \$2 billion and kill 5,600 Minnesotans every year.

"Passing a tax on cigarettes is one of the best proven strategies we have at our disposal because it not only helps people quit smoking, but also prevents youth from ever starting," he said.

Richard Bohnen, a convenience store owner from Bloomington, said he was discouraged by members using the word "ban."

"Banning cigarettes, I mean, wow. I didn't think we'd ever come to that step," he said. "Cancer and other diseases are always gonna be there. I can get skin cancer from sun-tanning, I mean, where does it end?"

— S. HEGMAN

TRANSPORTATION

Deputy registrar sunset eliminated

Of the state's 173 deputy registrars, 72 are private corporations.

Sponsored by Rep. Randy Demmer (R-Hayfield), HF1209 would allow them to continue offering motor vehicle registration and titling transactions by eliminating a 2012 sunset date for a private corporation to be able to be appointed as a deputy registrar.

"This way they can go on and keep doing their business," Demmer said.

Approved 128-0 by the House April 14, the bill awaits action by the Senate, where Sen. Katie Sieben (DFL-Newport) is the sponsor.

Currently the state determines the need and location for offices. The Department of Public Safety then approaches counties and cities about operating a license bureau. If each uses its right of refusal, the state appoints a private party to open the bureau. The majority of these private offices are in rural areas, each generally employing three or four people.

Supporters previously told a House division that most are family-run businesses, with the bureau portion being run at their own risk. Regardless if they are public or private, the bureaus receive no state financial assistance; they operate on filing fees associated with transaction costs.

Because of the volume of collections and sensitive data that is dealt with, these businesses must secure cash bonds and assume all liability in accordance with state rules. These businesses are generally incorporated to protect the operator's investment. Without the repeal, many offices would likely close.

— M. COOK

Transit gets help in omnibus bill

The omnibus transportation finance bill contains \$4.28 billion worth of funding. While none of it is new money, shifts and fund adjustments are expected to help transit programs.

Approved over a three-day span ending April 16 by the House Transportation Finance and Policy Division and the House Finance and Ways and Means committees, the bill awaits action by the full House. A companion,

SF1276, sponsored by Sen. Steve Murphy (DFL-Red Wing), is scheduled to be heard April 20 by the Senate Taxes Committee.

Rep. Bernie Lieder (DFL-Crookston), sponsor of HF1309, said one of the largest issues was finding ways to fund transit in both the Twin Cities metropolitan area and Greater Minnesota. All are facing monetary shortfalls.

Because the schedule of state payments for operating procedures results in Greater Minnesota transit providers receiving large payments in July and November, some may run fiscally dry before July. Testimony earlier this month indicated a \$7.56 million immediate need.

The bill shifts that amount from fiscal year 2011 to fiscal year 2009, with the fiscal year 2011 reduction made up using funds from the motor vehicle lease sales tax reallocation. That money was to fund a credit for low-income taxpayers to help offset the gas tax that was increased in the 2008 funding law; however, none has been distributed. This bill reallocates the funding so that 65 percent would go to Metro Transit, 25 percent to Greater Minnesota transit and 10 percent to roads of regional significance in the Twin cities metropolitan area.

In conjunction with the additional funding, neither Metro Transit nor transit providers receiving assistance from the Metropolitan Council could raise fares or cut service from 2009 through 2011. Each must also provide free public regular route transit for disabled veterans.

With transportation revenue not meeting forecasted levels, the trunk highway fund reserve is decreasing to the point where further declines could result in canceling projects.

Gov. Tim Pawlenty recommends a \$150 million base reduction for state road construction; the bill reduces it by \$100 million, state road operations and maintenance by \$21.7 million and state road infrastructure by \$17.1 million with three other areas getting smaller reductions. MnDOT department support would receive an ongoing \$5 million biennial cut.

However, Lieder noted that federal economic stimulus dollars offset other decreases to provide a \$67.6 million biennial increase for

What's in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus transportation finance bill:

HF464 – Rukavina
HF878 – Hortman
HF1356 – Newton
HF1608 – Lieder
HF1918 – Hornstein
HF1955 – Holberg

state road construction to \$1.17 billion.

Other funding and policy parts of the bill include:

- drivers in a 55 mph or 60 mph zone on a two-lane highway could exceed the speed limit by 10 mph to pass another vehicle;
- creation of a MnDOT grant program for rehabilitation or replacement of fracture-critical bridges on a local road system;
- providing MnDOT with powers and authority related to passenger rail; and
- creating a new account for allocating funds to metropolitan counties for county highways that have regional or statewide significance.

— M. COOK

LATE ACTION

Signed by the Governor

Alert notification assurance

Just like those with sight, visually impaired people deserve to know what is happening in their neighborhood.

A new law, signed April 16 by Gov. Tim Pawlenty, requires law enforcement agencies that issue crime alerts to put them in a format that “a disabled person can access with commercially available text-based screen reader software.” It takes effect Aug. 1, 2009.

Richfield resident Clarence Schadegg brought forth the law. He said an alert formatted as a Word document would suffice.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Ken Kelash (DFL-Mpls), the law also classifies as private the names and contact information of citizens requesting a crime alert.

HF254/SF265*/CH22

— M. COOK

McLeod West bonding authority

The McLeod West School District may be consolidating with neighboring districts, but a new law gives the district bonding authority that will minimize the financial impact on those absorbing McLeod West’s 500 students.

Signed April 16 by Gov. Tim Pawlenty, the law authorizes a general obligation bond issue without voter approval for its estimated \$3 million reorganization debt. It is effective April 17, 2009.

If a scheduled May 2009 election decides the district is to be consolidated among the Gibbon-Fairfax-Winthrop, Buffalo Lake-Hector and Glencoe-Silver Lake districts, those districts will be held harmless for any negative fiscal consequences of the reorganization.

Rep. Ron Shimanski (R-Silver Lake) and Sen. Steve Dille (R-Dassel) sponsor the law.
HF1040/SF811*/CH20

— K. BERGGREN

Two companies becoming one

A new law expands who may form a joint energy company.

Signed April 16 by Gov. Tim Pawlenty, and effective the following day, the law modifies the definition of “agency agreement” to include an agreement made between two or more existing municipal power agencies. Previous law authorized two or more “cities” to establish a municipal power agency.

Rep. Leon Lillie (DFL-North St. Paul) and Sen. Chuck Wiger (DFL-Maplewood) sponsor the law.

HF951/SF896*/CH19

— S. HEGARTY

Biodiesel blend specifications

The state’s specifications for biodiesel blends will conform to those of the American Society for Testing and Materials, under a new law signed by Gov. Tim Pawlenty April 16 and taking effect the next day.

Sponsored by Rep. Tim Sanders (R-Blaine) and Sen. Kevin Dahle (DFL-Northfield), the law clarifies that biodiesel blend is a blend of diesel fuel and biodiesel fuel between 6 percent and 20 percent for on- and off-road diesel-fueled vehicle use and that it must comply with ASTM specifications.

HF1615/SF743*/CH17

— L. SCHUTZ

Vets highway designated

A stretch of northern Minnesota highway will be designated to honor those that have protected America.

Effective Aug. 1, 2009, about 1.5 miles of Trunk Highway 200 from County State-Aid Highway 39 to its junction with Trunk Highway 92 at Zerkul, and about 27 miles of Trunk Highway 92 from that intersection north to County State-Aid Highway 5 in Clearbrook will be designated the “Clearwater County Veterans Memorial Highway.”

The law was signed April 16 by Gov. Tim Pawlenty.

The Transportation Department will design and erect appropriate signs, subject to the availability of nonstate funds to pay the costs. Rep. Brita Sailer (DFL-Park Rapids), who sponsors the law with Sen. Rod Skoe (DFL-Clearbrook), said the Bagley, Clearbrook and Gonvick American Legions have agreed to pay for the signage.

HF121/SF451*/CH18

— M. COOK

Collecting a fuel decal fee

The Department of Public Safety will be able to collect a fuel decal fee that can be shared with nearly every state.

A new law makes conforming changes to a 2008 law related to decals issued under the International Fuel Tax Agreement, a program between the 48 contiguous states and 10 Canadian provinces bordering the United States that standardizes the reporting of fuel use taxes by motor carriers operating in more than one state or province.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Jim Carlson (DFL-Eagan), the law, effective July 1, 2009, strikes a reference to the department’s authority to establish a 50-cent decal fee, and requires collection of a current statutory decal fee of \$2.50 to cover administrative costs of operating the program. Hornstein said there had been confusion in the industry about which is the proper fee. He said other states charge up to \$25.

Under the agreement, a state or province issues one fuel license and one set of decals for each qualified motor vehicle registered in its jurisdiction. The decal is valid for all member states and provinces. Displaying an annual fuel decal shows inspectors that those carriers are abiding by the agreement.

All money collected from the agreement goes into a central clearinghouse, where it is reconciled through the IFTA organization and appropriately redistributed based on miles. Each licensee is responsible to maintain detailed mileage and fuel records for all qualified vehicles.

HF619/SF757*/CH21

— M. COOK

Honoring a former member

The name of a longtime legislator will be attached to a northern Minnesota highway.

A law signed April 16 by Gov. Tim Pawlenty designates Trunk Highway 53 from Virginia to International Falls as the “Speaker Irvin N. Anderson Memorial Highway.” The Department of Transportation will design and erect signs that will be paid for through nonstate funds.

First elected in 1964, Anderson spent 34 non-consecutive years in the Legislature, serving from 1964-82 and 1990 until retiring in 2006. He was House speaker from 1993-96. He passed away last November.

MnDOT is also given permission to remove a memorial highway sign if it needs maintenance and a reasonable attempt has been made to obtain necessary funds from nonstate sources for repair or replacement.

Rep. Tom Anzelc (DFL-Balsam Township) and Sen. Tom Saxhaug (DFL-Grand Rapids) sponsor the law that takes effect Aug. 1, 2009.
HF110/SF335*/CH23

— M. COOK

Helping to find missing adults

House vote expected soon on 'Brandon's Law'

By MIKE COOK

The last anyone heard from University of St. Thomas freshman Dan Zamlen earlier this month was "Oh God, Oh God" before his phone cut out.

Brandon Swanson's car got stuck in a ditch near Taunton along the Lincoln and Lyon county line in southwest Minnesota on May 14, 2008. As his parents were on their way to help, the cell phone connection went dead at 3:10 a.m.

Neither young man has been seen or heard from since.

Sponsored by House Minority Leader Marty Seifert (R-Marshall), HF1242 may help create a quicker response in future cases. "We have hundreds and hundreds of missing person adult cases in Minnesota. ... The

No. 1 job of us is to protect public safety."

Awaiting action on the House floor, the so-called "Brandon's Law" would expand the state's missing children's law to include adults who go missing under dangerous circumstances. A companion, SF1146, sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action on the Senate floor.

"It makes changes in laws that will make big changes for anguished family members who are missing adult children," Seifert told the House Finance Committee April 15, noting that he worked with law enforcement

representatives to create the bill's language. There is no fiscal impact on the state budget.

The bill would require law enforcement to take a missing persons report without delay after notification of someone missing under dangerous circumstances, no matter the missing person's age; immediately conduct a preliminary investigation to determine if the person is missing, and whether the person is endangered; and promptly notify all other law enforcement agencies of the situation.

It also spells out information that must be released to the missing person's family; clarifies that the agency taking the report be the lead agency in the investigation; and suggests resources law enforcement could put into its policies for missing persons.

"Missing children must be entered into the National Crime Information Center, while reporting missing adults is voluntary," Brian Swanson told the House Public Safety Policy and Oversight Committee March 12. "This is where 'Brandon's Law' steps in."

Choking back tears, Annette Swanson said that local authorities were informed of her son's disappearance three hours after the cell phone connection ended, but because Brandon was 19, no help was immediately provided. Following a one-day search that began later that day, she said authorities told her to go home, and they would call when more was known.

"I was in total shock and disbelief at that moment," she said.

The Zamlens said the immediate response from St. Paul Police after her son's April 5 disappearance was not much better.

Sally Zamlen said she and her husband, Dale, sped to the scene from their Iron Range home, and for the first five hours they were at the location Dan was last heard from, the police were not. She said police refused to go down the bluff along the Mississippi River to search for their son, and an officer later stood guard to make sure nobody else did.

It wasn't until two days later that Sally



PHOTO BY ANDREW VONBANK

Dale and Sally Zamlen, parents of missing University of St. Thomas freshman Dan Zamlen, testify April 15 before the House Finance Committee in support of a bill that would implement procedures for investigating missing adult cases.

Brandon continued on page 22

Whose values are they anyway?

Lawmaker carries on family legacy with sex education bill

By KRIS BERGGREN

It's not surprising that Rep. Frank Hornstein (DFL-Mpls) sponsors a bill promoting sex education in schools. After all, he's just living his family values.

After his father's death last May, Hornstein came across a yellowed newspaper clipping while cleaning the Cincinnati apartment where the retired obstetrician-gynecologist lived. The Feb. 2, 1968, Cincinnati Enquirer article described Dr. Stephen Hornstein's work as an early champion of sex education and legal abortion for unmarried teenagers in an era when many parents avoided discussing such touchy topics.

Sex education at home and at school would help combat "the tragedy of teenage pregnancy," Dr. Hornstein told a reporter. Although he encouraged parents to talk to

their children and set curfews and rules about dating and going steady, he added that "schools may have to take the lead if parents feel incapable."

Not only did the lawmaker inherit a legacy of advocacy, he married one. Hornstein's wife Marcia Zimmerman, senior rabbi at Temple Israel in Minneapolis, is a founding member of the Minnesota Religious Coalition for Reproductive Choice. The couple has three teenage children.

Now Hornstein sponsors HF906, which would require school districts to offer seventh through 12th grade students a "responsible family life

Minnesota Adolescent Sexual Health Report 2008 is online

<http://www.moappp.org/Documents/2008AdoHealthReport.pdf>
The 2009 report will be published next month by the Minnesota Organization on Adolescent Pregnancy, Prevention and Parenting.

and sexuality education" curriculum that includes abstinence education and medically accurate, age-appropriate information about preventing pregnancy and diseases.

The bill does not mandate a particular curriculum, but requires parents to participate in a district's curriculum selection process and allows them to excuse their children from all or part of a program.

The changes don't go far enough for former teacher Barb Anderson, who said the bill promotes "unhealthy behaviors." She enumerated specific sexual activities and prevention methods included in several popular curricula that she said parents could find objectionable, and said programs considered "comprehensive" may give lip service but not equal weight to promoting abstinence.

Yet even an opponent might agree with the words of the elder Hornstein: "I'm convinced that, in many instances, young people don't realize how their feelings can run away with them. They lose their judgment and begin an early sex life which has the potentiality of becoming disruptive and destructive."

New data, old problem

"When I found the article I thought, 'Wow, there is nothing new under the sun,'" Hornstein said. The experience reinforced his commitment to bring the bill forward, though it continues to face strong opposition from groups such as the Minnesota Family Council. "For me it's partly a connection to him and his legacy, but it's also partly (that) the exact same issues were raised 41 years ago and here we are."

His concern is heightened by some new



PHOTO BY TOM OLMSCHIED

Barb Anderson, a former teacher, listens as Lorie Alveshere, policy director for the Minnesota Organization on Adolescent Pregnancy, Prevention and Parenting, tells the House K-12 Education Policy and Oversight Committee that 22 states have abandoned an abstinence-only curriculum of sex education.

Sex ed continued on page 22

A promise of recognition

Veterans status for Vietnam allied forces remains controversial

By LEE ANN SCHUTZ

No one knows for sure how many boys in Southeast Asia were armed and trained in the 1960s to become members of an elite Special Guerilla Unit, and partner with the U.S. military during the Vietnam War.

Chia Koua Vang was 15 years old when he joined the unit.

That began his journey from the jungle hills of Laos, and ultimately to his resettlement in the United States as a refugee in 1978.

The reconnaissance help the unit provided to U.S. troops is indisputable; and the pride Vang feels of being “hand-picked” to be trained, to train and serve side-by-side with the U.S. Army is unwavering. His desire to learn, and also to help the United States control the unrest in his country were great motivators for him to take up arms.

He never asked for anything from the U.S. government, and the government never promised anything in return beyond a modest stipend and commissary privileges while serving. “And when you have nothing, a little is a lot,” Vang said through an interpreter: his son-in-law, Rep. Cy Thao (DFL-St. Paul).

However, there are some, Thao included, who feel the unit’s contributions should be recognized with veteran status, making them eligible for benefits.

Thao sponsors HF1295 that would qualify certain former Vietnam or Laos residents who aided the U.S. armed forces during the Vietnam War for help from the State Soldiers Assistance Program. This fund is used to provide short-term financial help for state veterans in need.

If enacted, Minnesota would be the first state to provide some veteran assistance to these forces. Thao is hopeful the bill will provide the impetus needed to have Congress confer full veteran status on the allied forces.

Vang sat alongside Thao and Charles Vu,

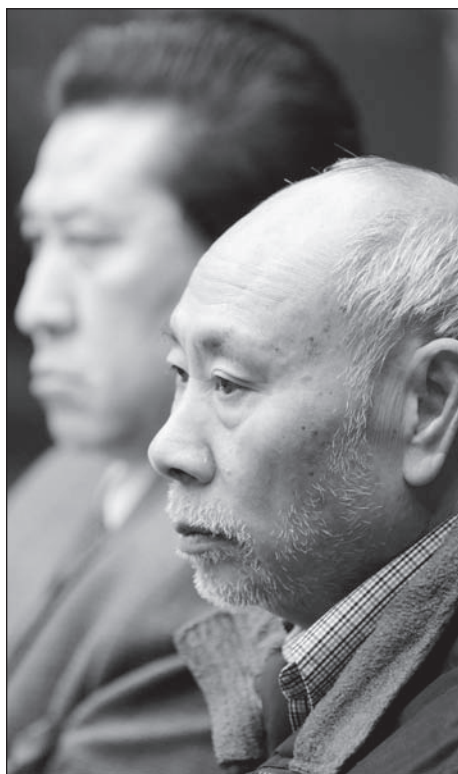


PHOTO BY TOM OLMSCHEID

Chia Koua Vang, right, and Charles Vu listen March 13 as the House Veterans Affairs Division discusses extending veterans benefits to allied soldiers from Vietnam and Laos who assisted the United States armed forces during the Vietnam War.

chairman of the Lao Hmong American Coalition, during an emotional House Veterans Affairs Division hearing March 13.

“They risked just as much in helping the

U.S. government during the Vietnam War. ... If we can give them some basic benefits — like a pair of glasses or support with heat; these are some basic needs,” Thao said.

As with so many issues regarding the Vietnam War, veteran recognition for allied forces is controversial. One problem is the lack of official documentation of their involvement.

“They were basically trained by the CIA, for covert activities,” Thao said. Vang said that unit members received identification cards, and many still have them or have their numbers memorized.

Nevertheless, proving records are legitimate is a major obstacle, according to Mike Puglesi, deputy commissioner for the Department of Veterans Affairs. “Not that we want to question them, but we need to verify the (use of) taxpayer dollars ... try to be as fiscally responsible as possible.”

He said the bill opens the door to a slippery slope. “Our charter is to take care of our American veterans. ... I firmly believe this is a federal issue.” He said expanding eligibility for soldiers assistance funds could have an impact on current resources.

Rep. Mary Ellen Otremba (DFL-Long Prairie) countered, “These are guys that worked right next to ours, and they had our cards. It feels really awkward for us to not help them, even for any little thing. They fought as hard as anyone else.”

Some of the stiffest opposition to the bill comes from the state’s veterans organizations.

Stan Kowalski, state commander of the Veterans of Foreign Wars, likened this situation to his service in Europe during World War II, and said he would not be eligible for benefits from France or Germany.

“We were fighting a war for the Laotian and the Vietnam people. To say they deserve the right to be called a United States veteran, I can’t buy that. To give them the same benefits as others, I can’t buy that,” he said.

But, Rep. Doug Magnus (R-Slayton), who served in Vietnam alongside people like Vang, spoke passionately about the service they provided and their later contributions as U.S. citizens, including paying taxes.

Without solid numbers of those who would be eligible for state benefits and therefore its fiscal

Military continued on page 22

Military continued from page 19

impact, the bill was tabled by the division.

But Thao was successful in his lobbying efforts to “get something going.” A provision was inserted into the omnibus agriculture,

rural economies and veterans affairs policy bill requiring the veterans affairs commissioner to ask federal agencies to determine the number and identities of Minnesota residents who, as former residents of Vietnam or Laos aided U.S. armed forces during the Vietnam War. The

information could then be used to help the Legislature decide the feasibility of extending state veterans benefits.

A companion, SF1437, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Agriculture and Veterans Committee. 🏰

Brandon continued from page 19

Zamlen first met with a missing persons investigator and bloodhounds began to search. “They should have been out there Sunday afternoon,” she said.

Noting his son disappeared around 2:30 a.m. and his phone did not go dead until six hours later, Dale Zamlen said if the initiative had been taken right away, the authorities might have gotten a cell phone signal or been able to check his phone records.

“That thing is a key piece of evidence,” he said. “These people that have the opportunity to go out and look and use these resources, their hands are tied. They followed the letter of the law.”

The bill suggests that when an agency updates its missing person policies, it consider the use of subpoenas or search warrants for electronic and wireless communication devices, computers and Web sites.

“It will encourage police departments to seek warrants for cell phones and other electronic

devices as soon as possible,” Seifert said. “We have situations where cell phones have pinged devices. ... With the battery life on cell phones being rather brief at times, time is of the essence in taking missing persons reports. If we can get law enforcement on the case and expedite the warrant, we potentially can locate people by zone through cell phone devices.”

Sally Zamlen said that even though her son’s phone account was in her name, she was unable to immediately retrieve his phone records. “Here I am, paying the bill, thinking I’m doing my kid a favor by giving him this phone, and I’m told that I have no access to that because he’s 18.”

A working group would be established, under the bill, to create a standardized form for law enforcement to use when taking a missing persons report, and to develop “a model policy that incorporates standard processes, procedures, and information to be provided to interested persons regarding developments in a missing person case.”

The Jon Francis Foundation has agreed

to pay the approximate \$10,000 cost for the working group.

An avid mountain climber and Stillwater native, Francis, 24, was missing for more than a year in Idaho’s Sawtooth Mountains, before his remains were found on July 24, 2007.

His father, David, also spoke to the House Public Safety Policy and Oversight Committee March 12. He said that “a 29-hour hasty search” was conducted, before the local sheriff told him, “You need to give your son up to the mountain. They packed up and rode out of town.” The Francis family and others continued to search.

For family members and loved ones, Dan Francis said an unsuccessful search results in grief, deep despair, heartache, hopelessness, helplessness and abandonment.

“Good policy generally leads to good outcomes. Good laws encourage the kind of good behavior that we need when it comes to finding missing persons. ... ‘Brandon’s Law’ will help relieve human suffering and unresolved loss.” 🏰

Sex ed continued from page 20

Minnesota Department of Health data.

After years of decline, teenage pregnancy increased 6 percent and 2 percent in 2005 and 2006 respectively, while rates of sexually transmitted infections such as Chlamydia, syphilis and gonorrhea rose 3.5 percent overall, continuing a 10-year rising trend. Although 15- to 19-year-olds comprise 7 percent of Minnesota’s population, they account for 30 percent of Chlamydia and 25 percent of gonorrhea cases. Rates of STIs, pregnancy and birth are higher among teens of color.

Survey says parents want sex ed

A University of Minnesota survey of 1,600 Minnesota parents published last year in the Journal of Adolescent Health found 89.3 percent supported a curriculum such as that proposed in the bill, including information about birth control, condom use and the benefits of waiting to initiate sexual activity, Dr. Michael Resnick told the House K-12 Education Policy and Oversight Committee April 2. About 10 percent favored an abstinence-only

program, while less than 1 percent did not want any sex education in schools.

“It is very unusual to see this level of concurrence in surveys,” said Resnick, a University of Minnesota pediatrics and public health professor who directed the survey, “yet these results are reflecting findings from parent surveys in other parts of the country as well.”

Resnick said sound research indicates the type of sex education proposed in the bill is linked to delaying the age of first sexual intercourse, increased proper use of condoms, fewer sexual partners over time and lower rates of teen pregnancy, abortion and birth. On the other hand, he said abstinence-only programs such as that promoted in recent federal initiatives, “do not show these positive behavioral changes.”



‘We know we can address some of the negative health and social implications by responsible sex education. And that’s the fact. We know it works and we know it’s appropriate.’

— Rep. Frank Hornstein

The committee has yet to act, but Hornstein hopes it will move forward next year with some of the changes he’s made from last year’s version that was approved by the full House, but tabled by the Senate.

“We know there are differences of opinion across our state about what’s the best way to do this, but we accommodate as much of that as possible.”

A companion, SF965, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Education Committee.

Teens haven’t changed much, Hornstein said, but “we know we can address some of the negative health and social implications by responsible sex education. And that’s the fact. We know it works and we know it’s appropriate.” 🏰

Tuesday, April 14

HF2304-Huntley (DFL)

Taxes

Duluth; Seaway Port Authority tax levy replacement made.

HF2305-Reinert (DFL)

State & Local Government Operations Reform, Technology & Elections

Duluth; Seaway Port Authority relation with city modified.

HF2306-Huntley (DFL)

Finance

Health care provider tax proceeds dedicated to MinnesotaCare and health care access, and constitutional amendment proposed.

HF2307-Huntley (DFL)

Health Care & Human Services Policy & Oversight

Intensive medication therapy management pilot project established.

HF2308-Slawik (DFL)

State & Local Government Operations Reform, Technology & Elections

Optical scan voting equipment appropriation availability extended.

HF2309-Ward (DFL)

Public Safety Policy & Oversight

Statewide 24/7 sobriety program feasibility working group established.

HF2310-Davnie (DFL)

Taxes

Minneapolis; Minneapolis Convention Center property tax exemption provided for leased property.

HF2311-Hortman (DFL)

Finance

Southeast Asian youth job skills development program grant provided.

HF2312-Huntley (DFL)

Finance

Federal incentive payments issuance required, temporary rate increase provided for certain hospitals, voluntary intergovernmental transfer payments authorized, Medical Assistance payments authorized under certain circumstances and additional certified public expenditures reporting required.

HF2313-Wagenius (DFL)

Finance

Water monitoring funding provided.

HF2314-Wagenius (DFL)

Finance

Funding provided for Department of Natural Resources, Board of Water and Soil Resources and Pollution Control Agency to post budgets on Web sites.

HF2315-Huntley (DFL)

Taxes

MinnesotaCare taxes rates increased.

HF2316-Huntley (DFL)

Finance

Certain hospital payment unallotments restored.

HF2317-Kalin (DFL)

Taxes

Personal property exemption for an electric generation facility provided.

Thursday, April 16

HF2318-Rosenthal (DFL)

Taxes

Individual income tax research credit allowed and credit rate increased.

HF2319-Hornstein (DFL)

Taxes

Treatment of built-in losses of banks with an ownership change clarified.

HF2320-Westrom (R)

Finance

Douglas County; Kensington Area Heritage Society funding provided.

HF2321-Knuth (DFL)

Taxes

Publicly owned railroad property exempted.

HF2322-Rukavina (DFL)

Finance

Minnesota Venture Network Board created to provide tax credits to stimulate venture capital investment in Minnesota, Minnesota capital fund created to facilitate investments in venture funds, Minnesota venture network trust created as a public trust and a contingent tax credit provided.

HF2323-Lenczewski (DFL)

Taxes

Income and corporate franchise tax provided a federal update.

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MINNESOTA INDEX

Minnesotans on motorcycles

Registered motorcycles in Minnesota in 2008.....	224,625
Approximate in 2002	149,000
Registered in 1996.....	112,551
Percent of riders ages 50-59	33.5
Percent ages 40-49.....	29.8
Percent age 29 or younger.....	10.8
Percent of riders who are male.....	86.6
According to a 2008 survey, percent of motorcyclists who ride a Harley-Davidson.....	37.5
Percent who ride a Honda, Yamaha.....	22.5, 14
Survey participants, as percent, who wear a helmet most or all of the time	59.1
Times more likely that riders age 60 and older were to always wear a helmet compared to riders age 29 or younger	1.5
Times more likely that riders in their 30s were to report never wearing a helmet compared to riders age 29 or younger	1.5
Approximate number of riders injured in crashes in 2008.....	1,500
Number injured in 1998, 1988, 1980.....	987; 1,817; 3,359
Motorcycle riders killed in crashes in 2008.....	72
Last year there were that many motorcycle fatalities in Minnesota	1985
Percent of registered vehicles in Minnesota that are motorcycles	5
Percent of traffic fatalities that are motorcyclists.....	16
Of the 190 motorcycle fatalities from 2005-2007, percent that were known to be wearing a helmet.....	23
Of 164 riders tested in fatal crashes from 2005-2007, percent who had been consuming alcohol	37
Percent who were over the .08 percent legal blood-alcohol limit.....	29
Percent of riders who believe other drivers' inattention or driving while distracted is the greatest risk posed to riders by other motorists	67.7
Year the Minnesota Motorcycle Safety Center was established by the Legislature to take a comprehensive approach to motorcycle safety through rider training and education.....	1982
Students who took a basic or advanced safety course through the center in 2008.....	10,626
Class participants in 2002, 1996.....	7,709; 3,392
Percent of motorcycle owners who have taken a safety course in the last 25 years.....	36
Year the nonprofit Dial-A-Ride was formed to, in part, inform motorcyclists about drinking and riding and offering free ride service.....	1990
Phone number for their services	1-888-DIALRID(E)

— M. Cook

Sources: Department of Public Safety Office of Traffic Safety, including *Minnesota Motor Vehicle Crash Facts, 2007*; Minnesota Motorcycle Safety Center; Motorcycle Dial-A-Ride, Inc.

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SESSION WEEKLY

A black and white photograph of a Native American man in traditional regalia, including a large feathered headdress and a fringed vest with geometric patterns. He is holding a wooden staff and has his mouth open as if singing or shouting. The background shows the ornate architecture of the Minnesota State Capitol building.

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PARADE OF OMNIBUS BILLS
FISHING FOR MORE ANGLERS
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HF2324 - HF2347

SESSION WEEKLY

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On the cover: Justin Huenemann of the Native Pride Dancers performs a Men's Northern Traditional dance as part of the HIRE Minnesota rally in front of the Capitol April 20. Participants were urged to tell legislators that communities need green jobs and infrastructure hiring and training opportunities. The Men's Northern Traditional dancer symbolizes the male warrior and honors all great warriors of the past, present and future. All steps of the dance move forward.

— Photo by: Tom Olmscheid



PHOTO BY TOM OLMSCHIED

There was a flurry of activity April 20 as lobbyists and other interested parties grabbed a copy of the just-released omnibus tax bill.

Mustering courage and bold reform

'Tough' choices made in tax bill; new bracket created, some loopholes closed

BY SONJA HEGMAN

The wear of this session can be seen on the faces of many representatives. With the April 20 release of the House omnibus tax bill, it might have been slightly more prevalent for Rep. Ann Lenczewski (DFL-Bloomington).

"The choices are not good," she said of fixing the state's projected \$4.6 billion biennial deficit. "Cuts hurt people, tax increases hurt people. I don't think anyone has any joy about the situation. This is a reasoned, balanced approach to do both."

In the bill she sponsors, HF2323, cigarette taxes would go up by 54 cents a pack, the liquor tax would rise for the first time since 1987 and top income-earners would be subject to a new 9 percent income tax rate under the \$1.5 billion tax bill.

The bill also would eliminate \$1.6 billion in tax breaks by removing many deductions, closing corporate loopholes and converting

the state's mortgage interest deduction into a credit so that all taxpayers qualify for an equal percentage of tax benefit.

"We've got a deficit, so let's have some courage around here and do some bold reform," said Lenczewski, chairwoman of the House Taxes Committee.

She said the bill is modeled after President Reagan's overhaul of the federal tax code in the 1980s and similar to what then-Gov. Al Quie allowed to become law. During that time, several tax breaks were thrown out and massive reform took place.

"I'll tell you, sometimes you got to walk the plank, don't you?" said Rep. Tom Rukavina

(DFL-Virginia) after casting the final vote to move the bill out of the House Taxes Committee 16-14, adding that he isn't sure if he'll vote for it again.

During the April 21 bill discussion, Rukavina unsuccessfully tried to attach a temporary across the board 2.5 percent income surtax to the bill, replacing the tax increases to liquor and tobacco.

"We know who smokes cigarettes. It's the poorest of the poor," he said. "There are some very good parts of this bill, but there are parts that have troubled me. I have been tossing and turning for the last two nights. But I realize that we have to have a tax bill and I don't think anybody on this committee can forget that from the first day of this committee I've been saying that we've gotta raise revenue."

He added that, like alcohol, income taxes haven't been raised in more than 20 years. "The top rate used to be 14 percent," he said. "Madam Chair, you're just raising it to 9 (percent) and you'd think you were the

First Reading continued on page 4

Wicked Witch of Minnesota for doing it.”

Nearly 20 amendments were presented during the four-hour markup of the bill April 21. Several were adopted before the bill was passed and sent to the House Ways and Means Committee, which approved the measure 12-9 the next day. It was scheduled to be heard on the House floor sometime between April 24 and 27. The Senate omnibus tax bill, SF2074, sponsored by Sen. Tom Bakke (DFL-Cook), was scheduled to be heard by the Senate April 24.

Four-year budget balancing

Earlier this session, Gov. Tim Pawlenty signed into law a four-year balanced budget requirement, which states that not only does the state’s budget have to be in balance for the 2010-11 biennium, but also for the 2012-13 biennium.

“The balanced budget amendment is something Minnesota has never considered before,” Lenczewski said, adding that the state used to balance budgets for one year, then it was changed to two years and now it’s four years. “I think everyone is sort of struggling with how we figure that out.”

Questions were raised by Rep. Laura Brod (R-New Prague) during hearings on the tax omnibus bill regarding the 2012-13 target being short.

“I don’t think it’s appropriate for us to leave \$1.1 billion out there, in terms of our responsibility, without telling Minnesotans how we’re going to account for it,” she said. “This piece is a big deal.”

During the April 22 floor session, Brod opposed the adoption of the tax committee report stating the same reason: The bill is out of balance. Her motion to reject the report was defeated 77-54.

Questioned again April 22 during a House Ways and Means Committee hearing on her bill, Lenczewski said the shortfall would be dealt with in the future as she is waiting to see how the governor will approach his four-year target. The budget-balancing law was passed after Pawlenty had released his proposed budget in January.

“Can you tell me what’s causing this to happen if you’re increasing taxes \$1.5 billion?” asked Rep. Mary Liz Holberg (R-Lakeville). “Are you expecting revenues to go down in ‘12-’13? I’m trying to figure out if revenues are going down in the out years or if spending in the tax bill is going up. What’s happening that you’re short a billion dollars?”

Lenczewski said revenues are not going down in this tax bill, but the target for the 2012-13 biennium goes up. Based on the current bill, there is a shortfall for that biennium.

“Between now and that biennium we’re going to have five (fiscal) forecasts so things are going to change a lot,” she said. “But the way I’ll approach it is that I’ll reach the target I am given. I would imagine the House majority will continue to do what it’s doing now, which is a blend of cuts and revenue.”

She added that one change from the current biennium is the use of one-time money that would need to be replaced, but that’s not in the tax area, it’s in the overall budget.

Local control

As a way to deal with cuts to various county and city aids, Rep. Paul Marquart (DFL-Dilworth), House Property and Local Sales Tax Division chairman, proposed in his division report, which is included in the omnibus tax bill, to give counties the option to impose a half-cent local option sales tax to offset cuts to aids.

The sales tax option would help save some anticipated state cuts to local government aid, which is often used to pay for essential services, like police.

The half-cent option could be adopted by a majority vote of a county’s commissioners. The tax could be overturned in a countywide referendum that would take place if 10 percent of the county’s registered voters or 500 people, whichever is greater, called for one.



PHOTO BY TOM OLMSCHIED

Ann Lenczewski, chairwoman of the House Taxes Committee, explains the procedure for taking amendments to the omnibus tax bill during the committee’s April 21 hearing.

Other provisions:

- eliminating individual and corporate franchise tax preferences for JOBZ, Biotechnology and Health Science Industry Zones (BHSIZ) and International Economic Development Zones (IEDZ), with exception of the JOBZ jobs credit
- extending the five-year rule to eight years for tax increment financing districts certified between Jan. 1, 2004, and July 1, 2010
- establishing a property tax working group and requiring the House and Senate tax committees to prepare a resolution on targets and benchmarks for use during the biennium
- allowing a city or county to reduce its library maintenance of effort requirement if general purpose county or city state aids and credits are cut
- changing the date for mailing the proposed truth-in-taxation notices from Nov. 10-24 to Oct. 15-24 and eliminating the truth-in-taxation public hearing and the newspaper notice effective for taxes payable in 2010 and later
- terminating participation in the agricultural land preservation program if the owner is subject to a final enforcement action for a violation of agricultural chemical or water protection laws occurring on the property
- freezing city local government aid at certified 2009 aid levels for 2011 and after
- expanding the sales tax to digital products

Currently there are 23 Minnesota cities with a local option sales tax. Any cities in counties that pass the half-cent increase would lose their local option sales tax, Marquart said. Counties would then be obligated to fund projects that had been funded through the city tax. Only three cities could be exempted from the elimination: Minneapolis, St. Paul and Duluth.

But, Marquart said, counties would have a stable and growing revenue source, with more than half the money going to property tax relief.

Marquart said this provision was crafted to be similar to one the governor has signed in the past. Lenczewski said the local option sales tax is reminiscent of the one Pawlenty signed, which allowed Hennepin County to raise its sales tax to help fund construction of Target Field for the Minnesota Twins.

Some members said that state voters just approved a three-eighths of 1 percent sales tax increase for the arts and the outdoors that takes effect this summer, and if local option sales taxes are imposed, it would be in addition to the arts and outdoors tax.

Marquart said the big concern was the great inequities local option sales taxes cause. “If everyone has them, this minimizes the inequities.” 🏰

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held April 16-23. 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

Millions for ag-related water issues

Money could be expended from the Clean Water Fund to help the Agriculture Department address water protection issues as they relate to agricultural practices.

Approved April 21 by the House Agriculture, Rural Economies and Veterans Affairs Finance Division, HF2301 would provide more than \$8.8 million in the 2010-2011 biennium to the department for these efforts.

Sponsored by Rep. Al Juhnke (DFL-Willmar), the division chairman, the bill now moves to the House Cultural and Outdoor Resources Finance Division for possible incorporation into its omnibus bill. There is no Senate companion.

The bill would provide over the biennium:

- \$4.9 million for an agricultural best management practice loan program;
- \$2.6 million for research, pilot projects and staffing related to ways agricultural practices can contribute to restoring impaired waters; and
- \$675,000 for pesticide water degradation monitoring.

The bill would fund three new positions to provide technical assistance related to ways agriculture practices can contribute to restoring impaired water. Rep. Andrew Falk (DFL-Murdock) tried unsuccessfully to amend the bill to limit administrative and staff expenditures in that provision to no more than 15 percent of the allocation.

Rep. Mary Ellen Otremba (DFL-Long Prairie) questioned how the department could add positions when a hiring freeze is in place. Joe Martin, the department's assistant commissioner, said that a case could be made to deem these positions as critical.

— L. SCHUTZ

BUDGET

Cash flow study

It won't solve this year's budget deficit, but a bill sponsored by Rep. Loren Solberg (DFL-Grand Rapids) would help the state keep

enough money tucked away for the future.

HF2038 would ask Minnesota Management and Budget to examine how the state calculates how much money to keep in its budget reserve and its cash flow account, which is used to cover cyclical deficiencies between state revenue collections and expenditures.

Under the bill's provisions, MMB would regularly review the formula it uses to calculate the recommended amount of money to keep in the budget reserve. For the cash flow account, MMB would be required to conduct a study on how to improve the long-term cash flow of the state.

"This really says to the department — and they want to do this — to have a decent study of what the cash flow account really needs to be," Solberg said.

The House Finance Committee approved the bill April 20 and referred it to the House Ways and Means Committee. Sen. Richard Cohen (DFL-St. Paul) sponsors the companion, SF1481, which was laid over April 15 by the Senate State Government Budget Division.

The bill was trimmed down from an earlier

version that would have established the Office of Long Range and Strategic Planning as an independent state agency. Solberg said the provision costs too much to be feasible this year.

Rep. Steve Simon (DFL-St. Louis Park) questioned the value of using formulas to determine how much money the state needs to keep in its budget reserve, arguing it is largely a policy decision for lawmakers and the governor.

"I'm just interested, in general, in why there needs to be mathematical precision on something that's really kind of a policy choice. Some people want a big one, some people want a small one," Simon said.

— N. BUSSE

Stimulus oversight money approved

State agencies would get \$1.1 million to help report and oversee use of money from the American Recovery and Reinvestment Act of 2009 — better known as the federal stimulus funding package — under a bill approved April 20 by the House Finance Committee and April 22 by the House Ways and Means Committee.

Rep. Loren Solberg (DFL-Grand Rapids) sponsors HF2251 that would appropriate \$700,000 to Minnesota Management and Budget and \$384,000 to the Office of the State Auditor to monitor stimulus spending by state and local agencies. The bill now awaits action by the full House.

The money would be made available for the current fiscal year and would be available until June 30, 2011. Solberg said MMB requested the funding to comply with federal oversight requirements.

"As you know, the federal government is requesting a great deal of accountability," Solberg said.

Noting that MMB had originally requested \$1.6 million for stimulus oversight compliance, Solberg said the remainder of that request is included in SF2082, the omnibus state government finance bill.

The bill would also set up a special account in the state treasury to accept Minnesota's share of the fiscal stabilization funds included in the stimulus. Stabilization money would have to be directly appropriated from the account.

Sen. Richard Cohen (DFL-St. Paul) sponsors SF1938, the companion to Solberg's bill, which awaits action by the full Senate.

— N. BUSSE

BRIDGE SURVIVOR



PHOTO BY ANDREW VONBANK

Mercedes Gorden, a survivor of the Interstate 35W bridge collapse, testifies April 21 before the House State Government Finance Division during a review of the compensation fund process. The division heard testimony by special masters, survivors and attorneys.

EMPLOYMENT

Economic outlook still bad

Minnesota's economic outlook has gone "from pitch black to very dark," a state official told members of a House division April 21.

Dan McElroy, commissioner of the Department of Employment and Economic Development, told lawmakers the economy is showing faint signs of improvement — but also cautioned that the slight improvements mask grim realities in some parts of the state.

"I've been asked if I see any light at the end of the economic tunnel. My response is, 'No. I see some evidence that there may be light bulbs being unwrapped,'" McElroy told the House Higher Education and Workforce Development Finance and Policy Division.

McElroy said the number of initial unemployment insurance claims in the state had dropped slightly since January, and said national trends with some indicators like orders for manufactured goods are showing early signs of improvement. However, he noted the state unemployment rate reached 8.2 percent in March, the highest it's been since 1983.

Several division members used the hearing as an opportunity to voice criticism of McElroy and his department. Rep. Tim Mahoney (DFL-St. Paul) faulted DEED for not having a comprehensive economic development plan for the state.

"What is the state of Minnesota doing to help our state get out of this? ... Because I've been trying to find that out all session and I just don't have the answer I'm looking for just yet," Mahoney said.

McElroy countered that although there is no "single document" guiding economic development policy, Minnesota has numerous programs to grow industry and help unemployed workers find jobs.

Republican members defended McElroy, arguing that recent job losses in the state have more to do with Minnesota's high business tax rates. Rep. Bud Nornes (R-Fergus Falls) criticized DFLers for proposing tax increases to help fix the budget deficit.

"One of the things we can't do is add more fees and taxes to our businesses in the state — the job providers. That's the least we can do to help the situation," Nornes said.

Division Chairman Rep. Tom Rukavina (DFL-Virginia) rejected that argument, and criticized Gov. Tim Pawlenty and his administration for not doing more to directly address the state's unemployment situation. He would like to see a wage subsidy program similar to one that worked in the early 1980s,

and argued corporate tax cuts proposed by Pawlenty would accomplish little.

"This whole concept that when you cut taxes it trickles down and creates jobs is a bunch of B.S.," Rukavina said. "We've had dismal job creation under Gov. Pawlenty, and that's a fact."

— N. BUSSE

ENVIRONMENT

Environment bill clears division

The House Environment and Natural Resources Finance Division approved an amended policy bill April 21 that includes provisions regarding carbon sequestration in wetlands, harvesting of wild rice and clarifying regulations for young off-road motorcycle riders.

HF1237, sponsored by Rep. Kent Eken (DFL-Twin Valley), awaits action by the House Finance Committee. A companion, SF1110, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

A provision was adopted that will allow the Department of Natural Resources to determine when the wild rice harvest season can begin, based on the stages of ripeness. It only applies to this year's harvest and gives the DNR time to work on a permanent policy plan with Native American tribal committees for wild rice harvesting in public waters. Rep. John Persell (DFL-Bemidji) said cultivation at the correct time is crucial to the ecological survival of the plants and that there are differences of opinion about when harvesting should begin.

Also as amended, children under age 12 would be allowed to ride an off-highway motorcycle on public land if they are participating in an event that requires a special use permit, such as competing on an obstacle course or track. The bill previously would have required someone age 18 or older to be riding with the child in such instances.

The third successful amendment adds carbon sequestration to the list of items considered when determining the public value of wetlands. This is useful when the Board of Water and Soil Resources identifies wetlands that may require restoration. The department and local government may also consider quantity of water, besides its quality, when considering erosion and sediment control improvements.

— S. HEGARTY

GAME & FISH

Fishing allowances amended

An attempt to promote fishing by offering free angling in state parks was deleted from the House omnibus game and fish bill that was approved as amended April 21 by the House Environment and Natural Resources Finance Division. Sponsored by Rep. David Dill (DFL-Crane Lake), HF1238 awaits action by the House Finance Committee.

Its companion, SF1116, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action by the Senate Environment,

Energy and Natural Resources Budget Division.

Rep. Rick Hansen (DFL-South St. Paul) said that following media coverage about a bill to offer free licenses to anglers

age 90 and older, he received calls from constituents who wanted the age limit lowered to 80 or 75. "Each has a cost," Hansen said, as he successfully amended the bill to delete the section that would have allowed residents to fish free in state parks. The 90-year-old angler portion remains in the bill.

Dill successfully amended the bill to allow people to fish with two lines if they pay an extra \$10 on fishing licenses.

Dill also amended HF696, the House Game, Fish and Forestry Division's omnibus lands bill, onto the bill. It includes an amendment that would require the Department of Natural Resources to lease state land in St. Louis County for 30 years to the Mountain Iron Economic Development Authority, which plans to install up to four wind turbines on the property.

Also incorporated into the bill was HF1132, a bill that would increase the percentage of timber that can be sold by state forestry operations. Sponsored by Dill, it also authorizes a pilot project that would allow the DNR to lease state-owned forests to private or public groups that would manage the forest production activities. The state forestry division only harvests a portion of the available timber and leasing some of the maintenance and operations to private business, such as paper mills, could increase production, he said.

— S. HEGARTY

What's in the bill

The following are selected bills that have been incorporated in part, or in whole, into the omnibus game and fish bill:

HF536 - Persell
HF591 - Hansen
HF952 - Eken

HUMAN SERVICES

Shaken baby training

Shaken baby syndrome can happen to older children, not just infants.

Awaiting gubernatorial action is HF782/SF978* that would increase shaken baby syndrome training for certain providers caring for children up to age 5. It was approved as amended 122-12 by the House April 20 and repassed by the Senate 64-0 the next day.

Sponsored by Rep. Phil Sterner (DFL-Rosemount) and Sen. Sharon Erickson Ropes (DFL-Winona), it would require 30 minutes of training for both shaken baby syndrome and sudden infant death syndrome for licensed chemical dependency treatment programs that serve clients with children, licensed child care centers and providers, and child foster care providers that care for children. The training would be required at least once every five years.

Previously training was only required for those caring for infants.

"Most people do not know that shaken baby syndrome not only affects infants, but children up to the age of 5," said Sterner. An estimated 1,500 to 3,000 children are diagnosed with the syndrome each year, he said.

— P. OSTBERG

Cuts that hurt

The omnibus health and human services finance bill approved April 23 by the House Finance Committee would cut health and human services by \$402.5 million in the next biennium and \$567.8 million in the following biennium. It totals about 5 percent of the state's overall budget, said sponsor Rep. Thomas Huntley (DFL-Duluth).

HF1362 attempts to maximize the \$1.8 billion in federal stimulus dollars while making "painful" cuts in service programs, Huntley said. The bill would not change eligibility requirements for Medical Assistance or MinnesotaCare, but hospitals, long-term care facilities, the use of personal care attendants and those using public dental assistance would all receive reductions.

After working with disability representatives on which services they use the least, Huntley said, "It's sort of like are we asking people, 'Are you right-handed or left-handed cause we'll cut off the arm you don't use as much.'"

The bill was scheduled to be addressed by the House Ways and Means and Rules and Legislative Administration committees April 24. A Senate companion is expecting to be introduced in the next few days.

Spending reductions include delayed rebasing for nursing homes; a 3 percent cut

to long-term care facilities; a 3 percent ratable reduction to hospitals, including reducing reimbursement rates for those on Medical Assistance and General Assistance Medical Care; and limiting personal care attendant hours to 310 per month per individual.

In an effort to minimize cuts, the bill would make changes to meet federal requirements for stimulus funds. Changes to Medical Assistance could result in a reimbursement rate of 62 percent from the federal government, with the state responsible for 38 percent. The current rate is 50-50.

Money would also be invested to meet the federal Children's Health Insurance Program Reauthorization Act of 2009 that could result in an additional \$20 million to increase the number of children on public health insurance by easing the enrollment process, Huntley said.

Another \$4 million would be invested to meet provisions of, and receiving funding from, the federal Health Information Technology for Economic and Clinical Health Act that is designed to help the state convert health records to electronic form.

In an attempt to set a fixed amount given to providers for treatment of a specified group of people, a total cost of care pilot project is included in the bill. The human services commissioner would work with interested providers to establish the alternative payment reform for frequent users of high-cost health care services. Hennepin County Medical Center would be the main provider conducting the project, said Huntley.

Testifying before the House Health Care and Human Services Finance Division April 21, Brian Osberg, assistant human services commissioner, said the bill uses federal stimulus money instead of focusing on long-term solutions. The governor's proposal would have eliminated 113,000 people from public health care and eliminated some basic services.

Huntley countered that under the governor's proposal several hospitals would be forced into bankruptcy through uncompensated care for those 113,000 people. Those without care will show up somewhere else in the system costing more money in the long run, he said.

— P. OSTBERG

SAFETY

Firefighters may need a license

Dog groomers, doctors, lawyers and cosmetologists must be licensed in Minnesota, but not firefighters.

"They do everything from car crashes and train wrecks to structural failures when bridges fall in the water. It's about time they were

licensed," said Rep. Joe Atkins (DFL-Inver Grove Heights). "If we recognize dog groomers, for heaven's sakes, we certainly ought to license these professionals and recognize them for the skills and training they demonstrate."

He sponsors HF1805 to do that.

Approved April 16 by the House Public Safety Finance Division, the bill was referred to the House Finance Committee with a recommended referral to the House floor. A companion, SF1219, sponsored by Sen. Ann Rest (DFL-New Hope), was incorporated into the Senate omnibus public safety finance bill. Sponsored by Sen. Linda Higgins (DFL-Mpls), SF802 was passed 34-31 on April 20.

The bill calls for the Board of Firefighter Training and Education to appoint an accredited organization to prepare and administer firefighter certification examinations. To receive a three-year license, a person must demonstrate competency in fire prevention, fire suppression and hazardous material operations. A license could be renewed without testing, provided the firefighter had at least 72 hours of training during the previous three years.

To ensure there is no fiscal impact to the state, a \$75 fee would be established for the original license and each renewal.

The requirement would be mandatory only for full-time firefighters hired after July 1, 2011. Grandfather provisions would exempt the approximately 2,000 current full-time firefighters. Volunteer, part-time or on-call firefighters could receive licensure by following the same requirements as full-time firefighters.

"We think it's a good bill," said Brian Rice, attorney for the Minnesota Professional Fire Fighters Association.

Rep. Tony Cornish (R-Good Thunder) expressed concern about potential increased local government costs. "If you get a small town, they all volunteer or they all go get licensed, then they're going to want more money from the local government."

Rice said Minnesota ranks 47th in fire safety spending per capita. "It's largely due to those 18,000 volunteers out there that help keep Minnesotans safe."

— M. COOK

TRANSPORTATION

Type III bus driver change

Signed
by
the
governor

A new law corrects an unintended consequence of a 2008 law.

Sponsored by Rep. John Ward (DFL-Brainerd) and Sen. Rick

Highlights continued on page 22

Sharing the pain

Veterans programming funding increases come at agriculture expense

By LEE ANN SCHUTZ

Keeping with what's become a House tradition, the omnibus agriculture and veterans affairs finance bill led the way April 22 for the string of spending bills to be considered on the floor.

Tradition also has it that it is viewed as the most bipartisan of any of the major spending bills leaving the floor. But that tradition was left at the Chamber door.

After incorporating several Republican amendments, HF1122, sponsored by Rep. Al Juhnke (DFL-Willmar), was passed by the House 83-49 on a nearly party-line vote. It now moves to the Senate where Sen. Jim Vickerman (DFL-Tracy) is its sponsor. The Senate passed its version, SF1779, 49-13 on April 17. A conference committee is to work out an agreement.

It isn't so much that Republicans disagree with the bill's provisions, but the amount of money it would spend over the biennium — they see it as too little and an example of misplaced priorities.

The House target for biennial spending for the Agriculture, Military Affairs and Veterans Affairs departments, the Agricultural Utilization Research Institute and Animal Health Board is \$248.3 million, about \$18 million less than in the governor's budget proposal.

Rep. Rod Hamilton (R-Mountain Lake), vice chairman of the House Agriculture, Rural Economies and Veterans Affairs Finance Division, said that good people were put in the position of having to shuffle money from one funding pot to another. "Where are the priorities?" He called for restoring the governor's spending recommendations.

House Republicans were successful in attaching several amendments to increase funding for veterans programs. The caveat, however, is that the proposals, as amended by Juhnke, would be funded by moving money from agriculture.

He said that if the provisions were important, he did not want "to cherry-pick the bill apart," but let the agriculture commissioner decide what should be funded.

"Every one of those amendments cuts jobs," Juhnke said in responding to a question from Rep. Laura Brod (R-New Prague) regarding the amount of money being shifted from the department. He said that the changes reflect a more than \$11 million biennial shift away from the Agriculture Department. He said the commissioner would have to decide where the cuts would take place. "We are talking about bureaucracy. ... I'm not offering the amendments. I'm supporting you at this point," he said.

Before amendments, the bill would provide over the biennium:

- \$117.3 million for the Veterans Affairs Department;
- \$72.9 million for the Department of Agriculture;
- \$42.1 million for the Department of Military Affairs;
- \$10.3 million for the Board of Animal Health; and
- \$5.7 million to the Agricultural Utilization Research Institute.

Juhnke said the House spending target reflects an overall 6 percent cut to the agencies, which division members said is disproportional because these agencies comprise approximately 10 percent of the state's General Fund spending.

The cuts would be mitigated by deferring state-obligated ethanol producer payments and taking money from a relatively unused G.I. Bill education fund. Juhnke said the bill (before

A Quick Look at HF1122

Focus: Agricultural Utilization Research Institute, Board of Animal Health, Department of Agriculture, Department of Military Affairs and Department of Veterans Affairs.

2010-11 General Fund appropriation: \$248.3 million

General Fund amounts are for the biennium.

Veterans Affairs	\$117.3 million
Agriculture.....	\$72.9 million
Military Affairs	\$42.1 million
Animal Health.....	\$10.3 million
AURI.....	\$3.1 million

Funding provisions:

Ethanol producer payments.....	\$24.3 million
Dairy development and enhancement grants.....	\$1.5 million
Minnesota Grown promotion	\$372,000

Selected policy provisions:

- strengthens ethanol mandate requirement
- requires a study and report on how to increase number of green jobs in food production sector
- creation of farm-to-school or farm-to-home pilot projects
- explore feasibility of producing ethanol from whey
- review state laws regarding control of feral swine and other nonnative or domestic animals running at large
- veterans applying for state jobs must be granted an interview
- veterans designation may be printed on driver's license
- number of Minnesota residents serving as Vietnam allied forces to be determined

the floor amendments) reflects a more than 3 percent increase each over the forecast base for the Veterans Affairs Department and for operation of the state's five veterans homes.

"We made a concerted effort to hold services at a level, so we didn't displace anyone, or harm services."

He explained the G.I. Bill fund was



PHOTO BY ANDREW VONBANK

Rep. Al Juhnke, *background*, discusses the veterans portion of the omnibus agriculture and veterans finance bill with Rep. Doug Magnus, *foreground*, on the House floor April 22.

established two years ago with a \$12 million General Fund allocation for higher education reimbursement for returning veterans. The federal government expanded its higher education benefit, resulting in less than \$1 million expended from the state fund.

"We took \$9 million out and relocated it into other (parts of the veterans budget). If we didn't use these dollars, they would have fallen to the bottom line, and could have been used elsewhere. ... If we wouldn't have had the money, the cuts would have been excruciating," Juhnke said.

One of the larger expenditures in the bill is more than \$24 million for ethanol producer payments. Since the program was instituted in 1987, the annual payments to the first companies to involve themselves in the industry have been controversial. This was heightened by an April 17 report from the Office of the Legislative Auditor that questioned whether ethanol payments should be discontinued.

Rep. Michael Paymar (DFL-St. Paul) was unsuccessful with his amendment that would have put an end to the payments and dedicated the money to the General Fund. "While the program was well-intended, taxpayer subsidies of the industry should end," he said.

Juhnke responded, "We've had this debate every two years. ... This program is almost over." He and others said the state has a moral obligation to honor its commitment. "We should not be knee-jerking the auditor's report just days after it comes out."

Rep. Joyce Peppin (R-Rogers) said the subsidies have been going on for too many years. "It's never too late to end bad policies."

The bill also contains policy provisions, including:

- a health and wellness assessment would be conducted between six months and one year after the end of a National Guard member's deployment;
- an annual report would be due the Legislature regarding the number of veterans applying, interviewed and hired for state agency positions;
- changes would be made to training and educational qualifications for military personnel seeking to enter a law enforcement occupation;
- horses and other equines would be classed as livestock; and
- a noxious weed and invasive plant species assistance fund would be established. 🌿

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Investing in quality care for kids

Lawmakers hope for long-term benefits of early investment

By KRIS BERGGREN

The inaugural omnibus early childhood finance bill passed the House 84-47 on April 23

The bill's short life most likely ends here, however, as its provisions are expected to be divided in conference committee between the K-12 education and health and human services finance bills. Some early childhood programs are funded through each channel.

The Senate put its pre-kindergarten through grade 12 funding in one bill, SF1328, sponsored by Sen. LeRoy Stumpf (DFL-Plummer). It was approved 37-29 April 7.

Rep. Nora Slawik (DFL-Maplewood), who sponsors HF2088, said "three overarching goals" the division has maintained through the session are: getting an early start on closing the achievement gap, increasing child care quality and readying children for kindergarten. She said the programs are a long-term investment that will pay off in lower remedial costs in K-12 education and the juvenile justice system.

Key provisions would:

- create a statewide child care quality rating system based on the pilot Parent Aware project and help child care providers get ready to meet quality expectations if they wish to apply for inclusion in the rating system;
- transfer \$1 million of the unspent balance from federal funding for basic sliding fee program to the Education Department to fund Words Work, an intensive Head Start literacy program, and another \$1 million for after-school program grants; and
- use one-time federal stimulus funds to increase by 2 percent the state's reimbursement rate to child care providers who accept the basic sliding fee or MFIP subsidies, and to reduce by about one-third the waiting list of those eligible for sliding fee subsidies, while limiting retroactive eligibility.

The bill features no cuts to spending targets, but proposes larger accounting shifts for Department of Education-funded programs. It would cost \$455 million in fiscal years 2010 and 2011, divided between \$262.8 million for Human Services Department programs, including Minnesota Family Investment Plan child care and economic assistance grants and the basic sliding fee Child Care Assistance Program for low-income working families, and \$192.2 million for Education Department programs including adult basic education, Head Start, after-school program grants and school readiness services preparing at-risk children for kindergarten.

About \$6 million in federal stimulus funds would be used to improve child care quality, and another \$21 million to increase child care provider reimbursement rates for MFIP and CCAP providers and reduce the waiting list for basic sliding fee subsidies. The governor proposes to cut provider rates by 3 percent while increasing parent co-pays.

Slawik noted the bill includes all of the governor's education policy proposals except a 12-hour minimum weekly requirement for school readiness participation. The requirement was a hardship for programs that, with no additional funding, would be expected to increase hours or serve fewer children for more hours.

While most Republicans support the broad goals Slawik named, they have different priorities about how best to target programs to

A Quick Look: HF2088

Focus: Head Start, Early Childhood Family Education, School Readiness, Kindergarten Entrance Assessment, Health and Developmental Screening, Minnesota Family Investment Plan and Basic Sliding Fee Child Care Assistance Programs, Community Education, Adult Basic Education, General Equivalency Diploma, Adults with Disabilities Aid, After School Community Learning Grants, Quality rating system, School Readiness Service Agreements.

2010-11 General Fund appropriation: \$426.9 million

Department of Education.....\$192.2 million
Department of Human Services\$262.8 million

General Fund amounts are for the biennium:

Family Support\$108.9 mil.
School Readiness\$18.5 mil.
Head Start\$40.2 mil.
Community Education.....\$974,000
Adults with Disabilities Aid\$1.3 mil.
After School Grants.....\$1 mil.
Adult Basic Education\$87.2 mil.
GED Tests.....\$250,000
MFIP Child Care Assistance\$148.6 mil.
including:

Two percent provider rate increase\$4.2 mil.
Basic Sliding Fee Child Care Assistance\$107.6 mil.
Two percent provider rate increase ...\$2.8 mil.
Funding for waiting list\$14 mil.
Child Care Development.....\$6.3 mil.
Family Friend and Neighbor Grants... \$750,000
Rating system preparation.....\$1.3 mil.
Rating system pilot\$1.4 mil.

Selected Policy Provisions:

- create a statewide child care quality rating system
- help child care providers prepare to meet quality expectations
- fund Words Work, a literacy teacher training program
- fund after-school program grants
- increase by 2 percent the state's reimbursement rate to child care providers who accept the basic sliding fee or MFIP subsidies
- reduce the waiting list of those eligible for sliding fee subsidies, while limiting retroactive eligibility



PHOTO BY ANDREW VONBANK

Rep. Nora Slawik presents the omnibus early childhood finance bill April 23 on the House floor.

the most at-risk children. They prefer to direct funding to strengthen children within the context of their families and preserve parental choice over programs they perceive as state-run or one-size-fits all. House Republicans went 1-for-11 in getting amendments added to the bill.

Rep. Keith Downey (R-Edina) and Rep. Mark Buesgens (R-Jordan), both members of the House Early Childhood Finance and Policy Division, sought to strike a provision to expand the statewide Quality Rating System, currently in a pilot program run by the Minnesota Early Learning Foundation, scheduled to expire in 2011.

They say the program should run its course and the foundation should issue its report and recommendations about carrying out a statewide implementation of a similar system and what role the private and public sectors should play. Although the rating system is voluntary, they say that in effect, such ratings would drive the market in favor of larger centers compared to family day care facilities that may be less able to meet all the quality rating criteria.

Downey also unsuccessfully sought to strike a provision that would pay providers

who earn a 3- or 4-star rating a differential increase.

The bill originally contained a provision to create an Office of Early Learning to coordinate children's services between the Human Services and Education departments. An amendment successfully offered by Rep. Randy Demmer (R-Hayfield) at the April 19 House Ways and Means Committee meeting downsized the idea to appoint a "director" who would be appointed by the governor with the same intent to coordinate services. The director would create a statewide inventory of child services to enhance understanding of what is available, who is using the services, and who is eligible who may not be using them. Downey and Buesgens each unsuccessfully sought to strike the entire provision.

Rep. Tara Mack (R-Apple Valley) successfully offered an amendment to use part of the unspent Child Care Development Fund balance to fund two additional reading programs besides the Words Work program already in the bill.

Buesgens said that in the current economy hard financial decisions must be made by families and legislators, and offered an

amendment to strike all education funding appropriations from the bill.

"This budget area is a half a billion dollars," said Buesgens. "Let's separate the necessary from the nice."

"You're right about one thing; this is the worst economy we've ever seen," Slawik said adding, "Child care is workforce development." She said 72 percent of all Minnesota families with children under age 6 have all available parents in the workforce. 🏰

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Animal, vegetable, mineral ... or chemical?

Toxic Free Kids Act survives House floor omnibus debate

By SUSAN HEGARTY

During a lengthy discussion about the environment on Earth Day, April 22, the House approved legislation that calls for data collection on toxic chemicals found in children's products.

The omnibus environment and energy finance bill, HF2123, sponsored by Rep. Jean Wagenius (DFL-Mpls) was passed by the House on an 85-46 vote. Most of the debate centered on the environment portion of the bill.

A companion, SF2099, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the full Senate.

With major appropriations for the Pollution Control Agency and the Board of Water and Soil Resources, traditional work such as monitoring water, mining and timber resources would continue, although Wagenius said the PCA, which is under a "mountain of debt," would have to do their work with a 10 percent budget cut.

New provisions include HF250, sponsored by Rep. Kate Knuth (DFL-New Brighton). Known as the Toxic Free Kids Act, it would require manufacturers of children's products to give the PCA a list of the chemicals found in their products and the list would be made public. More than an hour of floor debate and several failed amendments were offered by members who doubted the calculated fiscal impact, saying it would be much larger. Others considered the language in the bill as a possible trade secret violation for manufacturers. "Minnesota children and parents deserve better information and protection" from toxic chemicals, Knuth said.

Rep. Kurt Zellers (R-Maple Grove) said the act would make the bill fiscally "out of whack" and would be "a mandate of monumental proportions" from a department that is, to use Wagenius' phrase, "under a mountain of debt." Zellers unsuccessfully attempted

to refer the bill to the House State and Local Government Operations Reform, Technology and Elections Committee for further review.

Chemicals are also addressed in other sections of the bill. A provision to publish mercury warnings for fish consumption in four languages also drew much debate. The bill did not designate which four languages should be used on the warnings, prompting Rep. Joe Hoppe (R-Chaska) to successfully amend the bill to read, "one of which must be English." The remainder will be at the discretion of the Department of Natural Resources.

Chemicals in coal tar driveway sealants were found in the bottom of a stormwater retention pond in White Bear Lake. The toxic sediment resulted in a provision to ban coal tar from state transportation projects and to study the issue in anticipation of a future public ban.

PCA and BWSR would also continue testing water in lakes, ponds, streams and wastewater treatment plants for chemicals. Testing would include research on how chemicals found in drinking water sources affect children and pregnant women.

Animal

General Fund appropriations include funding for the Minnesota Zoo in Apple Valley, Como Zoo in St. Paul and the Duluth Zoo. The non-game wildlife account in the natural resources fund would provide \$440,000 for research and management of the gray wolf. Wildlife habitats would be maintained or restored and paid for through the heritage enhancement account in the game and fish fund.

Likewise, management of deer, bear,

A Quick Look HF2123

Focus: Department of Natural Resources, Pollution Control Agency, Board of Water and Soil Resources, Metropolitan Council, Minnesota Conservation Corps, Zoological Board, Science Museum of Minnesota, Public Utilities Commission, Department of Administration, Department of Commerce, Office of Energy Security, Telecommunications Access Minnesota, Minnesota State Colleges and Universities: International Renewable Energy Technology Institute, Petroleum Tank Cleanup Fund, Worker's Compensation, financial institutions/market assurance

2010-11 General Fund appropriation: \$365 million

General Fund amounts are for the biennium.

Funding provisions:

Environment - Natural Resources ..	\$232.9 mil.
Department of Commerce	\$44.2 mil.
Board of Soil and Water Resources ..	\$32.7 mil.
Pollution Control Agency	\$20.6 mil.
Minnesota Zoological Board	\$13.4 mil.
Public Utilities Commission	\$10.8 mil.
Metropolitan Council	\$7.6 mil.
Science Museum of Minnesota	\$2.3 mil.
Minnesota Conservation Corps	\$950,000

Selected policy provisions:

- creates composting grants
- prohibits yards waste disposal in plastic bags that do not meet ASTM standards for compostable plastics
- enables the Department of Natural Resources to sell gift cards
- changes threshold for reporting greenhouse gas emissions
- uses federal stimulus money for weatherization of state buildings and low-income housing
- provides grants for solar energy projects in public buildings, including schools
- increases number of statewide surface water assessments
- increases or establishes fees and passes for various recreational activities, mining operations and conservation easements
- gives grants for Red River flood mitigation



PHOTO BY ANDREW VONBANK

Rep. Jean Wagenius presents the omnibus environment and energy finance bill April 22 on the House floor.

waterfowl, pheasant and wild turkey would be paid for through each of their respective dedicated funding accounts.

Vegetable

A large portion of BWSR's appropriations would be passed to local governments as grants. Within the bill, \$2.3 million is for soil erosion control and water quality management. Another \$2.4 million would be used to maintain vegetation buffers and to restore native prairie.

Wagenius included language that would require state agencies and their grant recipients to plant or sow only native seeds and plants for conservation and management projects. The requirement could rule out the use of some plants commonly used today by farmers.

Four million dollars is earmarked for the state's tree nurseries and forests. The Minnesota Forest Resources Council would have to submit recommendations to the Legislature by next January about ways to increase tree planting for the sequestration of carbon.

Another emerging tree issue focuses on preventing the spread of the emerald ash borer, an invasive species that was recently discovered in Wisconsin and on the

Minnesota border near Houston County. The insect bores into ash trees, killing them over the course of several years. An appropriation of \$190,000 from the heritage enhancement account in the game and fish fund would be allocated to prevent the spread of invasive species on state property.

On April 22, the Department of Agriculture placed a state quarantine on firewood, ash trees and ash tree products in Houston County. Although the pest has not yet been found in Minnesota, the precaution was taken to prevent its spread.

Mineral

Mining in Minnesota would cost the six operating companies in the state more due to proposed fees ranging from \$5,000 for a peat-mining operation to \$50,000 for nonferrous metallic mineral operations. In addition, the bill would establish annual permit fees ranging from \$1,000 for peat mining to \$60,000 for taconite mining.

Taconite mining would be subject to a new reclamation fee of .0075 cents per ton of iron ore mined. The DNR would use the revenue to pay for oversight of mining operations and to cover the cost of issuing the permit.

Energy

The House Finance Committee incorporated the omnibus energy finance bill into the omnibus environment finance bill April 15 in order to align the bill with the Senate version. The bill includes appropriations from the federal stimulus money through the Department of Commerce. Some of the funds will be used to hire and train weatherization technicians. House Minority Leader Marty Seifert (R-Marshall) successfully amended the bill to require background checks on those hired to perform the energy audits on houses that qualify for weatherization projects.

A \$1.5 million grant to the Board of Trustees of the Minnesota State Colleges for "applied research" with Swedish manufacturers of renewable energy products was called into question by Rep. Joyce Peppin (R-Rogers). She said the energy commissioner told her that the funding source, the American Recovery and Reinvestment Act of 2009, prohibits spending federal stimulus money on research projects.

"This clearly is a violation of the federal law," Peppin said. Rep. Jeremy Kalin (DFL-North Branch) said the jury is still out on that issue, and the provision would be addressed in conference committee. 🏛️

Help for college students

Omnibus higher education finance bill holds down tuition hikes

By Nick Busse

"Thank heavens for the stimulus package," was all Rep. Tom Rukavina (DFL-Virginia) had left to say after two hours of floor debate on the omnibus higher education finance bill April 22.

College students could be thankful too, as the House's higher education funding package takes advantage of federal stimulus money to help hold down tuition rates at the University of Minnesota and at Minnesota State Colleges and Universities schools over the next two years.

Sponsored by Rukavina and Sen. Sandy Pappas (DFL-St. Paul), HF869/SF2083* would fund public postsecondary schools and student financial aid for the 2010–2011 biennium. The House passed the bill 86-46 and sent it back to the Senate, where a different version passed 41-23 on April 17. A conference committee is expected to be convened in an attempt reach compromise on the two bills.

The bill would provide \$1.2 billion each to MnSCU and the University of Minnesota, with \$130.4 million of MnSCU's share and \$231.5 million of the university's coming from the American Recovery and Reinvestment Act of 2009 — better known as the federal stimulus package. The numbers are identical to those in Gov. Tim Pawlenty's budget proposals.

The funding also comes with tuition caps that limit increases to no more than \$300 per year at the university and no more than 2 percent per year at MnSCU institutions. In addition, the bill would forbid the university from increasing salaries for administrators and from creating any new administrative positions. Similarly MnSCU would have to freeze staff salaries for two years and leave vacant any nonessential administrative positions.

The Office of Higher Education would receive \$385.4 million under the bill's provisions — \$15 million more than the governor recommends. Most of the additional

funding would go toward student financial aid programs such as the State Grant Program, work-study and child care assistance grants.

Rep. Sarah Anderson (R-Plymouth) tried unsuccessfully to amend the bill by capping any potential increases in student services fees. She argued the fees, which fund student activities and organizations, have become a major burden to college students.

"It's really important that we get a handle on this, folks," Anderson said, noting that a bill she recently saw showed a student being charged \$2,000 in fees on top of \$4,000 in tuition.

Rukavina opposed the amendment, saying he didn't know if it was enforceable; however, he agreed that the Legislature should address the issue in the future.

The bill also includes a \$2.7 million appropriation to the Mayo Foundation to help increase the number of doctors in rural areas and similar purposes. Pawlenty recommended \$250,000 less in his budget proposal.

Policy changes

The bill includes policy changes covering a variety of subjects ranging from alcohol at sports events to clothing sold in campus bookstores.

A provision proffered by Rukavina would require bookstores at public colleges and universities to sell only clothing manufactured in the United States. House Minority Leader Marty Seifert (R-Marshall) tried unsuccessfully to remove the provision of the bill through an amendment, arguing the policy could bring about "very severe unintended consequences"

A Quick Look HF869/SF2083*

Focus: Office of Higher Education, Minnesota State Colleges and Universities, University of Minnesota, Mayo Foundation

2010–2011 General Fund appropriation:
\$2.8 billion

General Fund amounts are for the biennium.

Funding provisions:

MnSCU.....	\$1.2 bil.
University of Minnesota	\$1.2 bil.
Office of Higher Education.....	\$385.4 mil.
Mayo Foundation.....	\$2.7 mil.

Selected policy provisions:

- caps tuition increases at MnSCU institutions at 5 percent per year, bought down to 2 percent per year with federal stimulus funds
- caps tuition increases at the University of Minnesota to no more than \$300 per year using federal stimulus funds
- creates an optional fixed tuition rate program for MnSCU and University of Minnesota students
- requires MnSCU to freeze staff salaries and leave empty any nonessential managerial and administrative positions
- forbids the University of Minnesota from creating new administrative positions or increasing salaries for administrators
- establishes a student loan forgiveness program for veterinarians who practice in rural areas
- authorizes the University of Minnesota to create a new scholarship program for middle-income students
- eliminates the legislative advisory councils that recommend candidates for the University of Minnesota Board of Regents and the MnSCU Board of Trustees to the Legislature
- repeals the Achieve scholarship program
- requires clothing sold at MnSCU and University of Minnesota bookstores to be made in the United States

in terms of lost revenue to colleges. Rukavina later accepted an amendment that softens the requirement.

New university or MnSCU students would



PHOTO BY TOM OLMSCHIED

Rep. Tom Rukavina, chairman of the House Higher Education and Workforce Development Finance and Policy Division, presents the division's omnibus finance bill to the House April 22.

have the option of locking in a fixed tuition rate for up to four years, under provisions taken from a bill sponsored by Rep. Mark Buesgens (R-Jordan). The option would be open to students who enroll in the fall of 2010 or later, and a student's tuition would be set at the rate they pay in their first semester of enrollment. After four years — or two years, for those pursuing two-year degrees — tuition would increase to the rate charged to newly enrolled students.

Veterinary students at the university could look forward to a new loan forgiveness program under provisions taken from a bill sponsored by Rep. Mary Ellen Otremba (DFL-Long Prairie). The program would focus on helping veterinarians who operate full-time practices in "underserved" rural areas and


work mostly with food animals. The bill includes \$225,000 for the program.

The process by which candidates are appointed to the University of Minnesota Board of Regents and the MnSCU Board of Trustees would also receive an overhaul. Under the bill, trustees would be appointed by the Legislature in a process similar to the one used to elect regents. Currently, the governor appoints trustees. In addition, the legislative advisory councils that currently recommend trustee and regent candidates would be eliminated.

Rep. Bud Nornes (R-Fergus Falls) unsuccessfully offered an amendment to remove the provisions from the bill, arguing it is unnecessary for the Legislature to get involved in selecting trustees. Rukavina disagreed.

"I think us having some input would be very beneficial for these students and the system rather than the governor having complete say over who gets appointed," Rukavina said.

Rep. Steve Smith (R-Mound) successfully amended the bill with a provision that would prevent the university from using state funds for any research that would involve human cloning. Smith said a similar ban has been adopted by the U.S. Congress; however, opponents like Rep. Phyllis Kahn (DFL-Mpls) said the amendment could have the effect of harming research.

The bill also would allow the university to obtain a liquor license for the new TCF Bank Stadium and other facilities only if liquor is allowed throughout the facility, and not just in premium seating areas. 

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Building a better formula

Omnibus K-12 education finance bill floor debate highlights obstacles

By KRIS BERGGREN

Picture the state's education funding formula as a Rube Goldberg drawing depicting a complex invention with pulleys, levers and other mechanisms that get the job done but in less than elegant fashion.

House K-12 Education Finance Division Chairwoman Mindy Greiling (DFL-Roseville) has proposed a formula she likens to the precise geometry of the Eiffel Tower, built to scale according to an architectural blueprint.

Some call it the "New Minnesota Miracle." It's also known as Article 9 of HF2, the House omnibus K-12 education finance bill that Greiling sponsors, and which the House passed 85-48 April 23 after six hours of debate and 31 offered amendments. The bill contains no new education mandates, cuts outdated mandates and promotes shared services among districts as cost-saving measures.

Still, in order to reach the House DFL biennial target of \$11.6 billion for education spending, \$1.8 billion in accounting shifts is included in the bill, which also proposes \$275 million in one-time federal stimulus funds to offset spending cuts.

House Republicans, even those who say they like at least parts of the plan that would stabilize and equalize state aid to school districts and take property tax levies out of the formula, say it isn't prudent and much less realistic to approve the changes without the money to back it up.

Rep. Pat Garofalo (R-Farmington), the division's minority lead, identified "three problems" with the bill: "There is no funding, there is no reform and there is no leadership."

Garofalo noted the bill contains \$185 million less in funding from this year's base, compared to the governor's proposal to increase education spending by

\$507 million, and that the bill includes none of the governor's teacher transformation programs. Furthermore, he said, the bill "kicks the can down the road for four more years." He referred to the proposed 2014 effective date to implement the funding formula reforms.

The floor debate featured prolonged discussion over perennial hot buttons including a revived unsuccessful amendment that would have allowed school districts to start before Labor Day and several proposals that highlighted the tension between those who advocate for charter schools and those who perceive them as competition with district schools. Rep. John Lesch (DFL-St. Paul) unsuccessfully proposed even stricter accountability measures for charter schools than those already included in the bill.

However, the heaviest criticism fell to the proposed accounting shifts that could help balance the education budget without cutting spending, and to putting the proposed funding reforms into statute without a revenue source.

Heavy criticism for accounting shifts

The shifts would mean the state would defer 27 percent of its state aid payment, not 10 percent, to school districts in fiscal year 2010. It would authorize an advance payment shift of 90 percent for school districts in statutory operating debt. It would also reestablish a levy recognition shift at 49.1 percent effective in 2010. Without them the cost would be \$13.4 billion.

Members were also concerned shifts of that

A Quick Look: HF2

Focus: K-12 school operations, education programs, special education, facilities and technology, school lunch and nutrition programs; public libraries; Department of Education; Minnesota State Academies; Perpich Center for Arts Education, federal stabilization funds used to offset state aid cuts.

2010-11 General Fund appropriation: \$13.4 billion

Federal stabilization expenditures: \$275 million

General Fund amounts are for the biennium:

General education program.....	\$9.6 bil.
Nonpublic pupil revenue.....	\$32.1 mil.
Nonpublic pupil transportation.....	\$41 mil.
Education Excellence	\$292.7 mil.
Integration aid	\$119.7 mil.
Charter school building lease aid.....	\$77.5 mil.
Interdistrict desegregation trans.....	\$32 mil.
Statewide testing	\$30.3 mil.
Adv. Placement program	\$9 mil.
Special education	\$1.6 bil.
Facilities and technology	\$62.7 mil.
Nutrition programs	\$38.4 mil.
Libraries	\$33.2 mil.

State Agency Budgets:

Department of Education.....	\$43.4 mil.
Minnesota State Academies	\$23.8 mil.
Center for Arts Education	\$14.2 mil.

Selected Policy Provisions:

- charter school reforms including strengthening authorizers' accountability
- school districts authorized to create site-governed schools
- education mandate reductions including for home schools
- special education mandate reductions creating more alignment with federal rules and practices and repeal of requirement to fund full cost of services for nonpublic school students
- special education restraint and isolation procedures revised
- school district shared services promoted
- student assessments and measures of accountability revised including use of computer adaptive testing and individual students' growth measurements required in addition to proficiency and be reported to the public



PHOTO BY TOM OLMSCHEID

Rep. Mindy Greiling, chair of the House K-12 Education Finance Division, presents the omnibus K-12 education finance bill to the House April 23.

size could harm school districts that would pay interest on short-term loans or draw down their cash reserves to cover their cash flow needs. The impact is estimated around \$25 per pupil, according to nonpartisan House fiscal staff.

“The shifts are better than the straight cuts, at least that’s what the schools told us, and I agree with that,” Rep. Randy Demmer (R-Hayfield) said April 20, but said he would not support the bill. “Assuming we want to get back to 90-10 with our funding and assuming 2014 comes, we have \$3.5 billion that will have to be made up to cover education. That’s to cover the funding for Article 9 and to pay back the shifts.”

“I’m ashamed of this bill,” said Rep. Mark Buesgens (R-Jordan), who unsuccessfully offered several amendments that could have

eliminated integration revenue, revoked the state’s participation in the No Child Left Behind Act of 2001, and raised basic per pupil aid while getting rid of most other funding categories.

The flavor of the session: GRAD testing

Demmer decried the policy provision to create an alternative path to graduation for students now in 11th grade who do not pass the math Graduation Required Assessment for Diploma after three tries. Failing to hold students to test results is “pulling the plug” on high academic expectations, he said.

Rep. Carlos Mariani (DFL-St. Paul), chairman of the House K-12 Education Policy and Oversight Committee, said he could not let that charge go uncontested, saying that

3,000 to 5,000 students are expected to fail the test, and if they did not graduate it would be difficult to pursue college or a job.

“Society seems to have this single-minded, one-dimensional focus and fascination with testing. I just want to submit that our responsibility here is not to a test,” Mariani said. “It is to the young people, the students in our K-12 system. If whatever tools we’re using isn’t getting the job done, let’s stop using them and use better tools.”

Greiling said the bill provides the “adequate, equitable funding that we all want. Everyone agrees it’s a good bill. It’s the price tag. But the price tag is nothing more than an inflationary increase to the funding if we implement it over six years.” 🏛️

Sex offenders, courts and corrections

Omnibus public safety policy bill headed to conference committee

By Mike Cook

Working together created an omnibus public safety policy bill all House members can support. "It strengthens the requirements on predatory offenders, it eases mandates on state agencies and it provides some needed assistance to local agencies in times of emergency," said Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors HF1301.

The House passed it unanimously (134-0) April 20, the same day the Senate passed its version, SF993, sponsored by Sen. Mee Moua (DFL-St. Paul). A conference committee is expected to work out the differences.

House Minority Leader Marty Seifert (R-Marshall) said the bill shows what happens when "the majority can be bipartisan in its outlook of a bill." He said the bill was "OK starting out," but was bettered with the adopted amendments, including those from his caucus. Six of the 10 adopted amendments came from House Republicans.

Predatory offenders

"This bill aims to proactively protect children and Minnesotans from sexual predators," said Rep. Karla Bigham (DFL-Cottage Grove). Five of her sponsored bills are in this section.

It protects by expanding the computer solicitation of children crime to include all electronic communication systems, including texting and cell phone video, and prohibits registered predatory offenders who are on intensive supervised release from accessing or using instant messaging, chat rooms or social networking Web sites that permit minors to participate. Such offenders would also be subject to unannounced searches of their computer or other electronic device with Internet capability.

The registration period for a predatory offender would also restart if a person is arrested for a new offense or violates conditions of probation, parole or supervised release prior to the end of their registration period.

Rep. Tom Emmer (R-Delano) successfully amended the bill to include that certain predatory offenders shall receive lime green license plates. He also tacked on two parts of HF1305, which he sponsors.

One provision would make a DWI charge private data after 10 years of no same or similar charges. "It would still be available to law enforcement and courts, but if somebody did a background check for purposes of employment this wouldn't necessarily come up," Emmer said.

The other would issue a request for proposals for the replacement of the breath testing machines used in DWI traffic stops. In challenging a DWI charge, a defendant can contest that the machine was properly calibrated. However, Emmer said the manufacturer will not provide the source code necessary to ensure machine accuracy, which could jeopardize DWI convictions.

Rep. Al Juhnke (DFL-Willmar) successfully amended on HF85 to allow GPS systems to be mounted or located near the bottommost portion of a windshield. This bill passed the House 131-0 March 19, it awaits action by the Senate.

Crime victims, courts and public defenders

"Under current law, a prosecutor must provide victims of domestic assault and harassment with information on civil protection orders," Hilstrom said. "This adds victims of criminal sexual conduct to that statute."

The bill also increases from 12 to 24 hours the time an officer may have to arrest a person where there is probable cause of domestic abuse, and it expands the ability of judicial districts to create domestic fatality review teams.

Sponsored by Rep. Joe Mullery (DFL-Mpls), HF1224 sets forth a state policy to eliminate racial, gender and ethnic fairness barriers in the courts. He said the request came from the Department of Public Safety, and without it, the state could risk losing federal funds.

"Our job is not to be subservient to the federal government," Emmer said in support of an amendment unsuccessfully offered by Rep. Mike Beard (R-Shakopee) to remove the provision.

Other court provisions include: the authority to appoint a referee to act in conciliation court; the creation of a license reinstatement diversion pilot program in five cities; a written transcript of a law enforcement vehicle recording is not a prerequisite for evidence admission in a criminal trial or DWI license revocation hearing; and criteria is established to determine public defender eligibility based on the person's income and severity of the charge.

Corrections and sentencing guidelines

Among the areas included in this section are provisions that would allow conditional release of an offender if the offender consents to warrantless searches and the allowance of peace officers to use force in some instances to arrest juveniles who escape from custody.

However, Hilstrom was disappointed that she had to remove a bill designed to further ensure correctional officer safety because of



PHOTO BY ANDREW VONBANK

Rep. Debra Hilstrom walks legislators through the sections of the House omnibus public safety policy bill April 20.

a fiscal cost. Sponsored by Rep. Steve Smith (R-Mound), the provision from HF1039 would further clarify a 1997 state law that an inmate who assaults a correctional officer must serve their sentence consecutively, not concurrently. However, some judges have not interpreted it properly.

“What kind of deterrence is there if the time is allowed to be served while they’re serving what they’re in there for,” Smith said. “Whatever the cost is to keep someone in prison consecutively we surely dealt with in 1997. The cost is in their base. The fiscal note that you’re basing your motion to delete this language is not correct. . . . A House researcher on our committee said it would be impossible to determine.”

Public safety

A business that sells over-the-counter methamphetamine precursor drugs would be required, under the bill, to retain a sale log for five years and make it available for inspection by law enforcement at all reasonable times.


Rep. Morrie Lanning (R-Moorhead) successfully amended the bill to impose a misdemeanor penalty of a person possessing any amount of saliva *divinorum*, and a gross misdemeanor to anyone selling the hallucinogenic drug that is growing use.

“Law enforcement folks are telling me they’ve seen very scary things from people high on this drug,” he said.

The bill also prohibits commercial retailers from selling a toy designed for children under age 12 that has been recalled for safety reasons; creates a gross misdemeanor for possessing a device or substance intended to be used to enhance an animal’s fighting ability; and it expands the fourth-degree assault crime to include when a person assaults a utility employee or contractor involved in their professional duty.

Other provisions:

- the state’s trespass law would be amended to include entering any public or private area lawfully cordoned off by a peace officer;

- a person failing to comply with a requirement of furnishing information to the Bureau of Criminal Apprehension would be guilty of a misdemeanor and could be held civilly liable for damages suffered by someone resulting from the negligence;
- public employers could not consider an applicant’s criminal background history prior to an interview;
- the crime of unauthorized law enforcement practices would expand to include cases where a peace officer knowingly allows a non-peace officer to represent themselves as one or to perform acts reserved for peace officers; and
- the Statewide Radio Board would be designated as the state interoperability executive committee. Among its role, the board must develop a statewide plan for local and private public safety communication that integrates with the state’s emergency operation plan. 

Tightening the belt

Less funding, more accountability in omnibus state government finance bill

By Nick Busse

A funding package that includes budget cuts and provisions to strengthen accountability in state government was still being debated at 9 p.m. April 23 when this issue of Session Weekly went to press.

HF1781/SF2082*, sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley), comprises the omnibus state government finance bill. It contains \$628.8 million in funding for the Legislature, the state's constitutional offices and various state government agencies for the 2010–2011 biennium.

If passed by the House, the bill will go back to the Senate, where a different version passed 59-6 on April 20. A conference committee is expected to work out the differences.

The bill would cut the Legislature's budget, although not quite as deeply as is recommended by Gov. Tim Pawlenty in his budget request. It proposes a 5 percent cut for the Senate, a 3 percent cut for the House and a 2.9 percent cut for the Legislative Coordinating Commission. Pawlenty has called for cuts of 5.7 percent, 5.8 percent and 5.2 percent, respectively.

The governor's office would actually see a funding increase of 14.7 percent under the bill's provisions; however, this is due to a new policy proposed in the bill that personnel costs for the governor's office may not be attributed to other executive-branch agencies. The governor's actual operating budget would be reduced by 3 percent; Pawlenty asked for a 5.9 percent cut. In addition, a provision asks Pawlenty to cut executive-branch administrative costs by \$16.5 million — an amount equal to roughly all the governor's deputy and assistant commissioners.

The bill would also cut, in whole or in part, two of the governor's biggest technology initiatives. One item, a \$16.5 million request to consolidate state agencies' data centers

into a single facility, has been completely cut from the bill. Another, an \$18 million request to fund lease-purchase financing to replace the state's outdated accounting and procurement system, would be delayed by one year. The effect would be to save the state \$9 million in the next biennium. The bill does include a request by Pawlenty to impose a temporary 10 percent surcharge on business, commercial and professional licenses to fund a new statewide electronic licensing system.

The Attorney General and Secretary of State offices would get funding reductions of 3.4 percent and 5 percent, respectively, while the Office of the State Auditor would see a 3.7 percent increase to help monitor federal stimulus spending. Pawlenty recommended deeper cuts to all three offices.

The Department of Administration, Department of Revenue and Minnesota Management and Budget would all see 5 percent reductions in their operating budgets. The bill would also fund a number of smaller state agencies, including the Campaign Finance and Public Disclosure Board, the Capitol Area Architectural and Planning Board, the Office of Administrative Hearings, the Council on Black Minnesotans and the Council on Chicano-Latino Affairs. Most of the smaller agencies would see budget cuts of approximately 5 percent as well.

Policy provisions

The bill includes a number of policy changes designed to increase accountability and improve financial management at state agencies.

Legislation sponsored by Rep. Ryan Winkler

A Quick Look HF1781

Focus: Legislature, Governor's Office, State Auditor, Attorney General, Secretary of State, Campaign Finance and Public Disclosure Board, State Board of Investment, Office of Administrative Hearings, Office of Enterprise Technology, Department of Administration, Capitol Area Architectural and Planning Board, Minnesota Management and Budget, Department of Revenue, Minnesota Amateur Sports Commission, Council on Black Minnesotans, Council on Chicano-Latino Affairs, Council on Asian-Pacific Minnesotans, Council on Indian Affairs, Minnesota State Retirement System, Minneapolis Employees Retirement Fund, Teachers Retirement Association

2010–2011 General Fund appropriation: \$628.8 million

General Fund amounts are for the biennium.
Selected funding provisions:

Department of Revenue.....	\$249.6 mil.
Legislature	\$134.3 mil.
Attorney General	\$46.8 mil.
Minnesota Management and Budget.....	\$40.6 mil.
Department of Administration.....	\$39.4 mil.
State Auditor.....	\$19 mil.
Secretary of State.....	\$11.8 mil.
Office of Enterprise Technology.....	\$11.5 mil.
Governor	\$8.5 mil.

Selected policy provisions:

- strengthening internal financial controls for state agencies and establishing a Financial Controls Council
- providing domestic partner health benefits for state employees
- establishing civil penalties for making false claims against the state, and providing for certain protections for whistleblowers
- requiring a public Web site with a searchable database of state expenditures and contract information
- granting certain preferences to businesses owned by disabled veterans in regard to bids for state contracts
- providing that costs attributable to the governor's office may not be supported by appropriations to other executive branch agencies



PHOTO BY TOM OLMSCHIED

Sponsored by Rep. Phyllis Kahn, the omnibus state government finance bill would cut legislative spending and reduce appropriations to the state's constitutional officers and state agencies.

(DFL-Golden Valley) and Rep. Keith Downey (R-Edina) dealing with agencies' internal controls have been incorporated into the bill.

The provisions would ask MMB to take a proactive role in ensuring proper financial management at state agencies, expand the duties of the Legislative Audit Commission and establish an independent Financial Controls Council for the state. In addition, a proposal sponsored by Winkler that would

make misappropriation of state funds a crime is included in the bill.

The bill also includes the language from HF8, the proposed Minnesota False Claims Act. Sponsored by Rep. Steve Simon (DFL-St. Louis Park), the provision would impose penalties on those who make false claims to the state, and establish protections for whistleblowers. The proposal is still moving forward as a separate bill in the House, and

For updates on Thursday, April 23, actions on the omnibus state government finance bill, go to Session Daily at www.house.leg.state.mn.us/hinfo/sdaily.asp.

is scheduled to be addressed April 28 by the House Transportation Finance and Policy Division and April 30 by the House Finance Committee.

A Kahn-sponsored provision would grant domestic partner benefits to state employees. Any insurance, health, medical and dental benefits available to spouses of state employees would also be available to any adult with whom a state employee lives and shares common domestic responsibilities.

Business owners who are disabled veterans would be given special preference for state contracts, under a provision sponsored by Rep. Jerry Newton (DFL-Coon Rapids). The provision would give veterans with service-related disabilities up to a 6 percent preference in bidding.

Several provisions in the bill are designed to make state Web sites more accessible and more useful to the public. One, taken from a bill sponsored by Winkler, would require the state to create a new Web site with a searchable database of state contracts and expenditures, including specific features. Another, taken from a bill sponsored by Rep. Paul Gardner (DFL-Shoreview), would require that any new accounting software for the state include an application programming interface (API) that allows the public to access data in an open format. Finally, a provision sponsored by Rep. Jeremy Kalin (DFL-North Branch) would require state agency Web sites to prominently display contact information including a phone number "that will be answered by a human being." 🗽

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Highlights continued from page 7

Olseen (DFL-Harris), the law will allow a school district employee with any class of commercial driver's license to operate a Type III vehicle. It is effective April 24, 2009, one day after being signed by Gov. Tim Pawlenty.

Type III vehicles are passenger autos, vans and buses that hold no more than 10 people, and whose maximum gross weight is 10,000 pounds. They are used, for example, when a fine arts coach drives his or her team to a meet.

Last year's law required bus drivers to comply with a number of requirements, including a physical and drug test. The previous sponsors intended to exempt "temporary or incidental Type III school vehicle drivers" because driving would not be part of their "normal duties." However, the Department of Public Safety interpreted the law whereby anyone who might drive a Type III vehicle must meet the bus driver requirements.

Proponents said that without the change, some schools might have to cut programs or have students drive themselves to games, contests or other events.

HF116/SF33*/CH24

— M. Cook

Lift bridge restoration funding

If a new bridge is built across the St. Croix River between Stillwater and Wisconsin, money could be available to rehabilitate or demolish the current crossing.

Sponsored by Rep. Julie Bunn (DFL-Lake Elmo), HF1221 would create a Stillwater lift bridge endowment account in a special revenue fund and authorize appropriations and endowments for operation and routine maintenance of the current span after it is converted for non-motorized use. She said construction of a new bridge is scheduled to begin in 2013.

The House Finance Committee approved the bill April 20 on a split-voice vote and sent it to the House Ways and Means Committee. A companion, SF1005, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate Finance Committee.

"As part of the mitigation package related to the new crossing, the old Stillwater lift bridge is going to be converted to a pedestrian and bicycling bridge," Bunn said. "This bill is unique in that we are creating an endowment account for funds to be used for basic operation and maintenance of that bicycle foot bridge once it has been converted to those purposes."

The bill provides for appropriations from either state funds, federal funds, grants and private contributions or gifts. Money in the account would be invested by the State Board of Investment. An annual fund report would

be due to the Legislature.

Rep. Mark Buesgens (R-Jordan) expressed concern of the precedent being set, instead of creating a nonprofit. "Is every single public historic place now going to be looking for the State Board of Investment, and using their leverage in investment?"

If Department of Transportation officials, in consultation with the State Historic Preservation Office, deem it is best to demolish

the current structure, federal and state money in the account can be used for that purpose. Under the bill, remaining fund money and all private gifts or contributions must be used to preserve other state historic bridges. Bunn said the general opinion of those involved with the project is that demolition is expected to "more than completely exhaust" money in the account.

— M. Cook

SPAMMED



PHOTO BY TOM OLMSCHEID

Rep. Jeanne Poppe assembles information about Austin as she prepares April 20 to SPAM all House members with the message, "April 21 is the official S.P.A.M. (Special People from Austin, MN) Day at the Capitol. An official visitor's guide to the city and a packet of SPAM were placed on each member's desk. The first can of SPAM was produced in Austin in 1937.

Friday, April 17

HF2324-Sertich (DFL)

Civil Justice

Attorney fee recovery provided for fees incurred in collecting conciliation court judgments.

HF2325-Dill (DFL)

Finance

Minnesota Historical Society grant provided to the Gunflint Trail Historical Society to renovate, furnish, equip and maintain the Chik-Wauk Museum and Nature Center.

HF2326-Davids (R)

Transportation & Transit Policy & Oversight Division

Roadway classification modification required for Route No. 44 and Route No. 9.

HF2327-Hausman (DFL)

Finance

Minnesota Public Radio grant provided for new programming.

HF2328-Murdock (R)

Finance

Perham; city water and sewer treatment facilities funding provided.

HF2329-Davnie (DFL)

Taxes

Green job zone tax incentives for businesses provided and certification of qualifying business provided.

HF2330-Poppe (DFL)

Finance

Austin; veteran home funding provided.

HF2331-Lenczewski (DFL)

Taxes

Tax increment financing plan and reporting requirements modified, administrative expenses definition clarified and interfund loan requirement modified.

HF2332-Brown (DFL)

Finance

Albert Lea; veteran home funding provided.

HF2333-Brown (DFL)

Finance

One-year transition aid payment created for school districts no longer receiving wind energy production tax revenue.

HF2334-Loeffler (DFL)

Taxes

Minneapolis; local sales tax revenue use expanded.

HF2335-Poppe (DFL)

Taxes

Wind energy production tax distributions modified.

HF2336-Lesch (DFL)

Taxes

Department of Revenue required to collect unpaid sales and local lodging taxes.

HF2337-Lesch (DFL)

Taxes

Local lodging fee provided.

HF2338-Davids (R)

Finance

Forest protection funding provided.

Monday, April 20

HF2339-Demmer (R)

Commerce & Labor

State Lottery director authorized to establish lottery gaming machines and enter into a contract for the management and placement of the machines, powers and duties provided and gaming machines revenue provided.

HF2340-Eken (DFL)

Taxes

Long-term care tax imposed to fund services.

HF2341-Davnie (DFL)

Taxes

Tax credit advance loan program provided.

HF2342-Winkler (DFL)

State & Local Government Operations Reform, Technology & Elections

Local governments allowed to adopt pesticide application ordinances.

Tuesday April 21

HF2343-Davids (R)

Finance

Regional capital fund for arts organizations created.

HF2344-Brown (DFL)

Finance

School travel grants created for schools to attend cultural events.

Wednesday April 22

HF2345-Kahn (DFL)

K-12 Education Policy & Oversight

Second world language proficiency made a requirement for high school graduation.

HF2346-Hayden (DFL)

State & Local Government Operations Reform, Technology & Elections

Juneteenth made a state holiday.

Thursday April 23

HF2347-Lanning (R)

Finance

Flood and storm disaster relief provided, federal matching funds provided, Hugo tornado aid provided.

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MINNESOTA INDEX

Minnesota taxes

State's current sales and use tax, as percent.....	6.5
Percent it is increasing to on July 1, 2009	6.875
Percent of state voters in last November's election who supported the increase that will be used for clean water, wildlife, arts and cultural heritage and natural areas purposes.....	55.99
Sales and use tax collected by the state in fiscal year 2008, in billions.....	\$4.49
Billions collected in fiscal year 2007	\$4.43
Percent of electronic state tax returns that are processed in 10 days or less	90
Millions of Minnesotans expected to file a tax return this year.....	2.6
Of the first approximately 2 million filed, millions who e-filed.....	1.6
Estimated number of income and property tax returns e-filed in 2008.....	2,022,500
Percent increase over 2007	11
Number of returns e-filed during the program's first year in 1991	3,000
Number of returns e-filed in 1998.....	472,000
First year 1 million returns were filed electronically	2002
Estimated percent of Minnesota taxpayers who qualify for free e-filing.....	70
According to a 2007 survey, percent of taxpayers who were satisfied with the amount of time it took to receive their tax refund.....	94
Department's goal for the upcoming 2009 survey.....	95
Billions in state tax collections in fiscal year 2008	\$17.73
Billions collected in fiscal year 2007	\$17.30
Billions collected by the state in individual income tax in fiscal years 2008, 2007	\$7.76, \$7.23
Billions collected for general property tax in payables 2008, 2007	\$6.55, \$6.07
Millions collected in state general property tax in fiscal years 2008, 2007	\$704.25, \$665.74
State's corporate franchise tax rate, as percent.....	9.8
Billions collected in corporate franchise taxes in fiscal years 2008, 2007	\$1.02, \$1.17
Tax per pack of 20 cigarettes, including excise tax, health impact fee and in-lieu sales tax.....	\$1.504
Year the Office of the Taxpayer Rights Advocate was established	1990
Amount collected by the Revenue Department in the first year of posting a list on the agency's Web site of businesses that have failed to file and/or pay sales tax	\$278,700
Number of businesses on the site when the list was first launched	64
Those that have paid in full as of March 24, 2009.....	18
Businesses on the list as of March 24, 2009	103
Total owed the state, in millions	\$3.9

— M. Cook

Sources: Department of Revenue, including *Minnesota Tax Handbook: A Profile of State and Local Taxes in Minnesota*, January 2009; Office of the Secretary of State

FOR MORE INFORMATION

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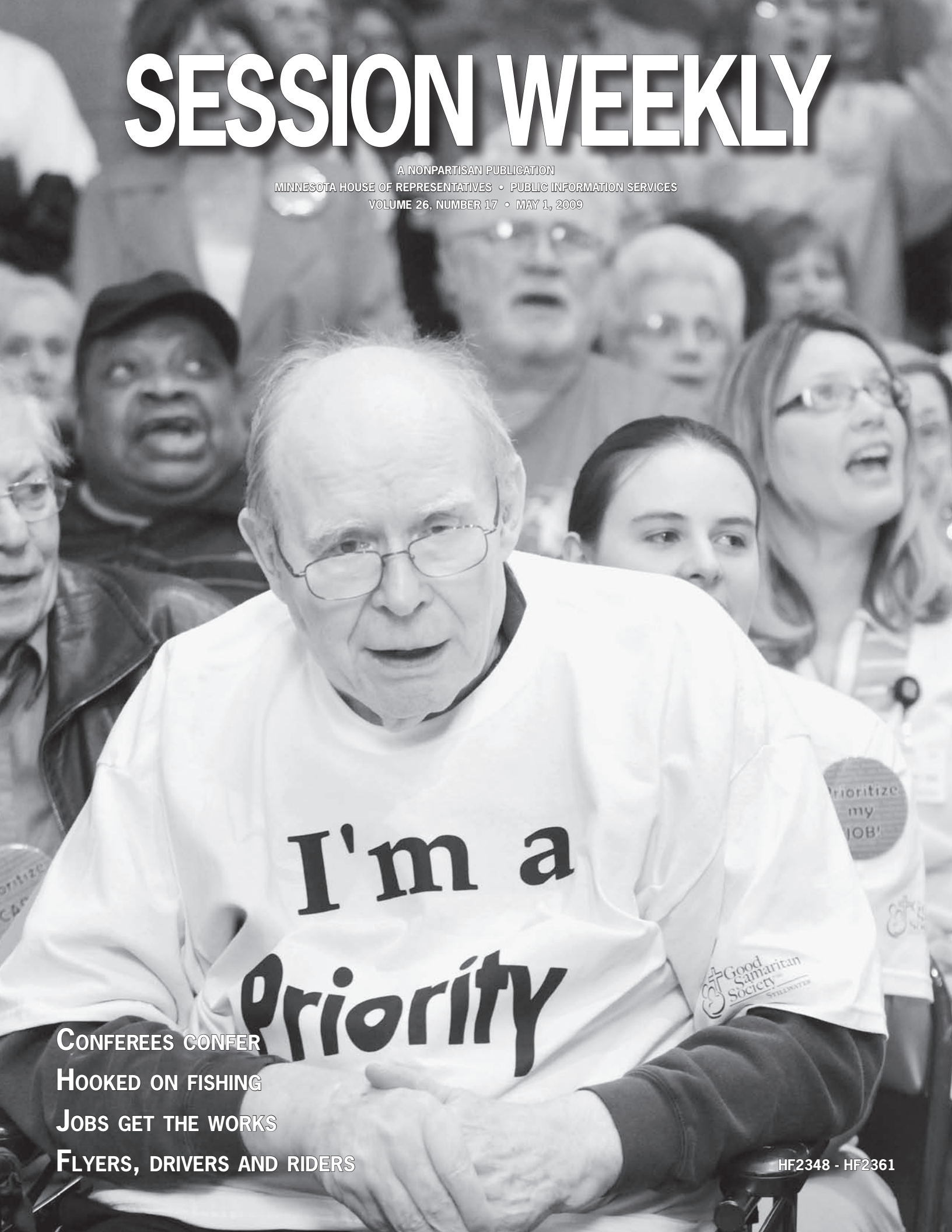
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SESSION WEEKLY

A NONPARTISAN PUBLICATION

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 26, NUMBER 17 • MAY 1, 2009



CONFEREES CONFER
HOOKED ON FISHING
JOBS GET THE WORKS
FLYERS, DRIVERS AND RIDERS

HF2348 - HF2361

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: Merlin Hubenette, 83, and his care attendant Christy Holland from the Good Samaritan Society Center - Stillwater, joined others in the Capitol Rotunda April 28 to rally in support for long-term care funding.

— Photo by: Tom Olmscheid

Wildfire in slow motion

Emerald ash borer ignites prevention policies

By SUSAN HEGARTY

More than 30 years ago, Minnesota legislators created programs to fight Dutch elm disease, a tree fungus spread by the elm bark beetle. The disease stripped boulevards bare and prompted local governments to paint bright red Xs on dying shade trees destined for removal. Could Minnesota be headed down that road again?

Comparisons are being made between the elm bark beetle and the emerald ash borer, a tree pest recently discovered in Victory, Wis., just across the Mississippi River from Houston County, Minn. The emerald ash borer moves two miles per year, living underneath bark and interrupting the natural flow of nutrients in ash trees. It can travel much farther if it is helped by humans moving infected wood.

Rep. Larry Haws (DFL-St. Cloud) was a parks director in the 1970s and clearly remembers the devastation caused by Dutch elm disease. "It was a very scary time. (The elm) was a much larger tree but it wasn't in the ... forests, so this is a very significant challenge that the state of Minnesota is going to be taking on in the protection of our ash trees."

In 1974, the House passed policy bills to identify diseased trees and to give cities and counties authority to remove them. The following year, the state adopted grant-in-aid programs to help cities dispose of the removed trees, citing, "The Legislature finds that an epidemic of Dutch elm disease ... is occurring in Minnesota which threatens the natural environment. Immediate action is therefore necessary..." They appropriated \$1.5 million in 1975 to manage tree diseases, and by 1978 they were awarding \$29.7 million in grants for the purpose, according to the Department of Agriculture.

Ash was the tree of choice for filling the void left by Dutch elm disease. Now those 20- to 30-year-old hardwoods are threatened by the fluorescent green bug that's no bigger than a thumb. Its discovery in western Wisconsin prompted a federal and state quarantine last week that prohibits the movement of ash wood in Houston County beyond county lines, even though the bug or its distinctive D-shaped exit hole have not yet been found in Minnesota.

Déjà vu

Legislators are racing against the clock, before the May 18 adjournment deadline, to protect ash trees and to pass bills designed to prevent the invasion of the emerald ash borer.

Rep. Diane Loeffler (DFL-Mpls) sponsors HF2262 that would appropriate \$1.5 million, the same as the 1975 funding level, for training volunteers and to educate the public in early detection methods. But unlike 1975, when there was a state surplus and approved tax breaks, Minnesota is facing a \$4.6 billion deficit in the next biennium.

So where could funding be found? Voters approved a constitutional amendment last year to authorize a sales tax increase, with proceeds going into an outdoor heritage fund to protect the state's natural resources. Loeffler said the House Cultural and Outdoor Resources Finance Division is considering using a portion of its projected reserve fund toward prevention efforts.

Loeffler's bill also requests \$125,000 for the Forest Protection Task Force, \$30,000 for a "releaf" program and another \$5 million to establish an emergency forest pest response account. Similar to the emergency forest fire account, the emergency pest fund could be tapped in the event of an emerald ash borer infestation.

"Emerald ash borer has been described as a forest fire in slow motion," Loeffler said.



PHOTO BY TOM OLMSCHEID

Two vials, one with a larvae and the other with a mature emerald ash borer, sit on top of a map showing the insects' migration west from the East Coast. The display was before the House Cultural and Outdoor Resources Finance Division April 22.

First Reading continued on page 4

"I'm hoping that we will have an inventory, before we're done with this session, of laws and regulations that we need to assist ... in creating that stronger network of early detectors and also the response tools that you need to make sure this doesn't spread."

Rep. Greg Davids (R-Preston) represents the county under quarantine.

"Once they get across, it's not a matter of eradicating; it's a matter of containing, and that's disturbing," he said. "It's frightening what could happen, especially if it worked its way up to Rep. Anzelc's district, which has tremendous amounts of ash trees." Rep. Tom Anzelc (DFL-Balsam Township) represents District 3A in northern Minnesota.

Davids said his district has a large Amish community whose members use wood regularly as an energy supply. He said special consideration will be required when notifying this community, because of their non-reliance on modern technology. He sponsors HF2338, a bill nearly identical to Loeffler's except that it does not include money for grants to local governments or require the funds to be tied to achieving state environmental goals.

Loeffler's bill has no companion. Davids' bill is a companion to SF2108, sponsored by Sen. Sharon Erickson-Ropes (DFL-Winona), which awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

The color purple

Officials from the Agriculture and Natural Resources departments have been working to leverage additional funds from the U.S.

Department of Agriculture. Only \$120,000 each year is spent by the department to look for the emerald ash borer, according to Geir Friisoe, senior program administrator in the department. Most of the funds are used to perform two survey methods:

- 1,000 long purple strips of sticky tape are placed around trees that act much like fly paper. Scientists have determined that the emerald ash borer is attracted to the color purple.
- A single tree in a grove of ash trees may be used as a "trap" for the bug. A strip of bark is removed from the tree to attract the pests to that particular tree, which is then sacrificed to save the surrounding trees. These tactics are used in campgrounds, in



'Emerald ash borer has been described as a forest fire in slow motion.'

— Rep. Diane Loeffler

using stingless wasps.

Loeffler said most infestations are found by the general public, which is why she is advocating for the early detection program. In Michigan, where the pest has had a strong foothold, cities have seen increases in water and electricity consumption as a result of losing their shade trees, Loeffler said.

"We have heard where some states lost control because they didn't have the right kind of plan. Minnesota has been a national leader in gypsy moth (control) and I think we can be a national leader on this," she said. 🐝



PHOTO BY TOM OLMSCHEID

S. Olin Phillips, left, nursery and forest health section manager with the Department of Natural Resources Division of Forestry, and DNR Deputy Commissioner Laurie Martinson answer questions about the emerald ash borer from the House Cultural and Outdoors Resources Finance Division April 22.

densely populated areas and where there are high concentrations of ash trees, including northern Minnesota forests. Friisoe said the department is hoping to receive a grant from the USDA to purchase more sticky traps.

Several legislators have asked about biological remedies. Researchers have gone to China, the native origin of the emerald ash borer, and some eradication success has been shown

Zebra mussels

Aquatic invasive season upon us



Zebra mussels

Boating season is when the Department of Natural Resources ramps up efforts to prevent the spread of aquatic invasive species found in Minnesota waterways.

Since 1989, when zebra mussels were first found in the Duluth harbor, these tiny shells have spread to several rivers, including the Mississippi River, and nine inland lakes, including the most recent discovery last month in Prior Lake.

"Once they get into a lake, they are there to stay," said Luke Skinner, the Department of Natural Resources invasive species supervisor. Zebra mussels are striped, hard-shell mussels, about the size of a fingernail, that can attach to hard surfaces. For that reason, they can clog water intake valves and suffocate native mussels by attaching to the shells. They filter the water and may impact the food chain in the water body, Skinner said.

Prior to any expected budget deficit, and reacting to a heightened level of concern among stakeholders and legislators, the 2007 Legislature increased funding for invasive species from \$2.4 million to \$4.9 million annually beginning this year. The funds are a combination of General Fund money (\$1.8 million) and a dedicated account from fishing license and boating registration receipts.

Besides zebra mussels, the funds are used to protect and educate the public about Eurasian water milfoil, curly-leaf pondweed, flowering rush, the New Zealand mudsnail and other species.

Specific program expansion includes beefing up inspections and enforcement, and implementing a prevention grant program. In addition, new field staff will work with lake associations.

Boaters can expect beefed up enforcement as well. The DNR will use the increased funding to hire 4.5 full-time staff to enforce the prohibition on the transport of aquatic invasive species. Last year, 22 citations were issued and 18 warnings were given. To prevent a citation, Skinner recommends cleaning and draining all water wells, pulling the drain plug, and letting a boat dry overnight. When selling a used boat lift or dock, make sure there are no invasive species attached.

There were more than 867,800 watercraft registered in the state last year, making the spread of this invasive species highly probable since they can survive in live wells or bait buckets and travel from one lake or river to another on boat trailers.

Information: www.dnr.state.mn.us/eco/invasives/index.html.

— S. HEGARTY

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held April 23-30. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

BUSINESS

Helping small manufacturers

More companies would be able to take advantage of the state's small business growth acceleration program, under a bill approved April 28 by the House Finance Committee.

HF1081, sponsored by Rep. Tim Mahoney (DFL-St. Paul), would expand eligibility criteria for the program, which helps small manufacturing companies grow by providing grants for technology and business improvements that they otherwise couldn't afford.

Currently the program is open to businesses with 100 or fewer full-time employees. The bill would expand the program to include companies with up to 250 employees and set up a three-tiered system of matching contribution requirements as follows:

- companies with fewer than 50 employees must contribute \$1 for every \$3 of grant assistance;
- companies with 50 to 100 employees must contribute \$1 for every \$1 of grant assistance; and
- companies with 101 to 250 employees must contribute \$3 for every \$1 of grant assistance.

Mahoney said the program has proven to be a major boon to participating companies, and that the state has seen a return of \$15 of economic activity generated for every \$1 invested in the program.

The bill now awaits action by the full House. Sen. David Tomassoni (DFL-Chisholm) sponsors the companion, SF698, which has been laid over by the Senate Economic Development and Housing Budget Division.

The bill is also included as part of the omnibus economic development finance bill, HF1169/SF2081*, sponsored by Tomassoni and Rep. Tom Rukavina (DFL-Virginia). The bill includes \$750,000 for the program.

— N. BUSSE

CONSUMERS

Expansion of U stadium liquor sales

For the University of Minnesota, it may be all or nothing when it comes to liquor sales at TCF Bank Stadium that is scheduled to open this fall.

An amendment was successfully tacked onto HF1476, the omnibus liquor bill, during floor discussion April 29 that would require the university to change its plans to allow liquor purchases only in the premium seating area and suites.

Offered by Rep. Leon Lillie (DFL-North St. Paul), the amendment says that a liquor license can be issued only if sales are allowed throughout the stadium. "It should be all or nothing; you can't just have a situation that applies only in the luxury suites. If you're not in a luxury suite you can't have a beer?"

Rep. Phyllis Kahn (DFL-Mpls) said the amendment would make alcohol more easily accessible to underage college students. She added that the Big 10 Conference has rules that apply to university-owned stadiums regarding alcohol use, and this amendment would most likely prohibit any sale of alcoholic beverages

HOT ROD REFLECTION



PHOTO BY ANDREW VONBANK

The Capitol is reflected in the chrome hubcap of a 1937 Ford during the annual Minnesota Street Rod Association's Day on the Hill. More than 80 vintage vehicles were showcased on the Capitol Mall April 28.

in the facility.

Rep. Loren Solberg (DFL-Grand Rapids) countered that the Gophers have been playing in the Metrodome for 26 years where alcohol sales are permitted in all seating areas.

The bill, sponsored by Rep.

Joe Atkins (DFL-Inver Grove Heights), is a catch-all for the various liquor-related bills that have been laid over by the House Commerce and Labor Committee. Passed 124-10 by the House, it now goes to the Senate where Sen. Linda Scheid (DFL-Brooklyn Park) is its sponsor.

The bill also addresses an issue Augsburg College in Minneapolis has regarding alcohol consumption by permitting the city to issue an on-sale license. The college has been serving alcohol at selected alumnae events over the years, but found out recently that it didn't have a license to do so.

The bill also provides for consideration of liquor license by issuing authorities for:

- the Duluth Entertainment Convention Center for intercollegiate hockey games;
- the Best Western 8 Superior Inn and Suites and East Bay Suites in Grand Marais; and
- private convention centers outside the seven-county Twin Cities metropolitan area.

The bill also allows for extended on-sale liquor hours at the Humphrey and Lindbergh airport terminals; would allow license holders selling wine to hold wine-tasting events; and adds a device designed to ensure safe storage and monitoring of alcohol in the home to the list of items that can be sold by liquor stores.

— L. SCHUTZ

What's in the bill

The following are selected bills that have been incorporated in part, or in whole, into the omnibus liquor bill:

HF218 – Kahn
HF1200 – Dill
HF1807 – Zellers
HF1917 – Davnie
HF2130 – Juhnke

be charged with either a misdemeanor — the equivalent of running a stop sign — or a felony. “This bill aims to create a middle ground of a gross misdemeanor. ... It has to be a chargeable crime. I don't want somebody thinking grandma bumps into a car, somebody dies, and she's going to prison.”

Rep. Tom Rukavina (DFL-Virginia) said he couldn't understand how there was no fiscal note, when some comments associated with the fiscal notes expressed financial unease, such as the Department of Corrections estimate that offenders would occupy one to three jail beds per year. “It's pretty expensive to keep somebody in jail, isn't it?”

The Sentencing Guidelines Commission indicated no impact on state prison resources, said Rep. Michael Paymar (DFL-St. Paul), however, it estimates an increase in 28 probation caseloads, which could affect local resources.

Rukavina further expressed concern the bill would limit a judge's ability to look at a circumstance and properly punish an offender. “I'm sure nobody gets in a vehicle and attempts to fall asleep so they can hurt somebody.”

Rep. Pat Garofalo (R-Farmington), a bill co-sponsor, missed the discussion and vote due to a family obligation, but expressed bewilderment later in the meeting.

“You can't argue it has a financial connotation, it is 100 percent policy,” he said. “I'm trying to figure out how the purview of this committee could possibly justify that.”

Rep. Lyndon Carlson, Sr. (DFL-Crystal), the committee chairman, explained to Garofalo how the bill, as introduced, had a fiscal cost that was amended out by a division, before being returned to the full committee. “There was discussion about the penalty and what that would have cost potentially even though the fiscal note said zero,” Carlson said.

“Well, it sounds like we're rewriting fiscal notes, now, too. This committee is really getting out of control on a bipartisan basis. The fiscal notes aren't good enough,” Garofalo said, before Carlson quickly pounded the gavel twice to end the discussion.

A companion bill, SF639, sponsored by Sen. Jim Carlson (DFL-Eagan), awaits action by the Senate Judiciary Committee.

— M. COOK

unemployment benefits as compensation for reducing their work hours while enhancing their high-tech skills.

Signed by Gov. Tim Pawlenty April 27 and effective the next day, the new law, sponsored by Rep. Kathy Brynaert (DFL-Mankato) and Sen. Kathy Sheran (DFL-Mankato), allows eligibility for the federally funded Workforce Investment in Regional Economic Development program to take effect; it expires June 30, 2011.

Through WIRED, employers in certain businesses can reduce employees' work hours while those workers take skills training and receive unemployment benefits in proportion to the amount of reduced hours.

Brynaert said the measure is “a win-win for both workers and employers” and that the \$680,000 cost in unemployment benefits will be recouped from employers over a four-year period.

HF1048/SF643*/CH25

— K. BERGGREN

Layoff alternative now law

Signed
by
the
governor

Some employers facing economic hardship will have an alternative to laying off their employees.

A new law, effective Aug. 2, 2009, will allow them to participate in a Department of Employment and Economic Development shared work plan that allows them to reduce some employees' hours while those employees become eligible for unemployment benefits in proportion to the number of their reduced hours.

Employer plans must be approved by the DEED commissioner, who may reject a proposal if it is determined the reason for the application is not to prevent layoffs. Eligible employees must have worked for the employer for one year and, under the plan, must work between 20 and 32 hours a week.

The law, signed by Gov. Tim Pawlenty April 30, is sponsored by Rep. Dean Urdahl (R-Grove City) and Sen. Kathy Saltzman (DFL-Woodbury).

SF1454*/HF2040/CH27

— K. BERGGREN

CRIME

Careless driving bill crashes

A bill whose accompanying fiscal notes from a handful of agencies showed zero direct cost was rejected April 29 by the House Finance Committee on an overwhelming voice vote.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove), HF45 would increase the penalty for careless driving resulting in the death of another person to a gross misdemeanor.

Bigham said current law provides that when a person is found to be carelessly driving and causes the death of another person they can

EMPLOYMENT

Some high-tech layoffs eased

Signed
by
the
governor

The fear of being laid off will ease for some workers in the renewable energy industry who are now eligible for

ENERGY

Energy policy bill passed

The House voted 100-32 to approve a package of mostly small changes to the state's energy policy April 30.

HF863/SF550*, the omnibus energy policy bill, contains a package of energy policy changes on issues ranging from Community-Based Energy Development to rebates for

residential solar and geothermal energy.

"I think we have a very good bill. It doesn't have any earth-shaking provisions in it, but I do think it has a number of provisions that should move energy policy in the right direction in this state," said Rep. Bill Hilty (DFL-Finlayson), who sponsors the bill with Sen. Yvonne Prettner Solon (DFL-Duluth).

The bill now returns to the Senate, where a different version passed 52-15 on April 6.

The bill proposes a variety of energy-related policy changes, including:

- establishing a special utility zone in St. Paul along the future Central Corridor light rail route for Xcel Energy to implement "smart grid" technology and facilitate the installation of renewable energy sources;
- requiring that power companies purchase 200 megawatts of power from small renewable energy projects (less than five megawatts each) by Dec. 31, 2010; and
- specifying that the Public Utilities Commission can require a utility company that overcharges ratepayers to issue a refund.

Rep. David Bly (DFL-Northfield) successfully offered an amendment that would protect landowners from utility companies looking to site high-voltage transmission lines on their properties. The amendment would prohibit utilities from using the power of eminent domain to take private property in order to construct power lines.

Supporters included Rep. Mark Buesgens (R-Jordan), who said it would be fair to make power companies abide by the same eminent domain laws as municipalities. Opponents said the amendment would delay the construction of power lines needed to transmit electricity from mandated renewable energy projects to Minnesota consumers. The amendment passed 98-33.

Rep. Tim Faust (DFL-Hinckley) unsuccessfully offered an amendment that would have repealed the state's prohibition on the construction of new nuclear power plants. Supporters said nuclear power represents a cleaner alternative to coal and gas power that would provide better baseload capacity than wind and other renewable sources.

"If you look at the future of our energy needs, I don't understand why we would take anything off the table," said Rep. Bud Nornes (R-Fergus Falls).

Opponents pointed out that no solution has yet been found for the problem of storing nuclear waste. The amendment failed 72-60.

— N. BUSSE

Stimulus-funded energy projects

Nearly \$200 million in federal money could be made available for state energy projects.

The money would go toward weatherizing

low-income housing and public buildings, training an energy efficiency workforce and providing grants to local governments for energy conservation improvements. The spending measures are estimated to create 1,500 jobs.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Ellen Anderson (DFL-St. Paul), HF680/SF657* was passed 114-19 by the House April 29, five days after the Senate gave its support 48-12. A conference committee is called to resolve the differences between the two bills.

Among its provisions, the bill would appropriate \$131.9 million from federal stimulus funds to the commerce commissioner for weatherization programs.

One issue resulted in two of the eight amendments offered on the House floor.

Rep. Joyce Peppin (R-Rogers) said a \$1.5 million appropriation for the

International Renewable Energy Technology Institute to be located at Minnesota State University, Mankato would put the state's federal stimulus money for energy projects in jeopardy because strings tied to the federal dollars prohibit their use for applied research projects. The bill describes the institute as a "public and private partnership to support applied research in renewable energy."

Rep. Bill Hilty (DFL-Finlayson), chairman of the House Energy Finance and Policy Division, said the institute is a "technology transfer project" and the bill has some "unfortunate wording in the description of the project."

A motion by Rep. Tom Hackbarth (R-Cedar) to re-refer the bill to the energy division failed. Instead, supporters vowed to clarify the language in conference committee.

Members passed a different Hackbarth amendment that would include the installation of energy efficient windows among the list of improvements allowed for residences under an existing Housing Finance Agency program.

Rep. Dan Severson (R-Sauk Rapids) successfully amended the bill to include rotating woody crops among the list of renewable energy sources eligible to receive commercial and industrial grants.

Members have been frustrated by a federal provision that prevents spending federal economic stimulus funds to make swimming pools more energy efficient. Several public schools would like to use the funds to heat their pools with solar thermal energy improvements. In a show of defiance to the federal policy, Rep. Joe Hoppe (R-Chaska) offered, then withdrew, an amendment to include swimming pools as approved projects.

Kalin said the Minnesota Office of Energy Security is up against a May 12 deadline to deliver a spending plan to the U. S. Department of Energy in order to receive the \$196.75 million in economic stimulus funds.

— S. HEGARTY

KITE KID



PHOTO BY ANDREW VONBANK

Ellak Flannigan-Warren, 4, enjoys flying a kite and the fine weather on the Capitol Mall April 23 during the annual Lobby Day for GLBT Equality Rally.

ENVIRONMENT

Parks and trails use modified

The House Finance Committee approved the House omnibus environment policy bill April 28 after deleting a section that would have renamed the Northshore Trail.

HF1237, sponsored by Rep. Kent Eken (DFL-Twin Valley), includes new regulations regarding state parks, operating watercraft and all-terrain vehicles and dictates when wild rice can be harvested in public waters.

Stricken from the bill on an 11-9 vote was a

provision that would have changed the name of the Northshore Trail to the C. J. Ramstad Memorial Trail between Duluth and Two Harbors.

“Somebody’s got to stop and think about criteria,” said Rep. Alice Hausman (DFL-St. Paul), noting thousands of individuals may be worthy of such an honor.

Ramstad was an avid outdoorsman and publisher of snowmobile and ATV magazines. He was killed in an automobile accident in 2007. Rep. Tom Hackbarth (R-Cedar) sponsors HF924 that seeks the name change.

The House Ways and Means Committee will now consider the bill, which includes provisions that:

- delay harvesting of wild rice until Aug. 15;
- allow children under age 12 to ride an off-road motorcycle alone if accompanied by a person age 18 or older;
- allow visitors to purchase multiple-vehicle state park permits;
- eliminate liquor service at John A. Latsch State Park;
- eliminate the need for state park permits for buses carrying students on school-sanctioned visits;
- make it a misdemeanor to pass within 150 feet of a law enforcement watercraft with its emergency lights activated; and

- allow a peace officer to kill a protected wild animal if it poses an immediate threat to public safety.

The bill also modifies the Reinvest in Minnesota conservation program to include protection of environmentally sensitive areas, flood-prone areas and for carbon sequestration.

In addition, beginning Jan. 1, 2012, owners of 1-ton pickup trucks may purchase critical habitat license plates, which may also be personalized.

Sen. Satveer Chaudhary (DFL-Fridley) sponsors a companion, SF1110, which awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

— S. HEGARTY

GAME & FISH

Amendments stall, leapfrog bills

A controversial amendment to an omnibus bill approved by the House Finance Committee April 28 prompted the bill’s sponsor to ask for the bill to be laid over.

At the request of Rep. David Dill (DFL-Crane Lake), the committee laid over HF1238, the House Game, Fish and Forestry Division’s omnibus bill, which will stay with the Finance Committee until, as its sponsor, he requests

that it be heard again. Dill was reacting to a 12-11 vote to approve Rep. Michael Paymar’s (DFL-St. Paul) amendment that would require background checks on people attempting to purchase a firearm at a gun show.

It would also require a licensed gun dealer to be on-site at shows. It defines a gun show as a place where 20 or more firearms are sold, and would make violations a gross misdemeanor.

Paymar said background checks have blocked 1.6 million firearm purchases by felons and others who are prohibited from owning them.

“I do not want this on my bill,” Dill said. He told Paymar that the amendment should have been its own bill and introduced in one of two House public safety committees where it would have had “an appropriate hearing.”

Rep. Tony Cornish (R-Good Thunder) said the amendment may be illegal based on two legal opinions.

The committee also approved an amendment that they had deleted from a different bill. The provision would rename a portion of the Northshore Trail as the C. J. Ramstad Memorial Trail.

“I think it was a mistake to take it out of Rep. Eken’s bill this morning,” said the amendment’s sponsor, Rep. Al Juhnke (DFL-Willmar).

FIRST MEETING



PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher speaks to members of the press outside Gov. Tim Pawlenty’s office April 28 after legislative leaders met with the governor to discuss the budget.

Rep. Alice Hausman (DFL-Mpls) and Rep. Mindy Greiling (DFL-Roseville) said there should be criteria established for naming trails. "We seem to have a propensity for naming everything after white men," Greiling said.

Rep. Lyndon Carlson Sr. (DFL-Crystal), chairman of the committee, said the discussion about criteria was "in no way a reflection on this particular person." Ramstad was a nationally known publisher of snowmobile and all-terrain vehicle articles who was killed in an automobile accident in 2007. The trail that would be named in his honor is used by snowmobilers.

The Senate companion, SF1116, awaits action by the Senate Environment, Energy and Natural Resources Budget Division and is sponsored by Sen. Satveer Chaudhary, (DFL-Fridley).

— S. HEGARTY

GOVERNMENT

House approves Iran divestiture

Companies helping to finance Iran's nuclear ambitions would no longer get any business from the state of Minnesota, under a bill passed 82-46 by the House April 25.

Under HF111, the State Board of Investment would be required to divest any assets it currently holds in companies doing business with Iran's energy sector. The goal is to discourage companies from helping the country, which the U.S. government classifies as a state sponsor of terrorism, from pursuing a nuclear weapons program.

The bill's sponsor, Rep. Ryan Winkler (DFL-Golden Valley), said the bill is narrowly focused on only companies that could be seen as providing funding for potential terrorist activities.

"To put this in perspective, we're talking about 14 companies that divestment would affect," Winkler said.

He said it makes sense for the state to avoid investing in regions of the world where political instability could put state assets at risk.

"I think this is actually consistent with trying to pursue a good investment strategy," he said.

Opponents say the bill would have Minnesota venture unnecessarily into foreign policy. Rep. Mary Kiffmeyer (R-Big Lake), a former investment board member, noted that the board already has the authority to divest its holdings in companies it sees as risky. She said decisions on investing state workers' pension funds are best left to the board itself.

"This is unnecessary, and it puts our pensions at risk. Do not mess with our folks'

pensions. They're having a hard enough time already," Kiffmeyer said, adding that the bill would unnecessarily politicize a board that exists for the sole purpose of investing.

Howard Bicker, the board's executive director, testified at a February committee hearing that the bill would affect approximately \$280 million of state investments, or slightly more than 1 percent of the state's total investment portfolio.

The bill now awaits action by the Senate Finance Committee. Sen. Terri Bonoff (DFL-Minnetonka) is the Senate sponsor.

— N. BUSSE

Stimulus oversight funding passed

The House passed a bill that would provide \$1.1 million for Minnesota Management and Budget and the Office of the State Auditor to help monitor and oversee federal stimulus spending.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids), HF2251 would provide \$700,000 to MMB and \$385,000 to the auditor to track money appropriated from the American Recovery and Reinvestment Act of 2009. The money would be available beginning in the current fiscal year, and unspent funds would carry over into the next biennium.

Passed 118-15 by the House on April 28, it now goes to the Senate, where Sen. Richard Cohen (DFL-St. Paul) is the sponsor.

The bill also includes a provision that would set up a special account in the state treasury to receive stimulus funds. The account would help state officials track expenditures made using the stimulus.

Rep. Mary Liz Holberg (R-Lakeville) urged support for the bill, but said it falls short of what state agencies would need to properly monitor federal stimulus funds.

"This may be only the beginning as far as the amount of money that these agencies are going to need," Holberg said.

Solberg emphasized that the money is intended to address short-term oversight needs. He said MMB officials are awaiting clarification from the federal government on what the oversight requirements will be for the state.

Additional funding for state oversight of federal stimulus spending is included in HF1781/SF2082*, the omnibus state government finance bill. Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley), that bill awaits action by a conference committee.

— N. BUSSE

HOUSING

Protecting problem properties

Rep. Jeff Hayden (DFL-Mpls) said that Minneapolis had about 3,000 foreclosed properties last year and is on pace for about the same this year. But the state's largest city is far from alone during the current foreclosure crisis.

A bill he sponsors with Sen. Linda Higgins (DFL-Mpls) aims to clarify rules and regulations for how cities can secure foreclosed and abandoned properties so they cannot be used for improper purposes.

Amended to include the House language, HF1394/SF1147* was approved 102-32 by the House April 29. The Senate did not concur with the changes and a conference committee has been requested.

Aspects of the bill include:

- specification of certain notice requirements;
- permission for a political subdivision to request reduction of the mortgagor's redemption period to five weeks on a foreclosed abandoned property, like a property or mortgage owner can;
- extension of the deadline for action by a property owner from six to 14 days from being ordered to secure the premise, and failure to do so could result in municipal action; and
- classification of the sale or gift of alcohol in an abandoned property as a public nuisance in certain circumstances.

It also expands a property protection requirement by requiring the holder of a sheriff's certificate of sale — the official document granted to the purchaser of real property sold at a mortgage foreclosure sale — to secure and protect the premise if there is prima facie evidence the property has been abandoned. If the locks are changed, the mortgagor must be provided a key.

An amendment successfully offered by Rep. Joe Mullery (DFL-Mpls), based on HF19, would permit a mortgagor or owner to postpone by five months a scheduled sheriff's sale of their foreclosed property, in exchange for having five weeks to redeem the property after the postponed sale occurs. Only the foreclosure conductor, such as a bank, can now postpone a sheriff's sale.

"In Minneapolis, we've had some entrepreneurial folks decide to take the abandoned property and have parties and sell alcohol," Hayden said, adding that oftentimes the homes have to be torn down because of partier damage or if thieves take things like copper piping and other items that can be resold.

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

"We're hoping to get to those properties in a quick and fair amount of time so whatever the disposition of the property is we can hopefully get good families back in them."

— M. COOK

HUMAN SERVICES

Training for shaken baby syndrome

**Signed
by
the
governor**

Signed April 27 by Gov. Tim Pawlenty, a new law will increase shaken baby syndrome training for certain providers caring for children up to age 5. The law takes effect Aug. 1, 2009.

Sponsored by Rep. Phil Sterner (DFL-Rosemount) and Sen. Sharon Erickson Ropes (DFL-Winona), the law requires 30 minutes of training for both shaken baby syndrome and sudden infant death syndrome for licensed chemical dependency treatment programs that serve clients with children, licensed child care centers and providers, and child foster care providers that care for children. The training is required at least once every five years.

Current training is only required for those caring for infants.

"Most people do not know that shaken baby syndrome not only affects infants, but children up to the age of 5," said Sterner during a House floor debate. An estimated 1,500 to 3,000 children are diagnosed with the syndrome each year, he said.

HF782/SF978*/CH26

— P. OSTBERG

INDUSTRY

Plumbing standards cleared up

Some clogs in the state's plumbing and licensing standards would be flushed out in a bill sponsored by Rep. Tim Mahoney (DFL-St. Paul).

HF927 was approved by the House Finance Committee April 29 and sent to the House Ways and Means Committee. Its companion, SF1004, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park) awaits action by the full Senate.

Provisions in the bill would:

- prohibit people from advertising services for which they are not licensed;
- allow the Board of Plumbing to apply uniform standards to well or septic systems as well as municipal systems;
- give the board licensing authority over those installing or repairing water conditioner systems and require those workers to be licensed or to work under a person with a water-conditioning-contractor license, except for those holding a master

or journeyman plumber's license; and

- require all state plumbing inspectors and those contracted by the department to be licensed master or journeyman plumbers with five years of documented experience.

The bill would also require installers of piped medical gas and vacuum systems that deliver oxygen, nitrous oxide or other medical gases in medical and dental facilities to hold a plumber's license and to be certified by the board, with some exceptions. The license would need to be renewed annually.

Mahoney said that the installation and inspection of such equipment has not been adequately regulated in the past.

An amendment successfully offered by Rep. Larry Howes (R-Walker) would specify a two-week period between Oct. 1 and Oct. 15, 2009, as "the last and only chance" for applications for a restricted journeyman plumber license.

Mahoney saw his amendment adopted as well. It would require school districts to provide at least eight hours of training to boiler operators. A funding provision for the policy and a two-year period to determine whether there is a cost impact to school districts is included in the omnibus K-12 education finance bill.

— K. BERGGREN

LAW

'Tidying up' with more specificity

**Signed
by
the
governor**

Sometimes legislation is just a little "tidying up." That is a description given by Rep. Gail Kulick Jackson (DFL-Milaca) to a new law she sponsors with Sen. Ron Latz (DFL-St. Louis

Park).

Signed by Gov. Tim Pawlenty April 30, the law makes technical changes to various real estate deed provisions. It has varying effective dates.

Specifically the law addresses 2008 changes to a statute regarding transfer of death deeds, and adds some specificity. It clarifies that upon the death of a property owner, an affidavit must include the name and mailing address of the person to whom future property tax statements should be sent.

The law also makes changes in the certificate of title issued by the county registrar for common interest communities, such as condominiums, townhouses or planned community.

HF332/SF261*/CH30

— L. SCHUTZ

SAFETY

Ignition pilot program extension

**Signed
by
the
governor**

Expansion and extension of an ignition interlock pilot project that helps repeat DWI offenders get their driver's license back earlier received gubernatorial approval.

Beltrami and Hennepin counties now participate in a pilot project that is scheduled to end on June 30.

Under the voluntary program, an ignition interlock device is installed on a vehicle and hooked up to its starter system. Before starting the vehicle, an offender must blow into a breathalyzer tube. If the device detects alcohol, the vehicle won't start.

"There's been a lot of success and we'd like to expand it," said Rep. Joe Mullery (DFL-Mpls), who sponsors the law with Sen. Ron Latz (DFL-St. Louis Park). Signed April 30 by Gov. Tim Pawlenty, it takes effect Aug. 1, 2009.

According to Jean Ryan, the impaired driving coordinator with the Public Safety Department's Office of Traffic Safety, there have been about 75 participants in Hennepin County and three in Beltrami County.

"It's been extremely effective. There haven't been a lot of people trying to start their vehicle with the device after they've been drinking," she told the House Transportation and Transit Policy and Oversight Division March 27. "For those people that have jobs and they want to get a limited license to get to and from their job, it does provide that opportunity for them to get a limited license. But it still instills public safety on roadways."

The participant pays a monthly fee of about \$70 for the device, but supporters hope that cost would decrease if demand increases.

It is up to probation agencies to decide if they are willing to monitor the device if a person chooses to use the ignition interlock. "The probation officer in charge of the program in Hennepin County said they saved an awful lot of money by doing this," Mullery said.

HF525/SF462*/CH29

— M. COOK

TECHNOLOGY

Bioscience infrastructure grants

State colleges and universities would be eligible for bioscience business infrastructure grants, under a bill awaiting action by the governor.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Kathy Sheran (DFL-Mankato),

HF868/SF684* would make the University of Minnesota and Minnesota State Colleges and Universities system eligible to receive money under the state's bioscience business development infrastructure program.

The program, run by the Department of Employment and Economic Development, allows state General Obligation bonds to be used for grants to cover capital costs for bioscience-related business facilities.

Currently only local governments are eligible for the grants. Mahoney said the bill would address issues at Minnesota State University, Mankato and the University of Minnesota Morris — both of which intend to go ahead with bioscience projects previously authorized by the Legislature.

"They were both awarded money in the last bonding bill, but they can't accept it," Mahoney explained.

In addition, the bill would specify that local governments or institutions receiving grant money must pay for at least half of the cost of the completed project using non-state funds.

It was passed unanimously, 134-0, by the House April 29. The Senate passed it 62-3 on March 5.

— N. BUSSE

TRANSPORTATION

Truck limitations near lift bridge

A stroke or two of the governor's pen could stop 18-wheelers from rolling over a bridge in need of replacement.

In an effort to relieve congestion and increase safety, Rep. Matt Dean (R-Dellwood) and Sen. Ray Vandeveer (R-Forest Lake) sponsor HF1204/SF1091*, which would prohibit motor vehicles longer than 55 feet from using Highway 36 between Highway 95 and the Stillwater Lift Bridge.

The bill was approved 133-0 by the House April 29; 67-0 by the Senate April 6.

City officials initially wanted a truck weight prohibition, but in working with the Department of Transportation, Dean said the bill was made applicable only to a stretch of road, so it doesn't set a precedent for other bridges. "We've also gone from a weight limitation to a length limitation to allow for more interstate commerce to help folks in Minnesota and Wisconsin. We've tried to accommodate as many people while addressing a safety issue."

The idea is to keep large trucks off the bridge. Most semis exceed the 55-foot limit.

A 2008 Department of Transportation review found the bridge to be "fracture-critical." A new span over the St. Croix River is expected to be open by 2016.

VIETNAM HONOR GUARD



PHOTO BY TOM OLMSCHEID

ARVN and Vietnam veteran honor guards present the colors as the national anthems of the United States and the Republic of Vietnam are played during opening ceremonies of the National Day of Deep Resentment the 34th Fall of Saigon Memorial Day on the front lawn of the Capitol April 25.

Dean said \$5 million in improvements has been put into the 1,000-foot span in recent years, but it is still not adequate for the truck traffic. He said a truck struck the bridge last summer, closing it for several weeks. Another incident occurred in mid-March.

A saturation study conducted by law enforcement officials found that many of the large, over-the-road trucks going through Stillwater had major violations. More than half of those inspected had to be taken off the road, Dean said. "What is happening is they're sneaking across to avoid the Hudson inspection station (along Interstate 94)."

Signs would be posted on the Minnesota side of the bridge and Wisconsin is requested to do the same on its side.

"We think we finally have a solution that's moderate and modest and effective," said Rep. Julie Bunn (DFL-Lake Elmo). She noted the longer trucks sometimes have to back-up to make a turn in downtown Stillwater and have hit buildings and other city fixtures when doing so.

— M. COOK

Road turnbacks authorized

**Signed
by
the
governor**

A pair of road segments previously on the state's trunk highway system will be turned over to local authorities.

Sponsored by Rep. Rob Eastlund (R-Isanti) and Sen.

Rick Olseen (DFL-Harris), the law, signed April 30 by Gov. Tim Pawlenty, removes two short sections of road no longer needed by the state. In both cases, local authorities have agreed to take over maintenance.

The first segment, a stretch of Trunk Highway 290 south of Walker, is an access road to the former Ah-Gwah-Ching state health care facility, which closed in 2007.

The second is a stretch of Trunk Highway 293, an access road to the former Cambridge State Hospital. The 2003 Legislature authorized the sale of a large portion of the campus land to the city, which began redevelopment plans for residential and commercial use.

Provisions in the law take effect the day after the transportation commissioner receives a copy of the respective agreements with the governing body of Cambridge and the Cass County Board chair.

Each year, the department reviews the state's highway system to assure that each road still serves specific statewide purposes. As a result, the department recommends that some roads be turned back to local communities.

HF486*/SF1183/CH28

— M. COOK

Highlights continued on page 21

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The works

Jobs programs get a boost in economic development finance bill

By Nick Busse

Minnesota's economy is still a long way from recovery, according to recent reports from the Department of Employment and Economic Development. But on April 24, the House passed a funding package for jobs and housing programs that might help ease the current economic pain for some Minnesotans.

"We've done our best to try to backfill programs that were cut by the governor and do creative things that will put people back to work in the state of Minnesota," said Rep. Tom Rukavina (DFL-Virginia), the sponsor of HF1169/SF2081*.

Known as the omnibus economic development finance bill, the proposed legislation would provide biennial funding for DEED, the Housing Finance Agency, the Department of Labor and Industry and other state agencies dealing with economic development issues. The bill proposes \$269.2 million in General Fund spending — \$17.5 million more than Gov. Tim Pawlenty recommended.

In addition, the bill would pump an extra \$35.4 million into jobs programs by temporarily raising the workforce development fee paid by employers. The fee, which pays for the state's dislocated worker program, among others, would be raised for the duration of the next biennium and returned to its current rate thereafter.

The new revenue would go toward several programs, notably a \$15 million pilot program similar to the Minnesota Emergency Employment Development wage subsidy that helped employers hire laid-off workers in the early 1980s. Rukavina said the program would be targeted at areas within the state that suffer from particularly high unemployment rates.

The provision has become a source of some controversy, especially among Republicans

who say it would place an added burden on employers who have already been hit hard by the recession. Rep. Keith Downey (R-Edina) unsuccessfully offered an amendment to remove the section of the bill.

"These are difficult times. There's a lot of unemployment in the state; this is going to help it," Rukavina said.

In addition to the economic development provisions, the bill includes funding for the state's housing programs taken from a bill sponsored by Rep. Karen Clark (DFL-Mpls). The housing portion of the bill would largely fund HFA programs at levels similar to what was proposed in Pawlenty's budget recommendations. It does not include Pawlenty's proposed 5 percent cut to the economic development and housing challenge program, and it includes \$300,000 for a demonstration project for high-risk adults.

Appropriations for cultural heritage purposes are also included in the bill, incorporated from legislation sponsored by Rep. Mary Murphy (DFL-Hermantown). These include \$45.3 million for the Minnesota Historical Society, \$20.6 million for Explore Minnesota Tourism and \$19.1 million for the Board of the Arts. Operating budget reductions are included for all three of these agencies; however, Pawlenty has proposed deeper cuts. In addition, the governor's proposal to transition the arts board into a private nonprofit and cut its funding completely in the next biennium is not

A Quick Look HF1169/SF2081*

Focus: Department of Employment and Economic Development, Public Facilities Authority, Explore Minnesota Tourism, Housing Finance Agency, Department of Labor and Industry, Bureau of Mediation Services, Workers' Compensation Court of Appeals, Minnesota Historical Society, Board of Accountancy, public broadcasting, Board of the Arts

2010–2011 General Fund appropriation:
\$269.2 million

General Fund amounts are for the biennium.

Funding provisions:

Housing Finance Agency	\$90.4 mil.
Department of Employment and Economic Development	\$79.6 mil.
Department of Labor and Industry...	\$45.6 mil.
Minnesota Historical Society	\$45.3 mil.
Explore Minnesota Tourism	\$20.6 mil.
Board of Arts	\$19.1 mil.
Public broadcasting	\$3.9 mil.
Bureau of Mediation Services	\$3.4 mil.
Workers' Compensation Court of Appeals	\$3.4 mil.

Selected policy provisions:

- forgives \$32.8 million of a \$48 million loan St. Paul owes the state for the Xcel Energy Center
- requires public employers to buy clothing and equipment manufactured in the United States
- allows certain workers to collect unemployment insurance benefits while taking unpaid furloughs as part of their contracts
- strengthens prevailing wage enforcement for contracts for public works projects
- increases accountability requirements for DEED programs
- establishes an 18-member bipartisan working group to create an economic development strategy for the state

included in the bill.

Passed 78-50 by the House, differences between House and Senate language will be resolved in a conference committee. Sen.



PHOTO BY TOM OLMSCHIED

Rep. Tom Rukavina is the sponsor of the House omnibus economic development finance bill.

David Tomassoni (DFL-Chisholm) is the Senate sponsor.

Policy provisions

A section of the bill would forgive the bulk of a \$48 million no-interest loan that the City of St. Paul took out more than a decade ago to help build the Xcel Energy Center. Under the provision, St. Paul would continue to make payments to the state until 2014, when the remaining \$32.8 million balance of the loan would be forgiven. The city intends to use the money it would have spent on repayment of the loan to finance construction of The Pond — a proposed 120,000-square foot, three-level ice arena across the street from the Xcel.

Supporters argue the city was unfairly made to take out a loan for the Xcel while similar projects in other cities have often been funded directly with state bonding dollars; however, opponents said the city should honor the terms of its original loan. Rep. Sarah Anderson (R-Plymouth) offered and then later

withdrew an amendment that would have removed it from the bill. She called the idea “ridiculous” in a time of economic hardship for the state.

“The money for this is not just going into the city coffers; it’s being used for economic development in the City of St. Paul,” countered Rep. Tim Mahoney (DFL-St. Paul), who sponsored the provision as a standalone bill.

Uniforms, safety equipment and other apparel purchased by public employers for their employees would have to be made in the United States, under a provision sponsored by Rukavina. The provision also states that preference should be given to manufacturers who pay their employees an average annual income equal to at least 150 percent of the

federal poverty guidelines. An exception would be granted in situations where no U.S. manufacturers produce a specific piece of equipment. Anderson unsuccessfully offered an amendment to delete the section from the bill, arguing it amounted to a large

unfunded mandate on communities.

“I just can’t make apologies for the fact that I believe in the American worker,” Rukavina said of the provision.

Rep. Frank Hornstein (DFL-Mpls) successfully amended the bill with a provision that would allow Delta Airlines flight attendants taking unpaid furloughs as part of their contracts to collect unemployment benefits. He said other states had passed similar laws on the subject. 🏛️

“These are difficult times. There’s a lot of unemployment in the state; this is going to help it.”

— Rep. Rukavina

Cuts hang in the balance

Much depends on tax increases

By PATTY OSTBERG

After more than eight hours of debate and more than 50 amendments offered, the House passed the omnibus health and human services finance bill 85-49 on April 27. The catch is, funding in the bill depends largely on \$1.5 billion in tax increases contained in the tax bill (HF2323) passed by the House April 25 and now under consideration in a conference committee.

Sponsored by Rep. Thomas Huntley (DFL-Duluth), HF1362 attempts to maximize the state's \$1.8 billion in federal stimulus dollars while making nearly \$400 million in "painful" cuts in service programs. Huntley said cuts contained in the bill are the "best case scenario" if all the funding mechanisms pull through; otherwise, human service cuts could be closer to \$900 million.

Minnesota leads the nation in health care standards, but the bill allocates funds to meet American Recovery and Reinvestment Act of 2009 requirements instead of bringing down long-term spending levels, said Rep. Matt Dean (R-Dellwood).

The bill would not reduce eligibility requirements for Medical Assistance or MinnesotaCare, but hospitals, long-term care facilities, the use of personal care attendants and those using public dental assistance would all receive reductions.

After working with disability representatives on which services they use the least, Huntley said, "It's sort of like are we asking people, 'You right-handed or left-handed? 'Cause we'll cut off the arm you don't use as much.'"

Simultaneously the Senate debated and then passed 40 - 23 its version of the omnibus bill, SF695, sponsored by Sen. Linda Berglin (DFL-Mpls). A conference committee has been convened to work out the differences.

Spending reductions include delayed

rebasing for nursing homes; a 3 percent cut to long-term care facilities; certain 3 percent rate reductions to hospitals, including reducing reimbursement rates for those on Medical Assistance and General Assistance Medical Care; and limiting personal care attendant hours to 310 hours per month/per individual. Rebasing includes adjusting for inflation in reimbursement for Medicaid rates.

In an effort to minimize cuts, the bill would make changes to meet federal requirements for receipt of federal stabilization funds. Changes to Medical Assistance could result in a reimbursement rate of 62 percent from the federal government, with the state responsible for 38 percent. The current ratio is 50-50.

The bill lacks in reform and reductions and will have serious problems when the one-time federal money runs out, said House Minority Leader Marty Seifert (R-Marshall). "You cannot build all of these spending bills around a tax bill to pay for them that barely passed."

Gov. Tim Pawlenty has said he will not sign any bill with tax increases.

Huntley said that under the governor's proposal, several hospitals could be forced into bankruptcy through uncompensated care for the 113,000 people who would be kicked off public programs. Those without care will show up in emergency rooms, costing more money in the long run, he said.

Rep. Laura Brod (R-New Prague)

A Quick Look HF1361

Focus: Department of Health, Department of Human Services, and other health-related boards.

2010-2011 General Fund reduction:
\$439.08 million

2012-2013 General Fund reduction:
\$608.7 million

Selected policy provisions:

- includes certain fee increases for licenses and technical changes
- provides authority to issue a license for five beds in adult foster care homes that meet certain requirements
- removes the asset limitation that households have less than \$7,000 in financial resources to be eligible for food stamps
- makes changes to health information technology and electronic health records laws
- establishes a colorectal cancer prevention act providing screening to uninsured and underinsured women and men
- includes covered dental services for those on public programs and authorizes pilot projects to reduce costs
- creates a state-county chemical health care home pilot project to deliver chemical dependency services more cost-effectively
- makes changes to personal care assistance laws, including the number of working hours and definitions
- forms a steering committee to review the performance and outcomes of human services programs

successfully offered an amendment that would allow any surplus in the Health Care Access Fund to be used to reduce provider tax rates.

Huntley said the fund currently has a surplus, but the amount goes down every year, as it's used for those covered by MinnesotaCare. Using the surplus leaves less to help those needing health care, he said.

Stemming from recommendations in an Office of the Legislative Auditor report on personal care assistance, the bill would change how personal care assistants are paid for working with care recipients. PCAs would be limited to 310 hours of work per month. Currently there is no monthly limit. The bill also has several detailed documentation



PHOTO BY ANDREW VONBANK

Rep. Thomas Huntley presents the omnibus health and human services finance bill on the House floor April 27.

requirements, including PCA provider agency information to be kept by the Human Services Department, in an attempt to reform potential areas of fraud or abuse. Owners of PCA companies who have more than a 5 percent interest and all managerial officials would be subject to a background study.

Money would also be invested to meet the federal Children's Health Insurance Program Reauthorization Act of 2009 that could result in an additional \$20 million to increase the

number of children on public health insurance by easing the enrollment process, Huntley said. The additional children "are already eligible — it's just that they don't sign up or their parents don't sign them up," he said.

Another \$4 million would be invested to meet provisions of, and receive funding from, the federal Health Information Technology for Economic and Clinical Health Act that is designed to help the state convert health records to electronic forms.

In an attempt to set a fixed amount given to providers for treatment of a specified group, a total-cost-of-care pilot project is included in the bill. The human services commissioner would work with interested providers to establish the alternative payment reform for frequent users of high-cost health care services. Hennepin County Medical Center would be the main provider conducting the project, Huntley said. 🏛️

Selected Joint Legislative Services

(Area code 651 unless otherwise noted)

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Circulation 296-3398
Reference 296-8338

Office of the Revisor of Statutes

700 State Office Building 296-2868

Office of the Legislative Auditor

140 Centennial Office Building 296-4708

Legislative Coordinating Commission

72 State Office Building 296-9002

Geographic Information Services

55 State Office Building 296-0098

Fiscal Services Office

45 State Office Building 296-8890

Office on the Economic Status of Women

95 State Office Building 296-8590

Legislative Advisory Commission

Fourth Floor, Centennial Office Building 201-8029

Legislative Audit Commission

140 Centennial Office Building 296-4708

Legislative-Citizen Commission on Minnesota Resources

65 State Office Building 296-2406

Legislative Commission on Pensions and Retirement

55 State Office Building 296-2750

Great Lakes Commission

585 State Office Building 296-2228

Mississippi River Parkway Commission

222 State St., Suite 400
Madison, WI 53703 866-763-8310

Corrections, courts funding concerns

Omnibus public safety finance bill gets mixed reaction from House

By Mike Cook

At a time when most state agencies will likely need to do more with less, the same could be true for the Department of Corrections.

While some House members have major reservations with the potential ramifications of reductions proposed in the omnibus public safety finance bill, others believe the contents would not change current standards.

"In the bill, we have a combination of cuts, fee increases and reforms," said Rep. Michael Paymar (DFL-St. Paul), the bill's sponsor. "Rather than across-the-board cuts we tried to prioritize, to be creative and to demand efficiencies through reform without jeopardizing public safety."

Amended to include the House language, HF1657/SF802* received House approval April 24 on an 85-45 vote. The Senate version, sponsored by Sen. Linda Higgins (DFL-Mpls), was passed 34-31 April 20. A conference committee began meeting April 29 to work out the differences.

Paymar noted that the \$2.01 billion bill — \$1.8 billion from the General Fund — is better than the budget proposed by Gov. Tim Pawlenty in a number of areas. For example, the bill calls for a 0.79 percent courts reduction; the governor wants a 2.46 percent cut.

While Pawlenty seeks a 2.12 percent increase for the Corrections Department, the bill calls for a 0.55 percent decrease, nor does it cover the department's projected \$22 million deficiency request that the governor proposes. The department expects to receive \$38 million from the federal economic stimulus package.

"The governor made a strong statement that public safety is a funding priority," said Rep. Steve Smith (R-Mound). "This bill forfeits its place at the top of the budget. It takes away \$54 million from the governor's priority proposal. It fails to live up to our most basic obligation of protecting our citizens."

Corrections officials have said that the already underfunded department cannot take more of a hit. Commissioner Joan Fabian told a House division earlier this year that reduced funding in other agencies would not result in someone being stabbed by a shank, beaten up by an inmate or shot during an unannounced visit to a probationer's home.

She said the department has reduced operational expenses by more than \$85 million since fiscal year 2003, while the inmate population has increased. In addition to the approximately 9,300 inmates in prison, Fabian said state and county agents supervise more than 147,000 offenders in the community. "We have no waiting lists, and we can't reduce hours or close a prison."

Among scenarios the department has looked at are cutting staff, treatment reductions or early release scenarios, something the governor opposes because it could compromise public safety.

"We are asking them to make less than a 1 percent cut in a billion-dollar bureaucracy," Paymar said.

The reduction must come from operations support if the efficiency goal is not met. Paymar said the department has added more than 100 full-time equivalent positions to the central office in the past six years. This reduction cannot be achieved by cutting correctional officers.

One efficiency area could be the adult facility per diem cost. The bill directs the

A Quick Look at HF1657/SF802*

Focus: Supreme Court, Court of Appeals, Trial Courts, Tax Court, Uniform Laws Commission, Board on Judicial Standards, Board of Public Defense, Department of Public Safety, Peace Officers Standards and Training Board, Private Detective Board, Department of Human Rights, Department of Corrections and Sentencing Guidelines Commission.

2010-2011 General Fund Appropriation:
\$1.8 billion

General Fund amounts are for the biennium.

Funding Provisions:

Department of Corrections.....	\$893.32 mil.
District courts.....	\$500.24 mil.
Department of Public Safety.....	\$161.48 mil.
Public Defense Board	\$132.66 mil.
Office of Justice Programs.....	\$72.6 mil.
Supreme Court.....	\$63.08 mil.

Selected policy provisions:

- elimination of the short-term offender program
- vehicle fleet reductions to the Corrections and Public Safety departments
- no governor's office staff partially paid by agencies
- the Corrections Department is required to fill all its Challenge Incarceration Program beds
- fee increases

department to cut its \$89.77 daily average — which Paymar said is the nation's third-highest — by 1 percent and cuts department funding by that amount.

Rep. Debra Hilstrom (DFL-Brooklyn Center), who chairs the House Public Safety Policy and Oversight Committee, said the daily rate at the minimum-security Red Wing facility is \$228.51 compared to \$153.61 at the maximum-security facility in Oak Park Heights.

However, the department could get more inmates because the bill calls for the



PHOTO BY ANDREW VONBANK

Rep. Michael Paymar presents the omnibus public safety finance bill on the House floor April 24.

elimination of the short-term offender program that allows offenders with less than six months remaining on their sentence to serve that time in a local jail. This would take effect with those sentenced on or after July 1, 2009. Pawlenty included this in his budget proposal. Local officials testified earlier this year that daily state reimbursement of \$9-\$10 was far short of the \$50-\$100 actual costs, with the difference falling on local taxpayers.

The bill includes language for the Corrections and Public Safety departments to reduce their vehicle fleets by 20 percent — corrections statewide and public safety just in the Twin Cities metropolitan area — and neither can spend General Fund money for lobbyists. “We already have so much access to the commissioners and the deputy commissioners,” Paymar said.

Court funding/fee increases

District courts (\$3.99 million), the Supreme Court (\$699,000), Court of Appeals (\$165,000) and tax courts (\$50,000) all face reductions under the House proposal.

“In the process, we decided all the departments and courts should share a little bit of the burden here, even though it’s small,” Paymar said. As examples, the Board of Judicial Standards is cut \$28,000 and the

Uniform Laws Commission is cut by \$3,000.

In addition to a \$1 surcharge increase for traffic offenses, the bill contains a dozen court filing fee increases that are expected to raise \$24.3 million. Pawlenty proposed no fee increases in his budget.

“We in Minnesota already have some of the highest court fees in the country. All of those fees represent a challenge to access to our courts, whether it’s the initial filing fee or fee for a motion,” said Rep. Paul Kohls (R-Victoria), who unsuccessfully offered a minority report to the bill April 16. “I think access to our courts is a critical component, not only of justice, but of public safety.”

Paymar countered that when the Republicans were in charge during the state’s 2003 budget crisis, the public safety finance law contained \$95 million in fee increases.

“The courts told us that they were satisfied with where we increased fees so we could better fund the court system. ... The bar association wrote us a letter that also specified that they could live with these fee increases. I think we’ve done, under the circumstances, a good job of taking care of the courts.” Paymar also noted none of the bill provisions would cost the courts money.

Some potential court cost savings are also in the bill: technical improvements would allow

the courts to automate many of their services to save about \$4 million annually and the 90-day requirement for the governor to fill a judgeship is removed.

Other funding/policy provisions

- General Fund reductions of \$1.94 million to the Office of Justice Programs; \$216,000 to the Department of Human Rights; \$100,000 to Alcohol and Gambling Enforcement; \$36,000 to the Sentencing Guidelines Commission; and \$14,000 to the Private Detective Board;
- the Corrections Department is to examine alternatives to chemical dependency treatment in prisons;
- a \$50 increase to registration fees on all licensed attorneys, with proceeds to help fund public defenders;
- a public defender co-pay increase from \$28 to \$75;
- the interest rate on a court judgment over \$50,000 would increase from “simple interest per annum” to 10 percent per year;
- uniform collection policies and procedures would be established for the courts; and
- a two-year extension of the nonviolent drug offender conditional release program.



Funding increases proffered

Omnibus transportation finance bill expected to help trio of areas

By Mike Cook

Flyers, drivers and riders could all benefit from an omnibus transportation finance bill.

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Steve Murphy (DFL-Red Wing), HF1309*/SF1276 contains no new money, but there are shifts and fund adjustments that could help multiple areas of need.

Passed 86-45 by the House April 25, the bill passed as amended by the Senate two days later. The House did not concur, and a conference committee is scheduled to work out the differences beginning May 1.

The bill contains \$4.28 billion worth of funding, but just \$195.6 million comes from the General Fund. More than \$3.9 billion comes via user-generated highway funds, including \$2.63 billion from the trunk highway fund, \$1.02 billion from the County-State Aid Highway Fund and \$275.4 million from the Municipal State-Aid Street Fund. Three smaller accounts make up the remainder.

The math becomes a bit tricky in the bill, because in order to meet the targeted \$8.4 million General Fund reduction, Metro Transit would be reduced by \$6.9 million, Greater Minnesota Transit by \$2 million, public safety support by \$266,000 and Capitol Security by \$252,000, while passenger and commuter rail would receive an additional \$1 million. In addition to these changes, there would be other reductions based on revenue decline.

However, a change in a tax allocation — a combined effect of this bill and the omnibus tax bill — would result in an increase in transit funding.

"If this were not to pass, Metro Transit and rural transit are really in a bind," Lieder said. "In 2009 and 2010, Metro Transit is

roughly \$62 million short and rural transit \$10 million."

Because the schedule of state payments for operating procedures results in Greater Minnesota transit providers receiving large payments in July and November, some may face uncertain fiscal status before July. Testimony indicated a \$7.56 million immediate need.

The bill would shift that amount from fiscal year 2011 to fiscal year 2009, with the fiscal year 2011 reduction made up using funds from the motor vehicle lease sales tax reallocation. The tax money was supposed to fund a credit for low-income taxpayers to help offset the gas tax increased in the 2008 funding law.

The tax bill would repeal the tax credit, and this bill would reallocate the funding so that 65 percent would go to Metro Transit, 25 percent to Greater Minnesota Transit and 10 percent to roads of regional significance in the Twin Cities metropolitan area.

It is anticipated the reallocation would provide the Metropolitan Council with \$37 million. Combined with federal stimulus funds, transfers from two council funds and reserves and administrative efficiencies the shortage should be covered.

In conjunction with the additional funding, neither Metro Transit nor transit providers receiving assistance from the Metropolitan Council could raise fares or cut service from 2009 through 2011. Each must also provide

A Quick Look at HF1309

Focus: Transportation budget and changes to transportation finance and policy that affect the Department of Transportation, Department of Public Safety and the Metropolitan Council.

2010-2011 General Fund Appropriation:
\$195.62 million

General Fund amounts are for the biennium.

Funding Provisions:

Metropolitan Council	\$150.37 mil.
Department of Transportation	\$29.85 mil.
Greater Minnesota Transit	\$27.99 mil.
Department of Public Safety	\$15.4 mil.
State Patrol	\$6.05 mil.

Selected policy provisions:

- repeals the tax credit created for low-income taxpayers to help offset the gas tax increase in 2008
- allows drivers in a 55 mph or 60 mph zone on a two-lane highway to exceed the speed limit by 10 mph to pass another vehicle
- creates a MnDOT grant program for rehabilitation or replacement of fracture-critical bridges on a local road system
- provides MnDOT with powers and authority related to passenger rail
- creates a new account for allocating funds to metropolitan counties for county highways that have regional or statewide significance

free public regular route transit for disabled veterans. The latter comes from HF1356, sponsored by Rep. Jerry Newton (DFL-Coon Rapids).

Rep. Mary Liz Holberg (R-Lakeville) called it "irresponsible" to use funding from a volatile account, the leased motor vehicle sales tax revenue, as a funding source. "Are we going to say, 'No matter how poor a performance is on a bus route, you can't cut that? No matter the cost of fuel you can't raise the fare?'"



PHOTO BY TOM OLMSCHIED

Rep. Bernard Lieder presents the omnibus transportation finance bill on the House Floor April 25.

Road construction, policy provisions

With transportation revenues not meeting forecasted levels, the trunk highway fund reserve is to the point where further declines could result in project cancellations.

Gov. Tim Pawlenty recommends a \$150 million reduction for state road construction. "We took \$100 million from the state road construction and we took \$50 million from the other portions, which was divided between state road operations and maintenance of \$21.7 million; state road infrastructure investment, \$17.1 million; MnDOT buildings, \$1.5 million, and from the state patrol," Lieder said. MnDOT department support would receive an \$8.7 million reduction, of which, \$5 million would be an ongoing biennial cut.

Lieder noted that federal dollars help offset other decreases to provide a \$67.6 million biennial increase for state road construction to \$1.17 billion.

A new account would be created, under the bill, to allocate a portion of motor vehicle lease sales tax revenue to metropolitan counties for county highways that have regional or statewide significance.

Rail/air issues

The bill makes MnDOT responsible for all activities — from planning to construction — relating to passenger rail. The department is permitted to enter into all necessary agreements and is authorized to seek private and public funding for passenger rail service. Further, MnDOT would have the necessary power to carry out its passenger rail duties, including the use of eminent domain.

"Right now, MnDOT does not really have an

active function dealing with passenger and commuter rail, so we gave them a \$500,000 increase from the General Fund per fiscal year. That's an ongoing increase," Lieder said. "To accommodate that \$500,000, we took \$250,000 from Greater Minnesota Transit and \$250,000 from the Metropolitan Council."

The bill includes a \$2.25 million increase for airport development grants in fiscal year 2010.

"It's not additional money, but it allows them to spend down some of the money that they have," Lieder said. "For the last biennium they've been hurting because the Legislature took \$15 million out of their normal General Fund allowance and we haven't repaid that."

An amendment successfully offered by Rep. Mike Beard (R-Shakopee) would set in priority repayment of the State Airports Fund.

If a General Fund surplus is anticipated, the fund would be replenished after the state's cash flow account is filled, state budget reserve is filled and state aid shifts to school districts are made whole.

Other changes

Drivers in a 55 mph or 60 mph zone on a two-lane highway could exceed the speed limit by 10 mph to pass another vehicle. This is from HF464, sponsored by Rep. Tom Rukavina (DFL-Virginia).

Rep. Tina Liebling (DFL-Rochester) unsuccessfully tried to amend this out of the bill, saying it would put lives at stake, and would send the wrong message, especially to teenagers, that speeding is OK.

Coming from HF1608, sponsored by Lieder, is the creation of a MnDOT grant program for rehabilitation or replacement of fracture-critical bridges on a local road system.

A \$500,000 transfer from the metropolitan livable communities fund would go to the University of Minnesota Center for Transportation Studies to develop land use and planning resources and strategies for local governments, and the Metropolitan Council to support greenhouse gas reduction goals by reducing per capita vehicle miles driven. Resource development is required by Dec. 15, 2010, and a report due the Legislature by Jan. 15, 2011. This comes from HF898, sponsored by Rep. Frank Hornstein (DFL-Mpls).

The remaining \$2.85 million of a 1988 loan to the Buffalo Ridge Regional Railroad Authority would be forgiven by MnDOT or converted to a grant. The authority used the money to rehabilitate 41.4 miles of track in Nobles and Rock counties. "The resources aren't there to repay the loan. It's a low-interest, long-term loan with no requirements to make payments on a scheduled time frame," said Rep. Doug Magnus (R-Slayton), who sponsored the provision as HF682. "The operator of the railroad is a disabled person. There's some funding available, he believes, at the federal level for disabled-owned businesses. He'd like to get this loan off the books, move forward and make the railroad more profitable." 🏛️

Frequently called numbers

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Dealing with difficult reform

Tax bill squeaks by House floor, conferees begin work

By SONJA HEGMAN

Reform has been the major theme throughout session in the House Taxes Committee, but it doesn't come easy.

"Reform is hard. It's not popular, and we understand that," said Rep. Ann Lenczewski (DFL-Bloomington), House Taxes Committee chairwoman, during the April 25 floor debate on the omnibus tax bill. "It is not right in my mind that those who are in the best financial situation in this state continue to pay less as a percentage of their income than everyone else. I am not fine with sitting here with this embedded unfairness in the tax code and ignoring it. And I don't think the members of the majority are OK with that."

After more than five hours of debate, HF2323/SF2074* was amended to include the House language and passed 68-65. The Senate, which passed its version 35-31 April 24, refused to concur. A conference committee was scheduled to begin its work April 30 on merging the bills.

The House bill would increase the cigarette tax by 54 cents a pack, the liquor tax would rise for the first time since 1987 and top income-earners would be subject to a new 9 percent income tax rate under the \$1.5 billion tax bill.

It also would eliminate many tax deductions, close corporate loopholes and convert the state's mortgage interest deduction into a credit so that all taxpayers qualify for an equal percentage of tax benefit.

"President Reagan did what we're trying to do here," Lenczewski said. "We were charged with really, truly as people said, zero-based budgeting. Turning over every rock, making the tough choices, scrutinizing everything and this committee did."

Some members accused the bill of going after everyone in the state.

"You say this is a more progressive bill, but I disagree with that," said Rep. Laura Brod (R-New Prague), lead Republican on the House Taxes Committee. "Who will actually be hit by the tax increases in this bill? I notice that there are tax increases to pretty much everybody."

Several amendments were offered to the bill, but none by Republicans, which Brod said was because there were too many provisions to fix.

"This bill hurts jobs, it hurts families and it's the wrong direction to go," she said. "This bill will put additional burden on those folks struggling so hard already to make ends meet."

Rep. Paul Marquart (DFL-Dilworth), House Property and Local Sales Tax Division chairman, said the bill lays the groundwork for a good economic future.

"This reform was not easy, but it made the right choices. We're going to draw a line in the sand and say we're not going to put any more extra burden on our senior citizens on fixed incomes trying to stay in their homes, our young families trying to stay in their neighborhoods so their kids can stay in that school district, for our farmers, for our small businesses. We said enough is enough on high property taxes. And this bill keeps property taxes in check."

Three amendments were adopted, including a technical amendment offered by Lenczewski.



PHOTO BY ANDREW VONBANK

Rep. Ann Lenczewski presents the omnibus tax bill on the House floor April 25.

Taxes continued on page 23

Policy bill gets big on floor

An omnibus transportation policy bill that its sponsor said was one of the smallest in memory more than doubled in size before receiving House approval April 28.

Sponsored by Rep. Frank Hornstein (DFL-Mpls), HF928*/SF1455 was approved 115-17 and sent to the Senate, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor. A conference committee is expected to work out the differences.

"We've got a good product to go to the conference committee with some important positions and some good votes," Hornstein said.

Just six bills were included in the original proposal:

- the prohibition of certain acts at rest stops, including improper trash disposal and consuming or possessing open containers of alcohol;
- the conforming of commercial driver's license recordkeeping to federal standards;
- a broadening of the Metropolitan Council capability to make loans to local governments to purchase homestead property in anticipation of a trunk highway project;
- an addition of two members from labor organizations involved in freight and commuter rail lines to a Transportation Department committee that provides commuter rail advice;
- driving into an intersection unless the vehicle can move completely through without blocking cross-traffic would be prohibited; and
- tickets for going up to 10 mph over the speed limit in a 55 mph or 60 mph zone would be kept off a person's driving record.

A dozen more bills were added by the House.

For example, Rep. Kent Eken (DFL-Twin Valley) added a provision to designate a stretch of Highway 200 near Mahanomen as "Veterans Memorial Highway," and a portion of highways 34 and 87 as "Becker County Veterans Memorial Highway." Local veteran's clubs are to pay for the signage.

Based on HF571, an amendment from Rep. Brita Sailer (DFL-Park Rapids) would permit counties to allow mini-trucks on local streets, county roads and highways. Generally sold as off-road vehicles for farms and construction sites, she said some people in her area use these fuel-efficient vehicles for other everyday needs. Law enforcement is concerned that they don't meet federal safety standards for highway use.

Highway 19 in New Prague would be closed from 5:30 p.m. Friday to 6 a.m. Sunday one weekend each September for the Dozinky Festival. Rep. Laura Brod (R-New Prague), who offered the amendment that was HF1192, said MnDOT has permitted the highway to be closed for the festival for the last 15 years, but would not permit the closing after 2010.

Other issues successfully amended onto the bill include mounting of GPS units on the bottommost portion of a windshield; clarifying a 2008 law regarding a town road extinguishment; ensuring all railroad employee rights are maintained if MnDOT takes over any passenger rail duties; and buses throughout the state can use the shoulder on an expressway or divided highway in certain conditions.

Charging vehicle tabs a possibility

It could cost more for motor vehicle transactions, but a consumer might be able to use their credit card for payment.

Such are the provisions of a bill approved April 28 by the House Transportation Finance and Policy Division.

Rep. Rick Hansen (DFL-South St. Paul), the sponsor of HF2116, said the measure would improve customer service and let deputy registrar offices maintain their viability. The bill next goes to the House Finance Committee. A companion, SF1701, sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the Senate Transportation Budget and Policy Division.

The bill would raise the filing fee for motor vehicle transactions by \$1.50, with the fee going to registrar operations, if the transaction occurs at a deputy registrar. The last renewal increase was in 2001; title service increase in 2005. The fee associated with online or mail transactions through Driver and Vehicle Services at the Department of Public Safety would go to the General Fund and the vehicle services operating account.

What's in the bill

The following are selected bills that have been incorporated, in part or in whole, into the omnibus transportation policy bill:

HF568 – Eken
HF570 – Champion
HF571 – Sailer
HF622 – Welti
HF672 – Dettmer
HF1088 – Swails
HF1191 – Hortman
HF1192 – Brod
HF1246 – Urdahl
HF1464 – Nelson
HF1568 – Holberg
HF1672 – Davnie

— M. Cook

According to the Minnesota Deputy Registrars' Association, deputy registrars transfer nearly \$1 billion to the state annually from motor vehicle tax and registration collections. Of the 173 registrars in the state, 60 percent are public offices offered by a county or city. The remaining 40 percent are private offices where a county or city has opted not to provide the service. They operate solely on handling fees.

However, the business model has changed, including increased costs for technology and keeping personal data secure, said Jim Hirst, representing the association.

Grace Wachlarowicz, director of licensing and elections in White Bear Lake, said transactions can take up to 30 minutes. "We get the difficult ones that have to be done face-to-face. ... To train an individual just to know the minimum basics is a minimum of one year of on-the-job training."

Registrars are unable to accept credit cards because they must absorb fees that banks impose on these transactions. The bill would allow a registrar to accept some credit cards for payment, along with a surcharge to cover the registrar's transaction costs.

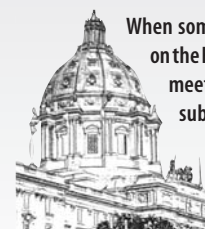
However, the most popular credit card may not be accepted.

DVS Director Pat McCormack said MasterCard, Discover and American Express allow a customer to pay a convenience fee to use their card; Visa does not.

The credit card provision is also in SF3, sponsored by Sen. Linda Berglin (DFL-Mpls). Approved 56-10 by the Senate April 7, it awaits action by the House State and Local Government Operations Reform, Technology and Elections Committee.

— M. Cook

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Directions

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- I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right.
- I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right.
- I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right.
- I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left.

Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot AA, across Rice Street from the State Office Building on Aurora Avenue; Lot F, directly behind the Transportation Building; Lot H, west of the Veterans Service Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); Lot L, east of the Judicial Center; in the 14th Street Lot at the corner of North Robert Street and 14th Street; and on the orange level of the Centennial Office Building Ramp at Cedar Street and Rev. Dr. Martin Luther King Jr. Blvd. There are a few metered parking spots in front of the Capitol along Aurora Avenue.

Capitol Security personnel will issue tickets for expired meters.

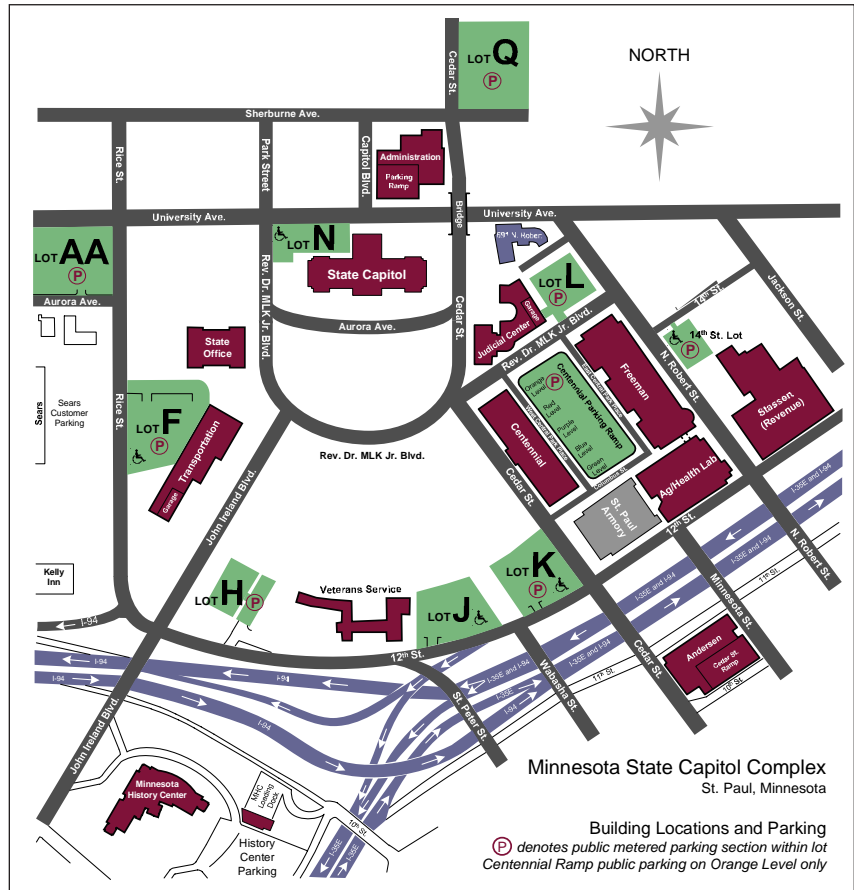
All-day parking permits are available from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted. For more information, call 651-201-2307.

Outdoor disability parking is available in most public lots within the State Capitol Complex. However, most spots can be found in Lot N and Lot F. Disability parking is also available on the orange level of the Centennial Office Parking Ramp and in the 14th Street Lot.

The main disability entrance to the Capitol is on the northwest side of the building just off Lot N. There also are drop-off entrances on the south side under the front steps on the south side and on the northeast side of the building.

Visiting the Legislature

During session, all House and Senate floor sessions are open to the public. No pass is required for spectators to sit in the galleries of either chamber. The House usually meets at 1:00 p.m. Monday and 10:30 a.m. Thursday, and the Senate generally meets at 11 a.m. Monday and Thursday during the first few weeks of session. As the session nears the end, however, both bodies may meet several times a week, often into the night.



Edited map courtesy Minnesota Department of Administration, Plant Management Division

Visitors interested in observing these sessions may call House Public Information Services 651-296-2146 or Senate Information 651-296-0504, with questions.

Committee meetings are open to the public, as well. Visitors wanting to attend a committee meeting may call the meeting hotlines for prerecorded messages with the meeting times and agendas for each day: House 651-296-9283 or Senate 651-296-8088.

If group members want to meet with their individual legislators or testify before a committee arrangements should be made at least a week in advance.

Sometimes groups plan a "legislative day" at the Capitol. For information on reserving a room for group conferences, call the State Office Building room scheduler at 651-296-0306 or the Capitol room scheduler at 651-296-0866.

Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

Tour guides lead the 45-minute tours on the hour Monday through Friday between 9 a.m.

and 4 p.m. (last tour leaves at 3 p.m.); Saturday between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sunday between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol information desk. Brochures in about 20 foreign languages also are available there.

Tour rates vary. Generally, 45-minute tours for drop-in visitors to the Capitol are free of charge.

The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. A special events guide is available upon request.

For more information about the tours and fees or to make a reservation, call the Capitol Historic Site Program at 651-296-2881.

Dining

Year-round cafeterias can be found on the ground floor of the Transportation and the Centennial and Stassen buildings.

The small State Office Building cafeteria and the Rathskeller in the State Capitol are open only when the Legislature is in session.

Friday, April 24

HF2348-Hackbarth (R) Environment Policy & Oversight

State trail pass required, and money appropriated.

Saturday, April 25

HF2349-Sterner (DFL)

Taxes

Nonprofit eligibility expanded and fundraising sales exemption increased.

HF2350-Sterner (DFL)

Taxes

Nonprofit fundraising sales exemption increased.

HF2351-Masin (DFL)

Transportation & Transit Policy & Oversight Division

Cellular phone use prohibited while driving.

HF2352-Mariani (DFL)

Finance

Low-income workers enabled to meet basic needs, child care assistance provided to low-income workers, working family credit increased and minimum wage increased.

Monday, April 27

HF2353-Morgan (DFL)

Finance

Manufactured home park lot rental new administrative remedy for violations established.

Wednesday, April 29

HF2354-Kahn (DFL)

Commerce & Labor

State lottery director authorized to operate slot machines at the Minneapolis-St. Paul International Airport.

HF2355-Murdock (R)

Finance

Wadena; utility and street improvement funding provided.

HF2356-Peppin (R)

Health Care & Human Services Policy & Oversight

State employee insurance plan regulated, plan established as a high deductible health plan and health savings accounts required to be offered to enrollees.

HF2357-Welti (DFL)

Finance

Chatfield; ISD 227; Potter Center for the Arts funding provided.

HF2358-Hausman (DFL)

Finance

Central Corridor Line three stations funding provided.

Thursday, April 30

HF2359-Drazkowski (R)

Finance

St. Charles; lost revenue and adjusting pupil aid reimbursement provided in response to the North Star Foods fire.

HF2360-Davnie (DFL)

K-12 Education Policy & Oversight

Minneapolis; Special School District No. 1; two-member appointment provided on the Minneapolis reapportionment commission and standards established.

HF2361-Howes (R)

Commerce & Labor

Laws regulating home solicitation sales clarified on how they apply to home improvement contracts.

Taxes continued from page 20

Rep. John Ward (DFL-Brainerd) successfully repealed a provision that would have allowed cities and counties to use a hotel and lodging tax used to promote tourism to replace losses to state aid.

Members were most vocal over a provision that would tax homeowners who use high amounts of energy during the winter months. Rep. Dave Olin (DFL-Thief River Falls) successfully offered an amendment to exempt residents receiving energy assistance from an extra energy tax.

House Minority Leader Marty Seifert (R-Marshall) said it's unreasonable to tax heat in a cold state. "The Democrats are so desperate for your tax dollars; they want to tax home heating fuel in the state of Minnesota where it was 20 below zero in January of this year. Unbelievable."

Also included in the bill is the option for counties to impose a half-cent local option sales tax.

"Instead of raising property taxes because of cuts, we're giving another option with the local option sales tax," Marquart said, adding

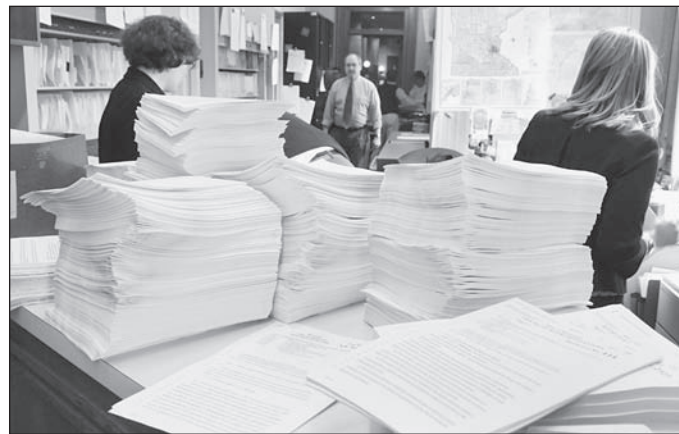


PHOTO BY TOM OLMSCHIED

House Taxes Committee staff pile amendments for the proposed tax bill on the counter of the Index Office off the House Chamber floor prior to the members hearing the proposal and amendments April 25.

that the sales tax is estimated to raise \$100 million to help counties with cuts to local government aid and county program aid.


Agreeing that the bill did propose a lot of reform, Rep. Morrie Lanning (R-Moorhead) still was not keen on the idea of the local option sales tax.

"Those states that have given the local

communities the ability to raise taxes are typically the states that don't give aid to local units of government," he said. "Those of you who are concerned about local government aid and county program aid, beware because this might be going down a road we don't want to go down."

Lenczewski said the bill includes things that the governor has signed in the past.

"All legislators are really stressed out about

this deficit. It's tough," she said. "I could tell I struck a chord when I mentioned President Reagan. This bill is progressive, it's not regressive. Yes, parts of it are regressive. But we only have two progressive taxes in Minnesota, the income tax and the estate tax. This is a progressive bill loaded with reform." 

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MAJORITY LEADER: ANTHONY "TONY" SERTICH

MINORITY LEADER: MARTY SEIFERT

MINNESOTA INDEX

Hooked on fishing

The Governor's Fishing Opener is scheduled May 8-9 on White Bear Lake. The event marks the official opening of the open-water fishing season in Minnesota.

First year the event was held in the Twin Cities Metro Area	2009
Number of lakes in Minnesota.....	11,842
Number of licensed anglers, annually, in millions.....	1.4
Percent who are male.....	69
Percent who are female	31
Percent who are ages 16-24.....	12
Number coming from the seven-county metro area	755,000
Number of children ages 6-15 who fish at least once each year	388,000
Fishing license revenues generated in 2008, in millions	\$19
Economic impact of state fishing industry, in billions.....	\$4.7
State ranking for highest number of anglers.....	4
Jobs created by fishing in Minnesota.....	43,812
Number of registered watercraft in Minnesota during 2008.....	867,875
Revenue from boat registrations, excluding titling and ELS fees for 2009, in millions (est.).....	\$6.1
Revenue from 2008 boat registrations, in millions.....	\$5.9
Revenue from 2007 boat registrations, in millions.....	\$6.3
Percent of boaters in Twin Cities Metro Area who wear life jackets	18
Record carp taken from Clearwater Lake, Wright County, in pounds, ounces	55.5
Record muskellunge caught on Lake Winnibigoshish, Itasca County, in pounds.....	54
Largest northern pike caught on Basswood Lake, Lake County, in pounds, ounces	45.12
Record lake trout caught on Lake Superior in Cook County, in pounds, ounces.....	43.8
Record walleye caught on Seagull River, Cook County, in pounds, ounces.....	17.8
Record largemouth bass caught on Auburn Lake, Carver County, in pounds, ounces.....	8.15
Largest smallmouth bass caught on West Battle Lake, Ottertail County, in pounds.....	8
Largest bluegill recorded caught on Alice Lake, Hubbard County, in pounds, ounces	2.13
Largest hybrid sunfish caught in Zumbro River, Olmsted County, in pounds, ounces	1.12

— S. HEGARTY

Sources: Department of Natural Resources April 27, 2009 news release; DNR Boating Safety Program, and Office of Management and Budget Services.

FOR MORE INFORMATION

For general information, call House Public Information Services at 651-296-2146 or 800-657-3550.

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To obtain a copy of a bill, call the Chief Clerk's Office at 651-296-2314.

To learn about bill introductions or the status of a specific bill, call the House Index Office at 651-296-6646.

The House of Representatives can be found on the Web at: www.house.mn.

People who are deaf and hard of hearing may ask questions or leave messages by calling the Minnesota Relay service at 711 or 800-627-3529 (TTY).

SESSION WEEKLY

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MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
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SLAPSHOTS AND BUDGET-CHOPS

CONFERRING A COMPROMISE

TRACKING NEW LAWS

BRANDON'S LAW IS LAW

HF2362 - HF2372

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: The Taxes Conference Committee meets May 2.

— Photo by: Tom Olmscheid

Hammering out an agreement

Conference committees have sometimes unpopular task of compromise



PHOTO BY TOM OLMSCHIED

Members of the capital investment conference committee listen to Finance Commissioner Tom Hanson explain Gov. Tim Pawlenty's position on the House and Senate bonding proposal April 27.

By LEE ANN SCHUTZ

Even though House and Senate majorities are from the same political party, it doesn't mean agendas are similar or they agree on how things should be done. Just like a family, differences can cause angst and stand in the way of compromise.

Take for example how the House and Senate DFL differ in their proposals to balance the 2010-2011 biennial budget and dig the state out of a \$4.6 billion hole. These differences filter down to the various finance committees and the bills passed to fund the various state agencies and programs.

If a piece of legislation has any chance of making it to the last stop, the governor's desk, the House and Senate have to agree on what's being sent.

Bring on a conference committee.

Public's work in public

A bill's path to law isn't smooth, nor is it meant to be. Let's say that a bill passes the House and the Senate agrees with most of the language, but wants to include other provisions. Conference committees are the mechanism in the legislative process for reaching compromise.

Some longtime House members have been frustrated with process transparency, especially during the last days of session when closed-door negotiations between leadership

and the governor have been the norm. But this year, there are some efforts to bring transparency and negotiation power back to the conference committees.

Rep. Gene Pelowski Jr. (DFL-Winona) led a two-year effort to make state government more accessible and open to the public. He saw some fruits of his labor this year with adoption of some recommendations into the House Rules, which govern the way the House operates, including more negotiations being completed in public on at least some finance bills.

"Both the House and Senate have made changes to allow every aspect of the conference committee process to be done in full view of the public, Pelowski said." However, there are still problems with amendments being offered on the House floor that were never introduced as a bill or heard in committee, he said.

The new changes aren't lost on Rep. Mary Ellen Otremba (DFL-Long Prairie), who

First Reading continued on page 4

First Reading continued from page 3

has served on several agriculture-related conference committees in her seven terms. “It feels different this year,” she said. As a member of the omnibus agriculture and veterans finance conference committee, she said that in the past, the spending targets were pretty much carved in stone. But this year, given room to negotiate, “We really talked about the issues; there was a lot more transparency.”

Creating the team

There’s no formula used by House leadership in the conference committee appointment process. However, House Speaker Margaret Anderson Kelliher (DFL-Mpls) says that it certainly “shouldn’t take a member six years before they get their chance to serve on a conference committee, like it did me.”

She takes recommendations from the committee chairs, but looks for people who are familiar with the issues, served on the committee and support the bill. But “extra factors” can come into play. Take, for example, the appointment of House Minority Leader Marty Seifert (R-Marshall) to the taxes conference committee.

“I got put on the conference committee under duress,” Seifert said.

He has been adamantly opposed to the proposed tax bill and has often referred to his new position as one on the “tax increase conference committee.”

Kelliher defends her choice and said he clearly understands the issues, as well as the governor’s position. “He is an excellent communicator and is the best person to bring an understanding to his caucus.”

This year, a sixth person was appointed to each of the major conference committees — it could be a person serving their first term. Although they have no voting privileges, it allows them a chance to get familiar with the process, Kelliher said.

Taking ownership in the bill

For many House minority members on a conference committee, it can be a time to lay party affiliation aside and take ownership in the bill language the member is charged to confer.

Rep. Pat Garofalo (R-Farmington) is a first-time conferee, and has been appointed to the omnibus E-12 education finance conference committee.

“The House has a great team,” he said, referring to members and staff. “We’ve got some really smart people with a strong understanding of school finance. That’s a big asset in terms of negotiating House versus Senate positions moving forward in the conference process.”

Besides, he added, “the House K-12 bill is just plain better. By any objective measurement the House bill is clearly superior.”

Garofalo smiled when asked if he and other members had a specific role to play at the table.

“Every member of every team has their own strengths and weaknesses,” he said. “The strength the House team has is that we universally despise the Senate bill. It transcends political party and geography.”

But for some members, the process of conferring bills can be a frustrating because they are forced to watch months of their hard work being scrutinized, challenged and sometimes sacrificed for the sake of compromise.

“You feel like now we’ve finally got a position we can all live with, and then you have to turn around and try to defend that position against someone else who’s come to an equally solidified view of their side,” said Rep. Mike Obermueller (DFL-Eagan).

Obermueller, a freshman lawmaker, participated as a non-voting member of the omnibus economic development finance conference committee

Rep. Karen Clark (DFL-Mpls), who sat on the same conference committee, and chairs the House division responsible for setting the Housing Finance Agency’s budget, saw much of her hard work erased, as conferees agreed to force the agency to take budget cuts that Clark had tried hard to prevent.

We had funded affordable housing much more adequately in the House bill,” Clark said. “The fact that they cut housing was very hard for me to take.”

New role for old commission

Kelliher has been a major advocate for transparency, and has used the Legislative Commission on Planning and Fiscal Policy as the portal for helping to take the mystery out of fiscal negotiations.

With at least weekly public meetings — and now daily, as the adjournment gets closer — Senate and House leadership along with the governor’s chief negotiator, Finance Commissioner Tom Hanson, have been explaining terminology, digging through and comparing numbers, and at times, gotten into gritty give-and-take.

Kelliher has said that fiscal transparency will help the public understand the tough decisions lawmakers must make.

Pelowski hedged, however, “Session is not over, so it is too early to predict if the push to have the public participation and understand the positions of the House, Senate and governor will continue to the end of session.”

CONFERENCE COMMITTEES

Excerpts from the Joint Rules of the Senate and House of Representatives

In all cases of disagreement between the Senate and House on amendments adopted by either house to a bill, memorial or resolution passed by the other house, a conference committee consisting of not less than three members nor more than five members from each house may be requested by either house. The other house shall appoint a similar committee.


The manner of procedure shall be as follows:

- The house of origin passes a bill and transmits it to the other body;
- If the other body amends and passes the bill, it returns with a record of its actions to the house of origin;
- If the house of origin refuses to concur with the amended bill, it can ask for a Conference Committee, appoint members and transmit the bill with a record of its action to the other house;
- If the other house adheres to its amendment, it appoints a like committee and returns the bill to the house of origin.

All Conference Committees shall be open to the public. As much as practical, meetings of Conference Committees are announced as far in advance as possible, with the intent to provide a 24-hour notice, and actions taken shall be agreed upon in an open meeting. At an agreed upon hour the Conference Committee shall meet. The members from each house shall state to the members from the other house, orally or in writing, the reason for their respective positions. The members shall confer thereon. A conference committee may not meet between the hours of midnight and 7 a.m., except that a committee may extend a meeting for up to one hour past midnight by a vote of two-thirds of the members appointed to the committee by each house. The chair shall rotate between the Senate and the House of Representatives at least every calendar day, Sundays and holidays exempted. The conferees shall report to their respective houses the agreement they have reached, or, if none, the fact of a disagreement.

If an agreement is reported, the house of origin shall act first upon the report.

If the report is adopted and repassed as amended by the Conference Committee by the house of origin, the report, the bill and a record of its action shall be transmitted to the other house.

He cautions about the too often negative consequences of “closed door deal-making,” and that pressure needs to continue for an open process. “It will need constant monitoring and improvement. Without it, three people in the governor’s office will be deciding issues with no public input.” 

SESSION WEEKLY STAFFERS NICK BUSSE, KRIS BERGGREN, SUSAN HEGARTY AND SONJA HEGMAN CONTRIBUTED TO THIS ARTICLE.

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held April 30-May 7. 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

Conference action at standstill

After agreeing to approximately \$11.8 million in cuts May 1, House and Senate conferees still had not signed off on the omnibus agriculture and veterans finance bill nearly a week later.

Rep. Al Juhnke (DFL-Willmar) said HF1122, which he sponsors, contains the necessary financing provisions for the state's five veterans homes, but SF1779, sponsored by Sen. Jim Vickerman (DFL-Tracy), does not. The homes funding is positioned in the

omnibus health and human services finance bill, sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls).

Juhnke said the omnibus bill can't be closed until the issues are resolved with Berglin, and that they are holding discussions; however, no meeting of the conference committee has been scheduled. House Speaker Margaret Anderson Kelliher (DFL-Mpls), said May 6 there is also a problem with a proposal for a new veterans mental health facility in Kandiyohi County. Some House members think any siting of a new veterans home should have further study.

The finance bill would cover 2010-2011 biennial funding for the Veterans Affairs, Military Affairs and Agriculture departments, the Board of Animal Health and the Agricultural Utilization Research Institute.

One of the smaller General Fund spending categories, the governor's funding request is \$266.4 million and coming into conference committee, the House proposal was \$248.39

million and the Senate's position was \$251.9 million. The bill is projected to come in at approximately \$250.5 million.

Agreed upon provisions include:

- changes to the noxious weed law;
- a biennial delay in ethanol producer payments to be made up in deficiency payments at a later date;
- an increase in Rural Finance Authority loan amounts;
- using a portion of the unallocated money in the state's G.I. bill for other purposes;
- changes to the veterans preference law, including the right to an interview;
- an extension of the sunset on campus veteran representative program to June 20, 2013, and
- some funding for the governor's Ag21 investment program.

— L. SCHUTZ

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MAKING HIS POINT

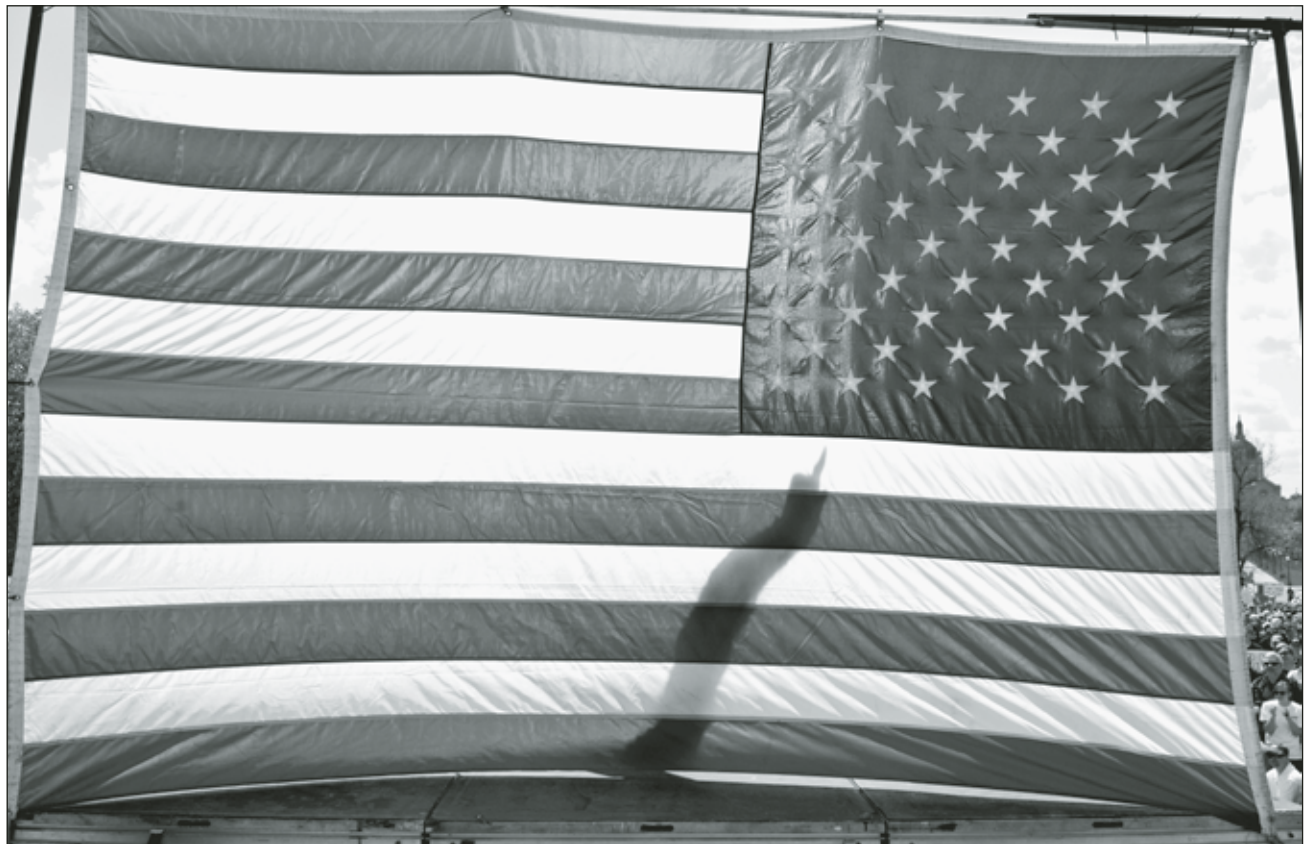


PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty's arm is silhouetted as he points at the Capitol May 2 while telling a tax cut rally that he will veto any tax increases that legislators include in their budget-balancing proposals.

BONDING

Bonding update

The House and Senate are moving closer to an agreement on what to bond for capital investment this year.

"All I care is that the bill is signed and the language is workable," said Rep. Alice Hausman (DFL-St. Paul).

The current House proposal offers \$90 million for asset preservation, \$58 million for "shovel ready" projects and \$94 million for rehabilitation, renovation and flood mitigation.

HF855*/SF781, sponsored by Hausman and Sen. Keith Langseth (DFL-Glyndon), differ by \$549,000, the House using General Obligation bonds for more projects.

Both bills contain money for asset preservation for several things, including the University of Minnesota and Minnesota State Colleges and Universities system.

Bonding for other projects includes:

- \$24 million in both bills for the Bell Museum at the University of Minnesota;
- \$50 million in the Senate versus the House's \$53.8 million for flood mitigation grants;
- \$22.8 million in the House bill for the Metropolitan Council versus \$23.7 million from the Senate; and
- \$2.5 million for national solar testing certification laboratories in both proposals.

Also working though the process and presented during the conference committee May 6 was a disaster relief bill HF2347/SF2113, sponsored by Rep. Morrie Lanning (R-Moorhead) and Langseth, with the House proposal as \$17.7 million and the Senate at \$57.3 million,

for various disaster relief including help for flood loss and economic development.

The flood proposal is a major piece of the negotiations in the capital investment bill.

— S. HEGMAN

BUSINESS

Helping car dealers move on

**Signed
by
the
governor**

The precarious economic situation for U.S. auto manufacturers is affecting local car dealerships not only in lower sales, but through contracts they have with the model supplier.

The goal of a new law, according to House sponsor, Rep. Joe Atkins (DFL-Inver Grove Heights), "is to help car dealers survive in this difficult time."

Signed by Gov. Tim Pawlenty May 6 and effective the next day, the law will help dealerships be adequately compensated if their franchise is affected by actions of the vehicle manufacturer.

The law will:

- require successor manufacturers to offer existing dealers a franchise on similar terms as the predecessor;
- have the manufacturer recognize "blue sky" and compensate the terminated dealer for the value of the franchise over and above the physical assets; and
- allow the dealer to add another line-make to their existing facility.

Sen. Kevin Dahle (DFL-Northfield) is the Senate sponsor.

HF1717/SF1711*/CH34

— L. SCHUTZ

CONSUMERS

Selling safer baby bottles

Health-conscious parents of babies and young children may be able to cross one product off their no-buy list, depending on the governor's stroke of a pen. Baby bottles and sippy cups containing the chemical Bisphenol-A, or BPA, could be off Minnesota store shelves within two years.

HF326/SF247*, sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Sandy Rummel (DFL-White Bear Lake), would ban Minnesota manufacturers from selling cups and bottles intended for use by children age 3 or younger that contain BPA after Jan. 1, 2010, and retailers from selling them after Jan. 1, 2011. The House passed the bill 126-5 May 5. The Senate approved it 53-8 on April 30. It awaits action by Gov. Tim Pawlenty.

Clark said the bill is "narrowed and focused" from its original form that would have banned the chemical more broadly in other products intended for or used by children. She credited Rep. Kurt Zellers (R-Maple Grove) with helping to garner bipartisan support. He, in turn, thanked Clark for listening to "peer-tested, peer-reviewed" research in honing the bill's scope.

Lindsay Dahl, policy and media coordinator with the Healthy Legacy Program of the Institute for Agriculture and Trade Policy, said in committee that numerous research studies have found BPA to be a carcinogen and endocrine disruptor. The chemical is widely used in consumer products such as eyeglasses, sports helmets, electronic toys and lining for beverage or liquid cans. Its use in baby products is banned in Canada, and 14 other states are looking at banning it.

— K. BERGGREN

CRIME

Vulnerable, elderly adult protection

House approval was given to a bill that would help some vulnerable adults.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul), HF818*/SF758 would make various statutory changes relating to investigations and crimes for maltreatment or financial exploitation of vulnerable adults. Hilstrom said a working group of 52 agencies, entities and organizations were involved in the bill's creation.

The bill was approved 131-0 by the House May 6 and sent to the Senate.

The legislation intends to help people like a 92-year-old St. Paul man whose case was



PHOTO BY TOM OLMSCHIED

Rep. Alice Hausman, left, and Sen. Keith Langseth, co-chairs of the capital investment conference Committee, ask questions of Finance Commissioner Tom Hanson during an April 27 hearing.

REMEMBERING FORGOTTEN CHILDREN

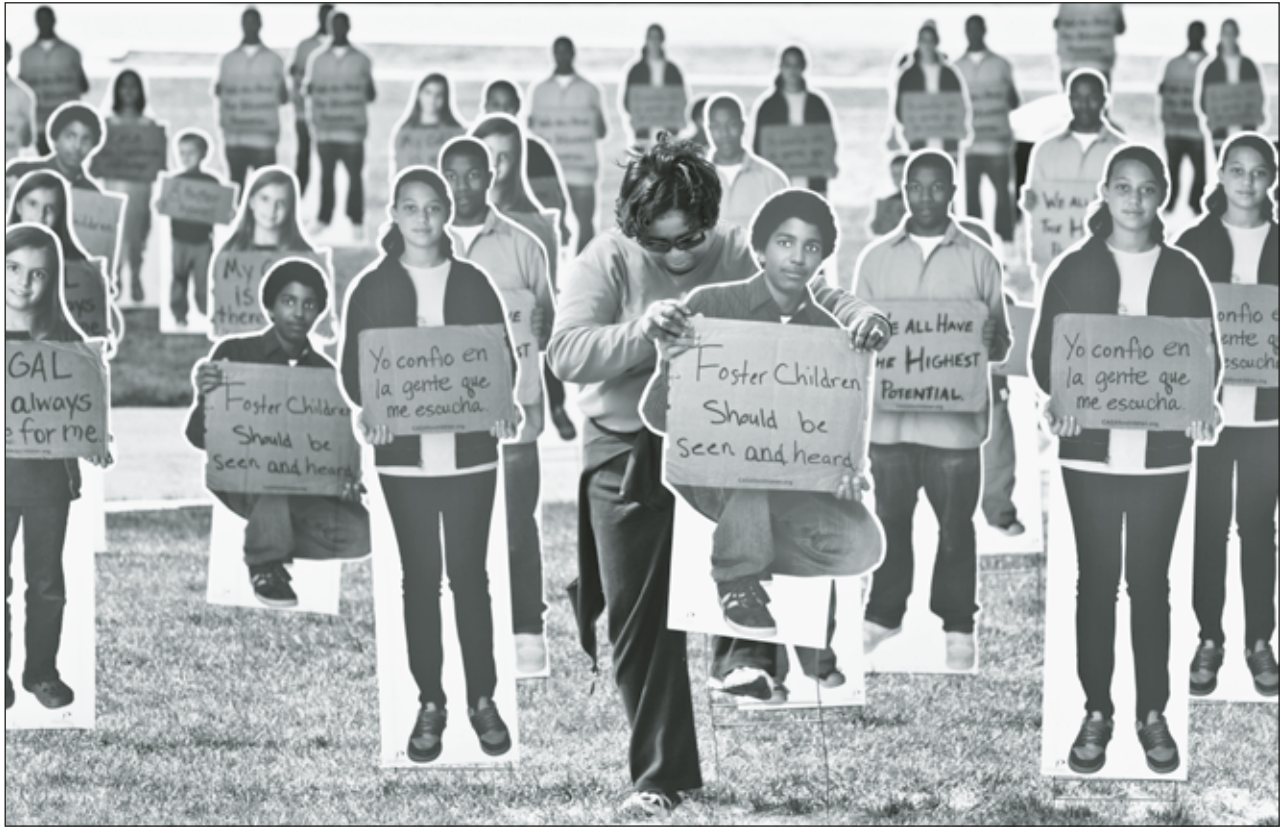


PHOTO BY TOM OLMSCHIED

Valerie Pruitt, a recruit volunteer who finds guardians for children going into foster homes, pushes a cutout of the 185 foster children into the lawn on the Capitol Mall May 4 during the CASA Minnesota's Forgotten Children rally. Each cutout illustrates the number of children that enter foster care in one week in Minnesota.

referenced during the committee process. A neighbor befriended him when he became frail and bilked him out of almost \$200,000. The woman put his home on the market without his knowledge, put an ad in the newspaper for a rummage sale of his belongings and left him to sit in a chair all day.

She was ultimately sentenced to probation and repayment of funds.

"The Vulnerable Adults Act has shown us that victims can be of any age," Hilstrom said. "According to a recent Met Life mature market study, it estimates that older Americans lose about \$2.6 billion a year. Now that our economy is in a downturn, we anticipate that vulnerable adults will be more at risk."

The bill makes it easier to investigate and prosecute unscrupulous individuals by clearing up definitions of financial exploitation; extending the statute of limitations for criminal financial exploitation from three to five years because no problem may be realized until bills are not getting paid; and any business or financial institution that acts on good faith in telling authorities about suspected maltreatment or financial

exploitation would be granted immunity from legal liability.

It also creates a 20-year felony for conviction of financial exploitation of a vulnerable adult when the stolen amount exceeds \$35,000 and removes the consent defense, where the victim lacks the capacity to consent.

"We want to make it certain that we are able to prosecute those that prey upon our vulnerable adults and to make certain they take care of them in their time of need," Hilstrom said.

— M. Cook

EDUCATION

E-12 conferees talk without target

Although the E-12 education conference committee still lacks a budget target, conferees are "not stalled at all," Rep. Mindy Greiling (DFL-Roseville) said May 6.

"The House has not agreed with the Senate to split the difference" between the two omnibus bills, said Greiling, chairwoman of the House K-12 Education Finance Division. The difference in the proposed appropriations is about \$500 million.

Conferees, however, are moving toward some policy agreements. The Senate submitted a policy offer May 6 indicating it would accept some House proposals allowing districts to authorize site-governed schools, approving special education reforms on restrictive procedures and expanding the P-20 partnership to include four members of the Legislature.

No action was taken on the offer pending House members' consideration of other Senate proposals such as allowing the St. Cloud school district to continue to receive Q Comp revenue despite repeated warnings by the education commissioner that it is out of compliance with its agreement; adding physical education to state academic standards; and, an alternative teacher training program for nontraditional candidates seeking a two-year temporary licensure.

Another difference is in the bodies' shared services proposals. House conferees don't support the Senate idea to mandate that districts work with a consultant who would be paid up to 5 percent of any savings garnered from sharing services or cooperative

purchasing. Instead, they prefer a plan whereby the state auditor would create a Web site to congregate existing best practices from districts or regional cooperatives, which would cost \$11,000 to set up and \$4,000 a year to maintain.

House members also resist the Senate's proposed 12-hour per week requirement for school readiness programs. Members agree with research indicating at-risk students benefit most from high quality early learning programs they attend at least 12 hours a week, but say some programs would be forced to cut students if required to expand hours. The Senate would allow districts to levy for the expansion. Assistant Education Commissioner Karen Klinzing suggested at the committee's May 5 hearing the possibility that sites be required to offer 12-hour per week programs but permit some students to attend fewer hours if parents prefer or can't afford more.

A number of differences remain unresolved including state academic standards, student assessments and Other Post Employment Benefit measures, as well as significant changes to the education finance formula. The Senate offers a consolidated levy that would replace three existing levies with a statewide average rate based on adjusted net tax capacity, which would raise some property taxpayers' burden but lower others. The House proposes the "new Minnesota Miracle," which would simplify the education funding formula, including eliminating the property tax levy as part of that formula in favor of state aid.

Although Greiling and Sen. LeRoy Stumpf (DFL-Plummer), conference committee co-chairs and sponsors of HF2/SF1328, have met with Gov. Tim Pawlenty to negotiate, the governor indicated his disappointment with several House and Senate positions in a May 4 letter.

For example, the House doesn't support the governor's desire to mandate Q Comp statewide by fiscal year 2011 at a cost of about \$41 million that year, followed by \$53 million and \$55 million, respectively, in fiscal years 2012 and 2013, nor his "pay for performance plan" linking extra district funding to student test performance, which would cost about \$90 million in the next biennium and \$101 million the following biennium. The letter said he considers these "critical" to the bill's chance of becoming law.

The House bill also excludes the governor's "Teaching Transformation Act" in favor of a proposal to enhance teacher professional development. Pawlenty warned in the letter that these provisions are "critical," and failure to include them in the final bill "will jeopardize the likelihood of the bill's success."

— K. BERGGREN

EMPLOYMENT

Garnishment modifications/remedies

**Signed
by
the
governor**

A new law aims to make the garnishment process more fair and useful to creditors and debtors.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Linda Scheid (DFL-Brooklyn Park), the law is the product of three years of negotiations between creditors, legal aid representatives and financial institutions. It modifies the timeline and forms required to be served related to certain exemptions that may be claimed by a judgment debtor.

Signed May 1 by Gov. Tim Pawlenty, it takes effect Aug. 1, 2009.

"The primary focus of the (law) is to make sure that the debtors who have exemptions that are released from garnishment process have access to their funds as quickly as possible," Hilstrom said. "This is in the best interest of the debtor, but also the creditor and the banks so that they are not pursuing funds that are not to be collected."

To do this, the mainly technical law:

- ensures that debtors get clear and proper notice prior to garnishment, including a second notice after the service of the summons explaining what they must do before their wages are garnished;
- simplifies the exemptions claim process for all parties, including updating necessary forms to put them into more plain language; and
- eases the process for people to protect exempt funds.

All parties that worked on the law asked Hilstrom to read the following message on the House floor: "This bill updates the exemption making changes that reflect their current names and deleting obsolete old ones. These changes are not meant to change existing law, nor are they intended to impact current or future case law."

HF334*/SF683/CH31

— M. COOK

ENVIRONMENT

Percent change for lake drawdowns

Government agencies that want to drawdown lake water to control invasive species would only need 75 percent of the lakefront owners to agree to the method, instead of the unanimous approval currently required, according to a bill passed by the House 120-12 May 4. Passed by the Senate one day later 60-0, it now awaits action by Gov. Tim Pawlenty.

Sponsored by Rep. Paul Rosenthal (DFL-

Edina) and Sen. Ken Kelash (DFL-Mpls), HF1539/SF640* would apply to temporary drawdowns, not permanent ones, and is intended for small and shallow lakes that become overgrown with non-native plants and fish, such as curly-leaf pondweed, Rosenthal said. Typically the reduction in water levels lasts for a couple of months in the fall.

The drawdown method is preferred by some municipalities in place of using chemicals to remove the invasive species.

A few members expressed concern for property owner rights. The bill requires that the commissioner of natural resources make findings of fact that the drawdown is in the public interest and hold public hearings.

— S. HEGARTY

Electronic-waste bill passes

Modifications to the Electronics Recycling Act were approved 112-19 by the House May 5 and will now be sent to the governor.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids) and Sen. Linda Higgins (DFL-Mpls), HF1648/SF1486* was passed 65-0 by the Senate April 7.

When the act began in 2007, 11.6 tons of electronic waste was diverted from landfills because manufacturers of electronic products, such as computers, televisions and other electronic video devices, were required to collect the waste for recycling. Manufacturers received credits toward an annual goal of retracting 60 percent of equal amounts that they sold the previous year.

Public collection events were so successful, the retailers and manufacturers earned enough recycling credits to last up to three years. To avoid the possibility that some manufacturers could stop collections until they run out of credits, the bill proposes minor changes to the law.

It removes a three-year cap for when manufacturers must use their credits but it limits their ability to apply past credits to just 25 percent per year.

Between July 1, 2007 and June 30, 2008, an estimated 6.3 pounds of electronic waste per Minnesotan was collected for recycling.

— S. HEGARTY

River board reorganization passes

Heading to the governor is a bill to reorganize the Minnesota River Joint Powers Board in southern Minnesota.

Sponsored by Rep. Terry Morrow (DFL-St. Peter) and Sen. Dennis Frederickson (R-New Ulm), HF955/SF275* would rename the board the Minnesota River Board and make a number of changes to its purpose, duties and membership structure. House approval came May 5 on a 118-13 vote. The Senate passed the

FAST RELIEF?



PHOTO BY TOM OLMSCHIED

Taxes conference committee chairs Rep. Ann Lenczewski and Sen. Tom Bakk talk prior to the May 1 meeting. A bottle of Budget Proposal Heartburn Caplets sat at each member's position around the conference committee table.

bill 63-0 on March 26.

Comprised of representatives from the 12 major watersheds in the area, the joint powers board was established in 1995 to improve and protect water quality in the Minnesota River basin. Proposed reorganization plans include collaboration with the Water Resource Center at Minnesota State University, Mankato and the creation of an advisory committee, which must convene prior to Dec. 31, 2009 and serve as a forum for issues the board should address.

The board would be required to compile and submit reports to the Legislature about the results and progress of water cleanup efforts within the basin.

— S. HEGARTY

Sewage system regulations modified

Technical changes to current laws regarding subsurface sewage treatment systems were passed 99-34 May 4 by the House.

According to HF1275*/SF1449, the Pollution Control Agency would adopt new rules pertaining to the closure of sewage treatment systems. Also, a system inspection would be required before a homeowner could be eligible to receive a building permit. If the property

containing a subsurface water treatment system is sold, the seller would have to disclose to the buyer information relative to the compliance status of the treatment system, and whether a straight-pipe system exists. If a previous inspection report exists, a copy would need to be attached to the disclosure statement.

Sponsored by Rep. Jeanne Poppe (DFL-Austin) and Sen. Lisa Fobbe (DFL-Zimmerman), the bill awaits action by the Senate floor.

— S. HEGARTY

HEALTH

House passes health policy omnibus

The omnibus health and human services policy bill was passed 90-42 May 6 by the House.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF1760 includes technical changes to continuing care for the aging and adult services; doula services definition changes; modifications to safe patient handling in clinical settings; certain restrictions on those who can participate in a clinical drug trial;

and the establishment of a working group to study nursing staffing levels when adverse health care events occur.

The bill now goes to the Senate, where Sen. Tony Lourey (DFL-Kerrick) is the sponsor.

Doula services would be defined as “continuous emotional and physical support throughout labor and birth, and intermittently during the prenatal and postpartum periods.”

Thissen removed a controversial portion that would have exempted the collection of genetic information from newborns from the state's written informed consent laws.

Rep. Erin Murphy (DFL-St. Paul) successfully offered an amendment that would require health care providers to annually provide information on certain transactions, including increased rates paid to providers categorized by subspecialty and primary care, to the human services commissioner. She said that knowing the exact rates would help in dealing with rising health care costs.

An amendment unsuccessfully offered by Rep. Steve Gottwalt (R-St. Cloud) would have created a health care coverage program that would essentially replace MinnesotaCare. Gottwalt said the “Healthy Minnesota Plan”

would pay providers at commercial rates and provide better health care for adults currently on MinnesotaCare.

While the plan is intriguing and raises some interesting questions about current state health care programs, there are still unanswered financial questions on how to fund the program, Thissen said.

— P. OSTBERG

Specialty psychiatric hospital sought

Imagine having a child needing psychiatric services, but having to send them hundreds of miles away because all the hospital beds near your home are full. That is the impetus for a bill that would allow a specialty psychiatric hospital to be built in western Hennepin County to serve patients under the age of 21.

HF665/SF615*, sponsored by Rep. Marsha Swails (DFL-Woodbury) and Sen. Yvonne Prettner Solon (DFL-Duluth), would allow for an exception to the hospital moratorium by approving the hospital construction of 20 beds for young patients.

Passed 117-13 by the House May 5, it awaits action by Gov. Tim Pawlenty. The Senate passed the bill 62-0 April 20.

The hospital would be a private initiative by Prairie St. John's, said Swails.

As the severe shortage of child and adolescent beds in the state continues to worsen, the addition of 20 beds would give teens and adolescents the inpatient mental health services they need in a time crisis, Swails said.

Rep. Joyce Peppin (R-Rogers) said the proposal needs more community input, noting neither she or members of her city council were contacted by Prairie St. John's about the proposal. Allowing a hospital to be built without community input "might make some of your constituents a little uncomfortable."

Rep. Laura Brod (R-New Prague) said, while the hospital might not be the perfect location, there is a need for those services.

— P. OSTBERG

Isolation and quarantine

How the state will mass dispense vaccinations or prescription drugs in the case of a public emergency are defined in a bill now awaiting signature by Gov. Tim Pawlenty.

HF1554/SF1462*, sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Yvonne Prettner Solon (DFL-Duluth), was passed 122-8 by the House May 5; 57-6 by the Senate April 30.

It would create three dispensing methods: a designated representative of a household could pick up prescription drugs or vaccines for that household; postal carriers could deliver drugs to households; and a closed-

point of dispensing in which a business, church or other organization could be a center for dispensing drugs to a limited number of people. A closed-point would not be open to the public.

The bill would remove a sunset provision on peace officer's authority to use force when a person resists isolation and quarantine required by a court order.

The health commissioner would be authorized to purchase vaccines, antitoxins, serums, immunizing agents, antibiotics, antivirals, antidotes, other pharmaceutical agents and medical supplies. The commissioner could also request Minnesota Responds Medical Reserve Corps health volunteers to help in case of emergency.

Rep. Mary Liz Holberg (R-Lakeville) said the changes could minimize individual people's rights and have never been "road tested."

Winkler responded that until the state "road tests" the changes, "we're not going have any kind of results."

— P. OSTBERG

HOUSING

Foreclosure accountability

A bill that could help prevent desperate homeowners from being taken advantage of by consultants who offer help to avoid foreclosure but don't follow through awaits conference committee action.

"What we're doing is closing some loopholes in the statute," said Rep. Joe Mullery (DFL-Mpls), who sponsors HF903/SF708* with Sen. Lisa Fobbe (DFL-Zimmerman). "It gets at a lot of the problems with people who say they're going to help people with mortgage problems" but instead take payment without providing the services they promise.

The Senate, which passed the bill 60-4 March 30, refused to concur with amended House bill, passed 131-1 May 4.

The bill would modify a 2004 law regulating mortgage foreclosure consultant contracts by clarifying that people classified as mortgage consultants, including originators of mortgages who negotiate or renegotiate a mortgage and nonprofit agency counselors who work with people at risk of foreclosure, may collect a fee only after the services have been performed.

As amended by the House, the bill would allow an owner of homestead real estate consisting of one to four residential units to postpone a mortgage foreclosure sale for five months. That provision would give the homeowner more time to reinstate the mortgage loan by paying off the amount in

default plus associated costs, rather than the entire amount mortgage loan after the foreclosure sale.

— K. BERGGREN

INSURANCE

Proof of insurance clarifications

With more contractors and individuals seeking proof of insurance from their subcontractors, some changes in law are requested to get all provisions relating to certificates of insurance under one statute.

Sponsored by Rep. Greg Davids (R-Preston), HF534 would clarify procedures of the certificate, which is used to prove that a person has coverage, the type of coverage and what coverage is in force at the time of the certificate. Passed 131-0 by the House May 5, it now goes to the Senate where Sen. Dan Skogen (DFL-Hewitt) is the sponsor.

Clarifications include language that the certificate is nothing more than proof of insurance and that the certificate can't change the underlying coverage in the policy. The bill would also prohibit insurance agents from altering certificates to suggest anything contrary to the policy.

— L. SCHUTZ

Short-term coverage for unemployed

Increasing unemployment numbers are translating to more people losing their health care coverage. However, thanks to funds from the American Recovery and Reinvestment Act of 2009, some could see their coverage continued and their payments subsidized.

Signed May 6 by Gov. Tim Pawlenty, and effective the next day, the law will ensure that employers with fewer than 20 people have the same benefit as their larger counterparts, under terms of Minnesota's "mini-COBRA" statute.

Qualified employees who have been involuntarily terminated for reasons other than misconduct will see the federal government provide a 65 percent subsidy toward their COBRA premiums for up to nine months of coverage, while reducing an enrollee's share of the premium to 35 percent. People terminated between Sept. 1, 2008, and Feb. 16, 2009, who originally declined COBRA coverage or unenrolled by Feb. 16, will have a second chance to accept the coverage now that the federal subsidy is available.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsor the law.

HF2138/SF1904*/CH33

— L. SCHUTZ

MINORITY BRIEFING



PHOTO BY TOM OLMSCHEID

House Minority Leader Marty Seifert talks with the press after the House Republican Caucus met with Gov. Tim Pawlenty May 4 to discuss legislation.

LOCAL GOVERNMENT

Hennepin County rule changes

Hennepin County would be allowed to streamline its human resources policies, under a bill awaiting gubernatorial action.

Sponsored by Rep. Kurt Zellers (R-Maple Grove) and Sen. Ann Rest (DFL-New Hope), HF940/SF729* would make technical changes requested by the county. Currently Hennepin County's human resources policies are governed by state laws as well as the county's

own rules. The bill would change state law to conform to internal rule changes recently adopted by the county.

Under the bill's provisions, department directors and the county human resources director would be given more discretion to set policies regarding the length of probationary periods, compensation plans and non-disciplinary appeals. Currently, the authority in such matters resides in the county board.

The bill was passed as amended 128-4 by the House May 4 and repassed 60-1 by the Senate May 5.

— N. BUSSE

Sanitary district dissolution

The Central Lakes Regional Sanitary District would be allowed to dissolve, under a bill awaiting action by Gov. Tim Pawlenty.

Established in 2003, the district was to construct a wastewater collection system spanning several townships in north-central Minnesota; however, it ran into a number of problems, including opposition from residents. It now plans to dissolve.

Rep. Torrey Westrom (R-Elbow Lake) said HF1501/SF1489* would clarify statutes so that the district has a "path to dissolution." He said the townships' residents and local leaders support the bill.

The House passed the bill 131-0 on May 5; the Senate passed it 61-0 on April 30. Westrom and Sen. Bill Ingebrigtsen (R-Alexandria) are the sponsors.

— N. BUSSE

Shoreland regulation changes

A bill that lawmakers hope will give some comfort to property owners who have spent years battling the Department of Natural Resources and local governments on the issue of shoreland regulations was passed by the House 130-0 on May 5.

Sponsored by Rep. Michael Nelson (DFL-Brooklyn Park), HF519 seeks to address the longstanding problem of DNR shoreland rules preventing property owners of legal nonconforming lots from selling or otherwise using their land as they see fit.

Nelson explained the problem by giving the example of a property owner on a lake who purchases a cabin on the lot next to him. DNR rules currently prohibit that property owner from selling the property he acquired, Nelson said.

"There's people out there who inadvertently bought the lot next to them on the lakeshore, and found out now that they can't sell it. Or, they bought it for investment purposes, and now they can't sell it," he said, explaining that the bill would remedy the situation.

The bill's language is based on a compromise reached last year by a working group comprised of DNR officials, realtors, builders and local governments.

Rep. Torrey Westrom (R-Elbow Lake), who has sponsored similar bills in the past, said he was "glad to see some progress" on the issue.

"I think there are scenarios we're still going to find this doesn't cover, but it's a very good step forward," Westrom said.

Rep. David Dill (DFL-Crane Lake) successfully amended the bill to include protections for landowners in cases where their properties are destroyed and DNR rules prevent them from rebuilding in their current locations.

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

— N. BUSSE

MILITARY

Power of attorney short form

It might become easier for some active military personnel to give power of attorney.

Sponsored by Rep. Mike Obermueller (DFL-Eagan) and Sen. Tarryl Clark (DFL-St. Cloud), HF1960*/SF1712 would create a new short form for active duty Minnesota military personnel serving outside the state.

Approved 131-0 by the House May 5, it awaits Senate action.

"The power of attorney provided in this short form is the same as any other," Obermueller said. "It just gives another tool for military personnel about to be deployed outside the state to give power attorney to usually a family member or friend." It would automatically expire when the person is off active duty.

Obermueller said the greatest difference between the current form and that proposed is accountability.

"This bill provides that unless the service person thinks otherwise, there's going to be an accounting of the money spent or used by the attorney-in-fact," Obermueller said. "That is not in current law, although you could always negotiate that or use that point if you wanted to have it. This sets it out as a baseline."

Rep. Dan Severson (R-Sauk Rapids) wondered if there are safety measures in the bill so the power of attorney is not abused and future earnings are not put in jeopardy.

"If the short form is used, it does prohibit the power of attorney from transferring money to themselves out of the accounts," Obermueller said. The attorney-in-fact must also report what money was used and for what purpose. "If you just sign the short form as it is would provide that quarterly, but you could even put it in place, as part of signing off on it as the principal, at weekly, monthly or once a year, however you want to do it."

— M. COOK

SAFETY

'Brandon's Law' is now law

**Signed
by
the
governor**

A new law is designed to help find missing and endangered adults more quickly.

Sponsored by Rep. Marty Seifert (R-Marshall) and Sen.

Dennis Frederickson (R-New Ulm), "Brandon's Law," signed by Gov. Tim

Pawlenty May 7 expands the state's missing children's law to include adults who go missing under dangerous circumstances. It takes effect July 1, 2009.

The law is named after Brandon Swanson, whose car got stuck in a ditch near Taunton along the Lincoln and Lyon county line in southwest Minnesota on May 14, 2008. As his parents were on their way to help, the cell phone connection went dead at 3:10 a.m. He hasn't been heard from since.

Brandon's parents, Brian and Annette Swanson, and his sister Jamine were in attendance during the governor's signing ceremony.

The law will require law enforcement to take a missing persons report without delay after notification of someone missing under dangerous circumstances, no matter the missing person's age; immediately conduct a preliminary investigation to determine if the person is missing, and whether the person is endangered; and promptly notify all other law enforcement agencies of the situation. It clarifies that the agency taking the report be the lead agency in the investigation.

Law enforcement will be required to seek additional information — including DNA samples, dental records, X-rays, photographs and fingerprints — if the missing person is not found within 30 days.

A working group will be convened to create a standardized form for law enforcement to use when taking a missing persons report, and to develop "a model policy that incorporates standard processes, procedures, and information to be provided to interested persons regarding developments in a missing person case." Its work is to be complete by Sept. 1, 2009.

The Jon Francis Foundation has agreed to pay the approximate \$10,000 cost for the working group. Francis, a 24-year-old Stillwater native, was missing for more than a year in Idaho's Sawtooth Mountains before his remains were found on July 24, 2007. The parents of Jon Francis, David and Linda Francis, were also at the signing ceremony.

HF1242*/SF1146/CH38

— M. COOK

Drug and alcohol testing

A simple change in statute would allow state workers with commercial driver's licenses to receive their required drug and alcohol testing from the federal government rather than the state.

HF1820/SF1172*, sponsored by Rep. Paul Rosenthal (DFL-Edina) and Sen. Amy Koch (R-Buffalo), would extend an exemption on drug and alcohol testing currently applied to local governments to include the state as well.

Under the bill, as long as state drivers with commercial licenses were covered by the federal regulations, the state regulations would not apply.

"This relieves the pressure on our administration and also keeps in place appeal processes for employees," Rosenthal said, adding that the issue was brought forward by Minnesota Management and Budget.

Passed 131-0 by the House on May 6, the bill now awaits action by the governor. The Senate passed it 66-0 on April 24.

— N. BUSSE

Omnibus policy bill to Pawlenty

Awaiting action by the governor is an omnibus public safety policy bill that covers a number of areas.

"This bill increases public safety by increasing the requirements on predatory offenders, it eases the mandates on state agencies and it provides the needed assistance to local agencies in times of an emergency," said Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors HF1301*/SF993 with Sen. Mee Moua (DFL-St. Paul).

It was approved 130-0 by the House May 5 and 63-0 by the Senate one day later.

Hilstrom said 30 bills from House members are included in the omnibus package.

Rep. Karla Bigham (DFL-Cottage Grove) offered three provisions that made the final bill: prohibiting the use of electronic devices to sexually solicit children; permitting corrections personnel to conduct unannounced searches of computers, or other electronic devices capable of accessing the Internet, used by offenders on intensive supervised release; and prohibiting someone required to register as a predatory offender from accessing social networking Web sites, instant messaging and chat room programs.

"We are being on the forefront of this, and keeping up with technology and protecting our citizens," she said.

In the area of crime victims, the bill increases from 12 to 24 hours the time an officer may arrest a person who the officer has probable cause to believe committed domestic abuse, expands the ability of judicial districts to create domestic fatality review teams and would require prosecutors to notify victims of criminal sexual conduct about civil protection orders.

Other provisions include:

- businesses that sell over-the-counter methamphetamine precursor drugs would be required to retain a sale log for three years and make it available for inspection by law enforcement at all reasonable times;
- commercial retailers could not sell a toy designed for children under age 12 that has

- been recalled for safety reasons;
- public employers could not consider an applicant's criminal background history prior to an interview;
- cities could establish a license reinstatement diversion pilot program for specified persons charged with driving after a suspension or revocation, but have not yet entered a plea;
- the state's trespass law would expand to include crossing into or entering any public or private area lawfully cordoned off by a peace officer;
- a state policy to eliminate racial, gender and ethnic fairness barriers in the courts would be set forth;
- a court could order an aggravated sentence beyond what is specified in the sentencing guidelines grid based on an aggravating factor arising from the same course of conduct; and
- the appointment of a working group to review changes to the state's laws and policies on DWI offenders.

— M. COOK

Making Safe at Home more secure

More safety is sought for the Safe at Home program.

Administered by the Office of the Secretary of State, the address confidentiality program aims to provide extra security for the approximately 226 participants.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Mee Moua (DFL-St. Paul), HF1677*/SF1452 does two things: states that sex offenders cannot be in the program, and it would supersede local ordinances that require a person to post their name outside of an apartment building where they are residing. In some buildings, a listing in the entryway contains each tenant's name and apartment number.

The bill was approved 131-0 by the House May 5, and now awaits Senate action.

"Essentially the Safe at Home program is a place where people who are abused or in an abusive relationship or the victims of domestic abuse can have a P.O. Box as their address so their offender can't get at them," Simon said.

He said the bill is the result of an agreement between the Minnesota Sheriff's Association, the League of Minnesota Cities and other stakeholders.

"Having been around as secretary of state and initiating the Safe at Home program, and having bipartisan support, it's good to see this bill progressing, being improved and also to see it having functioned in the way in which it was intended," said Rep. Mary Kiffmeyer (R-Big Lake).

— M. COOK

TAXES

Technical tax changes

A tax bill not seen as controversial, received about an hour and half of debate on the House floor on May 7.

Passing 120-11 and sponsored by Rep. Ann Lenczewski (DFL-Bloomington), HF885 would make technical tax law changes, as recommended by the Department of Revenue. Some of these changes include extending the time for filing estate tax returns; and expanding the exclusion of prepared food and soft drinks from the government and nonprofit sales tax exemptions to alcoholic beverages. A companion, SF681, sponsored by Sen. Tom Bakk (DFL-Cook), awaits Senate floor action.

Nine of the 10 amendments offered were not adopted, ranging from including horses as livestock in the tax code to offering an education credit.

One amendment offered successfully by Rep. Kurt Zellers (R-Maple Grove) would prevent the governor from appointing a revenue commissioner who has been convicted of a criminal violation of a federal or state tax or revenue law, who has failed to file a required original individual income tax return within one year of its due date, or who has unpaid federal, state, or local taxes for a prior taxable year when the appointment is announced to the public. This same amendment was adopted to the House's federal tax conformity bill earlier in the session, but was deleted during a conference committee.

The House took up HF885 again on the floor because of changes made to the bill by the Senate. The Senate passed a delete-all amendment for HF885 using the language of SF681 devoid of numbers. In a 117-0 vote, the House did not concur on the change and a conference committee was appointed.

— S. HEGMAN

TECHNOLOGY

Bioscience infrastructure grants

**Signed
by
the
governor**

State colleges and universities will be eligible for bioscience business infrastructure grants, under a new law.

Signed by Gov. Tim Pawlenty May 6, and sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Kathy Sheran (DFL-Mankato), the law will make the University of Minnesota and the Minnesota State Colleges and Universities system eligible to receive money under the

state's bioscience business development infrastructure program.

The program, run by the Department of Employment and Economic Development, allows state General Obligation bonds to be used for grants to cover capital costs for bioscience-related business facilities.

Currently only local governments are eligible for the grants. The change will address issues at Minnesota State University, Mankato and the University of Minnesota Morris. Both schools were authorized to receive funding for bioscience projects, only to learn they could not accept it because they were not technically eligible for the program.

In addition, the law specifies that local governments or institutions receiving grant money must pay for at least half of the cost of the completed project using non-state funds.

The law takes effect Aug. 1, 2009.

HF868/SF684*/CH35

— N. BUSSE

Statutory speed limit changes

Recommendations from a speed limit study are en route to the governor's office.

Sponsored by Rep. Peggy Scott (R-Andover) and Sen. Lisa Fobbe (DFL-Zimmerman), HF1421/SF1467* would make various modifications and clarifications to statutory speed limits.

Amended and approved 126-5 by the House May 5, the Senate concurred with the one-word change and repassed the bill 53-0 one day later.

"In 2007, the Legislature asked (the Department of Transportation) to form a task force with some city and county persons to look over kind of a void in statute that covers areas that used to be fairly rural, but now have been developed to the point where speed limits in those areas that used to be 55 mph are too fast," Scott said.

The bill would change the speed limit to 35 mph along rural residential districts where the homes are spaced 300 feet or less along those roads, if adopted by the local road authority.

Scott said the bill has no state cost, and would have minimal costs to local units of government.

The bill also narrows the definition of a "residential roadway" and clarifies that an "urban district" can be on a city street or town road.

— M. COOK

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Slapshots and budget-chops

Hockey controversy tops off bill that cuts jobs and housing programs

By Nick Busse

You might be forgiven for thinking that a pair of provisions dealing with ice hockey are relatively small items in the conference report on SF2081, the omnibus economic development finance bill. After all, the bill includes budget cuts for jobs and housing at a time when the state is experiencing a jobs and housing crisis — something the bill's sponsor isn't happy about.

"The story, members, is about cuts. Because that's what it's all about this year," Rep. Tom Rukavina (DFL-Virginia) told House members on the floor May 5.

But in the debate that followed, the story was actually all about hockey, as House Republicans seized on a provision that would forgive nearly \$33 million of a \$48 million state loan to St. Paul for the Xcel Energy Center.

The city has asked the state to forgive the loan to help pay for "The Pond" — a proposed multi-use hockey rink across the street from the Xcel. Calling the provision a "bailout," House Minority Leader Marty Seifert (R-Marshall) noted that it comes at a time of record budget deficits for the state.

"Go back to your coffee shop, go back to your hardware store like I did in Marshall ... and ask people if you think this is an opportune time for us to be forgiving over \$30 million that's owed to the state of Minnesota," Seifert said.

Supporters defended the provision as an important economic development project. Rep. Tim Mahoney (DFL-St. Paul), who sponsored the proposal, noted that St. Paul would still be required to make its scheduled loan payments through 2014, leaving no impact on the state's current budget crisis.

"St. Paul agreed to a bad deal, and we're back here asking you to fix that bad deal,"

Mahoney said, summarizing a common argument among supporters who believe the Xcel should've been paid for with state bonds instead of a loan.

St. Paul's proposed new ice arena wasn't the only hockey-related provision that drew fire. As amended by conference committee, the bill also includes a Senate-sponsored provision that would designate ice hockey as the official state sport.

"We're sending a pretty bad message to the rest of the athletes ... if we're making one sport as the sport of the state of Minnesota," said Rep. Bob Dettmer (R-Forest Lake).

Painful cuts

In the end, the House voted 74-57 to pass the conference report. Having been approved 38-23 the previous day by the Senate, the bill now awaits action by Gov. Tim Pawlenty.

The conference committee report spends significantly less than the bill passed 78-50 by the House on April 24. During negotiations with executive agency staff, it became clear that the governor would not sign off on a House plan to raise the workforce development

fee paid by Minnesota employers from 0.10 percent of taxable wages to 0.14 percent for the next biennium. Instead, a compromise was reached at a 0.12 percent raise — a difference of about \$15.4 million in revenue, the loss of which forced House conferees to accept deeper agency budget cuts.

The Housing Finance Agency, which the House had tried to hold harmless in its budget proposals, would have to take a 3.5 percent cut. Programs facing base reductions include the Housing Challenge Program, the Homeownership Assistance Fund and the Affordable Rental Investment Fund.

Rep. Karen Clark (DFL-Mpls), who chairs the House Housing Finance and Policy and Public Health Finance Division, said she felt "terrible" about the cuts, and blames the governor for not letting them raise more revenue.

"The thing about housing is it just returns back so much to the community," Clark said. "It was disappointing to not be able to more fully fund housing as we had in the House bill."

Business and workforce development programs funded through the Department of Employment and Economic Development also take reductions in the conference report, to the tune of 3.9 percent. The increase in the workforce development fee should sustain many current programs; however, one

that did not make the final cut was the wage subsidy pilot project proposed by Rukavina and based on the 1980s-era Minnesota Emergency Employment Development program. A \$15 million request for the project was included in the House language.

Other budget cuts include:

- 3.5 percent for Explore Minnesota Tourism;
- 6.2 percent for the Minnesota Historical Society; and
- 16.6 percent for the Board of the Arts.

In all cases, the governor had proposed deeper cuts — up to 50 percent, in the case of the arts

'The story, members, is about cuts. Because that's what it's all about this year.'

— Rep. Tom Rukavina



PHOTO BY TOM OLMSCHIED

A provision in the omnibus economic development finance bill would allow this parking lot near the Xcel Energy Center in downtown St. Paul to become the future sight of “The Pond,” a proposed multi-use indoor ice arena. The bill would forgive nearly \$33 million of an outstanding loan to the city to help finance the project.

board. Rukavina said he is not proud of the cuts, but that there was no way around them.

“We cut, we cut, we cut. We can’t create jobs when we’re cutting, but we did the best we could,” he said.

Policy

A House proposal to strengthen prevailing wage requirements for state contractors is included in the conference report with some modified language suggested by the Department of Labor and Industry. The provisions come from legislation sponsored by Mahoney.

Also included is a requirement that public employers purchase uniforms and safety equipment only manufactured in the United States. Sponsored by Rukavina, the proposal would take effect Jan. 1, 2010, or after current state contracts expire, whichever is later.

The bill would establish an 18-member bipartisan Economic Development Strategy Working Group to establish an overall economic growth strategy for the state. Made up of six senators, six House members and six public members, the group would work under the umbrella of the Legislative Coordinating Commission. Mahoney sponsors the provision.

The Board of Barber and Cosmetologist Examiners would be split into two separate boards. Rep. Bob Gunther (R-Fairmont), who

played a role in the 2004 merging of the Board of Barbers with the Cosmetology Division of the Commerce Department, said the proposal was drafted at the request of barbers who opposed the merger from the beginning.

A provision sponsored by Rep. Frank Hornstein (DFL-Mpls) that would allow Delta Airlines flight attendants taking unpaid furloughs as part of their contracts to collect unemployment benefits is also included in the conference report.

‘Go back to your coffee shop, go back to your hardware store like I did in Marshall ... and ask people if you think this is an opportune time for us to be forgiving over \$30 million that’s owed to the state of Minnesota.’

— House Minority Leader Marty Seifert

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Helping transit, for now

Transportation bill includes short-term transit funding fix

By Mike Cook

Transit will not come to a screeching halt in some areas, road construction will not get as much state funding, but the state patrol will remain whole.

All in all, supporters say HF1309*/SF1276 is not a bad omnibus transportation finance bill in these tough economic times.

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Steve Murphy (DFL-Red Wing), the bill calls for nearly \$4.29 billion worth of funding, but just \$194.27 million from the General Fund, a \$17.3 million decrease from the current biennium. More than \$3.9 billion comes via user-generated highway funds, including \$2.64 billion from the trunk highway funds, \$1.02 billion from

the County-State Aid Highway Fund and \$275.4 million from the Municipal State-Aid Street Fund. Three smaller accounts make up the remainder.

The bill contains no property tax increases, and the proposed taking of money designed for a gas tax credit for low-income Minnesotans is absent.

"We did most of what the governor wanted," said Rep. Frank Hornstein (DFL-Mpls). "This is a compromise bill. All parties gave a little."



PHOTO BY TOM OLMSCHEID

Sen. Steve Murphy, left, talks with Rep. Bernie Lieder prior to the May 1 Transportation Finance Conference Committee meeting.

Transit funding

Lieder and Murphy said the big issue was how to fund transit. Lieder said the Metropolitan Council — which operates Metro Transit — needs roughly \$76 million and Greater Minnesota transit needs \$6 million. However, no revenue source exists to help to that extent.

Working with the Metropolitan Council, Department of Transportation and the governor's office, Lieder said a "reasonable solution" was reached.

Dollars from the motor vehicle sales tax are currently split so that, in fiscal year 2012, 60 percent of revenue will go to highways, 36 percent to Metro Transit and 4 percent for Greater Minnesota Transit. None of that changes, under the bill.

"We're just changing those percentage amounts a little bit so we can put a little bit of money in Greater Minnesota transit and into metropolitan transit," Murphy said.

The proposal calls for Greater Minnesota Transit to receive 4.75 percent in fiscal year 2010, before dropping back to 4 percent in future years, while reducing the allocation to the highway-user fund by 0.75 percent for one fiscal year, or about \$19 million.

"We're just going to be taking care of these folks right now," Murphy said. "Going forward this gap that is happening there, we need to figure out how to take care of that."

Relying on these funds for future transit needs, instead of roads, should be of concern because motor vehicle sales are decreasing, said Sen. Julianne Ortman (R-Chanhassen). "When you sell less cars, there are less revenues for MVST (motor vehicle sales tax) and we're going to continue to raid those funds and pay for more transit. We're creating these cycles."

Greater Minnesota transit gets help in another pair of ways.

In addition to receiving \$2.5 million to fill an immediate short-term need by shifting money from future years to fill a fiscal year 2009 operating shortfall, state payments for operating procedures are adjusted to allow for additional flexibility so that providers with cash flow issues can receive payments earlier than under the current schedule.

Both the House and Senate proposals included a \$7.56 million shift to assist all Greater Minnesota transit providers, but MnDOT took a closer look at all services and



PHOTO BY TOM OLMSCHIED

The transportation finance conference committee meets May 1.

determined just \$2.5 million was needed to meet immediate cash flow needs. “We wanted to focus on the areas where the need would be the most,” said Deputy Commissioner Khani Sahebjam. “That way we were able to take care of those folks that really need the help.”

To help Metro Transit, the agency is permitted to transfer in fiscal years 2009, 2010 and 2011 a percentage of money not committed to grant or loan awards to its transit operating budget, from its tax base revitalization account, metropolitan livable communities demonstration account and right-of-way acquisition loan fund, as well as current and future balances in the metropolitan livable communities fund. The agency is also expected to receive about \$13 million in MVST acceleration.

The bill leaves Metro Transit about \$3 million short, but it presumes no price hikes or service reductions will be needed in the next year.

“We will be able to balance the budget without a fare increase, but would very much appreciate we not be precluded from doing a fare increase given unusual circumstances, fuel increases, a drop in ridership and the like,” said Peter Bell, the council chair. A provision to prohibit fare increases through fiscal year 2011 was removed by conferees.

The bill does permit the Metropolitan Council to establish a pilot program to sell half-price transit fares to eligible charitable organizations for use by homeless persons.

Roads

Conferees were also charged with addressing an approximately \$155 million decrease in revenues for MnDOT.

Conferees took \$120 million from its construction account, \$17.25 million in infrastructure operations and maintenance, \$13.58 million from infrastructure investment support, \$2.97 million from department support and \$1.19 million from department buildings.

“All the construction people that were in the room said this is OK because they got \$510 million of federal money,” Murphy said. “The locals were OK with this, as well, because a large chunk of that is going to our local partners to help with city streets, county roads and our township roads.”

The state patrol was not touched, something insisted upon by the governor.

“They’re the only ones I think we’ll see in the whole Legislature this year coming out with basically not a cut,” said Lieder, who noted the patrol got an increase of roughly \$7 million with last year’s transportation finance law. “We were assuming they should feel a little pain, as all the other departments, everybody else did.”

House Minority Leader Marty Seifert (R-Marshall) expressed concern about taking \$137 million from road construction and maintenance, while accelerating the motor vehicle sales tax to cover the transit shortfall. “That is one area where I feel that priorities are misplaced.”

He also said the bill does not address long-term cash flow problems in highway construction, expansion of four-lane roads and current road maintenance. “(This bill) is essentially putting together some Band-Aids on what is a very, very serious problem.”

Other provisions


The bill does not contain a Senate proposal for mandatory seatbelt usage, nor does it contain a provision from Rep. Tom Rukavina (DFL-Virginia) that would have allowed a driver to exceed the speed limit by 10 mph when passing another vehicle on a two-lane highway.

A Design-Build Project Selection Council is created to select, evaluate and support local state-aid projects conducive to the use of design-build contracting method. The council will expire the earlier of Oct. 1, 2012, or upon the completion of nine design-build projects.

MnDOT can authorize \$40 million in trunk highway bonds for construction of interchanges to promote economic development and a local match for federal grants to the state, split evenly between the Twin cities metropolitan area and Greater Minnesota transportation districts.

A \$2.25 million increase in airport development grants is authorized for fiscal year 2010.

An endowment account is created in the state treasury for operations and maintenance of the Stillwater lift bridge.

MnDOT is provided with powers and authority related to passenger rail, and it can create a grant program for rehabilitation or replacement of fracture-critical bridges. 

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Unearthing the state's past

Legacy bill moves through final process quickly, awaits floor action

By SONJA HEGMAN

The accidental unearthing of remains of American Indians has become a rather common occurrence in the state.

This according to Annamarie Hill and Jim Jones, executive director and cultural resource director, respectively, at the Indian Affairs Council.

"I bring forward the voice of the American Indian people, the voices of the past, our ancestors that lay within the grounds," Jones said during testimony before the House Cultural and Outdoor Resources Finance Division this session on how the constitutional legacy money should be spent. "Ancestors that keep getting accidentally unearthed, excavated, removed. Remains that are turned over to us almost every

month. Boxes, skeletal remains, partial remains. Things that we deal with on a day-to-day basis at the Indian Affairs Council."

Jones said the council did an inventory of the remains left in its collection, and the result is close to 550 remains, with 186 of those remains ready to "go back tomorrow if the tribes in the southwest (area of the state) came forward." But, he said, there's a process the council still has to go through to get one tribe to agree to take the remains, meaning the tribe needs to have a place to rebury the remains and it doesn't.

The Indian Affairs Council is requesting money from the constitutional legacy fund be used to supplement what it does already for the state under the private cemeteries act and under a mandated, unfunded federal law.

Sponsored by Rep. Mary Murphy (DFL-Hermantown), HF1231 would provide that new sales tax revenues be deposited in four dedicated funds, under the legacy amendment adopted onto the state's constitution last year. It increases the state's sales tax from 6.5 percent to 6.875 percent.

Jones said they are looking to the constitutional legacy fund to allocate money to the preservation and identification of burial sites and to create a program for more immediate response and recovery of accidental unearthings to assist landowners.

Proposed funding for the Indian Affairs Council in the bill is \$250,000 for the 2010-2011 biennium.

The process of recovering remains is quite arduous with the council having to go out to recover the remains and then determine what tribe the remains belong to. "The cuts proposed by the governor will affect this," Jones said.

In the past 10 years, there have been 12 to 15 accidental unearthings. Jones said the average is one or two per year, but that doesn't include what the council gets from various individuals, adding that one woman gave them remains she found in 1960.

Also, a few years ago Becker County had 17 bodies found in one spot.

"Each case is unique," Jones said, talking of the reburial process. "The ones in Becker County went back to the same spot." But some found last summer near Mille Lacs are still out of the ground. Jones said the Mille Lacs Band of Ojibwe will probably have to find room somewhere else for those remains because there's a sewer line that goes through the burial mound where they were found.



PHOTO BY TOM OLMSCHIED

During the May 5 meeting of the House Cultural and Outdoor Resources Finance Division, Garry Leaf, executive director of Sportsmen for Change, expressed his displeasure with the way heritage funds are proposed to be spent.

Heritage continued on page 21

Funding environment and energy

Conferees make additional spending cuts

By SUSAN HEGARTY

Conferees cut an additional \$16.5 million from the omnibus environment and energy finance bill before both legislative bodies passed the bill within minutes of each other May 4.

*HF2123/SF2099, sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul) passed the House 98-35 and 52-15 in the Senate.

Its fate rested in the hands of Gov. Tim Pawlenty Thursday but results were not available at the time of publication.

Environment

The environment portion, which includes General Fund appropriations for the Pollution Control Agency, Department of Natural Resources, Board of Water and Soil Resources, Minnesota Zoo, Science Museum of Minnesota and the Metropolitan Council for parks funding, shakes out to be \$305.7 million from the General Fund. That is less than the House proposed, but more than the Senate.

Conferees were able to keep basic funding for parks and water quality projects, which was important if the projects are to receive additional funds from the Outdoor Heritage Fund, Wagenius said. The fund resulted from passage of a constitutional amendment that requires that the dedicated tax receipts supplement traditional sources of funding and may not be used as a substitute, such as replacing General Fund cuts.

However, Wagenius was disappointed with conferees dilution of the Toxic Free Kids Act. "That was clearly the low point of our conference committee," she said.

Rep. Kate Knuth (DFL-New Brighton), who sponsored the Toxic Free Kids Act as HF250, said pressure from the governor's office resulted in its partial deletion from the law.

The Pollution Control Agency is directed to collect and prioritize a list of toxic chemicals, but the provision that required the agency to look for safer alternatives in children's products was removed by conferees.

"We'll keep working on toxic chemical policies because people think their government is taking care of toxic chemicals in products. That belief is being undermined," Knuth said.

Energy

Energy-related spending comprises \$54.3 million from the General Fund. At the Senate's suggestion, two money transfers will be completed.

In the first instance, \$500,000 will go from a dedicated fund in the Department of Commerce to the General Fund.

Another \$750,000 one-time transfer from the E85/biodiesel grant program will be made to the General Fund. Rep. Bill Hilty (DFL-Finlayson) said demand for the grants has dropped and the Office of Energy Security assured him there was enough grant money remaining to fund requests.

Besides the money transfers, a swap was done to provide a solution to a sticking point regarding usage of the federal stimulus money. Republican leaders argued that a \$1.5 million appropriation from the federal stimulus package would jeopardize the law because federal stimulus dollars may not be used for applied research.


When passed off the House floor, the law allocated \$1.5 million to the proposed

International Renewable Energy Technology Institute at Minnesota State University, Mankato. The institute is a public, private partnership of the state's colleges and universities system to gain renewable energy technology from Sweden.

Instead, conferees removed it from the law and appropriated \$1.5 million from the rural and energy development revolving loan fund to the institute. In its place within the energy finance bill, \$2 million was appropriated for an Emerging Renewable Energy Industries grant program.

When prioritizing where to save money, conferees cut administration costs and tried to spare the grant programs that help local government agencies complete their fieldwork, said Rep. Rick Hansen (DFL-South St. Paul). For example, the Board of Water and Soil Resources took a 10.8 percent budget cut.

"These are painful cuts, but they are effective cuts," Hansen said.

Nearly \$200 million of federal stimulus money was removed from the law, and is moving forward as HF680/SF657*, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Anderson. Now in the conference committee process, the bill uses federal stimulus funds for weatherizing low- to moderate-income homes and rental properties, establishes a window replacement option and a residential revolving loan program. 

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From beginning to end

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You don't have to know a bill's number or even the chief sponsor to find information on legislation you are interested in.

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- **Action Search:** this link offers dozens of possible status actions for bills in the House. This may also be handy if you are trying to determine whether a committee has reported on a certain bill or if you think a bill was acted upon on a certain day, but you're not sure of any other information.



The MyBills service allows a user to personalize bill tracking for current legislation, and be notified by e-mail of the bill's movement through the process.

The guts

Murphy's bill moved through the process quickly this week, being passed by the House Finance Committee, the House Rules and Legislative Administration Committee and the House Ways and Means Committee. It now awaits action on the House floor. There is no Senate companion.

The four newly created funds will go toward wildlife habitat, clean water, parks and trails, and arts and culture.

Murphy said the bill is the result of weeks of testimony about the potential impact of the money over the next 25 years, especially in the face of an economic downturn.

"One of the most moving learning experiences we had was the night when

the four historians talked about the WPA projects in Minnesota, and the effect it had in Minnesota," Murphy said. "We looked at this money from that point on as a kind of a stimulus for the economy in Minnesota."

Murphy says the bill provides a plan to guide the distribution of the legacy amendment money over the 25-year life of the tax. The tax goes into effect July 1 and funding would become available at the beginning of 2010.

Things of note for fiscal years 2010-2011 include:

- \$59.7 million from the Outdoors Heritage Fund to the Department of Natural Resources split among prairies; wetlands; forests; and fish, game and wildlife habitat;
- \$40.19 million from the Clean Water Fund to the Pollution Control Agency for grants,

drinking water protection, Minnesota River Water Quality testing and wastewater treatment monitoring;

- \$31.9 million from the Parks and Trails Fund to the Department of Natural Resources for grants and the state parks and trails legacy;
- \$25.37 million from the Clean Water Fund to the Public Facilities Authority for grants among small community wastewater treatment technical assistance and construction and phosphorus reduction; and
- \$20.9 million from the Arts and Cultural Heritage Fund to the Minnesota Historical Society for things including grants, assistance to local historical societies and the Minnesota History Educational Network.



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Tracking new laws, vetoes

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

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

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

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

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

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

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

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

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

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

CH	HF	SF	Description	Signed	Vetoed
1	4	4*	Unemployment; new base period for calculating benefits and a limited extension of benefits provided.	1/29/2009	
2	329	212*	Boiler operation regulation exception provided.	2/20/2009	
3	95	49*	Health Insurance premium credit created.	2/20/2009	
4	100	94*	I-35W bridge collapse survivor compensation process provisions clarified, indemnification rights specified, records of the special master panel access limited, testimonial privileges specified, and third-party subrogation or recovery claims prohibition clarified.	2/24/2009	
5	886*	824	General fund balance allocation exempted at end of fiscal year 2009.	3/2/2009	
6	177	162*	Moratorium on radiation therapy facility construction extended in certain counties.	3/11/2009	
7	56*	55	Stearns County; Grantee for parks appropriation corrected.	3/23/2009	
8	433	236*	Medal of Honor day designated as March 25.	4/1/2009	
9	1797*	1511	Federal economic recovery transportation funds receipt and appropriation provided.	4/1/2009	
10	1400	1142*	Honoring All Vietnam Era Veterans Day enacted.	4/3/2009	
11	865*	983	Wabasha and Olmsted Counties; Great River Ridge Trail established.	4/3/2009	
12	392*	252	Internal Revenue Code federal update provided, and net income and payment of corporate franchise tax refunds computation modified, requirements for appointment of commissioner of Department of Revenue modified, and Green Acres provisions modified.	4/3/2009	
13	117	95*	Deficiency funding provided for certain state agencies, and money appropriated.	4/6/2009	
14	1073	832*	Income tax; exception extended to minimum contacts required for jurisdiction to ownership of property on the premises of a printer.	4/6/2009	
15	1227	1197*	Minnesota law conformed to the requirements necessary to receive federal stimulus funds, and money appropriated.	4/8/2009	
16	1756	1329*	Federal funds allocated for clean water and drinking water loans and grants, money appropriated.	4/8/2009	
17	1615	743*	Petroleum standards updated, biodiesel blends and fuels standards established.	4/16/2009	
18	121	451*	Memorial signs erected on designated highways governing provision modified.	4/16/2009	
19	951	896*	Two or more existing municipal power agencies authorized to form a new municipal power agency.	4/16/2009	
20	1040	811*	McLeod West; ISDN 2887; Reorganization operating debt bonds issued.	4/16/2009	
21	619	757*	Public Safety Department authorized to collect fuel decal fee for International Fuel Tax Agreement, and cost of decal rule removed.	4/16/2009	
22	254	265*	Crime alerts required to be distributed in a format that disabled citizens can access.	4/16/2009	
23	110	335*	Irv Anderson Memorial Highway designated.	4/16/2009	
24	116	33*	Type III school bus driver qualifications modified.	4/23/2009	
25	1048	643*	Eligibility for unemployment benefits under certain training programs provided.	4/27/2009	
26	782	978*	Shaken baby syndrome training requirements changed in licensed programs.	4/27/2009	
27	2040	1454*	Shared work plan establishment.	4/30/2009	
28	486*	1183	Trunk highway system routes removed.	4/30/2009	
29	525	462*	DWI ignition interlock device pilot program expansion	4/30/2009	

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

CH	HF	SF	Description	Signed	Vetoed
30	332	261*	Transfer on death deeds technical modifications; common element certificates modifications; real estate designated transfer, power of attorney and cartway procedure modifications.	4/30/2009	
31	334*	683	Garnishment instructions, forms, procedures, and exemptions modified.	5/1/2009	
32	801*	779	State report and document laws modified.	5/1/2009	

BILL INTRODUCTIONS

MAY 4 - 7, 2009
HOUSE FILES 2362 - 2376

Monday, May 4

HF2362-Mahoney (DFL) Commerce & Labor

State Building Code preemption exemption created in certain cases and advisory committee established.

HF2363-Kalin (DFL)

Finance

Lindstrom; sewer systems and wastewater treatment facility improvement funding provided.

HF2364-Sertich (DFL)

Finance

Tax increment financing requirements modified, state investment in a loan guaranty program authorized, nonprofit housing bonds authorized, income tax credits provided and JOBZ program extended.

HF2365-Anderson, B. (R)

Energy Finance & Policy Division

A resolution memorializing the president, the secretary of energy and Congress to review national policy on used nuclear fuel.

HF2366-Kahn (DFL)

State & Local Government Operations Reform, Technology & Elections

Retirement; municipal amortization aid provisions modified.

HF2367-Marquart (DFL)

Taxes

Flood areas; property tax abatement provided for newly constructed residential structures in flood-damaged areas.

Tuesday, May 5

HF2368-Greiling (DFL)

State & Local Government Operations Reform, Technology & Elections

Experimental mail balloting pilot program authorized for certain elections in certain cities and school districts.

HF2369-Bunn (DFL)

Finance

Oak Park Heights; funding provided for cost-sharing purchase and construction of geothermal heating and cooling system.

HF2370-Garofalo (R)

Commerce & Labor

Federal Internet gambling investigations and enforcement prohibited without prior legislative approval.

HF2371-Brod (R)

K-12 Education Policy & Oversight

Licensed kindergarten through grade 12 teachers offered a multiyear employment contract and performance-based compensation as an alternative to continuing employment.

Thursday, May 7

HF2372-Davnie (DFL)

State & Local Government Operations Reform, Technology & Elections

Minneapolis; Special street light provisions repealed.

HF2373-Brod (R)

Energy Finance & Policy Division

Minnesota Public Utilities Commission, or its successor, provided authority to issue a certificate of need for the construction of a nuclear electric generating plant, and constitutional amendment proposed.

HF2374-Olin (DFL)

Finance

Student loan forgiveness program established for dentists to increase enrollment in the University of Minnesota School of Dentistry, and money appropriated.

HF2375-Hayden (DFL)

State & Local Government Operations Reform, Technology & Elections

Juneteenth governing provisions modified.

HF2376-Emmer (R)

Public Safety Policy & Oversight

Firearm, firearm accessory or ammunition manufactured and retained in Minnesota exempted from federal regulation under the commerce clause of the Constitution on the United States.

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MINORITY LEADER: MARTY SEIFERT

MINNESOTA INDEX

Reel economy

Year Minnesota Motion Picture and Television Board office (now Minnesota Film and TV Board) opened.....	1983
Number of films made in Minnesota during the 1990s.....	65
Year Disney's "The Mighty Ducks" was shot in Minnesota.....	1992
Number of Disney films made here.....	4
Peak year for films shot in the state.....	1995
Number of films shot here	9
Year Snowbate production incentive rebate program debuted.....	1997
Year Snowbate was defunded.....	2002
Year Snowbate funds were re-appropriated by Legislature.....	2006
Applications to Snowbate program between fiscal years 2007-2009	73
Projects certified; denied or withdrawn.....	47, 26
Estimated jobs, as FTEs, created from 31 projects now in progress	215
Estimated millions of in-state expenditures qualifying for Snowbate	\$11.6
Estimated millions reimbursed on those projects.....	\$2.05
Movies and television shows filmed in Minnesota in 2008, 2007	14, 4
Millions in 2007 state wages paid, movie and TV production and distribution industry.....	\$340.8
Billions in 2007 California wages paid to the movie and TV industry.....	\$16.33
Minnesota mean hourly wage for an actor (including stage, TV and film).....	\$21.30
Mean hourly wage for producers and directors	\$29.68
Mean hourly wage for ticket takers and ushers.....	\$8.45
Number of Minnesota theaters; screens.....	189; 965
Average number screens per theater.....	5.1
Average adult ticket price.....	\$7.12
Years of Minneapolis-St. Paul International Film Festival existence	27
Number of 2009 films entered in the festival	147
Countries represented this year	63
Years of the Rochester International Film Festival.....	13
Years of the LGBT Film Festival.....	15
Year Oak Street Arts merged with the U Film Society to form Minnesota Film Arts	2002
Number of years U Film Society existed before merger.....	40
Annual number of titles screened by Minnesota Film Arts.....	400
Estimated yearly audience	100,000
2008 U.S. box office receipts, in billions.....	\$9.8
Percentage increase over 2007.....	1.7

— K. BERGGREN

Sources: Minnesota Film and TV Board; Minneapolis-St Paul International Film Festival; Minnesota Film Arts; "The Economic Impact of the Motion Picture & Television Industry on the United States" (April 2009 report from The Motion Picture Association of America); MPAA 2008 Theatrical Market Statistics; Minnesota Salary survey, 4th quarter 2008 update, DEED; Box Office Mojo

FOR MORE INFORMATION

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SESSION WEEKLY

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 26, NUMBER 19 • MAY 15, 2009



So LITTLE TIME, SO MUCH TO DO
MORE COMPROMISE, MORE REDUCTIONS
GOVERNMENT IN MINNESOTA
CUTS, REDUCTIONS AND HOLDING STEADY

HF2377 - HF2388

SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 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: Kyle Rueben, a freshman at Bloomington Kennedy High School, is silhouetted in a plastic window as he adds another piece to the cardboard shack he will share with other students May 8 during an overnight "Box City Vigil" on the front lawn of the Capitol. The vigil is to bring attention to teenage homelessness.

— Photo by: Tom Olmscheid

Letting the sunshine in

Is the push to transparency clouding the session end game?

By KRIS BERGGREN

Legislative Commission on Planning and Fiscal Policy staff don't have windows in their basement quarters of the State Office Building, but the group they serve has tried to shed some daylight on traditionally secretive — and dependably contentious — end-of-session deal making.

Budget targets for conference committees have conventionally been hashed out by the governor and legislative leaders behind closed doors. They would then be handed to conference committees to work out the details.

As the session winds to a close, the negotiations have once again moved behind the doors of the governor's office. But there is little argument that this year, DFL leaders sought to create more transparency about arriving at a balanced budget. The previously obscure commission held weekly, sometimes daily televised hearings, where members hammered agency heads with questions and House, Senate and executive positions were aired.

"I think it's all about sunshine," said Rep. Steve Simon (DFL-St. Louis Park), one of nine House members appointed to the commission along with nine senators. "It's all about bringing a mysterious backroom process more into the open. As legislators, it's always good to be as public and transparent as possible, whether it's discussing targets or federal stimulus funds, or getting on the record the positions of the House, Senate and governor."

Republicans have criticized DFL leaders for what they say is lack of clarity about the nature of the commission's public discussions this year. Commission member Rep. Paul Kohls (R-Victoria) said there's a difference

between deciding targets in public and public discussion of targets that are decided elsewhere. He supports public access to legislative activity, and said it's traditional, and well within the rights of House and Senate leaders, to set targets privately. But the commission does give the DFL the bully pulpit advantage for now.

"The Democrats are certainly using it to advocate for their position. I think they have at times used the commission as a bit of a hammer over the administration without opportunity for full rebuttal by the administration," Kohls said. "But nobody's going to take the politics out of St. Paul."

What is the LCPFP for?

The commission was established in 1987 as a vehicle to research and analyze all manner of things fiscal, including economic trends, the governor's budget and state revenue and expenditures projections and proposals. The House speaker and Senate majority leader alternate the chair responsibilities every biennium. However, it's not used in the same way every year — and rarely as publicly as this year.

"It ebbs and flows in its use," said Greg Hubinger, the commission's 15-year director. "It depends on what they want to do with it."

"It ebbs more than flows," observed Bill Marx, the nonpartisan House chief fiscal analyst, who's been kept on his toes with the commission's requests for reams of

First Reading continued on next page



PHOTO BY TOM OLMSCHEID

Senate Assistant Majority Leader Tarryl Clark, from left, Senate Majority Leader Larry Pogemiller, House Speaker Margaret Anderson Kelliher and House Majority Leader Tony Sertich listen as Finance Commissioner Tom Hanson and State Budget Director Jim Schowalter answer question during a May 14 meeting of the Legislative Commission on Planning and Fiscal Policy. The middle chair was reserved for Gov. Tim Pawlenty, who members hoped would attend to present details about a potential unallotment plan.

information about federal stimulus and stabilization funds, and comparisons of legislative and executive branch proposals.

Sometimes the commission is used as a forum to work out sticky fiscal situations, such as this year's airing of how to incorporate funds from the American Recovery and Reinvestment Act of 2009 with its finicky conditions, or the first Northwest Airlines bailout in 1991. In 2002, it commissioned reports on statutory appropriations, funds, accounts and budget rules that were adopted as budgeting policy guidelines for the Legislature.

The commission has never been charged with setting conference committee budget targets, Marx said. Its responsibilities described in law are broad enough it would be possible to argue that setting conference targets is within its purview.

"No one has ever represented that this is a bill-passing, deal-making panel," Simon said. "To those who are disappointed (with the lack of public target-setting) I would say it was never advertised as such."

Is it worth it?

Everyone likes transparency, they say, but as the session slogs toward adjournment some Capitol veterans say the traditional top-down way of dealing with the big numbers might be more productive. Others are a bit cynical, suggesting the openness is more show than tell.

Seasoned lobbyists say the conference process seemed more effective when targets were agreed upon ahead of time.

"Leadership isn't getting to 'yes,' which isn't allowing the process to work," said Minneapolis Public Schools lobbyist Jim Grathwol. He compares conferencing without a target to sailing without a rudder. "You can't negotiate without that direction from leadership." He said the difference is marked compared with a decade ago.

At least one conference committee chair concurs. "The short timeline works against an open process," said Rep. Mindy Greiling (DFL-Roseville), adding that "the jury's out" on whether the push to openness has been productive.

"There's been a lot of public show and posturing," said Greiling, who co-chairs the E-12 education finance conference committee with Sen. LeRoy Stumpf (DFL-Plummer). "In the traditional conference committee of yore, before the current leadership, there was a week or more of public offer-trading. Then it was

So little time

And negotiations continue

The end-of-session rhetoric was cranked up a notch May 14 when Gov. Tim Pawlenty announced he would not call a special session or permit a government shutdown if legislators do not finish their work by May 18.

Ten major finance bills reached the governor's desk by May 13, and the governor said he would sign all of them, but with line-item vetoes. However, he indicated they leave a \$3 billion funding gap.

In addition to the line-item vetoes, Pawlenty said he would use his unallotment authority beginning July 1 to resolve the state's projected \$4.6 billion deficit.

"A key principle is that the DFL-controlled Legislature shouldn't spend more money than the state has available,"

Pawlenty said. "Unfortunately, they have done just that and now I'll fix it."

House Speaker Margaret Anderson Kelliher (DFL-Mpls) responded with a letter to Pawlenty inviting him to meet with the Legislative Commission on Planning and Fiscal Policy that night to discuss his proposal. She said Minnesotans deserve to know how he plans to proceed with his unallotment strategy. Pawlenty did not appear.

"On the face it looks extreme, but we need to see the details," said House Majority Leader Tony Sertich (DFL-Chisholm).

Members are expected to meet May 15, and possibly through the weekend, to further discuss a negotiated end-of-session agreement.

— M. COOK AND L. SCHUTZ

To do list: Status of major omnibus finance bills

	House Action	Senate Action	Governor's Action
Agriculture and Veterans Affairs HF1122*/SF1779	Passed 5/13	Passed 5/13	Presented 5/13
E-12 Education HF2*/SF1328	Passed 5/13	Passed 5/13	Presented 5/13
Economic Development HF1169/SF2081*	Passed 5/5	Passed 5/5	VETO 5/7
Economic Development HF2088*/SF1926	Passed 5/8	Passed 5/8	Presented 5/11
Environment and Energy HF2123*/SF2099	Passed 5/4	Passed 5/5	Line-item veto 5/7
Health and Human Services HF1362*/SF695	Passed 5/11	Passed 5/11	Presented 5/11
Higher Education SF2083*	Passed 5/13	Passed 5/13	Presented 5/13
Public Finance HF1298*/SF1257	Passed 5/12	Passed 5/12	Presented 5/13
Public Safety HF1162/SF802*	Passed 5/12	Passed 5/11	Presented 5/12
State Government HF1781/SF2082*	Passed 5/13	Passed 5/13	Presented 5/13
Taxes HF2323*/SF2074			
Taxes HF885*/SF681	Passed 5/8	Passed 5/8	VETO 5/8
Transportation HF1309*/SF1276	Passed 5/4	Passed 5/4	Signed 5/7

with so much left to do

Constitutional deadline to adjourn is midnight May 18.



"It's clear that this comes down to a series of choices. We've acted on the input Minnesotans have given us, and what they have told us is 'please, be responsible. Craft a balanced plan, to solve the budget deficit – this historic budget shortfall.' That's what we've done, and now we await a further conversation with the governor."

— Speaker of the House
Margaret Anderson Kelliher
Press briefing May 13



"House Republicans will not override a governor's veto. It's that simple. Minnesotans are demanding that government down-size, right-size and economize to grow jobs without whacking taxpayers with tax increases. ... If they (DFL) come to the table with the intent of serious reform, I would be optimistic about the road to an on-time adjournment."

— House Minority Leader Marty Seifert
Press release May 11



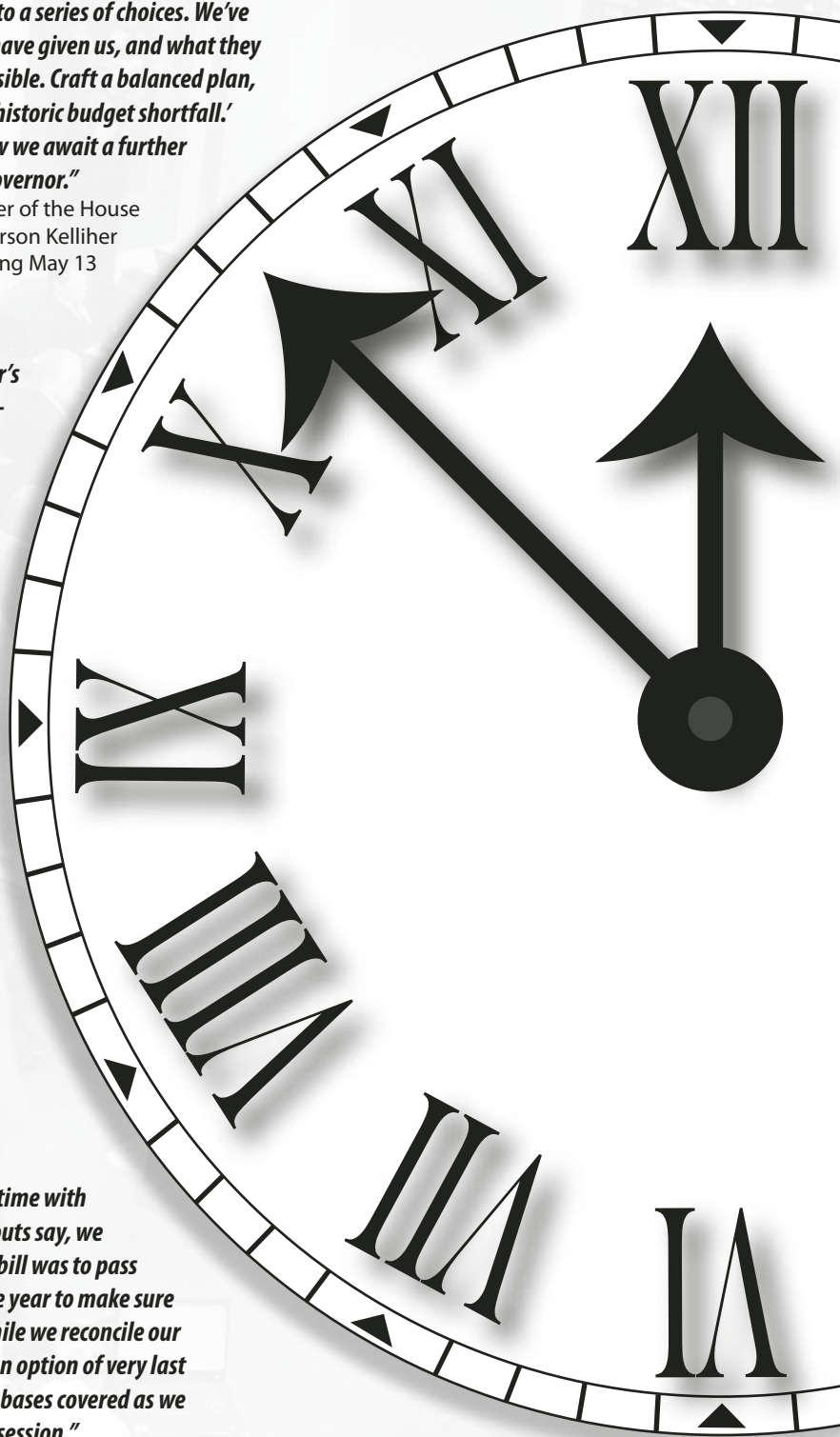
"In other words, your spending exceeds current projected revenues by approximately \$3 billion. Your approach puts me in the position of evaluating your bills without having a viable plan from you to pay for them."

— Gov. Tim Pawlenty
Letter to Speaker of the House and
Senate Majority Leader May 13



"My hope is to end the Legislature on time with a complete budget, but as the Boy Scouts say, we should always be prepared. ... If this bill was to pass it would allow for base funding for one year to make sure those core services are maintained while we reconcile our state budget. I bring it before you as an option of very last resort. I think it is good to have all our bases covered as we head into our last week of session."

— House Majority Leader Tony Sertich
House floor debate May 13



Dear Readers:

The Legislature is constitutionally required to adjourn by midnight, May 18. As Session Weekly goes to press, there are several outstanding issues yet to be resolved, and the House will likely meet through the weekend to finish its business.

We plan to publish the final issue of Session Weekly for 2009 once all bills have been acted upon by the governor. This session wrap-up issue will give readers a complete look at action taken during the session.

For daily updates as session comes to a close, visit the Session Daily Web site at www.house.mn/hinfo/sdaily.asp

— SESSION WEEKLY STAFF

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held May 7-14. 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**'Our bill' gets bipartisan support**

The glitch over which finance bill should hold funding for the state's five veterans homes was worked out, and the omnibus agriculture and veterans finance conference committee wrapped up its work.

After being passed 133-0 by the House May 13 and 62-5 later that day by the Senate, it awaits action by the governor.

"Today, I would say we have 'our bill.' We had two goals with the bill: preserve jobs and protect core services," said Rep. Al Juhnke (DFL-Willmar), who sponsors the bill with Sen. Jim Vickerman (DFL-Tracy).

HF1122*/SF1779 would cover 2010-2011 biennial funding for the Veterans Affairs, Military Affairs and Agriculture departments, the Board of Animal Health and the Agricultural Utilization Research Institute.

After reaching agreement on most of the bill May 1, committee negotiations were stalled after it was learned provisions in the House bill to fund the state's five veterans homes were not in the Senate proposal, but in the Senate health and human services finance bill.

Rep. Paul Kohls (R-Victoria) said he was "conflicted" about his vote. He was among Republicans who criticized the DFL for passing spending bills, without having

nailed down how the bills would be paid for, especially if there is no agreement with the governor on a biennial budget.

"I think it is worthy of the legislative support. I'm inclined to vote for the bill. I would suggest that the governor should hold on to it for every hour he has, and work like heck and get a deal on how much money we have to spend."

One of the smaller General Fund spending categories, the governor's funding request was \$266.4 million, and coming into conference committee, the House proposal was \$248.39 million; the Senate \$251.9 million. The compromised language appropriates approximately \$250.5 million in spending during the 2010-2011 biennium.

The conference committee eliminated a controversial provision that would have established a new veterans mental health facility in Kandiyohi County. An amendment successfully offered by Juhnke calls for the veterans affairs commissioner to consider possible options for treatment of veterans suffering from brain injury, posttraumatic stress disorder, or like ailments and report back to the Legislature by Jan. 15, 2010.

More than \$1 million to help make the homes reach Medicare certification was removed from the bill by conferees.

Acknowledging this year's conference committee process, which he termed an "experiment to do the negotiating in the room," rather than having leadership and the governor bargain behind closed doors, Juhnke said, "I think it was a neat process, and one I've not seen in my 13 years here."

— L. SCHUTZ

BONDING**Disaster relief, shovel-ready projects**

A governor's signature separates \$54 million in flood mitigation from areas where the dollars are needed.

"This money is going to go a long way to protect the Red River Valley from future flooding," said Rep. Paul Marquart (DFL-Dilworth). "Those dollars will be saved many times over in reduced damages in the future."

Sponsored by Rep. Alice Hausman (DFL-St. Paul) and Sen. Keith Langseth (DFL-Glyndon), HF855*/SF781 was passed 109-25 by the House and 59-8 by the Senate, both on May 13. Gov. Tim Pawlenty said May 14 that he will likely line-item veto several provisions in the bill.

The \$343.5 million bill would provide \$78.8 million to Minnesota State Colleges and

Universities, \$54.6 million to the Department of Transportation, \$51.5 million to the University of Minnesota and \$22.6 million to the Metropolitan Council.

"This bill places a high priority on higher education," Hausman said. "It is our strong belief that higher ed is the engine that drives the state's economy."

The bill also would provide asset preservation in almost every state agency, Hausman said, and provides money for shovel- and paint-ready projects.

However, some members were not happy with the bill.

"This is the most glaring example of how we refuse to acknowledge the situation we're in," said Rep. Tom Emmer (R-Delano). "We're spending money without any regard to the consequences."

He and House Minority Leader Marty Seifert (R-Marshall) said that it was not fair to put disaster relief in the bill.

"We all support flood relief and disaster assistance. That should have been in its own bill," Seifert said. "When we're looking for a balanced diet on how to balance this budget, it should be about bread and butter, not pork."

Rep. Larry Howes (R-Walker), a member of the bill's conference committee, said he understood Hausman's dilemma to keep the bill small, yet because everything in the bill is "paint and shovel ready," he called it an "excellent bill."

Other provisions include:

- \$17.2 million for the Department of Employment and Economic Development for redevelopment grants and a Mankato Civic Center expansion, among others;
- \$9.1 million for state and local matches for federal assistance for the Department of Public Safety;
- \$2.7 million for reconstruction and repair of trunk highways and bridges; and
- \$2.1 million for Minnesota Historical Society asset preservation.

— S. HEGMAN

BUDGET**'Lights-on bill' in place, just in case**

Viewed as a "just in case" scenario by some members and a "let's give up bill" by others, the so-called lights-on bill to keep government operating if there is no budget agreement awaits action by the governor.

The bill, SF2141, would keep government going if no biennial budget agreement is reached before the end of the fiscal year, June 30.

STATEHOOD DAY



PHOTO BY TOM OLMSCHIED

The chandelier is lighted above the Capitol Rotunda for the annual recognition of Statehood Day. Minnesota became the country's 32nd state on May 11, 1858.

It was fast-tracked through the Senate and approved 45-19 on May 11 and moved onto the House floor, where it was amended and passed 88-46 two days later. It was repassed by the Senate and now awaits action by the governor.

House Majority Leader Tony Sertich (DFL-Chisholm), who sponsors the bill with Senate Majority Leader Larry Pogemiller (DFL-Mpls), called it "an option of last resort."

If no budget resolution is reached by May 18, the constitutional deadline for adjournment, the bill would cap state agency spending during fiscal year 2010 at the current spending levels.

"My hope is to end the Legislature on time with a complete budget, but as the Boy Scouts say, we should always be prepared," Sertich said. "If there is not agreement, no services would shut down in our state. If this bill is passed, it would keep core government service running for one year. ... I think this is a good safety measure to have."

House Minority Leader Marty Seifert (R-Marshall) said the bill is a sign of failure, a "let's give up bill" and "lazy budgeting." He said the bill makes no revenue provisions for spending bills that have been, and could

be enacted, and it would leave a \$3 billion revenue gap.

If the bill is enacted, federal economic stimulus money received, but not allocated, would come under the purview of the Legislative Coordinating Commission for receipt and distribution.

— L. SCHUTZ

BUSINESS

Competition for telecom providers

**Signed
by
the
governor**

Telecommunications customers in Greater Minnesota, where technology needs are growing and capacity expansion is seen as an important factor in economic development, may now benefit from more competition that includes regional companies.

A new law eliminates what many regional and mid-sized telephone and telecommunications companies consider outdated regulations affecting their ability to compete with larger companies. The law, signed by Gov. Tim

Pawlenty May 11 and effective the next day, is sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Dan Sparks (DFL-Austin).

The modified regulations include:

- expanding the definition of a competitive area for four-line business phone lines, formerly limited to an exchange in the Twin Cities metropolitan area, St. Cloud or Duluth, to include all of Minnesota;
- regulating telecommunications carriers in the same way as telephone companies with respect to promotions and bundled services, such as removing 90-day and nine-month limits on some aspects of promotions; and
- eliminating tariff rules that no longer serve the industry or its customers.

The regional telecommunications industry says the law is a positive step that eliminates "artificial constraints" on promotional practices and provides flexibility to telecommunications companies while leaving consumer protections against predatory pricing in place.

"I come from an old-fashioned traditional phone company which has adapted to a

fast-paced competitive environment,” HickoryTech Regulatory Affairs Manager Carrie Rice said during a committee hearing.

HF1149/SF926*/CH57

— K. BERGGREN

CONSUMERS

Unfair ticket sales prohibited

**Signed
by
the
governor**

A new law aims to create a ticket for those who unfairly sell tickets.

Signed May 11 by Gov. Tim Pawlenty, it creates a misdemeanor offense for unfair ticket sales. The law initially would have placed restrictions on reselling tickets over the Internet.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ron Latz (DFL-St. Louis Park), the law requires the initial seller of tickets to make available for sale all tickets under its control, and that it be done under terms directed by the event provider.

The new law, effective Aug. 1, 2009, requires the initial ticket seller to receive permission from the event or venue provider before initial ticket sales can be diverted to any other manner, or under any other terms.

The law also states that anyone with the intent to defraud or offer for sale altered or counterfeit tickets will be charged with a misdemeanor.

HF819*/SF759/CH61

— L. SCHUTZ

Kids' cups, baby bottles made safer

**Signed
by
the
governor**

Health-conscious parents of babies and young children can cross one product off their no-buy list. Baby bottles and sippy cups containing the chemical Bisphenol-A, or BPA, will be off Minnesota store shelves within two years.

A new law, sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Sandy Rummel (DFL-White Bear Lake) and signed by Gov. Tim Pawlenty May 7, bans Minnesota manufacturers from selling cups and bottles intended for use by children age 3 or younger that contain BPA after Jan. 1, 2010, and retailers from selling them after Jan. 1, 2011. The law is effective May 8, 2009.

Numerous peer-reviewed research studies have found BPA to be a carcinogen and endocrine disruptor. The chemical is widely used in consumer products such as eyeglasses, sports helmets, electronic toys and lining for beverage or liquid cans.

HF326/SF247*/CH40

— K. BERGGREN

No charges on lost cell phone

**Signed
by
the
governor**

Lost your cell phone? No need to worry about being liable for charges the finder may rack up. Effective Aug. 1, 2009, a customer will not be liable for charges resulting from unauthorized use of their cell phone, if the wireless provider has been notified that the phone is lost or stolen. The customer will have to agree, however, to suspend use of the wireless device.

The law, signed May 9 by Gov. Tim Pawlenty, is sponsored by Rep. John Lesch (DFL-St. Paul) and Sen. Ellen Anderson (DFL-St. Paul).

HF854/SF298*/CH54

— L. SCHUTZ

Warning called 'overreach'

**Vetoed
by
the
governor**

One man's efforts toward consumers understanding the potential danger of a certain mulch met Gov. Tim Pawlenty's veto pen May 8.

After it was determined that Terry Hall's chocolate Labrador retriever died from ingesting cocoa bean shell mulch, Hall began his campaign of consumer awareness. This resulted in a bill, sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls) that would require a posted notice wherever the product is sold warning that ingestion of the mulch could be poisonous to pets.

In his veto message, Pawlenty called the bill "an example of legislative overreach." He cited research showing few incidents of cocoa bean mulch ingestion incidents and wrote that many items are harmful to pets, and retailers are not generally required to post warnings at the point of purchase for those products.

"A better approach would be to require manufacturers to post warning labels on the products themselves, where necessary and appropriate," Pawlenty wrote. He also added that the bill language is not clear regarding the extent a business would be liable for not properly displaying the warning sign.

HF1306/SF122*/CH47

— L. SCHUTZ

CRIME

Tougher sex trafficker penalties

The penalties for sex traffickers could become more severe.

Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul), HF1505*/SF1514 comes from a report from a sex trafficking taskforce funded by the

Office of Justice Programs.

Passed 131-0 by the House May 8, it now awaits Senate action.

"This is part of an overall effort to stop sex trafficking in the state of Minnesota," Paymar said. "Sex trafficking is not limited to foreign nationals. Girls and women are regularly trafficked every day in the state of Minnesota. The average age of a trafficked individual is 12 years old."

The bill creates a first- and second-degree sex trafficking offense that is similar to first- and second-degree sexual or domestic assaults. It calls for a 20-year felony for sex trafficking a minor and 15 years for sex trafficking any other person.

It also contains a provision for a 25-year sentence for a first-degree case with aggravating factors, such as repeat offenders, victims suffering bodily harm during the offense commission, more than one victim involved, or the time the victim was held in debt bondage or forced labor was more than 180 days.

Rep. Melissa Hortman (DFL-Brooklyn Park) successfully amended the bill with the language of HF1213, which she sponsors. It clarifies the definition of prostitution so it is the same for a gross misdemeanor and a misdemeanor, and makes clarifying changes to "prostitution in a public place" by using language consistent with other prostitution statutes.

— M. COOK

EMPLOYMENT

Accurate unemployment numbers

Minnesota's 8.2 percent March unemployment rate is clearly bad news for the state, but according to House Majority Leader Tony Sertich (DFL-Chisholm), the state's unemployment numbers are even worse than they look.

Sertich said there are actually more accurate, comprehensive employment numbers available to the state from the federal government. He sponsors HF925 that would ask state officials to use these numbers in their official estimates.

Passed 117-12 by the House on May 11, the bill would force state officials to use the most comprehensive set of statistical measures available, known as "U6," when calculating unemployment.

The U6 calculations would factor in certain groups of people that the state's current method, known as U3, does not. This includes people who are unemployed and no longer actively seeking work because of impediments like transportation issues or a lack of child care, and also part-time workers who want to work full-time.

For example, whereas the U.S. unemployment rate for April was 8.9 percent under the U3 calculations, the U6 calculations put it at 15.8 percent.

"I think this would be good for public policy discussion, to know how many Minnesotans are unemployed and what their barriers are to employment," Sertich said.

Sertich said the data is already collected by the U.S. Bureau of Labor Statistics, and that the state's Department of Employment and Economic Development would merely have to adapt its models for calculating unemployment.

Rep. Bob Gunther (R-Fairmont) expressed concern that the U6 calculations would make Minnesota look bad when compared to other states; however, Sertich said DEED would still collect the U3 data, allowing for an "apples-to-apples" comparison between states.

The bill now awaits action by the full Senate, where Sen. D. Scott Dibble (DFL-Mpls) is the sponsor.

— N. BUSSE

State contracts ratification

Public employees' salaries came into question before the House voted to ratify a number of state labor contracts.

Passed by the House 103-29 on May 12, HF1218/SF1036* would ratify contracts negotiated by Minnesota Management and Budget and various state employee bargaining units. Affected groups include Minnesota State Colleges and Universities faculty and staff, the State Board of Investment and the Minnesota Nurses Association. The Senate passed the measure 49-16 on May 7. The bill awaits gubernatorial action.

Sponsored by Rep. Leon Lillie (DFL-North St. Paul) and Senate President James Metzen (DFL-South St. Paul), the bill deals mostly with contracts that Lillie said were "left hanging" after the 2008 legislative session because of arbitration and other factors.

"These are the governor's negotiated contracts," Lillie explained, trying to stave off criticism of the bill. Nevertheless, some members argued the agreed-to salaries do not reflect the current economic downturn.

Referring to a provision that would authorize a 10 percent raise for State Board of Investment employees, Rep. Mark Buesgens (R-Jordan) called it "unconscionable" to raise state workers' salaries at a time of record unemployment.

"We are not a rubber-stamp organization, members; we're here to do the right thing. And if you consider voting for a 10 percent increase for state employees when the rest of the state of Minnesota is hurting, then I don't think you understand the idea of the whole concept."

Rep. Lyndon Carlson, Sr. (DFL-Crystal) explained that it is an executive-branch initiative to retain "top-notch people" responsible for investing state pension funds.

Others argued that no matter what the current economic climate, lawmakers ought to respect the executive branch's negotiation process.

"Obviously, the whole situation we're in right now is very different from what it was last summer," said Rep. Morrie Lanning (R-Moorhead). "Nonetheless, we entered into good faith negotiations. ... Those contracts were approved, and those contracts are now before us for ratification."

— N. BUSSE

Better workforce training

**Signed
by
the
governor**

Representatives from state colleges and universities, workforce centers, school districts and other organizations will soon be asked to put their heads together to figure out a better way to educate low-skilled workers in Minnesota.

Signed May 12 by Gov. Tim Pawlenty, a new law directs the Governor's Workforce Development Council to consult with several state agencies and establish four local collaborative projects to "plan and coordinate employment, training, and education programs and services."

Rep. Larry Haws (DFL-St. Cloud), who sponsors the law with Sen. Tarryl Clark (DFL-St. Cloud), said the projects will be located in four different geographic areas and will focus on adults in need of workforce training. He said the law puts an emphasis on having adult basic educators play a greater role in workforce development.

"This gives them a place at the table," he said.

Each collaborative will be required to include, at a minimum, representatives of: Minnesota State Colleges and Universities; local adult basic education; workforce centers; local school districts; community action agencies; and public housing agencies.

Each local collaborative will have to implement its plan for at least one year and then report to the council on progress made. The council will then report to the Legislature.

The law is effective May 13, 2009.
HF1850/SF1569*/CH65

— N. BUSSE

Jobs and housing

Gov. Tim Pawlenty will have the choice to sign off on an economic development funding package that would dash — for now, at least

— St. Paul's hopes of building a new ice arena downtown.

The bill, HF2088, represents the Legislature's second attempt at funding jobs, housing and cultural heritage programs for the 2010-11 biennium. The House passed it 86-43 on May 8 after the Senate passed it 47-13 earlier in the day. It now awaits gubernatorial action.

Pawlenty vetoed the first funding bill, SF2081, over a provision that would have forgiven the bulk of a state loan to St. Paul for construction of the Xcel Energy Center. In a statement, the governor said he objected to the provision that would have allowed the city to move forward on a proposed new indoor ice arena across the street from the Xcel, on the basis that St. Paul "should not threaten to reduce police and fire services while requesting that a loan be forgiven in order to build an ice rink."

Rep. Tom Rukavina (DFL-Virginia), who sponsors the new bill with Sen. David Tomassoni (DFL-Chisholm), said the new funding package is identical to the first, with the exception of the loan forgiveness and two other minor provisions.

Overall, the bill would cut funding for several agencies and programs, including:

- 16.6 percent to the Board of the Arts;
- 6.2 percent to the Minnesota Historical Society;
- 3.9 percent to the Department of Employment and Economic Development;
- 3.5 percent for Housing Finance Agency programs; and
- 3.5 percent to Explore Minnesota Tourism.

The bill would prevent deeper cuts to job programs by temporarily increasing a fee paid by employers into the state's workforce development fund. The fee hike would raise \$15.5 million over the next biennium.

The bill also includes a number of proposed policy changes, including: establishing ice hockey as the official state sport; strengthening prevailing wage enforcement; requiring public employers to purchase uniforms and equipment made in the United States; and establishing an Economic Development Strategy Working Group.

— N. BUSSE

ENVIRONMENT

Most of omnibus bill gets signed

**Signed
by
the
governor**

The omnibus environment and energy finance bill made it past the governor mostly intact.

The law to fund parks, museums, zoos and renewable energy initiatives, as well as implement new rules for debt settlement

managers, was signed May 7 by Gov. Tim Pawlenty minus a provision regarding surface water assessments.

Pawlenty vetoed a \$15 million biennial appropriation from the environmental fund targeted for surface water assessment and monitoring. His budget recommendation calls for the activity to be funded from the Clean Water Fund, using the newly dedicated sales tax, which is a result of a constitutional amendment passed last November to fund outdoor and arts programming.

He said the environmental fund will be nearly insolvent in the “not too distant future,” and funding through the Clean Water Fund will provide long-term fiscal stability for the program.

Sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul), most of the law takes effect July 1, 2009.

HF2123*/SF2099/CH37

— L. SCHUTZ

FAMILY

Changes protecting wards

A bill of rights for wards and protected persons could be placed in state statute.

That is just one of the provisions in a bill that makes changes related to guardians and conservators.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Mee Moua (DFL-St. Paul), HF804*/SF951 was approved 131-0 by the House May 8 and awaits action by the full Senate.

“We have 22,000 Minnesotans under guardianship or conservatorship, and that is going to increase as we go forward,” Thissen said. He noted the bill also addresses accountability and transparency in the system.

Thissen said the bill:

- establishes conflict of interest rules for attorneys that represent guardians and wards;
- puts more eyes on these transactions with an ombudsman being more involved, along with more interested persons; and
- creates the bill of rights that would contain provisions in current law, but put them in one place.

Among the 14 listed rights that must be enforced by the court are: treatment with dignity and respect; due consideration of personal desires, medical preferences and religious beliefs; personal privacy; and timely and appropriate health care “that does not violate known conscientious, religious, or moral beliefs of the ward or protected person.”

Thissen said there was concern about communication and visitation among persons.

“The language that we’ve worked out

leaves the control now with the guardian or conservator as opposed to the ward or the protected person. It strikes a little more nuanced balance, but the guardian/conservator still retains those rights. That’s the primary change in law.”

— M. COOK

GOVERNMENT

Claims bill gets House approval

More than \$66,000 could be paid by the state for injuries and errors.

Sponsored by Rep. Lyle Koenen (DFL-Clara City) and Sen. Ron Latz (DFL-St. Louis Park), the annual claims bill calls for payments of \$53,964.23 from the General Fund and \$13,517 from the Department of Employment and Economic Development.

Approved 118-14 by the House May 12, HF1193*/SF1011 awaits Senate action.

The bulk of the General Fund money (\$52,552.23) would be for Department of Corrections claims involving 16 individuals injured while doing community service or sentence-to-service work or inmates injured while performing assigned duties in a state prison. Their claims range from \$750 to \$8,733.52. Approximately \$5,000 of the total is to settle sentence-to-service and community work service claims under \$500 and other claims already paid by the department.

Mary Egge of Forest Lake would receive \$1,412 from the General Fund for her 2005 property tax refund that she claimed to have mailed, but the department never received.

“There had been some vandals in the area that had damaged her mailbox and the form disappeared,” Koenen said. “She had a witness that testified she had actually put the form in the mail. The department did an audit to make sure the numbers were correct.”

DEED is to pay its share to a Nancy Teklenburg of Solway, who suffered economic loss because of a departmental error in handling an unemployment claim.

She received nearly a year of severance pay after being laid off from a job in the private sector. Nearly a year later she notified the department her severance pay was complete and she could begin her year of unemployment eligibility. “The department sent her the first check but didn’t reset the clock, so once her first check had come she reached the point of one year and the payments discontinued,” Koenen said.

The payment recommendations come from the Joint House/Senate Subcommittee on Claims, which, according to its Web site, “was established in 1976 to hear and recommend to the legislature whether or not to pay claims

against the state by various persons who cannot proceed against the state under the State Tort Claims Act.”

— M. COOK

Rulemaking by e-mail

**Signed
by
the
governor**

A few simple changes to statute will allow state agencies to give rulemaking notices via e-mail instead of regular mail.

Signed May 12 by Gov. Tim Pawlenty, a new law allows state agencies to save time, money and effort by using e-mail to give notices when:

- the Office of the Revisor of Statutes is proposing style and form revisions of rules;
- a state agency is holding a public hearing on proposed rules;
- a state agency is proposing to adopt rules without holding a public hearing;
- a state agency is using an expedited process to adopt proposed rules; and
- a state agency is proposing to repeal obsolete rules.

“This is the 21st century; I know of no opposition to the bill,” said Rep. Gene Pelowski, Jr. (DFL-Winona), who sponsors the law with Sen. Ann Rest (DFL-New Hope).

The law takes effect Aug. 1, 2009.

HF1857/SF532*/CH71

— N. BUSSE

Electronic meetings for agencies

State boards and agencies might be allowed to meet electronically instead of in person — as long as the public still has access to the meetings.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Mee Moua (DFL-St. Paul), HF456/SF764* is designed to save state agencies money by letting them meet via telephone or other electronic means. Passed 90-40 by the House on May 8, and 49-0 by the Senate on May 12, the bill now awaits action by Gov. Tim Pawlenty.

Johnson said the bill would be especially useful to members of state boards or commissions who live in Greater Minnesota and have difficulty commuting to regular meetings.

“The whole intent is to provide more openness and more flexibility for people to participate,” Johnson said.

Although the bill states that the electronic meetings must be accessible to the public, and that at least one member of the board or agency must be present at the regular meeting location, opponents worry this might limit or discourage public participation.

“In a society where we are moving away from any face-to-face personal contact, this is not the right answer,” said Rep. Tom Emmer (R-Delano), who successfully offered an

GOVERNOR'S ANNOUNCEMENT



PHOTO BY TOM OLMSCHEID

Surrounded by 18 Republican legislators at a May 14 news conference, Gov. Tim Pawlenty announces that he will not call a special session if the state's budget is not balanced by the May 18 constitutional deadline. Pawlenty said he would balance the budget with line-item vetoes and by using his constitutional power to unallot.

amendment that would require state entities to post a public notice on their Web site at least 10 days prior to a meeting.

Rep. Mark Buesgens (R-Jordan) said the bill might open the door to abuse of per diem payments. He unsuccessfully offered an amendment that would have prevented those who choose to participate in meetings via electronic means from collecting per diem.

"Joe Smith could be phoning it in, marking it as attendance to a meeting, sit on the phone for a half an hour in his skivvies eating donuts and drinking coffee, and end up with \$54 for attendance at the meeting," Buesgens said.

House Majority Leader Tony Sertich (DFL-Chisholm) spoke against the amendment, arguing that it would unfairly penalize board and agency members from rural areas who have a harder time attending meetings.

— N. BUSSE

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

HEALTH

Prohibiting drug trial participation

**Signed
by
the
governor**

People under state civil commitment will be prohibited from participating in a psychiatric clinical drug trial while the order is in effect, under a new law signed May 11

by Gov. Tim Pawlenty.

The law, sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Don Betzold (DFL-Fridley), will allow a patient to participate if the treating psychiatrist submits an affidavit citing its benefit to the person. However, the treating psychiatrist must not be the psychiatrist conducting the drug trial. The law is effective Aug. 1, 2009.

Many psychiatric drug trials already say patients at risk of suicide or of hurting others should not be recruited, Dr. Carl Elliott, professor at the Center for Bioethics at the University of Minnesota, told a House committee. While participation in a drug

study carries risk, patients under civil commitment may not understand what they are signing up for, he said.

Mary Weiss testified in a House committee that her son, Dan Markingson, committed suicide when participating in a 2004 drug trial. She voiced concerns to his case manager about his deteriorating condition, but was unsuccessful in pulling him out of the drug trial. "I have promised Dan that I will fight for the rights of the mentally ill until the day I die," she said. "This bill will protect those in the future."

HF388/SF431*/CH58

— P. OSTBERG

Primarily rural for medical

**Signed
by
the
governor**

Technical clarification for what constitutes a rural area in emergency medical variances is included in a new law signed May 12 by Gov. Tim Pawlenty.

Sponsored by Rep. Dave Olin (DFL-Thief River Falls) and Sen. Gary Kubly (DFL-Granite Falls), the new law adds

“primarily” to help define rural service areas. It takes effect Aug. 1, 2009.

Olin said that the city of Cannon Falls applied for an ambulance hardship variance, but was declined because its area overlaps into the metropolitan counties even though its area is primarily rural. The technical change would help similar cities when applying for variances, he said.

HF842/SF675*/CH70

— P. OSTBERG

HOUSING

Warranty enforcement

Moving into their dream home has become a nightmare for some Minnesotans.

They have found issues like mold or water intrusion that is accompanied by a price tag of tens or hundreds of thousands of dollars to repair.

In some cases, a builder is unwilling to fix the problem, forcing the homeowner to spend many more thousands of dollars to go through the legal process to enforce a new home or home improvement warranty.

Rep. Marsha Swails (DFL-Woodbury) and Sen. Kathy Saltzman (DFL-Woodbury) sponsor HF211*/SF170 that would make homeowners who successfully sue a builder or contractor for a warranty violation eligible to receive reasonable attorney fees and any other costs related to the suit. Approved 80-51 May 11 by the House, it was defeated 32-31 by the Senate two days later.

Supporters said that builders, contractors and their insurance companies often drag out a case, hoping a homeowner will exhaust their financial resources and settle for less than needed to repair their home.

“Through no fault of their own, there are many people who have purchased houses hoping to have a place where they can grow their lives with their children, with their neighbors, and instead something horrible happens,” Swails said. “The only problem that the homeowners did was trust that the place that they would be living was safe, was free of things that would cause health problems and free of defects.”

Swails said there are “hundreds” of cases pending in Washington County courts regarding home warranty enforcement. She also said there are more than 360 places in state statute where a prevailing party can receive attorney fees.

Rep. Tom Emmer (R-Delano) said it is not fair “to stack the deck on one side.” He unsuccessfully offered an amendment prohibiting attorney fees if a “good-faith effort” was made to fix the problem. Rep.

Paul Kohls (R-Victoria) was unsuccessful with his amendment to award attorney fees to the builder if they are victorious in court.

— M. COOK

Subsidized housing changes

A clarification to existing law could help cities enforce subsidized housing contracts.

HF1670/SF1033*, sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. John Marty (DFL-Roseville), would clarify that cities have the right to enforce agreements with property owners who try to raise rents in publicly subsidized housing.

“It clarifies the right of cities to enforce a contract with a housing owner or developer where there has been a direct subsidy provided, like a loan, bonds, tax subsidies, etc. ... in exchange for a promise to keep rents affordable,” Mariani explained.

Mariani said the bill is a response to a situation in a Twin Cities suburb where a developer “substantially” raised rents to subsidized housing.

Speaking in support of the bill, Rep. Mark Buesgens (R-Jordan) said it is fair to expect owners to abide by the contracts.

“If a developer’s going to feed at the public trough, then that developer shouldn’t be surprised that they’re going to be under some restrictions,” Buesgens said.

Passed 97-32 by the House on May 8, it now returns to the Senate, where a different version passed 57-8 on April 27.

— N. BUSSE

Statute of repose clarification

Clarifying and updating a 2004 law could have major implications for some homeowners.

Sponsored by Rep. Julie Bunn (DFL-Lake Elmo) and Sen. Sandy Rummel (DFL-White Bear Lake), HF412*/SF470 would clarify the law’s intent regarding when a lawsuit for a warranty violation must be brought.

Approved 77-54 by the House May 11, it was amended and passed 45-18 two days later by the Senate. The House passed the amended bill 79-46 May 14. It awaits action by the governor.

A statute of repose remains in the bill so that no one can make a claim after 12 years, but there are two different statutes of limitations.

“If the breach is discovered in years zero through 10, the homeowner still has up to two years of statute of limitations to file the claim once they’ve discovered and reported the breach,” Bunn said. “If they discover the problem after year 10, they only now get one year to file the claim.”

The 2004 law requires a lawsuit to be brought within two years of the breach of

the warranty discovery, but not more than 12 years from when the warranty took effect. However, Bunn said, one subdivision in law has a 10-year maximum, and some courts used that shorter time frame, thereby catching homeowners in the middle.

Bunn said that a 2007 court decision went against the original intent by saying all claims must be within 10 years, the stated warranty on many home repairs, even though 12 years was always the intent of the 2004 state law.

Rep. Mark Buesgens (R-Jordan) unsuccessfully tried to remove pending cases from the change.

Countered Bunn: “If we don’t clear it up and have it apply to those pending as well, we still have legal confusion out there in our court system.”

— M. COOK

HUMAN SERVICES

Creating lifetime communities

Signed
by
the
governor

Partnerships labeled “communities for a lifetime,” built with the aging population as their focus, may be designated in the future.

A new law, signed May 11 by Gov. Tim Pawlenty, lays out plans for the Board on Aging to develop a process for requesting the designation of “communities for a lifetime.” It takes effect Aug. 1, 2009.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Kathy Sheran (DFL-Mankato), the law defines the communities as partnerships of small cities, counties, municipalities, charter cities and towns that extends supportive services to those age 65 and older to help them continue to be contributing, civically engaged residents.

“This would allow people to stay in their communities and have access to an array of services,” Thissen said. “We are facing this coming age wave and it’s important we start thinking about it.”

Under the law, “communities for a lifetime” would have to offer opportunities such as:

- the ability to participate in the paid workforce with flexible schedules and hours;
- recreation and wellness activities;
- a variety of affordable, accessible housing options;
- community-wide mobility and access to public transportation, including door-to-door assistance and weekend and evening access; and
- an array of home and community-based services to support seniors’ options to remain in an independent living setting.

The board is to report to the Legislature by Feb. 28, 2010, with recommendations on the

process designation and funding sources to implement the communities.

HF936*/SF839/CH60

— P. OSTBERG

HUMANITIES

Conferencing legacy

Discussion on the state's legacy is expected to be completed in conference committee during the final days of the legislative session.

HF1231*/SF1651, sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Richard Cohen (DFL-St. Paul), would provide that new sales tax revenues be deposited in four dedicated funds, under the legacy amendment adopted onto the state's constitution last November. It increases the state's sales tax from 6.5 percent to 6.875 percent.

The four newly created funds will go toward wildlife habitat, clean water, parks and trails, and arts and culture.

The bill is the result of weeks of testimony about the potential impact of the money over the next 25 years, especially in the face of an economic downturn, Murphy said. It also provides a plan to guide the distribution of the legacy amendment money over the 25-year life of the tax. The tax goes into effect July 1, 2009, and funding would become available at the beginning of 2010.

Differences in fiscal years 2010-2011 include:

- \$59.7 million in the House versus \$75.7 million in the Senate from the Outdoors Heritage Fund to the Department of Natural Resources split among prairies; wetlands; forests; and fish, game and wildlife habitat;
- \$40.19 million in the House versus \$33.9 million in the Senate from the Clean Water Fund to the Pollution Control Agency for grants, drinking water protection, Minnesota River Water Quality testing and wastewater treatment monitoring;
- \$31.9 million in the House versus \$36.3 million in the Senate from the Parks and Trails Fund to the DNR for grants and the state parks and trails legacy;
- \$25.37 million in the House versus \$43.9 million in the Senate from the Clean Water Fund to the Public Facilities Authority for grants among small community wastewater treatment technical assistance and construction and phosphorus reduction; and
- \$20.9 million in the House versus \$25 million in the Senate from the Arts and Cultural Heritage Fund to the Minnesota Historical Society for grants, assistance to local historical societies and the Minnesota History Educational Network.

— S. HEGMAN

INDUSTRY

Paying subcontractors promptly

Signed
by
the
governor

Subcontractors and suppliers working on residential jobs now have the same assurance as those working for commercial contractors that they'll be paid in a timely manner.

On May 12, Gov. Tim Pawlenty signed a law, sponsored by Rep. Larry Howes (R-Walker) and Sen. Linda Scheid (DFL-Brooklyn Park), which strikes language excluding residential subcontractors and suppliers from an existing law requiring prompt payment. Prime contractors or subcontractors who hire other subcontractors or suppliers must pay those they hire within 10 days from the date payment is requested. The law also stipulates interest to be paid on late payments. It takes effect Aug. 1, 2009.

Residential properties are single-family homes or multi-family buildings with up to four dwelling units, or developments with up to 13 attached units.

HF1056*/SF638/CH66

— K. BERGGREN

INSURANCE

Church benefits board as trustee

Signed
by
the
governor

Some churches have benefits boards organized to administer or fund a retirement or other benefits plan for employees of a specific church or an association of churches.

A new law, signed May 7 by Gov. Tim Pawlenty and effective the next day, expands a board's authority to act as a trustee over a lawful trust.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Gary Kubly (DFL-Granite Falls), the law applies to trusts no matter when they were created.

HF1823/SF1754*/CH43

— L. SCHUTZ

Sale of life insurance policies

Signed
by
the
governor

Sometimes people who purchase a life insurance policy sell it to a third party before the policy matures. Called a viatical settlement, a new law sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Chris Gerlach (R-Apple Valley), modifies statutes regulating the practice.

Signed by Gov. Tim Pawlenty May 12, the law lays out definitions and licensing

guidelines for brokers and life insurance providers.

Under the law, a broker or provider will need to be licensed by the state where the person selling the policy resides. Also, a licensed insurance producer in good standing will be allowed to operate as a viatical settlement broker. The law also lays out grounds for a license to be suspended, revoked or refusal to issue or renew the license of the provider, broker or agent.

The law is effective Aug. 1, 2009; but a viatical settlement provider, broker or investment agent doing business in Minnesota could continue pending application approval by the commerce commissioner as long as the application is filed by Dec 31, 2009.

HF1719/SF1539*/CH62

— L. SCHUTZ

Nonprofit insurer provisions

Signed
by
the
governor

Certain organizations insuring nonprofits and political subdivisions are not subject to federal taxes. Gov. Tim Pawlenty signed a law May 9 that will extend the tax exemption

enjoyed by these nonprofit insurers.

Effective Aug. 1, 2009, the law makes provisions for these organizations, specifically Nonprofit Insurance Trust, to incorporate.

Rep. Patti Fritz (DFL-Faribault) and Sen. Dan Sparks (DFL-Austin) sponsor the law.

HF1789/SF1611*/CH53

— L. SCHUTZ

STOLI changes become law

Signed
by
the
governor

A new law prohibits certain contractual arrangements and other activities relating to the purchasing of a life insurance policy that is essentially a wager on someone's life.

Effective with policies issued beginning May 10, 2009, the law codifies insurable interests and prohibits procurement of a policy on the life of another individual unless the benefits are payable to the insured, representatives of the insured's estate or a person who had an insurable interest at the time the policy was issued.

"We want to protect life insurance interests, and not turn it into a financial investment," said Rep. Kate Knuth (DFL-New Brighton), who sponsors the law with Sen. Linda Scheid (DFL-Brooklyn Park).

In a traditional life settlement, a person who owns a life insurance policy but no longer needs it sells the policy for an amount less than the death benefit.

Under stranger-oriented or -initiated life insurance, a third-party investor or hedge fund with no relationship to an individual

initiates the policy purchase by paying the premiums and later buying the policies, thereby profiting upon the death of the insured. These are often directed toward senior citizens because the sooner the person dies, the more the speculator profits.

This is in violation of the insurable interest law designed to ensure that a person buying a life insurance policy has an economic interest in the continued life — not death — of the insured.

The law calls for a four-year prohibition on buying STOLI, with the stipulation that an investor could not buy those policies if there were signs of STOLI during that time. It also provides for a four-year rebuttable presumption in civil cases. “That should be enough to stop STOLI,” Scheid said.

A way for a representative of an insured individual’s estate to recovery policy benefits paid resulting from a STOLI agreement is also in the law.

HF704/SF166*/CH52

— M. Cook

LAW

Property interest disclaimers

**Signed
by
the
governor**

A new law combines disclaimer statutes to ease use for practitioners and the public.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Linda Scheid (DFL-Brooklyn Park), supporters said it most frequently would be used for tax purposes.

Signed by Gov. Tim Pawlenty May 12, it takes effect Jan. 1, 2010.

There are two disclaimers currently on state books: one that handles them during lifetime and another for those that inherit property after someone dies.

The law also updates some rules in the disclaimer area.

A primary change is clarification that someone can disclaim an interest even if it is not within the nine-month limit normally required for tax purposes.

Other changes include: allowing disclaimers of future interests, allowing disclaimers of jointly held property, allowing a trustee to disclaim property that might be scheduled to be distributed to a trust, allowing disclaimers of powers of appointment and other powers someone might hold over another’s trust and eliminates the recording of disclaimers in district court.

Any disclaimer involving real estate would still need to comply with real estate recording statutes and recoding requirements.

HF2082/SF1810*/CH67

— M. Cook

Law practicing deputy sheriffs

Deputy sheriffs would be allowed to practice law. Sponsored by Rep. John Lesch (DFL-St. Paul) and Sen. Ellen Anderson (DFL-St. Paul), HF348*/SF297 would remove a prohibition of a deputy sheriff practicing law, provided the deputy has the appointing sheriff’s approval.

Approved 127-4 by the House May 8, it awaits Senate action.

“This was brought to me by several deputy sheriffs who did go to law school and wanted to practice outside their jurisdiction for cases that didn’t affect them in their deputy sheriff job,” Lesch said.

An assistant St. Paul city attorney, Lesch said he has sometimes performed criminal defense attorney cases in another jurisdiction.

— M. Cook

LOCAL GOVERNMENT

Mandate relief bill passed

Local governments most likely will receive less money from Legislature this session; however, they would also have fewer state mandates to pay for, under a bill passed by the House May 11.

Sponsored by Rep. Michael Nelson (DFL-Brooklyn Park), HF1849 would provide mandate relief to local governments by eliminating a variety of statutory requirements. The House voted 108-21 to approve the measure, which would make a number of changes, including:

- requiring that any state agency rule changes that affect local governments take effect on one of two set effective dates;
- allowing local governments to use best-value contracting practices more than just twice a year, as currently proscribed by law;
- allowing county commissioners to reduce their own salaries at any time;
- allowing townships to recover the full cost of employing “fence viewers” to help settle private land disputes;
- eliminating minimum salary requirements for sheriffs; and
- striking a cap on booking fees charged to jailed individuals and allowing counties to recover the actual costs of booking.

“We’re passing a lot of cuts in the last few days here to local governments; this is a way of trying to relieve some of the mandates they have to save some costs,” Nelson said.

Rep. Tom Emmer (R-Delano) criticized a provision that would ease requirements on local governments to publish information on contracts up for bid in local newspapers.

“We’re again making advantages for government at the expense of the taxpayer,”

Emmer said of the provision, which he said would reduce government accountability. Nelson countered that removing the newspaper publishing requirement will save counties money.

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

— N. BUSSE

SAFETY

Fallen Firefighters Memorial Day

Peace officers and members of the armed forces who lose their lives in the line of duty are honored on certain days of the year; now, firefighters might have their own day of remembrance.

Rep. Mike Obermueller (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan) sponsor HF422/SF237* that would designate the first Sunday in October as Fallen Firefighters Memorial Day. The bill specifies that Minnesota and U.S. flags on the Capitol grounds must be flown at half-staff on that day.

The House passed the bill 133-0 on May 12 without debate. Having been passed 62-0 by the Senate on March 9, the bill is now headed for Gov. Tim Pawlenty’s desk.

Obermueller said there are 187 known firefighter line-of-duty deaths since the establishment of the state’s first fire department in Minneapolis in 1881.

“This bill is a great opportunity to honor the men and women who have lost their lives as well as those who are currently serving us,” Obermueller said.

— N. BUSSE

No laser pointing at planes

**Signed
by
the
governor**

Knowingly pointing a laser at an aircraft could result in a prison sentence.

Signed May 12 by Gov. Tim Pawlenty, a new law would make the action a gross misdemeanor in Minnesota, punishable by up to a year in prison and a \$3,000 fine. It takes effect Aug. 1, 2009.

Federal law is designed to secure larger air carriers, leaving a loophole and forcing states or local municipalities to prohibit discharging a laser into the cockpit of an aircraft.

Jim Englin, a state patrol pilot, told at least two House committees that patrol pilots suffered three laser illumination events in 2008. Arrests were made in two cases, but charges were never brought forth.

When the laser hits an aircraft windshield, it turns the plexiglass opaque, blinding the pilot. Englin said it is like a bright flash bulb going off directly in your eyes.

Lasers that run on AAA batteries can be

purchased at many office supply stores or big box retailers. Some have a range of up to 10 miles.

The law exempts search and rescue situations when the person on the ground is indicating their location.

Rep. Rick Hansen (DFL-South St. Paul) and Senate President James Metzen (DFL-South St. Paul) sponsor the law.

HF1097/SF1408*/CH73

— M. Cook

Policy bill signed into law

**Signed
by
the
governor**

Predatory offenders will be unable to use electronic devices to sexually solicit children, and people required to register as a predatory offender will be prohibited from accessing social networking Web sites, instant messaging and chat room programs.

These are provisions of the omnibus public safety policy law signed May 12 by the governor. Most of the law is effective July 1, 2009, or Aug. 1, 2009.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul), the law also eases state agency

mandates and provides local agencies with needed assistance in emergency times.

The law increases from 12 to 24 hours the time an officer may arrest a person who the officer has probable cause to believe committed domestic abuse, expands the ability of judicial districts to create domestic fatality review teams and requires prosecutors to notify victims of criminal sexual conduct about civil protection orders.

A court is permitted to order a sentence beyond what is specified in the sentencing guidelines grid based on an aggravating factor arising from the same course of conduct; a state policy to eliminate racial, gender and ethnic fairness barriers in the courts is set forth; the authority to appoint a referee to act in conciliation court is expanded; and a license reinstatement diversion pilot program can be created for specified persons charged with driving after a suspension or revocation.

Other provisions include:

- businesses that sell over-the-counter methamphetamine precursor drugs must retain a sale log for three years and make it available for inspection by law enforcement at all reasonable times;

- commercial retailers cannot sell a toy designed for children under age 12 that has been recalled for safety reasons;
- public employers cannot consider an applicant's criminal background history prior to an interview;
- the state's trespass law is expanded to include crossing into or entering any public or private area lawfully cordoned off by a peace officer; and
- a working group is created to review changes to the state's laws and policies on DWI offenders.

HF1301*/SF993/CH59

— M. Cook

TAXES

Tax committee blur

The tax conference committee has been working late into the night, seen one tax bill receive a governor's veto and has put together a non-controversial policy bill. With time running out on the session, its work still isn't done.

HF885*/SF681, sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen.

SUICIDE PREVENTION



PHOTO BY TOM OLMSCHIED

Stephanie Campbell, Molly Schloesser and Anna Holicky from Le Center High School, clockwise from top left, Amber Palmquist from Cleveland High School and Melissa Warner, Stephanie St. John, Youth Board Advisor Klea Brewton-Fitzgerald, Elizabeth Koble and Heidi Junczewski from Mankato West High School add thoughts and feelings of those that may attempt suicide to a banner to be attached to a "Community of Caring Pole" that was part of the Yellow Ribbon Suicide Prevention Rally in the Rotunda May 12.



PHOTO BY ANDREW VONBANK

Rep. Tom Emmer and Rep. Ann Lenczewski debate a tax bill May 8 on the House floor.

Tom Bakk (DFL-Cook), which would have raised \$1 billion in taxes in the 2010-2011 biennium was vetoed by Gov. Tim Pawlenty May 8, less than six hours after receiving legislative approval.

Supporters said the bill was an attempt to save cuts to schools, hospitals and nursing homes by creating a new tax bracket for the state's top earners, increasing alcohol taxes and adding a tax for excessive interest rates.

The anticipated revenue raised is \$500 million less than in HF2323*/SF2074, the omnibus tax bill, also sponsored by Lenczewski and Bakk. It is currently still in a conference committee. The governor's budget proposes using \$1 billion in accounting shifts, and tobacco appropriation bonds that would have to be repaid over 20 years.

Of the \$1 billion expected to be raised in HF885, \$585.7 million would go into an account for E-12 education; \$287.5 million for nursing homes and long-term care; \$141.1 million for hospitals and \$4.6 million for tax compliance.

A May 12 motion by Rep. Kurt Zellers (R-Maple Grove) to override the governor's veto was tabled by House Majority Leader Tony Sertich (DFL-Chisholm), who called the motion a "stunt" and "premature."

"We're making progress," Sertich said of talks with the governor. "I guess I look at the glass as half full. I would see a veto override as an option of last resort."

"We're not gonna wait until the wee hours of the last night of the last day to come down here and roll the dice," Zellers countered. "If we're going to vote to override, let's do it here and now. If we don't have the votes to override, let's get back to the budget."

HF1298*/SF1257, an omnibus public finance bill, also sponsored by Lenczewski and Bakk, awaits gubernatorial action. It was amended and passed 54-12 by the Senate May 13 and repassed 125-7 by the House later that day. The Senate added as many technical policy and non-controversial tax provisions as possible, Lenczewski said.

It also includes as much federal tax conformity as the state can afford that Congress has adopted since HF95, the House's federal conformity bill, was signed into law earlier in the session, Lenczewski said.

Other inclusions are: disaster relief provisions for a St. Charles fire; home construction assistance for the flood-ravaged Red River Valley; and an emergency debt situation is provided for cities and counties that may lose local government aid, market value homestead credit and county program aid due to unallotment.

"This is the lifeboat, if you will, of the tax conference committee," said House Minority Leader Marty Seifert (R-Marshall), a tax bill conferee. "I appreciate that all of the really controversial items were taken out. And I appreciate that members who had problems with certain things were allowed to have input. I would urge a yes vote, and I never imagined I would say that on a tax bill this year."

— S. HEGMAN

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TRANSPORTATION

Housekeeping bill becomes law

**Signed
by
the
governor**

A new law modifies and updates a number of Department of Transportation provisions, while providing some technical and clarifying changes.

It clarifies, but does not change, some language regarding truck size and weight regulations. A MnDOT representative previously said one of the truck weight statutes has been problematic since the 1970s.

Beginning with trailers manufactured after Jan. 11, 2011, towed implements of husbandry that have brakes, must also have "break-away brakes," so that the implement automatically brakes if it becomes detached from the vehicle towing it.

MnDOT gives waivers for intrastate drivers who have certain medical conditions, such as diabetes. A three-year bar currently exists against giving these drivers a waiver if their license is suspended, canceled or revoked for any reason. Under the law, the three-year waiting period only applies in cases of driving privilege removal due to driving-related behavior.

Vehicles operating under a forest products permit will be permitted to operate a vehicle or combination of vehicles on unpaved roads when taking the most direct route to a paved highway without route designation by MnDOT.

Sponsored by Rep. Terry Morrow (DFL-St. Peter) and Sen. Jim Carlson (DFL-Eagan), it was signed May 12 by Gov. Tim Pawlenty. Most of the law takes effect Aug. 1, 2009.

HF1816*/SF1876/CH64

— M. COOK

Possible lowered speed limit

**Signed
by
the
governor**

Beginning Aug. 1, 2009, speed limits on some roads could drop by as much as 20 mph.

A new law will change the speed limit to 35 mph along rural residential districts where visible homes are spaced 300 feet or less for a distance of at least one-quarter mile along those roads, if adopted by the local road authority.

The change comes from a speed limit study task force formed by the Department of Transportation. It addresses areas that used to be primarily rural and are still posted at 55 mph. Because these areas are now developed, the speed is deemed to be too fast.

Sponsored by Rep. Peggy Scott (R-Andover) and Sen. Lisa Fobbe (DFL-Zimmerman), the law also narrows the definition of a "residential roadway" and clarifies that an "urban district"

Highlights continued on page 23

E-12 education bill that might have been

Funding held steady with no shifts proposed, but no Minnesota Miracle

By KRIS BERGGREN

No shifts. No cuts. No new Minnesota Miracle — yet. That's the good and bad news regarding the E-12 education finance bill, HF2, as far as its sponsor, House K-12 Education Finance Division Chairwoman Rep. Mindy Greiling (DFL-Roseville), is concerned.

As amended by the conference committee, the bill that funds school districts and charter schools, early learning programs, special education services and the Education Department — and comprises nearly 40 percent of the state's budget — was passed May 13 by the House 85-49 and the Senate, 49-16. It awaits action by the governor.

Greiling is grateful the bill would hold education funding steady at \$13.7 billion for the 2010-2011 biennium, and \$14.14 billion the following biennium, as originally proposed by the House. It also adopts the Senate's position to exclude House accounting shifts that would have delayed \$1.8 billion in state aid payments to school districts.

Republicans expressed concern that the bill doesn't increase money for schools as Gov. Tim Pawlenty proposes.

"We know there's not enough money in here," responded Greiling, who co-chaired the conference committee with Sen. LeRoy Stumpf (DFL-Plummer). "Schools are cutting because we haven't kept up with inflation since 1991." She quoted a letter from the Minnesota Rural Education Association: "This conference report is the best case budget scenario schools are looking at in this historic budget deficit session."

Although the bill includes use of \$500 million in federal stabilization funds from the American Recovery and Reinvestment Act of 2009 — more than the \$275.6 million the House had proposed — Greiling said she fears that without new tax revenue, which the

governor has steadily opposed, cuts to schools could still be forthcoming.

"That's the whole problem," she said.

NMM out

Greiling is "bitterly disappointed" that the education funding reform proposal known as the New Minnesota Miracle was not adopted. These provisions would have relieved property taxpayers of roughly \$800 million to \$1 billion in levies in favor of state aid; created several measures to make funding more equitable among all school districts; and increased basic per pupil revenue from \$5,124 to \$7,500. It featured an "innovation revenue" provision that would have included two of the governor's priorities: taking Q comp statewide and a "Pay for Progress" incentive that would give districts more money depending on students' test scores.

None were intended to take effect until 2014.

Reforms don't satisfy all

Although Rep. Pat Garofalo (R-Farmington) supported the House position as a conference committee member, he didn't sign the report.

"There's a big gap between where this bill is and where it could be," he said. "It lacks mandate relief, cuts \$185 million from the governor's education budget and lacks reform."

Greiling said the bill does include some of

the governor's recommendations and other reforms he approves. These include significant charter school changes and \$750,000 each to the Reading Corps and the Math and Science Teacher Centers, to be funded by reducing the education department budget by about 3 percent, or \$1.5 million.

Other reforms include new testing and accountability measures that provide better feedback for classroom teachers and more information about student performance. Significant and hard-won special education changes and mandate reductions are included, as is a provision allowing school districts to create site-governed schools, whereby teachers and parents create charter-like schools within districts.

A highly disputed alternative path to graduation would be created for students who cannot pass the Graduation Required Assessment for Diploma math test while the role of high stakes testing is evaluated over the next five years.

A Quality Rating and Improvement System for child care facilities and a study of state services for young children, to be developed by the departments of education and human services, is also included.

Late-night deal nixed

Shared services, an idea the House, Senate and governor all like, turned out to be "the straw that broke the camel's back," Greiling said at a May 13 conference committee hearing, referring to a near-deal reached after conferees paired up to negotiate various provisions in the wee hours the previous day.

That bill would have included key Senate positions such as pre-kindergarten "scholarship allowances" for low-income parents and a consolidated levy that the Senate advocated, in exchange for the House's New Minnesota Miracle. Funding would have come from home school mandate reduction, cuts to agencies, state academies and the education department, plus the governor's

E-12 continued on page 22

More compromise, more reductions

Cuts in health and human services finance bill called 'painful'

BY PATTY OSTBERG

Rep. Thomas Huntley (DFL-Duluth) said there are "500 million reasons to vote against it," referencing the monetary cuts in the omnibus health and human services finance bill conference committee report. Passed 80-51 by the House May 11, and 47-18 by the Senate, it now goes to the governor. Sen. Linda Berglin (DFL-Mpls) is the Senate sponsor.

When combined with a 7 percent (\$600 million) target below the forecast for the biennium, and an estimated \$90 million loss for health care providers in federal money, Huntley said HF1362*/SF695 adds up to a more than a \$1 billion hit. He said Gov. Tim Pawlenty sought a \$1.5 billion cut that would have cost providers \$3.5 billion.

"Every one of these cuts is painful and will hurt somebody," Huntley said. "We tried to minimize the damage best we could."

Rep. Paul Kohls (R-Victoria) said the report is deceiving because the cuts are actually reductions from previously proposed increases. He said the bill increases spending by approximately 20 percent from the current biennium.

Cuts and investments

The report calls for a 3 percent cut to providers of Medical Assistance and other

programs, but it does not cut primary care providers such as pediatricians, family practice physicians and general internal medicine.

"There was tremendous pressure on us to protect hospitals," Huntley said, noting the 3 percent cut to hospitals is 1/17th of what the governor wanted. Many of them are "in the red," and the governor's proposal would have put more of them in the red, he added.

Specialists would be cut by about 5 percent in the bill. While the cuts will hurt, it's a push to help change the way the state provides medical care and move things toward managing chronic diseases through primary care providers, Huntley said.

Other spending reductions include delayed rebasing for nursing homes; a 2.58 percent cut to long-term care facilities; reducing public assistance dental services; and limiting personal care attendant hours to 310 per month/per individual.

A personal care attendant recipient must need help with at least one activity of daily living to qualify for public assistance. The governor's proposal required at least two activities of daily living to be needed for services. Activities of daily living include helping dress, groom, bathe and toileting.

The disability community services comprise about 29 percent of the state health and human services budget, and were cut by that percent, Huntley said.

Money would be invested to meet the federal Children's Health Insurance Program Reauthorization Act of 2009 that could result in an additional \$20 million to increase the number of children on public health insurance by easing the enrollment process, said Huntley.

It would add an additional 22,000 children to MinnesotaCare, but they are children that already qualify but for some reason are not on the program, he said.

Another \$4 million would be invested to meet provisions of, and receive funding from, the federal Health Information Technology



PHOTO BY ANDREW VONBANK

Co-chairs Rep. Thomas Huntley and Sen. Linda Berglin confer during the May 12 omnibus health and human services finance conference committee meeting.

Health & Human continued on page 22

Higher ed funding approved

Federal stabilization funds used to spare deep cuts

By Nick Busse

State funding for higher education would receive a 2 percent total cut, under a bill awaiting action by Gov. Tim Pawlenty.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Sandy Pappas (DFL-St. Paul), SF2083 would fund the Office of Higher Education, the University of Minnesota and the Minnesota State Colleges and Universities system for the 2010-11 biennium.

As amended by a conference committee, the bill includes budget reductions of 0.2 percent for OHE and 2 percent each for the university and for MnSCU. The cuts would likely have been much deeper were it not for federal stabilization funds, which the bill uses to plug much of the biennial budget gap.

"I think we came back with a really good higher education bill, under the circumstances," Rukavina said on the House floor May 13.

The House voted 103-31 to pass the bill as amended by conference; the Senate passed it 54-12 earlier in the day.

Under the conference report, tuition increases would be capped at no more than 3 percent per year at MnSCU institutions — an increase over the House's original proposal of 2 percent per year. The bill also suggests a no more than \$300 per year increase at the university. Senate conferees opposed the tuition caps, arguing they amounted to micromanaging, but Rukavina insisted on keeping them in the bill as a way to help students in trying economic times.

Student financial aid would get a boost under the bill, which would raise the four-year tuition maximum in the state grant program as well as the maximum allowance for living and miscellaneous expenses. Work-study would also get a \$5 million boost — something Rukavina said hasn't happened in more than a decade.

A House proposal to repeal the Achieve scholarship program, which Senate conferees

opposed, was taken out in conference committee. Instead, the program, which focuses on low-income students who achieve good grades in high school, will receive a 54 percent reduction from its forecasted biennial base.

Rukavina reiterated his warning that state higher education programs will face a dire financial situation in the 2012-13 biennium, when federal stimulus funds will no longer be available to soften the impact of budget cuts.

"If we don't do something to raise revenue, there are going to be huge layoffs and programs are going to be affected ... and tuition could be increased dramatically."

Compromises on policy

A Senate proposal adopted in conference committee would create a new class of mid-

level dental practitioners called "dental therapists," with the goal of increasing access to dental care especially in rural areas. The provisions, which were not in the House version of the bill, also spell out educational and licensure requirements.

House language that would have prohibited MnSCU from filling vacant administrative and managerial positions, and from raising administrator salaries, was removed in order to reach a compromise with the Senate. Similarly, House provisions directing the university not to create new administrative positions or increase administrative salaries were also removed. Also deleted was a House proposal to have the Legislature, rather than the governor, appoint members to the MnSCU Board of Trustees.

A Rukavina proposal to force college bookstores to offer clothing made in the United States, "to the extent possible," is included in the language. Institutions are also required to report back to the Legislature on their efforts to comply with the provision.

A controversial provision that would prohibit the university from offering alcoholic beverages for sale at a sports arena or stadium unless it offers them throughout the entire stadium, and not just in premium seating areas, is also in the bill.


A provision that would ban the use of state funds for research involving human cloning also made the final cut. 



PHOTO BY TOM OLMSCHIED

The omnibus higher education finance conference committee meets May 12.

Budget cuts for state government

Conference committee removes some controversy from finance bill

By Nick Busse

According to its sponsor, the state government finance bill now awaiting action by Gov. Tim Pawlenty has one important virtue: it has “the benefits of being a really dull bill.”

“When the bill went out of here (to conference committee), it had some controversial positions such as domestic partner benefits, cuts to gubernatorial appointees — and those have all been removed from the bill,” said Rep. Phyllis Kahn (DFL-Mpls).

What remains in the conference report on SF2082*/HF1781, sponsored by Kahn and Sen. Don Betzold (DFL-Fridley) is a series of budget cuts and new measures to strengthen accountability in state government.

The bill would fund the Legislature, the state’s constitutional offices and several state agencies, including Minnesota Management and Budget and the Department of Revenue

for the 2010-2011 biennium.

Under the bill, the Legislature and the governor’s office would receive 3 percent cuts from their forecasted base funding. The Office of the State Auditor would not see any funding reduction, while the Office of the Secretary of State and the Office of the Attorney General would be reduced 5 percent and 4.5 percent, respectively. Most executive agencies funded in the bill would get 5 percent cuts.

The funding provided for in the bill accounts for approximately 2.8 percent of the total state budget; however, at least one lawmaker said the cuts in the bill should have been deeper.

“We’re not going to share in the pain,

according to the DFL majority,” said Rep. Mark Buesgens (R-Jordan), noting that the 3 percent budget cuts for the Legislature and governor’s office are less than the cuts to other agencies.

Rep. Keith Downey (R-Edina), the bill’s lone House Republican conferee, expressed support for the bill, arguing it represented a good compromise that funded some important information technology initiatives and accountability measures.

“I do think that in a really tough budget year, we did find a way ... to really advance some strategic initiatives,” Downey said.

The bill includes funding, in whole or in part, for completion of an integrated tax system for the Revenue Department, replacement of the state’s accounting and procurement system, and preliminary planning to consolidate the state’s data centers. It also includes a governor’s initiative to establish a statewide electronic licensing system for commercial and professional licenses, and raises certain business fees to fund it.

A number of provisions designed to strengthen accountability in state government are included in the bill. A provision sponsored by Rep. Ryan Winkler (DFL-Golden Valley) would clarify that knowingly misappropriating state funds is a gross misdemeanor and grounds for job termination; currently, statutes are unclear on whether misusing state funds is actually a crime.

Legislation sponsored by Winkler and Downey that would strengthen the state’s internal financial controls has been included in the bill. The provisions would require Minnesota Management and Budget to take responsibility for internal controls across the executive branch, and also direct the Legislative Audit Commission to make recommendations on improving internal controls. A provision that would have created a new financial controls council for the state was not included in the conference report.

Provisions sponsored by Rep. Steve Simon



PHOTO BY ANDREW VONBANK

Sen. Don Betzold and Rep. Phyllis Kahn share a light moment during a May 1 meeting of the omnibus state government finance conference committee.

State Government continued on page 22

Courts and corrections backing

Public safety finance bill awaits gubernatorial action

By MIKE COOK

Conferees' final judgment on the omnibus public safety finance bill was to reduce funding for many areas and allow fee increases for some court activity.

Now it's time for Gov. Tim Pawlenty to render his verdict.

"We had to make over \$61 million in cuts. We tried to be very strategic in our approach, and I think we accomplished that goal while preserving public safety," said Rep. Michael Paymar (DFL-St. Paul). "We also have significant and extensive reforms that we are recommending to the Department of Corrections, as well as the Department of Public Safety and the courts." The conference committee removed many provisions Pawlenty found objectionable.

Sponsored by Paymar and Sen. Linda Higgins (DFL-Mpls), HF1657/SF802* was passed 85-45 by the House May 12, one day after the Senate did the same 36-30.

"It's not a perfect bill, but it's, I think, one we can go forward with in the state," Higgins said.

Coming in at \$2.02 billion, including \$1.81 billion from the General Fund, the bill cuts a wide swath of areas including courts, human rights, victim services and public safety.

However, Paymar said the Corrections Department would get a base bump.

"We did not fund the department to the level that the governor had recommended. We actually increased base funding to the Department of Corrections by \$3.6 million. I don't know of any other department or agency in the state of Minnesota that got increases," Paymar said.

The governor's proposal includes a more than \$20 million deficiency request that conferees believe should have been in the annual budget deficiency request put forth earlier this session by the governor.

To help with department efficiencies, the bill calls for a 1 percent per diem decrease, or 89 cents per day per prisoner.

"We offered them a whole list of suggestions that we think the department can implement to reduce their costs, but we also said they cannot, in this process, lay off correctional officers or reduce treatment beds," Paymar said.

A Corrections Strategic Management and Operations Advisory Task Force is established to look at ways the department can improve efficiencies. One efficiency in the bill is a 20 percent reduction in the department's car fleet — more than 750 now — by Jan. 1, 2010.

The bill calls for the elimination of the short-term offender program that allows offenders with less than six months remaining on their sentence to serve that time in a local jail. This would take effect with those sentenced on or after July 1, 2009. Pawlenty included this in his budget proposal. "It'll be a savings to the counties," Paymar said.

Courts

All courts face a biennial funding decrease, but some of that is to be offset by \$41.6 million in fee increases.

"We cut the courts by only 0.85 percent," Paymar said. "I don't believe we'll have to have any layoffs of public defenders. I have not heard any criticism from the courts about this bill. I think we met their expectations, and exceeded them in many respects."

Some Republicans, including House Minority Leader Marty Seifert (R-Marshall) and Rep. Paul



PHOTO BY ANDREW VONBANK

Co-chairs Rep. Michael Paymar and Sen. Linda Higgins listen to testimony May 1 during a meeting of the omnibus public safety finance conference committee.

Public Safety continued on page 22

E-12 continued from page 17

recommendation to cap and freeze integration revenue.

A compromise shared services provision would have been included. The original Senate version would have required school districts to use a consultant to find savings through cooperative purchasing and sharing services

such as information technology with other districts, who would be paid a percentage of any savings. The House version proposed a Web site, coordinated by the Office of the State Auditor, to congregate ideas and resources from school districts and regional cooperatives already sharing services.

Greiling suggested that bill would have

appealed to the governor more than the one he'll see.

However, when a shared services amendment was added to a different conference committee report, that issue was taken off the table and the education agreement disintegrated.



Health & Human continued from page 18

for Economic and Clinical Health Act that is designed to help the state convert health records to electronic form.

In an effort to get a jump start on a second proposal should the governor veto the first, the omnibus health and human services finance conference committee took more public testimony May 12-13 on more potential human services cuts.

Huntley and Berglin presented a proposal to cut an additional \$400 million from the

omnibus health and human services finance bill. "(It is) what we need to do if we don't get some additional revenue to balance the budget," Berglin said. The cuts would come from up to 25 percent additional rate reductions to long-term care facilities, nursing homes and inpatient hospital reimbursement rates.

Making severe cuts to hospitals could cause some of them to go out of business. It's like a dangerous game of Jenga, said Cathy Barr, chief executive officer for Bethesda Hospital in St. Paul. "If you take Bethesda out of the stack, what will happen?" The specialty hospital

supports some of the most vulnerable in the state.

Mary Krinkie, vice president of the Minnesota Hospital Association, said an additional cut would make a dramatic difference in the types of services hospitals would be able to provide. Hospitals would have cut services such as mental health, dialysis and obstetric services, limit hours and operations for emergency rooms, and reduce services to the 60 nursing homes attached to hospitals in the state, she said.



— ASSISTANT EDITOR MIKE COOK CONTRIBUTED TO THIS STORY.

State Government continued from page 20

(DFL-St. Louis Park) that would establish a false claims act for Minnesota are also included. The act would impose penalties on those who make false claims against the state, allow the state to recover damages, and establish protections for whistleblowers.

Other policy provisions include:

- granting preferences to certain veteran-owned small businesses in regard to bids on state contracts;

- requiring municipalities to consider using the state's cooperative purchasing venture for contracts larger than \$25,000;
- officially changing the name of the Department of Finance to the Department of Management and Budget, which may also be referred to as Minnesota Management and Budget;
- requiring the creation of a Web site with a searchable database of information on state contracts, expenditures and appropriations;

- establishing a central Geospatial Information Office within the Department of Administration that consolidates a number of existing state geographic information services; and
- requiring occupants of state-owned buildings to try to turn off building lights between midnight and dawn during bird migration seasons (the "bird-safe buildings" provision).



Public Safety continued from page 21

Kohls (R-Victoria), wondered how the fee total came about when the House proposal was \$28 million and the Senate's \$34 million.

"You don't come back with compromises that are bigger than either of the first two bargaining positions," Seifert said. "Of course the court system wants it because the courts get the money."

Paymar countered that when the Republicans were in charge in 2003, Pawlenty signed \$98 million in public safety fees into law.

He said court representatives said they "could live with" the fees, and that the Minnesota Bar Association did not express opposition. "While nobody likes to raise fees, we felt like in these economic times that this was the right thing to do."

Other court provisions include an increase of the attorney registration fee to \$75 to help fund public defenders, the public defender co-pay is increased from \$28 to \$75 (can be waived by the court), referees can serve as judges of conciliation court in all judicial districts, a transfer of money from local drug abuse prevention programs to juvenile drug court programs and an annual 10 percent interest rate must be put on a judgment or an award over \$50,000.

Sen. Ron Latz (DFL-St. Louis Park) noted it is often beneficial for the defendant to hold their money in an account earning greater interest instead of paying their debt. "We believe through this measure that we will reduce some of the delays that defendants currently use in paying the judgment," Paymar said.

Other bill provisions

- ensures that victim's services programs administered by the Office of Justice Programs must not be reduced by more than 3 percent from current biennium funding;
- counties could develop a revocation center pilot project that could house offenders facing probation revocation, rather than sending them to prison;
- places a 90-day incarceration cap on a first-time supervised release violator following a revocation of supervised release; and
- by Jan. 1, 2010, the Public Safety Department is to reduce its non-investigative car fleet by at least 5 percent. This excludes the state patrol.



First Reading continued from page 4

crystal clear who wanted what.”

However, the lead House conferee on the agriculture and veterans finance bill conference committee had praises for the openness, calling it an “experiment to do the negotiating in the room,” said Rep. Al Juhnke (DFL-Willmar). “I think it was a neat process, and one I’ve not seen in my 13 years here.”


Kohls and Simon say their participation has been meaningful.

“I listen a lot more than I talk. It’s fascinating to see the interplay between leaders of the executive branch and legislative branch,” Simon said. “My philosophy after three terms is that the House and Senate do not collaborate enough. This was a way to do so consistently, starting early in the session.”

He said that shouldn’t bolster the case made by opponents that DFL leaders have had more than enough time to agree on targets.

“There’s a natural incentive to wait until the

last minute to strike the right deal,” Simon said. “At least when it happens the sides are better informed and better understand each other.”

Kohls said the commission is a tool that has its place. “We had some good discussion about whether we should go down the path we’re going down or approach it from a 180-degree angle,” he said. “I’ve certainly used the commission as a way to advocate for a structural framework for how we get out of here.” 

Highlights continued from page 16

can be on a city street or town road.

It was signed May 9 by Gov. Tim Pawlenty.
HF1421/SF1467*/CH56

— M. Cook

Booster seat requirements

A plan to keep some of the state’s youngest residents safer awaits gubernatorial action.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Jim Carlson (DFL-Eagan), HF267/SF99* would require that youth be in a restraint system until their eighth birthday or they reach 4 feet 9 inches tall. Amended and passed 85-42 by the House May 11, the Senate repassed the bill 39-13 the next day.

Minnesota is one of six states that does not

have a supplemental child restraint law. Current law, crafted 26 years ago before booster seats were developed, states a child passenger restraint system is required for children under age 4.

Hortman said that an improperly fitted adult safety belt could cause the lap belt to ride up over the stomach and the shoulder belt to cut across the neck. If the shoulder strap is uncomfortable, children often place it behind their backs, further defeating the safety benefits of the system.

Supporters said a backless booster seat, which raises a child so the belt properly goes across the shoulders and hips, costs less than \$20.

Hortman said the height requirement comes from a Centers for Disease Control and Prevention growth chart. House Minority Leader Marty Seifert (R-Marshall) unsuccessfully offered an amendment to

lower the requirement to age 5.

It would be a petty misdemeanor with the driver fined up to \$50. The fine would be waived if the driver proves within 14 days that the operator has purchased a system for use. An amendment successfully offered by Rep. Mary Kiffmeyer (R-Big Lake), and amended by Rep. Tony Cornish (R-Good Thunder), states that “a peace officer may provide to the violator information on obtaining a free or low-cost child passenger restraint system.”

Approval of the law could also garner approximately \$140,000 in federal funds. The National Highway Traffic Safety Administration awards incentive funds for child passenger safety activities to states that enact a qualifying child restraint law.

— M. Cook

BILL INTRODUCTIONS

MAY 8 - 14, 2009

HOUSE FILES 2377 - 2388

Friday, May 8

HF2377-Sertich (DFL)

Finance

Iron Range Resources and Rehabilitation Board funding provided for asset preservation at Iron World.

Monday, May 11

HF2378-Kalin (DFL)

Finance

Rush City; water and sewer funding provided.

HF2379-Ruud (DFL)

Health Care & Human Services Policy & Oversight

Prosthetic device coverage required.

HF2380-Jackson (DFL)

Rules & Legislative Administration

Miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors corrected.

HF2381-Atkins (DFL)

Public Safety Policy & Oversight

Gang affiliation data retention required.

Wednesday, May 13

HF2382-Huntley (DFL)

Finance

Duluth; Clyde Park improvements and Duluth Children’s Museum funding provided.

HF2383-Champion (DFL)

Finance

Community arts education grant program established; program administered by the Minnesota Board of Arts and regional arts councils.

HF2384-Scott (R)

Health Care & Human Services

Policy & Oversight

Nonpublic assistance IV-D services provisions modified.

HF2385-Torkelson (R)

Finance

Minnesota River Basin; flood hazard mitigation funding provided for Area II.

HF2386-Hortman (DFL)

Health Care & Human Services

Policy & Oversight

Complex regional pain syndrome education and research program act.

Thursday, May 14

HF2387-Laine (DFL)

Early Childhood Finance & Policy Division

Head Start school readiness service agreements authorized.

HF2388-Loon (R)

Taxes

Filing requirement waived for minimal tax owed as a result of late adoption of federal changes.

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MINNESOTA INDEX

Government in Minnesota

Full-time government employees in 2007	233,946
State employees	64,793
Local government employees	169,153
Part-time government employees in 2007	121,716
State employees	29,995
Local government employees	91,721
State General Fund revenues in fiscal year 2008, in billions	\$18.9
State General Fund expenditures in fiscal year 2008, in billions	\$17
Counties in Minnesota	87
Fiscal year 2008 revenues, in billions	\$5.7
Fiscal year 2008 expenditures, in billions	\$5.8
Cities in Minnesota	855
Fiscal year 2008 revenues, in billions	\$4.3
Fiscal year 2008 expenditures, in billions	\$4.1
Towns in Minnesota	1,787
Fiscal year 2007 revenues, in millions	\$242.3
Fiscal year 2007 expenditures, in millions	\$242.8
School districts in Minnesota	340
Other special taxing districts, including hospital, sanitary and watershed districts and housing redevelopment authorities	295
Price of government in Minnesota, in fiscal year 2009, as percentage of	
personal income	15.5
Percentage in fiscal year 2006	16.5
Percentage in fiscal year 2003	15.4
Legislative branch employees (permanent), in fiscal year 2009	617
House members, staff	134, 119
Senate members, staff	67, 149
Joint legislative staff	148

— N. BUSSE

Sources: U.S. Census Bureau, 2007 Census of Government Employment; House Research Department, Minnesota Government in Brief, January 2009; Office of the State Auditor, various reports; Minnesota Management and Budget, Price of Government and February 2009 Forecast General Fund balance analysis.

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On the cover: Like the water glass on House Speaker Margaret Anderson Kelliher's chamber desk May 18, some members may have seen the glass half full and others half empty as session ended.

— Photo by: Tom Olmscheid



No easy fixes

The 2009 session ends with many questions left unanswered

By Nick Busse

The 2009 legislative session began and ended in uncharted territory.

When the 86th Minnesota Legislature convened Jan. 6, lawmakers faced the unenviable task of solving the biggest budget deficit in state history. Tax receipts were tanking, unemployment was nearing record levels, and State Economist Tom Stinson was predicting the worst economic recession since World War II. Despite all this, legislative leaders promised to balance the budget on time and bring the session to a successful close.

First Reading continued on page 4

First Reading continued from page 3

Whether they accomplished this depends on whom you ask.

Here are the facts: by the final week of session, lawmakers had passed, and Gov. Tim Pawlenty had signed, all the necessary legislation to fund state government for the next two years. Lawmakers had also passed tax increases and K-12 payment shifts needed to pay for the budget bills they sent. So far, so good.

But legislative leaders and the governor couldn't reach an agreement on how to pay for the appropriations. Arguing that increasing taxes during a recession would harm the state's economy, Pawlenty vetoed the Legislature's tax proposals, leaving an approximately \$3 billion gap between state spending and revenues. Some saw the state careening toward a special session.

Things change quickly at the Capitol, however. In an unprecedented move that stunned legislative leaders, the governor announced on May 14 — four days before the end of session — that he planned to take “executive action” to balance the budget himself. Having all the necessary budget bills in his possession, the governor said he would simply sign them and then use his authority to unallot state spending to close the remaining budget gap.

Budget talks continued following the announcement, but quickly lost momentum, with each side accusing the other of having thrown in the towel on negotiations. DFLers and Republicans seemed to interpret Pawlenty's announcement differently. Members like Rep.



PHOTO BY TOM OLMSCHIED

Finance Commissioner Tom Hanson discusses the February budget forecast at a March 3 press conference along with State Budget Director James Schowalter, left, and State Economist Tom Stinson.

Paul Kohls (R-Victoria) saw it as a “backstop” to prevent the need for a special session; House Speaker Margaret Anderson Kelliher (DFL-Mpls) saw it as “bullying” and took it as a sign the governor wasn't willing to negotiate in good faith.

On May 18 at midnight, lawmakers adjourned the 2009 session without an agreement.

“We did continue to try to negotiate with the governor right up until the end. ... But in the end, I think the chasm was just a little too wide to actually just scale easily,” Kelliher told reporters shortly after the House adjourned.

In the coming weeks, Pawlenty will announce his plans to close the remaining budget gap. He is expected to delay payments to K-12 schools and to cut roughly \$1 billion from various state programs. He has yet to announce what will be cut.

Whatever happens, Pawlenty has made one thing clear: there will be no special session.

“The legislators are gone, and they're not coming back,” he said.

A session of firsts

Before the session began, many had predicted a virtual repeat of the 1981-82 biennium. Then, as now, Minnesota had a DFL-controlled Legislature, a Republican governor, a battered economy and a record budget deficit. That situation resulted in six special sessions, and was ultimately resolved with budget cuts and — despite the reluctance of Gov. Al Quie — tax increases.

Despite the outward similarities, the 2009 session proved to be a radically different scenario. It wasn't just that the deficit was bigger — though it was, a lot bigger. In December, Finance Commissioner Tom Hanson announced the state was facing a projected \$4.8 billion budget shortfall. By the time the February Forecast was released, that number had been revised upward to \$6.4 billion; however, it was announced that \$1.8 billion in fiscal stabilization funds from the American Recovery and Reinvestment Act of 2009 could be used to whittle the deficit back down to \$4.6 billion.

Lawmakers and the governor came up with very different proposals to close the remaining gap. Pawlenty, who saw the deficit



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty delivers his State of the State address to the Legislature Jan. 15.



PHOTO BY TOM OLMSCHIED

With Gov. Tim Pawlenty's seat empty, the Legislative Commission on Planning and Fiscal Policy questioned, from left, Revenue Commissioner Ward Einess, Finance Commissioner Tom Hanson and Human Services Commissioner Cal Ludeman May 16 on the effects of line-item vetoes and unallotment.

as an opportunity to shrink state government, remained steadfast in his opposition to tax increases. Instead, the governor proposed budget cuts, payment shifts to K-12 schools and a controversial plan to sell \$1 billion of future revenues from the state's decade-old tobacco settlement.

It didn't take long for DFL leaders to rip into the governor's "tobacco bonds" proposal, which, as they pointed out, would have cost the state some \$600 million in interest over the life of the bonds. Instead of the one-time tobacco money, DFLers proposed a package of tax increases that would raise \$1 billion, providing a permanent revenue stream — along with a series of budget cuts that went even deeper than the ones proposed by Pawlenty. DFL leaders said it represented fiscally responsible budgeting; Republicans called it "the worst of both worlds."

But before DFL legislators offered their own budget proposals, they went on an unprecedented "listening tour," holding town hall-style meetings at various locations across the state to get public input on budget solutions. Both DFL and Republican legislators attended the meetings that were part of a first-of-its-kind effort by legislative leaders to add openness and public scrutiny to the normally esoteric process of building the state's budget.

In addition to the listening tour, DFL leaders made extensive use of a previously little-known legislative panel — the Legislative Commission on Planning and Fiscal Policy — to shed public light on budget negotiations between the Legislature and the Pawlenty administration. During the final week of session, the commission met on an almost daily basis to flesh out the governor's budget proposals live, in front of a public audience, and on television.

Republicans criticized both the listening tour and the commission hearings, arguing they amounted to public grandstanding and an ineffective use of time; DFLers defended them as an important measure of accountability.

"Another important part of this was doing things more publicly," Kelliher said. "There was more transparency; I think that actually leads to more accountability. It was important to us to hold public hearings..."

That public process is expected to continue during the interim, when Kelliher said the Legislature will hold hearings on the governor's unallotment plans.

Whether the session was a success or a failure probably depends on how you define those terms. Kelliher and DFL leaders point out that they sent the governor a balanced budget. It was his choice, they say, to veto their

proposed revenue increases. Republican leaders denounce the DFLers for passing tax increases they knew the governor would veto. Either way, it's done, and there is always next year.

The Minnesota House and Senate are scheduled to reconvene at noon on Thursday, Feb. 4, 2010.

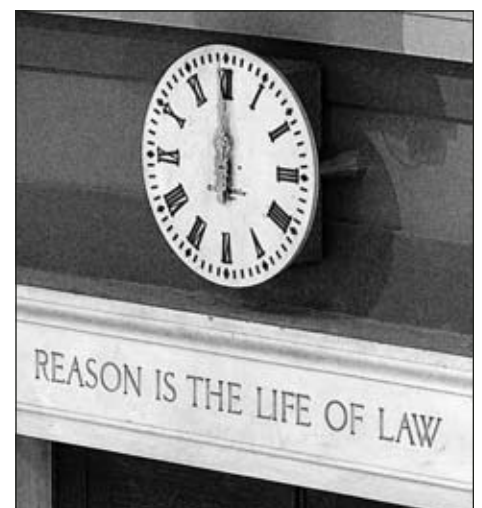


PHOTO BY ANDREW VONBANK

The clock in the House Chamber approaches the midnight hour on May 18, the last day of the 2009 legislative session.

Editor's note: The following are governor's actions on bills through May 23. Designations used in New Laws and Vetoes 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

Ag, vets funding gets trim

Receiving overwhelming support in the House and Senate, the omnibus agriculture and veterans affairs finance law received nearly full support from the governor.

"We had two goals with the bill: preserve jobs and protect core services," said Rep. Al Juhnke (DFL-Willmar), who sponsors the law with Sen. Jim Vickerman (DFL-Tracy). Although the law came in a little under Gov. Tim Pawlenty's proposed budget target, the state's top official trimmed \$130,000 with two line-item vetoes.

For the 2010-2011 biennium, the law appropriates approximately \$116.8 million to the Veterans Affairs Department, \$75 million to the Department of Agriculture, \$41.7 million to the Military Affairs Department, \$10.4 million to the Board of Animal Health and \$5.6 million for the Agricultural Utilization Research Institute. Most of the law is effective July 1, 2009.

Although the governor's budget proposed no cuts to the Veterans Affairs and Military Affairs departments, it was the Agriculture Department funding that had to be shifted around to provide more money for veterans affairs. This was accomplished largely by deferring some ethanol producer payments.

Pawlenty red-lined \$100,000 in sustainable agriculture grants from the law. The amount would have been available in each of the two years of the biennium. However, his veto eliminates the funding for the second year. "The remaining \$100,000 will allow the department to fund the most worthy projects," he wrote.

Also nixed was a \$30,000 appropriation for the development of a star farms program, which would have recognized farms meeting certain criteria. "While the development of such a program may have merit, it does not rise to the level of a top priority considering the state's budget situation," Pawlenty wrote in his veto letter.

Biennial funding proposals in the law include:

- \$87.5 million for use by the state's five veterans homes;
 - \$23.6 million for Minnesota National Guard enlistment incentives;
 - \$9.4 million for agriculture marketing and development, including grants for the Minnesota Grown promotion;
 - \$1 million to Second Harvest Heartland for purchase of milk for distribution to Minnesota food shelves; and
 - \$282,000 to help the veterans homes receive Medicare certification.
- Policy provisions in the law include:
- the ability to seek tenants for vacant or unused space in the Orville L. Freeman Office Building in St. Paul, which houses the Agriculture and Health departments;
 - a green jobs food production study and report is called for to identify green job opportunities relating to various farming methods, including organic, local, conventional and urban farming;

- new regulations on the sale and distribution of agricultural pesticides, including modifications to the fee schedule;
 - establishment of a Noxious Weed Advisory Committee to advise the commissioner concerning the noxious weed control program;
 - veteran designation availability on a Minnesota Driver's License or state identification card; and
 - extending interviews to qualifying veterans who apply for state employment and a mandated annual report, beginning in 2011, containing data regarding number of veterans employed by state agencies.
- HF1122*/SF1779/CH94

— L. SCHUTZ

BONDING

'Bare bones' bonding sees reductions

After conference committee members spent weeks deciding what shovel- or paint-ready projects should be considered for this year's capital investment law, Gov. Tim Pawlenty used his veto power to cut \$85.16 million worth of projects from the \$343.5 million proposal.

In an earlier letter to the conferees, Pawlenty laid out his concerns regarding the size and scope of the bill. He indicated an acceptable bill should focus on "maintaining existing buildings rather than constructing new ones; funding projects that leverage available federal matching dollars; and remaining fiscally responsible."

Despite his disappointment with the size presented to him, Pawlenty said he was grateful for increases in the flood mitigation

Dear Readers:

The Legislature adjourned May 18 and is scheduled to reconvene for the second year of the biennium at noon, Feb. 4, 2010.

This special issue of Session Weekly provides a wrap-up of all legislation considered during the final days of session, including Gov. Tim Pawlenty's actions on the major spending bills.

To our readers currently on the Session Weekly mailing list, your free subscription will be rolled over to next year. The first issue of Session Weekly for the 2010 session is scheduled to be published Feb. 12.

Of course, House activities do not come to a standstill during the interim, and updates

when news from the House warrants are available online.

- Session Daily, the House electronic news source, will be updated during the interim and is accessible on the House home page, www.house.mn. Subscribers to Session Daily receive e-mail alerts whenever a new article is posted. To subscribe to Session Daily, log on to <http://www.house.mn/list/join.asp?listname=sessiondaily> or call 651-296-2146 or 800-657-3550.
- For information on any House or many legislative commission

meetings scheduled during the interim, go to www.house.mn/hinfo/hinfosched.asp. To subscribe to the house schedule electronic mailing list go to www.house.mn/list/join.asp?listname=houseschedule.

- For information on interim meetings that will be video-streamed online, go to <http://www.house.leg.state.mn.us/htv/schedule.asp>.
- Subscribe to the House Public Information Services' Twitter feed at <http://twitter.com/MNHouseInfo>.

— Session Weekly staff

amount and included disaster assistance money for northwest Minnesota, Hugo and St. Charles. "These are important items that need to be funded this year," he wrote. "While many of the vetoed projects are meritorious, they should be considered next year as part of the larger, regular bonding bill."

"This money is going to go a long way to protect the Red River Valley from future flooding," said Rep. Paul Marquart (DFL-Dilworth). "Those dollars will be saved many times over in reduced damages in the future."

Law sponsors Rep. Alice Hausman (DFL-St. Paul) and Sen. Keith Langseth (DFL-Glyndon) placed a high priority on higher education and gave asset preservation money to nearly every state agency.

"I will tell you that this is one of those bare bones, bread and butter bonding (laws) that takes care of the basics," Hausman said. "It focuses on both paintbrush- and shovel-ready projects that can be undertaken immediately."

The law will provide \$54 million for flood mitigation. The rest of the money allocated in the law is toward asset preservation including \$40 million and \$25 million to the Minnesota State Colleges and Universities system and University of Minnesota.

The law will also provide:

- \$26 million to the Department of Transportation for intercity passenger rail projects;
- \$22.6 million to the Metropolitan Council; and
- \$2.1 million for a national solar rating and certification laboratory that will likely be built on the University of Minnesota-Morris campus;

The line-item vetoes include:

- \$24 million for the University of Minnesota's Bell Museum of Natural History;
- \$13.3 million for North Hennepin Community College Center for Business and Technology;
- \$11 million for a health and science center addition at Lake Superior Community and Technical College;
- \$6.5 million for a Mankato civic center expansion;
- \$5.78 million for the Red Lake school district;
- \$5.75 million for a Metropolitan State University smart classroom center;
- \$3 million for expansion of the St. Cloud Civic Center;
- \$2 million for early childhood learning and child protection facilities; and
- \$2 million for the Minnesota Shubert Performing Arts and Education Center in Minneapolis.

HF855*/SF781/CH93

— S. HEGMAN

CAPITOL IN BLOOM



PHOTO BY ANDREW VONBANK

The Capitol Dome is framed by a profusion of blooming trees May 15.

BUDGET

Federal stimulus oversight

A last-minute deficiency law includes funding for oversight of federal stimulus appropriations.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Richard Cohen (DFL-St. Paul), the law, effective May 22, 2009, will provide \$700,000 to Minnesota Management and Budget and \$384,000 to the Office of the State Auditor.

The money, available immediately and

carrying over into the next fiscal biennium, will be used to monitor state and local use of stimulus funds from the American Recovery and Reinvestment Act of 2009.

In addition, the law, passed by the Legislature during the final hours of session, includes some changes to the session's omnibus higher education finance law. Notably, it raises the caps on tuition increases in the second year of the biennium for the University of Minnesota and Minnesota State Colleges and Universities system. For the university, the cap is raised from \$300 to \$450; for MnSCU, the cap is raised from 3 percent to 5 percent.

Rep. Tom Rukavina (DFL-Virginia) explained that the changes were needed to give some added financial flexibility for the university and MnSCU, both of which now face possible unallotment by Gov. Tim Pawlenty.

"It's a minimal increase from what was in the original bill," Rukavina said.

The law also includes several smaller provisions making changes to county health care programs in a way that brings them into conformity with requirements included in the federal stimulus legislation. There is also a provision relating to the small school district in Deer River, allowing the district to continue receiving sparsity aid. Solberg said it was requested by the Education Department.

HF2251*/SF1938/CH177

— N. BUSSE

BUSINESS

Commercial licensing updated

A new law clarifies and modifies certain technical licensing and continuing education requirements regulated by the Commerce Department for workers such as real estate salespersons and appraisers, and insurance producers and adjusters.

Provisions of the law modify or clarify numerous aspects related to self-study and classroom- or Internet-based courses for pre-licensing or continuing education professional requirements including payment of fees, course content and examinations, approved textbooks, curriculum or materials, course management and credit hours.

For example, references to "sponsor" are changed to refer to "education provider." The sections dealing with insurance producers now align with the current version of laws and guidelines promoted by the National Association of Insurance Commissioners (NAIC) for insurance producers and adjusters.

The law is sponsored by Rep. Kurt Zellers (R-Maple Grove) and Sen. Kevin Dahle (DFL-Northfield). It takes effect July 1, 2010.

HF2099/SF1910*/CH63

— K. BERGGREN

CONSUMERS

Expansion of U stadium liquor sales

For the University of Minnesota, it's all or nothing when it comes to liquor sales at TCF Bank Stadium that is scheduled to open this fall.

A provision in the omnibus liquor law requires the university to change its plans

regarding alcoholic purchases only in the premium seating area and suites.

Under the new law, mostly effective May 21, 2009, a liquor license can be issued for the facility only if sales are allowed throughout the stadium. "It should be all or nothing; you can't just have a situation that applies only in the luxury suites. If you're not in a luxury suite you can't have a beer?" said Rep. Leon Lillie (DFL-North St. Paul) who successfully offered the amendment on the House floor.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park), the law is a catchall for the various liquor-related bills acted on this session.

The law also addresses an issue Augsburg College in Minneapolis has regarding alcoholic sales by permitting the city to consider issuance of an on-sale license. The college has been serving alcohol at selected alumnae events over the years, before finding out that it didn't have a license to do so. This provision is effective upon approval of the Minneapolis City Council.

The law also provides for consideration of liquor licenses by issuing authorities for:

- the Duluth Entertainment Convention Center for intercollegiate hockey games;
- Sporty's Pub & Grill in Minneapolis;
- the Best Western Superior Inn and Suites and East Bay Suites in Grand Marais; and
- private convention centers outside the seven-county Twin Cities metropolitan area.

Additional provisions allow for on-sale liquor hours to be expanded at the Humphrey and Lindbergh airport terminals; and license holders selling wine to hold wine-tasting events.

The law adds a device designed to ensure safe storage and monitoring of alcohol in the home to the list of items that can be sold by liquor stores.

HF1476*/SF1313/CH120

— L. SCHUTZ

Payday lending protections added

When people don't have bank accounts or need cash fast, some turn to "payday lenders" who charge interest rates higher than standard bank rates for short-term loans of \$1,000 or less payable within 60 days. However, the "serial borrowing" that may occur if lenders allow customers to keep rolling over their loans can be like quicksand, sinking cash-strapped people into deep debt.

A new law adds safeguards to existing regulations to protect these borrowers from harm. Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Kevin Dahle (DFL-

2009 New Laws

A complete review of all new laws passed this year is expected to be available after July 1 at the New Laws 2009 Web page, <http://www.house.leg.state.mn.us/hinfo/NewLaws/NewLawsmain.asp>. To receive an electronic notification when the New Laws have been posted, go to www.house.mn/list/join.asp?listname=houseinformation.

Arranged by category, readers will find user-friendly access to stories that explain the new laws. A link is provided to the actual bill text that was passed into law. By typing in a key word, an index will help readers find under which category the new law being searched for is located.

Because this is the first year of the biennium, bills that were introduced but not acted upon could see new life in the second year of the biennium. Stories on some of the more high-profile bills not making it into law and those that were vetoed will also be featured.

Northfield), it tightens payday lending rules and creates penalties for lenders who violate them.

The law requires payday lenders to:

- keep detailed records about their transactions and to track the dollar amount collected in interest payments on the loans, how many borrowers they serve, the frequency of customer borrowing, the average rate of interest charged and other data;
- submit an annual report of that data to the commerce commissioner; and
- provide the borrower with a copy of the loan agreement in the language that was used to negotiate the loan.

Penalties for noncompliance apply to any loan made to a Minnesota resident even if made on the Internet.

Except for certain reporting requirements, which are effective retroactively from Jan. 1, 2009, the law takes effect Aug. 1, 2009.

HF914/SF806*/CH68

— K. BERGGREN

Medicare and 'robo calls'

A law relating to the Commerce Department could be considered a catchall of technical changes needed to areas of regulations, including Medicare, insurance providers and telecommunications.

The law, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Dan Sparks (DFL-Austin), will impact people covered under various Medicare plans by bringing Medicare statutes into compliance for notice requirements dictated by the American Recovery and Reinvestment Act of 2009. Of significance is one provision laying out how requests for genetic information from issuers of supplemental Medicare policies are

STUDY TIME



PHOTO BY TOM OLMSCHIED

Rep. Sarah Anderson tries to go through the entire second omnibus tax bill in the session's final hour. Approved by the House and Senate, the bill was vetoed by Gov. Tim Pawlenty.

to be handled. The level of coverage for various Medicare supplement plans is also clarified.

Additionally, the law addresses marketing insurance or annuities to senior citizens. It will be considered a "deceptive act" for agents to mislead a client by implying they have special certification or training in advising or servicing seniors.

Minnesota has statutes regarding who can use "robo calls" or automated telemarketing phone calls. Under the new law, a nonprofit, tax-exempt charitable organization can robo call if it is "solely for the purpose of soliciting voluntary donations of clothing to benefit disabled United States military veterans."

The law also sunsets the Minnesota do-not-call provision Dec. 31, 2012. Atkins said there is a similar federal law. He favored a sunset two years out, "just in case something happens with the federal law."

The law has various effective dates.
HF1853*/SF1653/CH178

— L. SCHUTZ

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CRIME

Prostitution penalty changes

Prostitution penalties are toughened and definitions have been clarified.

Effective Aug. 1, 2009, a new law makes prostitution arrest information more accessible.

Under current law, a crime of engaging in prostitution goes on a person's record, but not on a person's driving record. That makes it hard for law enforcement personnel to access the data from their in-car computer if a person is using a motor vehicle to patronize prostitutes.

A loophole is closed in the law where a second violation was enhanced if the first violation was a misdemeanor, but not enhanced if the first was a gross misdemeanor.

It also makes a definitional change to "place of public accommodation," to enhance the penalty for prostitution in a public place, and amends the public place prostitution crime by replacing current language to make it identical to that in the other prostitution crimes.

Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Patricia Torres Ray (DFL-Mpls) sponsor the law.

HF1213/SF1009*/CH170

— M. COOK

Tougher sex trafficker penalties

As part of an overall effort to stop sex trafficking in the state, the criminal penalties will become more severe.

"Sex trafficking is not limited to foreign nationals. Girls and women are regularly trafficked every day in the state of Minnesota. The average age of a trafficked individual is 12 years old," said Rep. Michael Paymar (DFL-St. Paul), who sponsors the law with Sen. Sandy Pappas (DFL-St. Paul). The changes are based on a report commissioned by Minnesota's Human Trafficking Task Force.

The law, effective for crimes committed on or after Aug. 1, 2009, creates a first- and second-degree sex-trafficking offense that is similar to first- and second-degree sexual or domestic assaults. It calls for a 20-year felony for sex trafficking a minor and 15 years for sex trafficking any other person.

It also contains a provision for a 25-year sentence for a first-degree case with aggravating factors, such as repeat offenders, the victim suffering bodily harm during the offense, more than one victim is involved, or the time the victim was held in debt bondage or forced labor was for more than 180 days.

The definition of "prostitution in a public place" is clarified so it is consistent throughout statutes, and the law enhances the penalty for repeat prostitution-related violations in certain instances.

The law adds language to state statute that prohibits employer retaliation against a sex crime victim who wants to testify in court if they are a victim or witness to a crime.

HF1505*/SF1514/CH137

— M. COOK

Vulnerable, elderly adult protection

A 20-year prison term and a felony charge for conviction of financial exploitation of a vulnerable adult when the stolen amount exceeds \$35,000 is one provision of a new law.

Effective for crimes committed on or after Aug. 1, 2009, a new law makes various statutory changes based on recommendations from a working group comprised of 52 agencies, entities and organizations.

The law intends to help people like a 92-year-old St. Paul man who was befriended by a neighbor when he became frail and who bilked him out of almost \$200,000. The woman put his home on the market without his knowledge, put an ad in the newspaper for a rummage sale of his belongings and left him to sit in a chair all day. She was ultimately sentenced to probation and repayment of funds.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul), provisions of the law include:

- clearing up definitions of financial exploitation;
- extending the statute of limitations for criminal financial exploitation from three to five years when the exploitation exceeds \$35,000;
- any business or financial institution that acts on good faith in telling authorities about suspected maltreatment or financial exploitation will be granted immunity from legal liability;
- the human services commissioner is to seek federal money to design, implement, maintain and evaluate a common entry point for reports of vulnerable adult maltreatment;
- a boarding care home, nursing home or hospital can submit a report of suspected maltreatment electronically, instead of submitting an oral report;
- the consent defense is removed in cases where the victim lacks the capacity to consent; and
- a civil cause of action is created for a vulnerable adult who is a victim of financial exploitation. Damages equal to three times the amount of compensatory damages or \$10,000, whichever is greater, are authorized, as are attorneys' fees and costs for a prevailing vulnerable adult.

HF818*/SF758/CH119

— M. COOK

EDUCATION

Student lifesavers trained properly

Some schools offer students training in cardiopulmonary resuscitation and automatic external defibrillator use.

A new law, sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Kathy Saltzman (DFL-Woodbury), ensures that training will be in accordance with the American Heart Association, the American Red Cross, or with other nationally recognized, evidence-based guidelines.

"The mandate here isn't to provide the instruction," Mariani said, but "if the instruction is provided, we want to make sure they are following these industry standards." He said the odds of surviving cardiac arrest without the interventions described are only 10 percent, but acquiring the right kind of skills "properly trains our young people to be lifesavers as they go out into the world."

The law is effective Aug. 1, 2009.

HF648/SF567*/CH107

— K. BERGGREN

EMPLOYMENT

Workers comp rates, rules modified

Modifications are made to the workers compensation statutes in a new law sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Tom Bakke (DFL-Cook).

They include:

- adjustments to partial disability compensation rates to account for previous gaps in the rating scale;
- changes to the Rehabilitation Review Panel membership to replace the requirement for two members from the medical field, which was determined to be too loosely defined, with two licensed or registered health care providers, and removing one member who represents chiropractors, but adding an actual chiropractor;
- changes to the Medical Services Review Board membership, replacing one member who represents hospital administrators with one who represents hospitals, adding an occupational therapist and removing a member representing the general public;
- modifications to these groups' alternate membership;
- allowance for certain of the groups' meetings to be held by telephone or electronically;
- prohibiting medical examinations by an employer's physician from being held in hotel or motel facilities;
- sharing data, including Social Security numbers, is allowed between certain state departments; and

- application by the Commissioner of Labor and Industry to Ramsey County or the county where the nearest office of the Department of Labor and Industry is located for an order compelling production of an employer's payroll and business record documents is permitted.

The law is effective May 13, 2009, except for the partial disability compensation rate changes that apply retroactively to dates of injury on or after Oct. 1, 2000.

HF1678/SF1476*/CH75

— K. BERGGREN

Labor contracts ratified

A number of labor contracts negotiated between Minnesota Management and Budget and various state employee unions have been ratified.

Sponsored by Rep. Leon Lillie (DFL-North St. Paul) and Senate President James Metzen (DFL-South St. Paul), a new law ratifies contracts with workers in organizations as diverse as the Minnesota Nurses Association, the State Board of Investment and Minnesota State Colleges and Universities.

The legislation comprises the work of the Legislative Coordinating Commission Subcommittee on Employee Relations, which approves negotiated labor agreements. Affected employees or groups include:

- the Minnesota State University Association of Administrative and Service Faculty;
- the executive directors of the Teachers' Retirement Association, Minnesota State Retirement System and Public Employees Retirement Association;
- the SBI;
- the MNA;
- the Office of the Legislative Auditor; and
- the Inter Faculty Organization.

The law caused some controversy on the House floor, where some members argued the agreed-to salaries do not reflect the current economic downturn.

Referring to a provision that authorizes a 10 percent raise for certain SBI employees, Rep. Mark Buesgens (R-Jordan) called it "unconscionable" to raise state workers' salaries at a time of record unemployment.

"We are not a rubber-stamp organization, members; we're here to do the right thing. And if you consider voting for a 10 percent increase for state employees when the rest of the state of Minnesota is hurting, then I don't think you understand the idea of the whole concept."

Rep. Lyndon Carlson, Sr. (DFL-Crystal) explained that it is an executive-branch initiative to retain "top-notch people" responsible for investing state pension funds.

Supporters of the legislation note that many

of the contracts were negotiated prior to the beginning of the recession.

The law has various effective dates.
HF1218/SF1036*/CH85

— N. BUSSE

Uniform deduction law cleaned up

A practice already in place between auto dealers and employees regarding the cost of some workers' uniform cleaning and maintenance will be codified in state law.

Car dealers and some employees' unions have agreed that service employees' uniforms are picked up, cleaned and returned to the workplace as part of their collective bargaining agreement. The law "allows that practice codified in their collective bargaining agreement to continue," said Rep. Jim Davnie (DFL-Mpls), who sponsors the law with Sen. David Tomassoni (DFL-Chisholm).

Employers may deduct up to \$25 per month from employee wages for the uniform maintenance expense. The amount deducted is not subject to reimbursement upon the employee's termination.

The law takes effect Aug. 1, 2009.
HF1685/SF1431*/CH69

— K. BERGGREN

ENERGY

Focus on renewables, conservation

Pushing energy conservation to the front burner of Minnesota homes and providing a framework so that renewable energy production coexists with traditional energy delivery methods are the focus of a new law.

Sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), most of the law became effective May 20, 2009.

Renewable energy and conservation initiatives contained in the new law include:

- extending the annual \$10.9 million for renewable energy production incentives to 2021 and adding hydroelectric production facilities to eligible grantees;
- allowing the Public Utilities Commission to consider the impact of energy conservation as a preferred consumer choice when setting rates that utilities may charge and removing direct compensation to utilities for their revenue losses as a result of their conservation programs;
- allowing a natural gas company to count biomethane purchases toward its energy conservation plan; and
- allocating \$5 million from the Renewable Development Account to the Initiative for Renewable Energy and the Environment at the University of Minnesota. A portion of



PHOTO BY TOM OLMSCHEID

A new law will continue the state's focus on developing renewable energy sources like wind power.

the funds will be redistributed to a rural state college or university. The funds are to study environmentally sound production of energy from renewable sources, energy storage methods, development of energy conservation and utilization technologies, and to analyze policy options. An annual report is due to the Legislature.

Geographically specific policies are also in the law, which include:

- allowing the Mountain Iron Economic Development Authority to form a company to develop a C-BED project; and
- enabling utilities that serve the Central Corridor, the light rail transit line to be built between Minneapolis and St. Paul, to apply for new facilities within and outside the designated zone. Xcel Energy has plans to create a mixed use of utilities along the transit route.

HF863/SF550*/CH110

— S. HEGARTY

ENVIRONMENT

Changes to temporary drawdowns

Cities and counties will no longer need the approval of every lakefront property owner along a public water body in order to temporarily lower the lake's water level.

A new law, effective Aug. 1, 2009, allows cities and counties to apply for a public waters work permit for the drawdown from

the Department of Natural Resources if the commissioner deems it is in the public's best interest. Also, at least 75 percent of the riparian landowners must agree to the drawdown. A public hearing is required and the permit applicant must mail notices of the hearing to affected property owners and publish the date, time and place of the hearing in a local newspaper.

Local governments and watershed districts temporarily draw down the water level in a lake as a management tool to prevent or eradicate invasive species.

The law, sponsored by Rep. Paul Rosenthal (DFL-Edina) and Sen. Ken Kelash (DFL-Mpls), excludes public waters that have been designated by the commissioner for the protection and management of wildlife.

HF1539/SF640*/CH48

— S. HEGARTY

LCCMR projects approved

Each year, the Legislative-Citizen Commission on Minnesota Resources receives funding from lottery sales that it redistributes to grant recipients who submit requests for proposals. The LCCMR funding recommendations for these environmental projects form the basis of a new law.

This new law, sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul), appropriates \$26 million, primarily out of the state lottery's Environment and Natural Resources Trust Fund, for various projects.

More than \$12.8 million from the trust fund is available for partnerships and grants. For example, the University of Minnesota and the Department of Natural Resources will split \$500,000 to study the effect that development has on coldwater springs and trout streams.

Those receiving funding include Pheasants Forever, Minnesota Deer Hunters Association, Ducks Unlimited, National Wild Turkey Federation and others who purchase conservation easements and who restore and maintain wildlife habitats.

Nearly \$6 million will pay for conducting geological atlas surveys to study groundwater, including the Mt. Simon aquifer in south-central Minnesota. Though some county surveys have been completed and paid for through other funding sources, the LCCMR money will speed up the data collection of water, soil and wetlands throughout the state. Soil surveys also are paid for through local and federal cost-share programs.

Just over \$2 million is available for water studies, such as the removal of toxic compounds found at wastewater treatment plants that are known endocrine disruptors.

Studies have linked endocrine disruptors to adverse biological effects in animals, and potentially in humans.

Another \$2 million from the trust fund is available for a demonstration project by the nonprofit Center for Energy and Environment, which is charged with developing a new residential energy conservation program.

The Renville Soil and Water Conservation District will receive \$1.5 million to purchase perpetual easements in addition to its current 14,000 acres of conservation easements, particularly where there are unique outcroppings of granite rock along the Upper Minnesota River Valley.

Others receiving funds include:

- Science Museum of Minnesota for the St. Croix watershed research station; and
- Metro Blooms, Minnehaha Creek Watershed District and the City of Minneapolis for rain gardens to improve water in Powderhorn Lake.

The new law specifies that plant vegetation only of native ecotypes to Minnesota and preferably of the local ecotype be used when restoring wetlands. The use of local stock within a few miles of the area being restored helps prevent genetic contamination and leads to more success for wetland and prairie restoration projects, according to scientific studies relied upon by lawmakers.

HF2049/SF1012*/CH143

— S. HEGARTY

FAMILY

Adult guardianship jurisdiction

Minnesota will have procedures and standards for recognizing and interacting with guardianship and protective order proceedings and appointments from outside of the state.

Sponsored by Rep. Gail Kulick Jackson (DFL-Milaca) and Sen. Mee Moua (DFL-St. Paul), the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act will establish uniform jurisdiction on determining a primary residence or other state of substantive contact, how to transfer and register guardianships between states so procedures are not repeated in each state. It does not change anything regarding minor guardianship.

Because today's elderly are very mobile and often live in other states for periods of time, it can be problematic between states as to where an appropriate venue is for guardianship, conservatorship or other adult protective actions, Jackson said.

For example, if a husband and wife live in Florida six months a year, and the wife

becomes incapacitated, the husband may become her legal guardian or conservator in Florida. However, Jackson said, if something were to happen to the husband and their child wants to move them here, Minnesota would not recognize the guardianship. The law hopes to reduce the number of times a person has to go through the guardianship or conservatorship process.

In early May, Jackson estimated 13 other states had a similar law.

As more states adopt this, she said there will be a larger group that has uniformity, meaning easier transfers of registration of guardianship, conservatorship or protective provision.

A court may treat a foreign country as if it were a state for applying provisions of the law, if the country matches the requirements of our jurisdiction regarding a protective order, guardianship or conservatorship.

Most of the law takes effect Jan. 1, 2010, and will apply to guardianship and protective proceedings begun on or after that date.

HF632/SF412*/CH46

— M. COOK

Guardianship/conservatorship help

A bill of rights for wards and protected persons will be in state statute.

That is just one of the provisions in a law that makes changes related to guardians and conservators.

Effective Aug. 1, 2009, the law addresses accountability and transparency in the system.

Rep. Paul Thissen (DFL-Mpls), who sponsors the law with Sen. Mee Moua (DFL-St. Paul), said approximately 22,000 Minnesotans are under a guardianship or conservatorship, a number that is expected to increase.

The law does three primary things:

- establishes conflict-of-interest rules for attorneys that represent guardians and wards;
- puts more eyes on these transactions with an ombudsman being more involved, along with more interested persons; and
- creates the bill of rights to put many related issues in current law into one place.

Among the 14 listed rights that must be enforced by the court are treatment with dignity and respect; due consideration of personal desires, medical preferences and religious beliefs; personal privacy; and timely and appropriate health care "that does not violate known conscientious, religious, or moral beliefs of the ward or protected person."

Other provisions in the law include:

- an adult related by blood, adoption or

marriage is placed seventh on the list, and any other adult or a professional guardian is eighth on the list in order of who a court shall consider in appointing a guardian; and

- a guardian cannot revoke a health care directive of a ward or protected person without a court order.

HF804*/SF951/CH150

— M. COOK

Marriage laws get updated

A person under age 21 can get married in Minnesota, but someone under that age will no longer be able to perform the ceremony.

That is one provision in a new law that makes modifications to the state statutes governing marriage. It takes effect Aug. 1, 2009.

Current law would allow someone of any age to potentially become a licensed or ordained minister of any religion over the Internet and perform a marriage.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Don Betzold (DFL-Fridley), the law also removes a requirement on a marriage application about any children the couple has together. The confidential information is currently collected; although nothing is done with it. Supporters said there is no point to spending money to track the information when it is not used for anything.

If an individual applies for a marriage license, but does not have a Social Security number, they must certify they do not have one.

Premarital education gets a couple a discount on their license fee. The law requires that proof of the class must be notarized. Currently a handwritten note or an e-mail is sufficient for the reduced rate.

It also makes changes to clarify that the local registrar is the custodian of marriages, not the court administrator; clarifies that the person performing the marriage must ensure the people getting married are the people for whom the license is intended; clarifies that both parties must apply for the marriage license, but it creates an application process if one of the parties is not available; and clarifies that a person with a felony cannot change their name through marriage without following the process identified in the court-ordered name change for felons. It used to be that felons couldn't change their last name when they got married, but could change their first name.

HF695/SF548*/CH129

— M. COOK

Probate code changes

Funeral directors should now have more clarity regarding the disposition of a body upon death.

Effective May 21, 2009, a new law clarifies what documents control and what the order of relationships of the decedent are for whom has say over what happens to the body after death.

Rep. Melissa Hortman (DFL-Brooklyn Park), who sponsors the law with Sen. Linda Scheid (DFL-Brooklyn Park), said the changes come from a Health Department request.

When someone dies, the person who decides what to do with the body is determined by order of degree of kinship. Previous law had an order for seven people: whomever is appointed in a document signed by the decedent; the spouse; an adult child or majority of the adult children; the surviving parent or parents, with each having equal authority; an adult sibling or majority of adult siblings; person or persons in the next degree of kinship specified by law; and the appropriate court authority.

New language adds new numbers six-10: adult grandchild or majority of the adult grandchildren; grandparent or grandparents, with each having equal authority; adult nieces and nephews, or a majority of them; person or persons who were acting as guardians; and "an adult who exhibited special care and concern." The person or persons in the next degree of kinship specified by law and the appropriate court authority now rank 11th and 12th.

It also states that an advanced directive no longer has to be notarized; changes the amount of property that a person could collect by affidavit from \$20,000 to \$50,000; and provides timelines for a probate court to correct their errors.

HF265*/SF262/CH117

— M. COOK

GAMBLING

Ratings charitable gaming outlays

Organizations receiving charitable gambling receipts are suffering their own economic downturn.

Some changes to statute would help keep the "struggling organizations afloat," said Rep. Joe Atkins (DFL-Inver Grove Heights), who sponsors a new law with Sen. Tony Lourey (DFL-Kerrick).

The law makes technical changes to statutes regarding licensing and auditing requirements. It also establishes a star-rating system, "so that people can compare how much money is actually given to charitable organizations through the pull tabs they are purchasing," Atkins said.

AWAITING ACTION

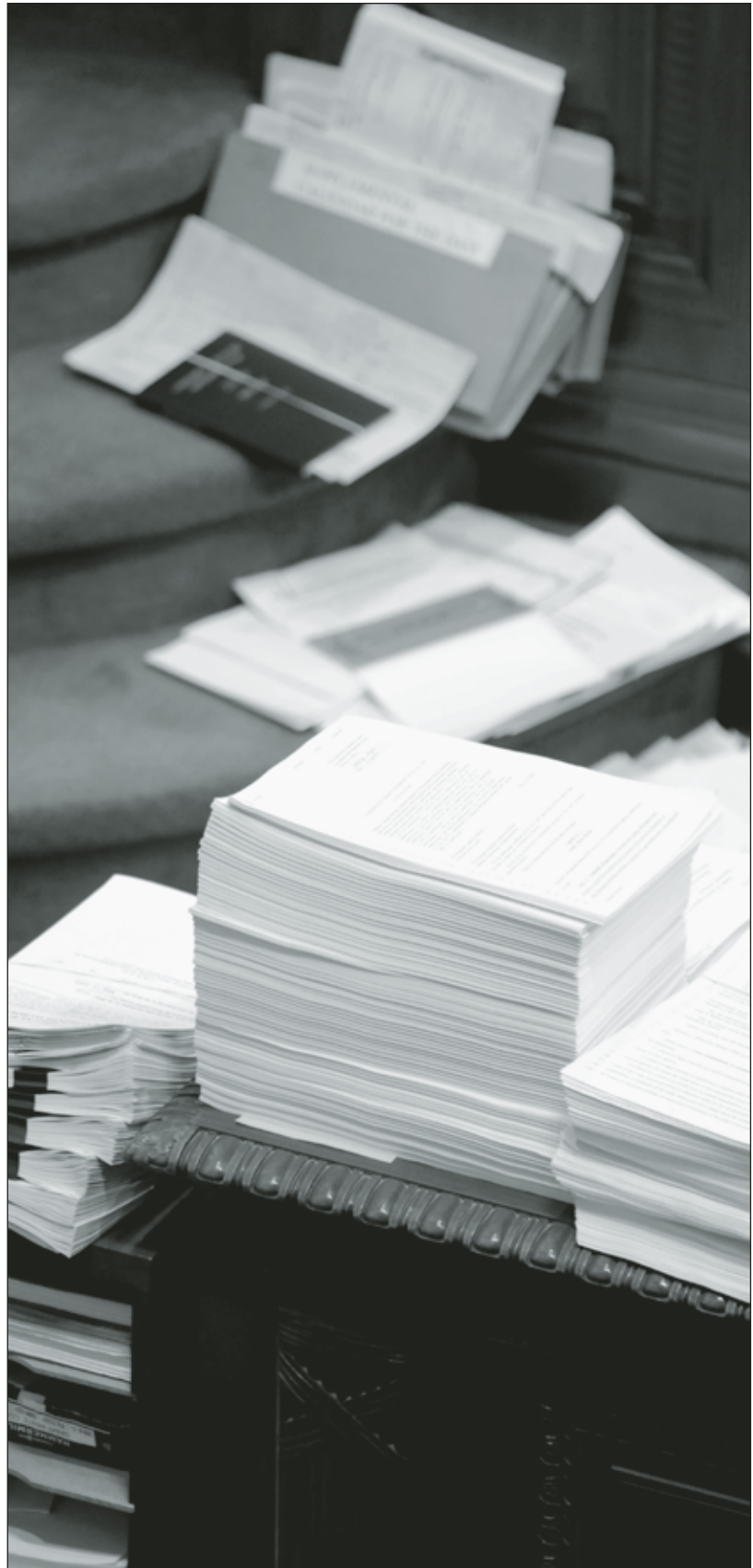


PHOTO BY TOM OLMSCHIED

Piles of paperwork awaiting House action May 17 sit on the chief clerk's desk and the steps leading to the Speaker Margaret Anderson Kelliher's chamber desk.

Beginning July 1, 2009, when most of the law takes effect, the Minnesota Gambling Control Board will conduct a 12-month review of licensed organizations, rating them based on the percentage of lawful expenditures as compared to gross profits.

An organization that expends at least 50 percent of gross profits on charitable purposes will receive the highest rating—five stars. An organization that fails to expend at least 30 percent of annual gross profits on charitable purposes is automatically on probation for one year. The organization must increase its rating to a minimum of 30 percent or be subject to sanctions by the board. If an organization fails to meet the minimum standard after a one-year probation, the board may suspend the organization's license or impose a civil penalty of up to \$10,000.

Under the law, the list of allowable expenditures for charitable gambling receipts is expanded to include:

- monitoring of surface water quality by individuals or a nongovernmental organization, under Pollution Control Agency guidance and procedures; and
- construction or acquisition of a replacement licensed organization's building that is in compliance with the Americans with Disabilities Act if the board has specifically approved the amount. This provision could extend to an organization-owned building taken or sold under an eminent domain proceeding.

The law also calls for a licensed charitable organization to pay a monthly regulatory fee of 0.1 percent of its gross monthly gambling receipts. These fees will be deposited into the state's lawful gambling regulation account. Failure to pay the monthly regulatory fees in a timely manner may result in disciplinary action by the board.

Licensed organizations will be given more leeway to conduct lawful gambling at events off-premise. If approved by the board, an organization could hold lawful gaming at up to four events per year in connection with a county fair, state fair, church festival or civic celebration, not to exceed three days per event.

HF1511/SF1284*/CH124

— L. SCHUTZ

GAME & FISH

Recreation statutes amended

The omnibus game, fish and forestry law includes new regulations related to fishing and hunting, plus uses for parks and state trails.

Sponsored by Rep. Kent Eken (DFL-Twin

Valley) and Sen. Satveer Chaudhary (DFL-Fridley), the law includes several new fishing provisions. For example, people age 90 and older can fish without a license. Known as the "Irene Long Act," it is named for a 91-year-old Isle woman who lives on a fixed income but enjoys annual fishing. Long's angling highlight is catching a 43-inch muskie on Lake Mille Lacs.

In addition, lifetime spearing licenses for residents are added to statute and will cost between \$173 and \$372 depending upon the angler's age. Bow-fishing for rough fish will also be allowed at night on approved lakes.

Organizing fishing contests becomes easier if additional conditions are met, thereby avoiding the need for a permit. Conditions include: if 25 or fewer boats are competing, if the contest is limited to rough fish or if the total prize value is \$500 or less.

School field trips to state parks will be less expensive thanks to a provision that allows buses carrying students on school-sanctioned trips to enter state parks without paying admission.

There was lively debate in a House committee about establishing criteria before naming any more state property after people, yet the Northshore Trail between Duluth and Two Harbors will be renamed in honor of C. J. Ramstad, an outdoor enthusiast and publisher who was killed in a motor vehicle accident. Some female legislators said there is too much disparity between men and women when naming state property.

Backed by the All-Terrain Vehicle Association of Minnesota, there will be new penalties for reckless operation of an ATV. For instance, riding across a wetland will be a gross misdemeanor and upon second offense, could lead to the seizure of the machine by law enforcement.

Minnesota's state grain, wild rice, can be harvested in public waters, but the earliest date for harvesting shifts from July to Aug. 15 and continues through Sept. 30. Harvesting too early can negatively impact the grain's ability to reproduce as a perennial crop, according to one lawmaker.

HF1237*/SF1110/CH176

— S. HEGARTY

GOVERNMENT

E-meetings for state agencies

State agencies will be allowed to hold meetings electronically instead of in person — as long as the public has access to the meetings.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Mee Moua (DFL-St. Paul),

a new law is designed to save state officials money by letting them meet via telephone or other electronic means. It applies to all state departments, boards, commissions and other state government entities.

Johnson said the law will be especially useful to members of boards or commissions who live in Greater Minnesota and have difficulty commuting to regular meetings.

"The whole intent is to provide more openness and more flexibility for people to participate," Johnson said.

Under the law, agencies will be authorized to meet via electronic means as long as the following conditions are met:

- all participants in the meeting must be able to hear all discussion and testimony;
- at least one member of the government entity must be physically present at the regular meeting location;
- members of the public who are present at the regular meeting location must be able to hear all discussion and all votes of members of the entity and be able to participate in testimony; and
- all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

The law also states that the board or agency shall allow the public to access the meeting electronically, to the extent practicable. However, the entity may require a person to pay for any "marginal costs" associated with providing that access.

A state entity intending to conduct a meeting in which members will participate through electronic means must post public notice on its Web site at least 10 days prior to the event.

The law takes effect Aug. 1, 2009.

HF456/SF764*/CH80

— N. BUSSE

Divesting from Iran

Companies that may be underwriting Iran's nuclear ambitions will no longer get any business from the state of Minnesota.

A new law requires the State Board of Investment to divest any assets it currently holds with companies that do business with Iran's energy sector. The board, which invests and manages the state's retirement funds and other accounts, will have to sell or otherwise get rid of its stock in those companies.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Terri Bonoff (DFL-Minnetonka), the law is part of a broader campaign to stop Iran from developing nuclear weapons. The goal is to discourage companies that could supply them with the relevant technology and resources. Iran is currently one of four nations the U.S.

government classifies as a state sponsor of terrorism.

Under the law, effective Aug. 1, 2009, the board will have 90 days to identify and compile a list of companies engaging in “scrutinized business operations” in Iran. The board will then notify the affected companies that they may be subject to divestment. If a company does not take action within 90 days to cease its scrutinized business operations, the board will begin selling, redeeming, divesting or withdrawing its stock in the company. Additionally, the law includes a prohibition on acquiring new stocks in such companies.

Exemptions are provided to companies involved in humanitarian and similar work in Iran. The law would cease to be effective if Iran was removed from the state sponsors of terror list, or if the president of the United States determines the law is interfering with U.S. foreign policy.

Howard Bicker, the board’s executive director, said that the bill would affect approximately \$280 million of state investments, or slightly more than 1 percent of the state’s total portfolio.

HF111*/SF131/CH90

— N. BUSSE

Wasting less paper

Less paperwork without any less transparency in government is the goal of a new law that modifies state report and document requirements.

Sponsored by Rep. Gene Pelowski, Jr. (DFL-Winona) and Sen. Joe Gimse (R-Willmar), the law will allow the Legislative Reference Library to keep fewer print copies of mandated legislative reports and eliminate certain other paperwork requirements.

Effective Aug. 1, 2009, the library will be required to keep on hand two print copies of each mandated report to the Legislature; the current requirement is six copies. In addition, copies will no longer have to be filed with the chief clerk of the House and the secretary of the Senate.

Other eliminated mandates include:

- that a print copy of the library’s monthly checklist of state documents be distributed to all legislators, state agencies and public college and university libraries; and
- that Minnesota Management and Budget submit printed daily reports to the library showing the balances of certain state accounts.

The law will ensure that all documents affected by the changes are available on the library’s Web site.

HF801*/SF779/CH32

— N. BUSSE

Revising and updating statutes

The yearly version of what is commonly referred to as the Revisor’s Law corrects typographical or grammatical errors, editorial conflicts, ambiguities, omissions, cross-references, obsolete or expired references, miscellaneous drafting errors and any other changes that need to be made to state statutes.

Sponsored by Rep. Gail Kulick Jackson (DFL-Milaca) and Sen. Mee Moua (DFL-St. Paul), most of the law takes effect Aug. 1, 2009.

During the interim between sessions, substantial editing and proofreading is done to the Laws of Minnesota and Minnesota Statutes. These changes, together with requests for additional changes from other state agencies, make up the law.

HF1171/SF1096*/CH86

— M. COOK

HEALTH

Acupuncturist services now covered

Treatment by licensed acupuncture practitioners will become more widely reimbursed by health care plans that already offer physician-supervised or provided coverage only.

A new law provides equal access to a licensed acupuncture practitioner for services covered under a regulated health plan. If acupuncture services provided by a physician are covered, the same services provided by a licensed acupuncture practitioner must also be covered. It does not require health plans that don’t cover any acupuncture services to begin doing so.

The law is also a memorial to Edith R. Davis, considered Minnesota’s pioneer acupuncturist, who brought “the whole area of acupuncture into the light of day and (made) sure that we have good standards,” said Rep. Karen Clark (DFL-Mpls), who sponsors the law with Sen. Linda Berglin (DFL-Mpls).

Advocates said that a growing body of scientific evidence supports the benefits of acupuncture for a variety of conditions and that the treatment is rarely associated with complications. They also said only about a dozen Minnesota physicians or chiropractors are board-certified in medical acupuncture.

“Acupuncturists licensed under Board of Medical Practice’s very high standards ironically are not allowed to get reimbursed, and often their prices are lower and they are far more qualified” to practice acupuncture than are physicians, even those with acupuncture licenses, said Rep. Jim Abeler (R-Anoka).

The law takes effect Aug. 1, 2009, and applies

to coverage issued, renewed or continued on or after that date.

HF286/SF245*/CH45

— K. BERGGREN

Oversight for rural cooperatives

The Minnesota Rural Health Cooperative was authorized in 1994 to provide better health care access to rural communities, by allowing multiple service providers to contract jointly with healthcare insurers. A new law gives the Department of Health more oversight responsibilities for the 40 hospitals and clinics and 10 specialty clinics that comprise that cooperative and others like them.

For a \$2,000 fee, health care providers may submit an application to the department to form a cooperative. The department will have 60 days to review, approve or deny the application. The fee to modify, renew or extend a cooperative agreement is \$500.

When considering whether to approve an application, the health commissioner must consider the potential for antitrust violations and may revoke the cooperative privilege if the contract parties do not comply with state regulations.

An active investigation by the Federal Trade Commission is ongoing for allegations that the cooperative engaged in collective negotiations of physician, hospital and pharmacy prices, according to the FTC.

The law, which takes effect Aug. 1, 2009, keeps application data collected on individuals private. Rep. Larry Hosch (DFL-St. Joseph) and Sen. Gary Kubly (DFL-Granite Falls) are the law’s sponsors.

HF120/SF203*/CH97

— S. HEGARTY

Volunteer health practitioner

A new law provides technical clarifications regarding volunteer health practitioners.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), the law defines “volunteer health practitioner” as one who provides health or veterinary services, whether or not the practitioner is compensated for their services.

Typically volunteer health practitioners perform services for a disaster relief organization, Thissen said.

The law also extends liability protections to practitioners from other states unless their license has been suspended, revoked or voluntarily terminated.

The law is effective Aug. 1, 2009.

HF521/SF457*/CH72

— P. OSTBERG



PHOTO BY TOM OLMSCHIED

House and Senate leadership talk with the Capitol press corps after leaving Gov. Tim Pawlenty's office May 16.

Specialty hospital approved

Imagine having a child needing psychiatric services, but having to send them hundreds of miles away because all the hospital beds near your home are full. That is the impetus for a new law that will allow a specialty psychiatric hospital to be built in western Hennepin County to serve patients under the age of 21.

Sponsored by Rep. Marsha Swails (DFL-Woodbury) and Sen. Yvonne Prettnier Solon (DFL-Duluth), the law provides an exception to the hospital moratorium by approving the construction of a 20-bed facility for young patients.

As the severe shortage of child and adolescent beds in the state continues to worsen, the addition of 20 beds would give teens and adolescents the inpatient mental health services they need in a time of crisis, Swails said.

The law is effective Aug. 1, 2009.

HF665/SF615*/CH51

— P. OSTBERG

Licensing changes

Changes to licensing requirements for health occupations, such as speech pathologists and occupational therapists, are included in new law.

Sponsored by Rep. Maria Ruud (DFL-Minnetonka) and Sen. John Marty (DFL-

Roseville), the law makes technical changes related to national standards for speech pathologists, continuing education changes for occupational therapists, language permitting pharmacists to administer flu vaccines to people ages 10 or over, and it combines a biennial licensure fee and surcharge into one for speech-language pathologists.

The law also repeals some mortuary science regulations that were inadvertently not repealed in 2007.

The law takes effect Aug. 1, 2011.

HF1745*/SF1445/CH157

— P. OSTBERG

Pharmacists changing prescriptions

Pharmacists will be able to change prescriptions for some legend drugs without a physician's signature.

Sponsored by Rep. Erin Murphy (DFL-St. Paul) and Sen. Kathy Sheran (DFL-Mankato), a new law adds pharmacists to others, such as nurses or certain physician assistants, who can make drug changes under the direction of a licensed practitioner. The prescription change cannot be for a specific patient, but rather the amount being prescribed.

The law is effective Aug. 1, 2009.

HF53/SF29*/CH161

— P. OSTBERG

Isolation and quarantine

How the state will mass dispense vaccinations or prescription drugs in case of a public emergency is defined in a new law.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Yvonne Prettnier Solon (DFL-Duluth), the law creates three dispensing methods: a designated representative of a household can pick up prescription drugs or vaccines for that household; postal carriers can deliver drugs to households; and it will create a closed point of dispensing in which a business, church or other organization will be a center for dispensing drugs to a limited number of people. A closed point will not be open to the public.

The law removes a sunset provision on a peace officer's authority to use force if a person resists isolation and quarantine required by a court order.

The health commissioner is authorized to purchase vaccines, antitoxins, serums, immunizing agents, antibiotics, antivirals, antidotes, other pharmaceutical agents and medical supplies. The commissioner can also request Minnesota Responds Medical Reserve Corps health volunteers to help in case of emergency.

The law became effective May 8, 2009.

HF1554/SF1462*/CH41

— P. OSTBERG

Health technology infrastructure

Converting health records to electronic form is the focus of a new law.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Tony Lourey (DFL-Kerrick), the law aligns state requirements to match federal stimulus requirements in the Health Information Technology for Economic and Clinical Health Act.

The law will help pull down federal money to state providers by aligning definitions such as “interoperable electronic health record” and “qualified electronic health record” to ensure coordination between state, regional and national efforts to effectively use health technology to improve coordination and patient care among providers. The change could help reduce medical errors, improve population health and reduce health disparities and chronic disease.

The HITECH Act was included in the American Recovery and Reinvestment Act of 2009 to help providers create electronic health records that would be interchangeable between health systems.

The health commissioner, in conjunction with an e-Health Initiative Advisory Committee, will monitor related national activity and coordinate statewide input on developments.

The law has various effective dates.

HF1322/ SF1890*/CH102

— P. OSTBERG

HOUSING

Mortgage clarification language

A new law cleans up changes made in a number of 2008 mortgage laws.

Among the changes is that a written notice to tenants in property subject to mortgage foreclosure or termination of contract for deed is to be included for both pre- or post-foreclosure. The 2008 law did not include the pre-foreclosure requirement.

A party conducting a foreclosure that requests a sheriff's sale must provide certain notices at the party's expense.

Other issues addressed include specifying requirements for vendors under contracts for deed and foreclosure counseling notices. It makes a technical change for what needs to be in an affidavit for purposes of clearing title.

Most of the law takes effect for foreclosures where the notice of pendency is recorded on or after Aug. 1, 2009.

Rep. Joe Mullery (DFL-Mpls) and Sen. Lisa Fobbe (DFL-Zimmerman) sponsor the law.

HF995/SF1302*/CH130

— M. COOK

Foreclosure consultants accountable

Those teetering on the edge of foreclosure may welcome outside help to renegotiate their mortgage, but those promising foreclosure assistance don't always follow through. Homeowners will have more protection against unscrupulous consultants.

A new law modifies a 2004 law regulating mortgage foreclosure consultant contracts. It clarifies that people classified as mortgage consultants, including originators of mortgages who negotiate or renegotiate a mortgage, and nonprofit agency counselors who work with people at risk of foreclosure, may collect a fee for such services only after the services have been performed.

The law, sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Lisa Fobbe (DFL-Zimmerman), takes effect June 20, 2009.

The law also will allow an owner of homestead real estate consisting of one to four residential units to postpone a mortgage foreclosure sale for five months. That provision will give a homeowner more time to reinstate the mortgage loan by paying off the amount in default plus associated costs, rather than the entire mortgage amount loan after the foreclosure sale.

HF903/SF708*/CH141

— K. BERGGREN

Protecting problem properties

A clarification to rules and regulations for how cities can secure foreclosed and abandoned properties so they cannot be used for improper purposes may help in some troubled areas.

Rep. Jeff Hayden (DFL-Mpls), who sponsors

a new law with Sen. Linda Higgins (DFL-Mpls), said that Minneapolis had about 3,000 foreclosed properties in 2008 and is on pace for about the same this year. However, the state's largest city is far from being alone during the current foreclosure crisis.

When a property is deemed abandoned by a court, a city is permitted a limited right of entry to secure the property. The law limits which city employees can determine an entrance to the property is necessary, including a housing official.

In order to get the property sold, the law allows a political subdivision to request reduction of the mortgagor's redemption period to five weeks from six months on a foreclosed abandoned property.

Other aspects of the law, which has various effective dates, include:

- specification of certain notice requirements;
- extension of the deadline for action by a property owner from six to 14 days from being ordered to secure the premise, and specifying that failure to do so could result in municipal action;
- classification of the sale or gift of alcohol in an abandoned property as a public nuisance in certain circumstances; and
- the holder of a sheriff's certificate of sale — the official document granted to the purchaser of real property sold at a mortgage foreclosure sale — is required to secure and protect the premise if there is prima facie evidence the property has been abandoned. If the locks are changed, the mortgagor must be provided a key.

HF1394/SF1147*/CH123

— M. COOK



PHOTO BY TOM OLMSCHIED

Legislators fought the foreclosure crisis with bills to stem vandalism in vacant houses and to protect homeowners from unlawful foreclosure practices.

HUMANITIES

Resolving a Dakota conflict

One year after the Dakota Conflict of 1862 in Minnesota, President Lincoln signed the Minnesota Indian Removal law, resulting in removal of the Dakota people from the state.

The law is still on the books.

A new law, in the form of a nonbinding resolution, urges the president and Congress to repeal the federal legislation.

Rep. Dean Urdahl (R-Grove City), who sponsors the law along with Sen. Steve Dille (R-Dassel), said the measure is “largely symbolic, but it is important to the tribes in Minnesota.”

It wasn't until 1924 that all Native Americans in the United States received full citizenship, said Rep. Paul Gardner (DFL-Shoreview). “The law is still on the books, and it basically says that one group of people are not allowed to live here. I don't think that's right to be on the books.”

Under the resolution, the secretary of state is to prepare copies of the memorial to be sent to the president, Congressional leadership and its members.

HF1825/SF1623*/CH171

— L. SCHUTZ

HUMAN SERVICES

Juvenile justice data collection

Data collection about decisions that affect a child's status within the juvenile justice system could occur more uniformly.

A new law requires a criminal and juvenile justice information policy group to “study the feasibility of collecting and reporting summary data relating to the decisions that affect a child's status within the juvenile justice system.” A report is due to the Legislature by Feb. 15, 2010.

Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Mee Moua (DFL-St. Paul), said current data is not collected in a uniform way resulting in it not being very useful. The study will look at ways to make collection more uniform so that better decisions can be made on how to use criminal justice resources with juveniles.

The study must consider data to be collected, such as age, race, gender, criminal charge and county of residence; the decision points at which data must be collected; criminal and juvenile justice agencies required to supply data; the repository for data; level of summary analysis; frequency of reporting; plan to implement data collection, reporting and analysis; and costs.

A pilot project to study and report on all state expenditures “that serve the primary function of supporting the health, safety, stability, growth, development and education of children in this state” is called for in the law.

Hilstrom said current financial tracking does not allow the state to differentiate how much money is spent on children and juveniles within different areas. An electronic version of the executive summary is due to the Legislature by Jan. 15, 2010.

The pilot project language takes effect July 1, 2009; the study language takes effect Aug. 1, 2009.

HF702*/SF561/CH132

— M. COOK

Hennepin County rule changes

Hennepin County can streamline its human resources policies and extend the life of a task force by two years, because of a new law.

Sponsored by Rep. Kurt Zellers (R-Maple Grove) and Sen. Ann Rest (DFL-New Hope), the law makes technical changes requested by the county, whose human resources policies are governed by state law as well as their own rules.

The legislation, effective upon county compliance, will conform state statutes to internal rule changes recently adopted by the county. Specifically, department directors and the county human resources director will be given more discretion to set policies regarding the length of probationary periods, compensation plans and non-disciplinary appeals. Currently, the authority in such matters resides in the county board.

In addition, the law extends a sunset date for the Victory Memorial Drive Historic District Task Force by two years to Dec. 31, 2011.

HF940/SF729*/CH50

— N. BUSSE

Child welfare policy changes

Improving outcomes for children and families by making changes to American Indian child welfare, child protection and out-of-home placement is the goal of a new law.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Patricia Torres Ray (DFL-Mpls), the law makes changes to conform with the federal Fostering Connections to Success and Increasing Adoptions Act of 2008.

According to the Human Services Department, the law clarifies the roles and responsibilities for tribal agencies that choose to establish a panel to review child fatalities and near fatalities on the reservation. It also clarifies mental health screenings for children

receiving child protective services, in out-of-home placement or for whom parental rights have been terminated. Tribal agencies can access state funding for the screenings.

The law defines factors for which children can be removed from their home to ensure their safety, and eliminates certain child behavior, such as running away, as a sole reason for removal. It also states that “family group decision-making” can be used as a form of dispute resolution.

The law makes changes so child welfare officials have access to child support enforcement data to establish a father's identity and whereabouts. It clarifies when fathers are notified of proceedings, their legal rights and responsibilities and sets requirements for establishing paternity in certain cases.

Changes to meet federal requirements include:

- applying “reasonable effort” to place siblings together in foster care and for the agency to provide frequent visits if the siblings cannot be placed together;
- monthly caseworker visits must include determining whether the child is enrolled and attending school, and addressing the issue if not; and
- requiring due diligence in identifying and notifying adult relatives prior to placement or within 30 days after the child is removed from the parents' care.

The law takes effect when at least 35 states have enacted it.

HF1709/SF1503*/CH163

— P. OSTBERG

County mandate reliefs

A variety of health and human services county mandate reliefs and provisions on how counties cremate and bury those on public assistance are included in a new law.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Ann Lynch (DFL-Rochester), the law includes changes to residential treatment centers, cremation and burial of public assistance recipients.

The law allows families to place their children in treatment centers across state lines if they are closer than an in-state institution, with counties responsible for the costs. A county board can determine the appropriate level of care when county funds are used to pay for services.

Upon their death, any person receiving public assistance through the Minnesota Family Investment Program can be cremated by the county. However, the county must attempt to contact the decedent's spouse or next of kin. If a faith tradition is unknown, the county may cremate the body.

Home health aide qualifications are

changed to include that a person may perform aide tasks if the person maintains current registration as a nursing assistant on the Minnesota nursing assistant registry.

Other provisions include changes to day training and habilitation alternative inspection requests and changes to a mailing notice from a juvenile's probation officer to a school.

Most of the law takes effect Aug 1, 2009.
HF1276*/SF986/CH174

— P. OSTBERG

Medical Assistance expanded

Fetal alcohol spectrum disorder will be added to the list of related conditions that qualify for Medical Assistance under disabled children's services.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Ann Lynch (DFL-Rochester), the law, effective Aug. 1, 2009, adds the disorder to the list of others currently defined as related conditions, such as cerebral palsy, epilepsy, autism and Prader-Willi syndrome.

The change will only qualify those if other eligibility requirements are met and would bring more awareness to the condition, Hosch said.

Sara Messelt, executive director of the Minnesota Organization on Fetal Alcohol Syndrome, said it would give credibility to those with FASD and would cause social workers to give it a second look as a disability. About 8,500 babies a year are born in Minnesota with the incurable disorder, she said.

HF581/SF501*/CH147

— P. OSTBERG

Foster care benefits extended

Children in foster care who are nearing their 18th birthday will have the option of staying in foster care, if they feel they are not yet ready to live on their own.

A new law sponsored by Rep. Jeff Hayden (DFL-Mpls) and Sen. John Marty (DFL-Roseville) requires social services agencies to develop a plan with the child for their vocational, educational and social needs. Agencies must also ensure that any foster care, housing or counseling benefits are consistent with that plan.

Hayden said nearly 600 children leave foster care each year when they reach age 18. However, studies have shown that most young adults are age 25 or older before becoming self-sufficient, he said. Extending foster care options until age 21 gives them "a place to return for help when things go wrong and unexpected supports go away."

The law takes effect Aug. 1, 2009.
HF985/SF666*/CH106

— S. HEGARTY

Licensing, background changes

Technical changes to human services licensing programs and background study requirements are included in a new law.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Tony Lourey (DFL-Kerrick), the law makes technical changes to licensing requirements for respiratory therapists and massage therapists, inspections for day training and habilitation programs, and training about sudden infant death syndrome for child care providers.

Under the law, licensed child care programs must conduct a background study on former employees wanting to return to work that have been absent 45 or more consecutive days, and persons having no direct contact for more than 45 consecutive days must have a new background check before returning to a position of providing direct contact services.

The human services commissioner will be permitted to conduct background checks on persons between the ages of 13 and 23 living in the homes of child care providers, and can review juvenile records.

The law takes effect Aug. 1, 2009.
HF1750/SF1447*/CH142

— P. OSTBERG

Mental health changes

Some adult and child mental health policies in the Human Services Department are changed under a new law.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Linda Berglin (DFL-Mpls), the new law modifies statutes related to drug and alcohol counselor licensure and county maintenance of effort provisions, and clarifies rate setting and reimbursement procedures for intensive residential treatment services and certain community treatment.

The law takes effect Aug. 1, 2009, except for the reimbursement procedures provision, which is effective with services provided on or after Jan. 1, 2010, through Dec. 31, 2011.

Under the law, a provision is removed that would have sunset July 1, 2009. The provision provided for exceptions for drug and alcohol counselors integrating dual-diagnosis treatment for adults in mental health rehabilitative programs certified by the department.

How counties establish base level expenditures is included to simplify administration and improve budgeting predictability. The human services commissioner is instructed to use each county's actual prior year revenues to adjust the county's minimum required expenditures for the coming year, and is permitted to use current information regarding major revenue

changes if the change is known early enough to allow counties time to adjust their budgets. If a county doesn't comply with the changes, the commissioner can approve a corrective action plan for the county.

Other clarifying provisions include definitions of an adult mental health rehabilitation worker, community health worker and mental health behavioral aide services.

HF1708/SF1504*/CH167

— P. OSTBERG

Parental fees clarified

Parental fees paid for services for persons with developmental disabilities will be eligible for inclusion as part of an employer's health care flexible spending account.

Sponsored by Rep. Patti Fritz (DFL-Faribault) and Sen. John Marty (DFL-Roseville), the law is a clarification requested by the Human Services and Employment and Economic Development departments.

Under the law, all reimbursements must include a notice that the amount is taxable income if the parent paid for the fees through an employer's account, and parents are responsible for paying taxes on the amount reimbursed.

The law takes effect July 1, 2009.
HF266/SF711*/CH145

— P. OSTBERG

Using vouchers for organics

Vouchers for the special supplemental program for Women, Infants and Children can be used to purchase organic foods.

Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Sharon Erickson Ropes (DFL-Winona), a new law requires the health commissioner to evaluate the list of WIC foods and add any organic foods determined to be cost-neutral.

"This is a matter of consumer choice," Clark said. The cost of organic foods continues to go down, so they are more affordable, she said.

Tom Petersen, chairman of the Organic Advisory Task Force, said the proposal is one the task force has been working on for a number of years. He said the state of Washington has a similar program that allows for the purchase of some fruits, vegetables, breads, brown rice and legumes.

The law is effective May 21, 2009.
HF285/SF213*/CH114

— P. OSTBERG

Technical health policy changes

Technical clarifications to policies and appropriations needed by the Human Services Department are included in a new law.

Sponsored by Rep. Erin Murphy (DFL-St.

Paul) and Sen. Linda Berglin (DFL-Mpls), the law corrects miscellaneous references and updates state provisions to meet federal requirements.

One change includes limiting state payment rates for cesarean births and vaginal deliveries to \$3,528 for managed care and county-based purchasing plans beginning Oct. 1, 2009. Another clarifies that a background study must be completed on an individual before they begin performing services with direct contact to seniors and individuals with disabilities.

Under the law, the human services commissioner may develop "centers of excellence" criteria to designate certain providers of care for those on Medicare. The commissioner can then make coverage for certain procedures conditional upon the facility providing the services and meeting certain criteria.

The law has various effective dates.

HF1988*/SF1924/CH173

— P. OSTBERG

State system eases child care billing

A new law will help child care providers who participate in the basic sliding fee program to manage billing and payment through a new automated system administered by the Department of Human Services.

Basic sliding fee child care assistance is highly valued by working parents who may apply if they earn less than 47 percent of the state's median income and remain eligible until earning up to 67 percent of the state's median income. For example, a three-person household with \$32,167 of annual income could apply, and then remain on the program until they earn \$45,855.

The law, sponsored by Rep. Diane Loeffler (DFL-Mpls) and Sen. Patricia Torres Ray (DFL-Mpls), makes several other technical changes and clarifications to existing law.

A change to eligibility requirements for school readiness service agreements will allow children to keep attending high-quality child care programs even if their parents' work or other authorized activities dip below a 35-hour a week requirement during the first year. "The idea is to keep children in care on a continuous basis as long as possible to help improve the outcome for those kids," said Cherie Kotilinek, child care assistance program manager with the department. Child care providers in the SRSA program receive a higher rate of reimbursement for providing certain early learning services.

The law also directs the State Advisory Council on Early Childhood Education and Care to create an inventory of early childhood services. The inventory will identify programs serving children and their

families by geographic and demographic characteristics, and numbers served plus those eligible who are not served.

Other provisions allow the commissioner to charge for development and operating costs of county-initiated projects, such as those to facilitate more integrated services to clients and create more efficient county workflow.

Renewal of overpayment judgments for certain programs is allowed, which is expected to save county and court costs.

Foster care providers no longer need to be re-licensed as adult foster care providers in order to obtain funding for a disabled child who has turned age 18.

HF1728*/SF1509/CH175

— K. BERGGREN

INDUSTRY

Name-squatters lose their rights

A business forgetting to file its annual renewal with the Office of the Secretary of State could fall prey to name-stalkers or name-squatters. These are people who seek out business names that are not secured and try to squeeze the business owner for money to get the name back.

A new law, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Rick Olseen (DFL-Harris), will make it a more difficult for people to "hop on the name ... an unethical practice," Kalin said.

Effective 30 days after the office certifies it has systems in place to implement the provisions, the office will automatically file a name reservation to hold the name for a period of one year from the date of the business dissolution or termination if an annual renewal has not been filed.

The new law will also help the office upgrade its systems and practices. Primarily a technical law, there are two other provisions of note: eliminating the need for non-Minnesota businesses to file duplicate certificates from other states, as this information is readily accessible over the Internet; and strengthening of the so-called bogus filing review act that was passed by the Legislature four years ago.

HF1532/SF1288*/CH98

— L. SCHUTZ

Elevator inspection exemptions

Some elevators and lifts in nonprofit or nonpublic settings are temporarily exempted from annual safety inspections for an operating permit.

Under a new law, effective May 13, 2009, through July 1, 2010, manlifts in grain elevators, feed mills, and elevators or platform lifts for wheelchairs in churches are excluded

from an annual inspection requirement.

Also, the Department of Labor and Industry is directed to establish an advisory group to study existing rules and laws that relate to the maintenance and operation of special purpose lifts, hand elevators and manlifts in facilities not for public use, and report its findings to the Legislature by Jan. 30, 2010.

Rep. Al Juhnke (DFL-Willmar) and Sen. Rod Skoe (DFL-Clearbrook) sponsor the law.

HF1813/SF1425*/CH76

— K. BERGGREN

INSURANCE

Speeding up insurance claims

Let's say you own a store and a fire destroys the building and your inventory. You have insurance, but you may find you have to hire a lawyer to get them to pay up.

A new law will allow for a 10 percent interest charge on the insurance proceeds calculated from the time the insured requests payment of the policy amount, plus reasonable attorney fees and court costs. Effective Aug. 1, 2009, the law is sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Tom Bakk (DFL-Cook).

Opponents say the legislation will increase insurance litigation costs and, in turn, increase insurance payments. Some say the law goes beyond similar regulations in other states.

The new law also clarifies the term and usage of "surviving spouse" as it relates to a business of a deceased professional who was the sole owner of a firm at the time of the professional's death.

HF417*/SF528/CH148

— L. SCHUTZ

Electronic data interchange

Creating uniformity in health care insurance billing is the focus of a new law.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Kevin Dahle (DFL-Northfield), the law requires the health and human services commissioners along with the Minnesota Administrative Uniformity Committee to study and recommend ways to simplify health care billing transactions through electronic interchanges.

The study must include recommendations on establishing a single, standardized system for all group purchasers for transactions and notifications; recommendations on technology relationships regarding e-prescribing laws; ensuring any use of technologies among providers and purchasers is consistent with national standards; analysis of the readiness of providers and purchasers to implement technologies; and prioritizing the

LEGO CAPITOL



PHOTO BY TOM OLMSCHEID

Historical Society Site Guide Cindy Stephani tells a group of fifth graders from Tatanka Elementary School in Buffalo about the 6-by-4-by-3 LEGO Capitol that was on display May 26 at the Capitol. Built by LEGO Ambassador Roy Cook, the model took about 50 hours to plan and 100 hours to build using approximately 70,000 unaltered original size and color LEGO bricks.

implementation of specific technologies.

The law is effective Aug. 1, 2009.

HF384*/SF704/CH155

— P. OSTBERG

LAW

Greater attorney fee awards

A new law could help people fight the state.

Sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley), it eliminates a per-hour cap on an award of attorney's or agents fees in a civil action or contested case where the state is a party. The law takes effect Aug. 1, 2009.

Under current law when a court finds the state is not justified in bringing forth an action, the defendant is entitled to an award of attorney fees and expenses. However, the \$125 hourly cap, established in 1986, is still in statute.

Supporters said it is hard to get good legal representation at that limited price.

The law will allow a judge to issue a reasonable award based on the prevailing market rate for the kind and quality of service received by the defense.

HF1529*/SF798/CH125

— M. COOK

Lien, claims protection

Individuals, other than a spouse, who have ownership in a property of a person who died in a nursing home and was on Medical Assistance will have lien and claims protection, under a new law.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), the law requires an approved hardship waiver, and that an individual, other than the recipient's spouse, have ownership interest in the property and also have occupied the property for at least 180 days before the date of the decedent's death.

If the property is a homestead, Medical Assistance claims can only be made after the individual no longer resides in the property or until it's sold or transferred.

The law is effective Aug. 1, 2009.

HF1482/SF1208*/CH160

— P. OSTBERG

Deputy sheriffs can practice law

Deputy sheriffs will be able to provide a different kind of legal service.

Effective Aug. 1, 2009, a new law removes a prohibition of a deputy sheriff practicing law, provided the deputy has the appointing sheriff's approval. The law also permits a

coroner to practice as an attorney.

Rep. John Lesch (DFL-St. Paul), who sponsors the law with Sen. Ellen Anderson (DFL-St. Paul), said it allows deputy sheriffs to practice law outside their jurisdiction for cases that do not affect them in their deputy sheriff job. Violation of the law will be a petty misdemeanor.

An assistant St. Paul city attorney, Lesch said he has sometimes provided services for cases in other jurisdictions.

HF348*/SF297/CH118

— M. COOK

LOCAL GOVERNMENT

Sanitary district dissolution

The Central Lakes Regional Sanitary District will be allowed to dissolve.

Established in 2003, the district was to construct a wastewater collection system spanning several townships in north-central Minnesota; however, it ran into a number of problems, including opposition from residents. It now plans to dissolve.

Rep. Torrey Westrom (R-Elbow Lake) and Sen. Bill Ingebrigtsen (R-Alexandria) sponsor a new law that clarifies statutes so that the district has a path to dissolution. It takes effect

upon approval by the affected townships.
HF1501/SF1489*/CH44

— N. BUSSE

Iron Range sewer district

After a series of mishaps that delayed its creation for several years, the Central Iron Range Sanitary Sewer District will be established.

The district, which will manage the wastewater needs of a group of cities and townships northeast of Hibbing, was originally authorized in 2002; however, a series of errors in the original and subsequent legislation, as well as local problems, delayed its implementation.

A new law sponsored by House Majority Leader Tony Sertich (DFL-Chisholm) and Sen. David Tomassoni (DFL-Chisholm) will fix all the errors, authorize the district retroactively from Dec. 27, 2003, and set up governance and operational requirements.

Effective May 21, 2009, a provision in the law changes the recipient of a \$2.5 million appropriation for mercury treatment facilities that was made in the 2006 bonding law from the district to the city of Hibbing. It also specifies that the money is not available until an equal amount is committed from other sources.

HF17/SF79*/CH122

— N. BUSSE

Redwood County pavilion to expand

Redwood County residents will have more space for their summertime class reunions, wedding receptions and church picnics.

House Minority Leader Marty Seifert (R-Marshall) and Sen. Dennis Frederickson (R-New Ulm) sponsor a new law that allows the upgrade of a popular picnic shelter to accommodate larger groups. Visitor numbers to the site and its surrounding grounds of the historic Gilfillan Estate have more than doubled in the past decade.

The law, effective May 21, 2009, will allow an exemption to the state building code so the pavilion can be remodeled without a costly sprinkler system that would ordinarily be required by state code. The county has raised \$150,000 in private funds and sought no additional funding, but only a code exemption to save it the \$75,000 sprinkler system price tag.

HF1946/SF1477*/CH146

— K. BERGGREN

Shoreland regulation changes

An issue that has spawned decades' worth of disputes among property owners, local governments and the Department of Natural Resources might finally be resolved.

A new law is designed to address the longstanding problem of DNR shoreland regulations preventing owners of property on legal nonconforming lots from selling or otherwise using their land as they see fit. Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Ann Rest (DFL-New Hope) are the sponsors.

Local governments are responsible for implementing DNR shoreland management standards designed to protect the water quality of lakes and other environmental factors. These rules can negatively impact owners of properties that were legally built but that no longer conform to current shoreland regulations.

The new law establishes shoreland rules based on a 2008 compromise reached by a working group comprised of DNR officials, local governments, realtors and others.

Contiguous nonconforming lots under common ownership can be sold or purchased individually, as long as each had a habitable residential dwelling when it came under common ownership, under the law. This addresses a problem of owners of two adjacent properties being prevented from selling one of them.

A provision in the law addresses problems faced when buildings on nonconforming shoreline lots are damaged to the extent of more than 50 percent of their market value. If the lot has less than 50 percent of the required setback from water, the law states that the setback may be increased if reasonable and practicable conditions may be placed on the zoning or building permit to mitigate impacts on the adjacent property or water body.

Other provisions in the law include:

- allowing building on nonconforming lots without variances from lot size requirements, under certain conditions;
- specifying that lots that meet certain requirements are treated as separate parcels of land even if they are under common ownership; and
- requiring property owners to address water and environmental issues when applying for a variance, zoning or building permit.

The law is effective May 22, 2009.

HF519*/SF747/CH149

— N. BUSSE

Local government mandate relief

Local governments will receive less money from the state this year; however, they will also have fewer state mandates to fund.

Sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Ann Rest (DFL-New Hope), a new law is the result of legislative hearings held early in session to determine

what state mandates could be removed to help cities and counties cope with budget shortfalls.

A number of statutory requirements are eliminated in the law, including minimum salary mandates for local officials. These include:

- counties with populations under 75,000 no longer have to abide by outdated minimum salary requirements for auditors, treasurers, recorders and sheriffs;
- county boards will have the ability to reduce commissioners' salaries at any time; and
- cities with populations under 100,000 will be able to temporarily reduce salaries of members of their governing bodies at any time.

The law includes provisions to simplify local governments' compliance with agency rulemaking authority. State agencies proposing rule changes must determine whether local ordinances will have to be adopted or amended to comply with the proposed rule. If so, then the rule cannot become effective until the next July 1 or Jan. 1 after its adoption.

A change effective July 31, 2009, allows deputy registrars to collect a surcharge on vehicle-related filing fees paid for with credit or debit cards. The surcharge must not exceed the cost of processing the credit or debit transaction.

Other provisions in the law include:

- specifying that a county or town that has accepted responsibility for an abandoned cemetery may prohibit further burials and cease acceptance of responsibility for new burials;
- doubling the annual threshold for municipalities to report to the Department of Labor and Industry on fees collected from developers, builders and subcontractors to \$10,000;
- increasing from \$300 to \$2,000 the threshold for which itemized accounts, claims or demands allowed by a county board must be published in the local newspaper;
- allowing townships to recover the full cost of employing "fence viewers" to help settle private land disputes; and
- striking a cap on booking fees charged to jailed individuals and allowing counties to recover the actual costs of booking.

HF1849*/SF1544/CH152

— N. BUSSE

Minnesota River Board reorganizes

The former Minnesota River Basin Joint Powers Board is renamed as the Minnesota River Board and its purpose, duties and membership are expected to change under a new law.

Rep. Terry Morrow (DFL-St. Peter) and Sen. Dennis Frederickson (R-New Ulm) sponsor

the law, which is effective May 8, 2009.

The board was established in 1995 as a joint powers board comprised of counties for the purpose of improving and protecting water quality in the Minnesota River Basin. Proposed reorganization plans include collaboration with the Water Resources Center at Minnesota State University, Mankato and the creation of an advisory committee to serve as a forum for issues the board should address. The committee must convene prior to Dec. 31, 2009.

Comprised of representatives from the 12 major watersheds in the area, the board will be required to compile and submit reports to the Legislature about the results and progress of water cleanup efforts within the basin.

HF955/SF275*/CH49

— S. HEGARTY

Sewage system regulations modified

Home sellers with subsurface sewage treatment systems are subject to a new disclosure law that takes effect Aug. 1, 2009. Sellers must tell buyers any pertinent information related to the sewage treatment system and must provide a copy of a previous inspection report, if available.

Systems will also be subject to a local government inspection when adding a bedroom onto a residence. The inspection requirement will no longer be satisfied by the installer providing video, electronic, photographic or other evidence of compliance.

Local governments can also adopt new rules for anyone who abandons all or part of a subsurface sewage treatment system.

The new law, sponsored by Rep. Jeanne Poppe (DFL-Austin) and Sen. Lisa Fobbe (DFL-Zimmerman), also strengthens penalties for installers who engage in illegal activities.

HF1275*/SF1449/CH109

— S. HEGARTY

MILITARY

Calculating pay differential

Terms and acronyms used by the military and the public sector can differ in interpretation. For instance, a law relating to pay calculations for those having to temporarily leave a school position for active duty has caused some problems.

By deleting the term “basic” and substituting “base,” a new law will help clarify what is meant by “daily rate of pay,” for calculating pay differential.

When someone working in the private sector is called up to active duty, the public employment entity (such as a school) fills the financial gap, if the person’s military pay is less than what they receive from their civil

public employment. The new law will make the definition consistent.

Sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Tarryl Clark (DFL-St. Cloud), the law is effective May 17, 2009, and applies to National Guard members and United States armed forces reservists serving in the active military on or after that day.

HF1127/SF1794*/CH84

— L. SCHUTZ

RETIREMENT

Public pension plan changes

Retirement plans for various public employees will undergo a series of administrative changes, under a new law.

Sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Don Betzold (DFL-Fridley), the law enacts modifications recommended by the Legislative Commission on Pensions and Retirement. These include:

- technical changes to disability benefit programs for state employees, including allowing disability benefit applications to be filed 18 months rather than six months after termination of service;
- permitting the Minnesota State Colleges and Universities system to establish an early separation incentive program for its employees, and also permitting MnSCU faculty a second opportunity to elect Teachers Retirement Association coverage within one year of achieving tenure; and
- establishing a voluntary statewide lump-sum volunteer firefighter retirement plan through the Public Employees Retirement Association, and an associated retirement fund to be invested by the State Board of Investment.

The legislation originally included provisions that would have increased teachers’ pension contributions to address deficiencies in several pension funds; however, the provisions were removed over concerns that Gov. Tim Pawlenty opposed the changes and would veto the bill if they were included.

“We are pushing this issue down the road, and it’s a huge mistake and it’s going to haunt us,” said Rep. Paul Thissen (DFL-Mpls).

Most of the law takes effect either May 23, 2009, or the first day of the first full payroll period commencing after final enactment.

HF723/SF191*/CH169

— N. BUSSE

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SAFETY

Restraint required for young riders

Minnesota has joined 44 other states in implementing a supplemental child restraint law.

Effective July 1, 2009, youth in a motor vehicle must be in a child passenger restraint system until their eighth birthday or they reach 4 feet 9 inches tall.

Rep. Melissa Hortman (DFL-Brooklyn Park), who sponsors the law with Sen. Jim Carlson (DFL-Eagan), said that an improperly fitted adult safety belt could cause the lap belt to ride up over the stomach and the shoulder belt to cut across the neck. If the shoulder strap is uncomfortable, children often place it behind their back, further defeating the safety benefits of the system. A backless booster seat, which raises a child so the belt properly goes across the shoulders and hips, costs less than \$20.

Violation of the law will be a petty misdemeanor, with the driver fined up to \$50. However, the fine will be waived if within 14 days the operator proves he or she has purchased a system for use. A peace officer is permitted to provide information to a violator on obtaining a free or low-cost child passenger restraint system.

The law should also get the state some federal funds because the National Highway Traffic Safety Administration awards incentive funds for child passenger safety activities to



PHOTO BY TOM OLMSCHIED

A new law requires children under age 8 or less than 4 feet 9 inches tall to be in a child passenger restraint system when in a motor vehicle

states that enact a qualifying child restraint law.

HF267/SF99*/CH82

— M. COOK

Bus crash reporting requirements

It is hoped a new law will never be used.

Sponsored by Rep. Terry Morrow (DFL-St. Peter) and Sen. Rick Olseen (DFL-Harris), the law expands a peace officer's school bus accident reporting requirements.

Effective Aug. 1, 2009, a peace officer responding to an accident involving a school bus must report the accident to the state patrol if there is a fatality, there is bodily injury to a person who requires immediate medical attention or a vehicle involved suffers disabling damage.

In addition to conforming state school bus crash inspection statutes to federal law, the law simplifies reporting requirements because the state has two standards, one for commercial vehicles and one for school bus inspections.

By aligning the two to treat all large-vehicle crashes the same, Morrow said state patrol inspections will be more efficient, and the state will comply with the definition of a reportable crash under the Federal Motor Carrier Safety Administration so that accurate reporting of trend data involving school bus crashes will occur. School bus operators testified in support of the law.

HF668*/SF782/CH113

— M. COOK

Drug testing change

A simple change in statute will allow certain state workers to receive required drug and alcohol testing from the federal government rather than the state.

Sponsored by Rep. Paul Rosenthal (DFL-Edina) and Sen. Amy Koch (R-Buffalo), a new law extends an exemption on drug and alcohol testing currently applied to local governments to include the state as well. The change will allow state-employed drivers with commercial licenses to be covered by federal regulations instead of state regulations.

"This relieves the pressure on our administration, and also keeps in place appeal processes for employees," Rosenthal said.

The law takes effect Aug. 1, 2009.

HF1820/SF1172*/CH55

— N. BUSSE

Fallen Firefighters Memorial Day

Firefighters who have lost their lives in the line of duty now have their own day of remembrance in Minnesota.

A new law designates the first Sunday in October as Fallen Firefighters Memorial Day. On that day, each U.S. flag and Minnesota flag on

the Capitol grounds will be flown at half-staff.

According to the Minnesota Fallen Firefighters Memorial Association, there have been 197 line-of-duty firefighter deaths in Minnesota, with the first being recorded in 1881 in Minneapolis, and the most recent in 2008 in Pine City.

Rep. Mike Obermueller (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan) sponsor the law, which takes effect Aug. 1, 2009.

HF422/SF237*/CH87

— N. BUSSE

Teacher background checks clarified

The Board of Teaching may now disclose to school boards or administrators more of what's included in a teacher's disciplinary record, if one exists, and requires those hiring to ask for that information.

A new law requires candidates for a teaching position to provide information in their employment application regarding any history of disciplinary actions by the board, or any similar disciplinary history from other states. Those hiring must ask the candidates for that information.

The board is required to release data relating to the substance of the disciplinary action. This could include sexual misconduct or attempted sexual misconduct, or misconduct of another nature. It excludes failure to pay court-ordered child support, spousal support or delinquent state taxes.

Prospective teachers will also undergo a criminal history background check.

The law, sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Kathy Saltzman (DFL-Woodbury), is effective May 20, 2009.

HF523*/SF402/CH115

— K. BERGGREN

Gun background check conformity

Minnesota will be in compliance with the National Instant Criminal Background Check System.

According to the Federal Bureau of Investigation, "NICS is used by Federal Firearms Licensees (FFLs) to instantly determine whether a prospective buyer is eligible to buy firearms or explosives. Before ringing up the sale, cashiers call in a check to the FBI or to other designated agencies to ensure that each customer does not have a criminal record or isn't otherwise ineligible to make a purchase. More than 100 million such checks have been made in the last decade, leading to more than 700,000 denials."

Sponsored by Rep. John Lesch (DFL-St. Paul) and Sen. Ken Kelash (DFL-Mpls), the law requires a court to ensure that information is transmitted as soon as possible to the federal system when it:

- commits a person under the civil commitment law as being mentally ill, developmentally disabled, mentally ill and dangerous or chemically dependent;
- determines in a criminal case that a person is incompetent to stand trial or not guilty by reason of mental illness; or
- restores a person's ability to possess a firearm.

This provision takes effect July 1, 2010, to give the Bureau of Criminal Apprehension time to incorporate the requirements into its computer system.

The law amends the delineation of those ineligible to possess firearms, and it allows a person to petition a court for the right to possess a firearm, if a previous judicial determination found them to be mentally ill, developmentally disabled, mentally ill and dangerous or chemically dependent. A court can consider evidence from a doctor or clinical psychologist that the person no longer suffers from the disease or it has been successfully treated for at least three years. This section is effective Aug. 1, 2009.

The federal government will make money available for the state to input data into the system; however, it is contingent on legislative approval of program acceptance.

HF954/SF722*/CH139

— M. COOK

Licensing full-time firefighters

Some of the state's first responders will need to prove their aptitude.

Full-time firefighters hired on or after July 1, 2011, will need a license, and volunteer and on-call firefighters will have the option of getting a license by following the same requirements as full-time firefighters.

To receive a three-year license, a person must demonstrate competency in fire prevention, fire suppression and hazardous material operations. A license will be renewed without testing, provided the firefighter had at least 72 hours of training during the previous three years. Grandfathered provisions would exempt the approximately 2,000 current full-time firefighters.

To ensure there is no fiscal impact to the state, a \$75 fee is established for the original license and each renewal.

The new law calls for the Board of Firefighter Training and Education to appoint an accredited organization to prepare and administer firefighter certification examinations.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ann Rest (DFL-New Hope) sponsor the law.

An amendment successfully added by Rep. Larry Howes (R-Walker) provides a two-

week window between Oct. 1, 2009, and Oct. 15, 2009, for people to apply for a restricted master plumber license. He said the previous window to apply for a license was limited, forcing many people to miss the application opportunity.

HF1805/SF1219*/CH153

— M. Cook

Mental health 911 assistance

When someone calls 911 it is usually for police, fire or ambulance service.

Beginning Aug. 1, 2009, mental health crisis teams will be added to the list of emergency 911 responders, where available.

Supporters said there is not one number to call when someone is having a mental health crisis and is in need of help, and that mobile crisis teams can assess a situation and provide cost-effective ways to stabilize the individual, including a referral to mental health centers, clinics or crisis homes. They said a collaboration that now exists in Grand Rapids has resulted in a crisis team and police dispatched for all behavioral health emergency calls.

Rep. Joe Mullery (DFL-Mpls) and Sen. Tom Saxhaug (DFL-Grand Rapids) sponsor the law.

HF448/SF707*/CH128

— M. Cook

Saying no to REAL ID

Civil liberties and privacy issues versus national security and federal accessibility are at the heart of a new law, the provisions of which were vetoed 12 months earlier.

Effective May 16, 2009, the law prevents the Department of Public Safety from taking any steps to implement or plan for implementation of the federal REAL ID Act of 2005. Rep. Carlos Mariani (DFL-St. Paul) and Sen. Warren Limmer (R-Maple Grove) sponsor the law.

A recommendation by the 9/11 Commission, the act's goal is to create uniform standards for documents such as driver's licenses and state identification cards, making them harder to forge, and thereby reducing identity fraud and tightening immigration standards.

States have called the act an unfunded mandate, and supporters have questioned the security associated with the plan and have concerns with data privacy issues.

Residents of states that do not adopt the federal standards by the end of this year would not be able to use their license or identification cards for federal purposes, such as boarding commercial aircraft or entering a federal building. However, supporters say this is unconstitutional. Mariani said 12 other states have passed similar laws, and that the federal

government may be backing off on some requirements.

In an effort to compromise after vetoing the 2008 bill, Gov. Tim Pawlenty issued an executive order that would prevent state compliance before June 1, 2009, unless legislative approval is first given. He hoped the time would allow all sides to reach a compromise on issues such as federal funding, privacy and state control.

HF988*/SF738/CH92

— M. Cook

Public safety and courts

A strategic approach to preserving public safety still means a \$61 million cut in public safety and courts funding.

Gov. Tim Pawlenty is OK with that.

A new law, mostly effective July 1, 2009, contains reforms for the court system and Corrections and Public Safety departments.

Rep. Michael Paymar (DFL-St. Paul) and Sen. Linda Higgins (DFL-Mpls) sponsor the \$2.02 billion law, including \$1.81 billion allocated from the General Fund, to cover courts, human rights, victim services and public safety and other programming.

Unlike most state agencies and departments that face a biennial funding decrease, the Corrections Department will receive a \$3.6 million base bump, although the governor sought more.

To help with department efficiencies, the law requires at least a 1 percent per diem decrease, or 89 cents per day per prisoner. Additional per diem savings are to be put toward treatment beds. A list is included of potential ways the department can cut costs, and a task force will be established to look at how the department can improve efficiencies. The law requires a 20 percent reduction in the department's car fleet — more than 750 now — by Jan. 1, 2010.

The short-term offender program that allows offenders with less than six months remaining on their sentence to serve that time in a local jail is eliminated, effective with those sentenced on or after July 1, 2009, meaning no state inmates should be in local facilities after Dec. 31, 2009. The problem was that state funding was not close to county costs, thereby putting the onus on local taxpayers.

All Challenge Incarceration Program beds must be filled, and the department is required to put an eligible offender's name on a waiting list and to offer the person a chance to participate when space becomes available if there was insufficient space when the person originally became eligible. The list of those ineligible to participate is expanded.

After lawmakers heard about potentially reducing services and hours or not charging

some criminal activity, the law provides the courts an overall biennial funding decrease of less than 1 percent, but some of that is to be offset by \$41 million in fee increases.

Among the increases are:

- initial filing fee in a district court civil action (\$240 to \$310);
- initial filing fee in a marriage dissolution action (\$270 to \$340);
- jury demand fee (\$75 to \$100);
- motion fees (\$55 to \$100);
- subpoena issuance (\$12 to \$16);
- depositing a will (\$20 to \$27);
- filing fee in conciliation court (\$50 to \$65); and
- filing fee for an appeal (\$500 to \$550).

Other court provisions include: an increase from \$4 to \$12 in the surcharge attached to parking violations; an increase of the attorney registration fee to \$75 to help fund public defenders; the public defender co-pay is increased from \$28 to \$75 (it can be waived by the court); referees can serve as judges of conciliation court in all judicial districts; a transfer of money from local drug abuse prevention programs to juvenile drug court programs; and an annual 10 percent interest rate must be put on a judgment or an award over \$50,000.

The law also:

- ensures that five victim's services programs administered by the Office of Justice Programs must not be reduced by more than 3 percent from last year's biennium funding;
- judges can waive the mandatory minimum sentence for a fifth-degree controlled substance crime in certain circumstances;
- counties can develop a revocation center pilot project to house offenders facing probation revocation, rather than sending them to prison;
- a 90-day incarceration cap will be placed on a first-time supervised release violator following a revocation of supervised release; and
- by Jan. 1, 2010, the Public Safety Department is to reduce its non-investigative car fleet by at least 5 percent. This excludes the state patrol.

HF1657/SF802*/CH83

— M. Cook

Safe at Home is more secure

A program that keeps abuse victims safe will make them even safer.

Safe at Home, an address confidentiality program administered by the Office of the Secretary of State, provides extra security for approximately 226 participants. It provides a mail forwarding service, whereby participants receive a mailing address to use and their correspondence is forwarded to their actual

mailing address, which is not disclosed.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Mee Moua (DFL-St. Paul), a new law, effective May 20, 2009, states that sex offenders cannot be in the program, and it supersedes local ordinances that require a person to post their name outside of an apartment building where they reside. In some buildings, a listing in the entryway contains each tenant's name and apartment number.

According to its Web site, "The intent of Safe at Home is to allow its participants to go about their lives, interacting with public and private entities, without leaving traces of where they really live in an attempt to keep their abuser from locating them."

HF1677*/SF1452/CH105

— M. COOK

Transport time

Ambulances will have to transport patients with an obstructed airway to the nearest trauma hospital, when available.

Sponsored by Rep. Diane Loeffler (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), a new law states that if a trauma hospital is not within a 30-minute driving distance, the patient must be taken to the nearest hospital.

In cases where the trauma patient's breathing is not impaired, the ambulance must transport a patient to a Level I or II trauma hospital within 30 minutes, or the nearest hospital if a trauma hospital is not within the time frame. An ambulance service medical director can require, however, a person be sent to a higher-designated trauma hospital. This portion of the law is effective July 1, 2010.

Under current law, a Level II trauma center can't be bypassed for a Level I, even if it's closer. The change allows flexibility in determining which care is more appropriate.

The law also requires that the health commissioner, in consultation with the Emergency Medical Services Regulatory Board, emergency medical services and trauma hospitals, to provide quarterly updates to each regional trauma advisory council regarding major trauma scene ambulance transports. This portion is effective Aug. 1, 2009.

HF1293/SF1217*/CH74

— P. OSTBERG

Youth violence prevention

Combating youth violence with a public health perspective is the focus of a new law.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. John Marty (DFL-Roseville), it requires the health commissioner to collaborate with other departments to identify five community-based violence prevention programs that work to create connections

PEACE VIGIL



PHOTO BY ANDREW VONBANK

Members of the Bloomington Police Department stand watch at the Peace Officer Memorial during the annual Peace Officers Memorial Day observance May 15.

between at-risk youth and trusted adults, intervene at the first signs a youth is at risk and rehabilitate youth who have been involved in violence.

Under the law, one program must serve youth in Minneapolis, one in St. Paul and three others in Greater Minnesota communities.

The programs will work with schools to keep students engaged and help prepare them for higher education and job training, teach self-respect and respect of others, provide mentorship and job placement, and parent and family intervention while teaching parenting skills.

The programs are effective upon the availability of funding to support the activities. The health commissioner is to assist in obtaining private, state or federal funding.

HF1328*/SF1235/CH156

— P. OSTBERG

TECHNOLOGY

Making technology accessible

People with visual or hearing disabilities may find it easier to access Minnesota

government services online.

A new law will establish accessibility standards for state information technology, and require state agencies to consider accessibility when purchasing new software, hardware and other technological upgrades.

Sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Ann Rest (DFL-New Hope), the law is designed to make it easier for deaf, blind and hard-of-hearing Minnesotans to access state Web sites, documents and other information.

The law directs the Office of Enterprise Technology to develop a set of accessibility and usability standards for state information systems. It also sets up an advisory committee made up of 10 representatives from various areas of state government to review accessibility standards and recommend any needed changes.

Under the law, the office will require all state agencies to comply with the standards. An exception is made if the office and the advisory committee determine that a standard would result in an "undue burden to the state," in which case the burdensome standard may be modified.

The law appropriates \$300,000 in each year of the 2010-2011 biennium from the state's telecommunications access fund, including:

- \$100,000 each year to OET for coordinating technology accessibility and usability;
- \$100,000 each year to the Commission on Deaf, DeafBlind and Hard of Hearing Minnesotans to provide information on their Web site in American Sign Language and to provide technical assistance to state agencies; and
- \$100,000 each year to the Legislative Coordinating Commission to provide captioning of live streaming of legislative sessions.

A separate \$276,000 appropriation of stimulus funds from the American Recovery and Reinvestment Act of 2009 will go to OET and the Department of Administration to help expand "employment outcomes" for people with disabilities.

The law takes effect July 1, 2009.

HF1744*/SF1600/CH131

— N. BUSSE

Electric vehicle infrastructure

Too often state statute changes in reaction to something. But a new law looks to future transportation options by regulating electric vehicle infrastructure.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), it establishes various regulations related to electric vehicle infrastructure including preventing companies that create electric vehicle infrastructure from being regulated as utilities and modifying the state building

code to accommodate electric vehicles.

Hornstein said there has always been a conundrum with electric cars: while the ability to produce them exists, there lacks much infrastructure to recharge them.

The law also:

- adds the new generation of electric vehicles to existing statute that deals with electric vehicles, plug-in cars and the like;
- requires the Center for Sustainable Building Research at the University of Minnesota to add electric vehicle infrastructure to its ongoing research into sustainable building practices, including looking at energy use by electric vehicle charging infrastructure in or adjacent to buildings; and
- requires the Department of Transportation, as part of a current study, to study the impact of electric cars and the reduced revenue to fund roads, and make recommendations if any steps should be taken to mitigate the impacts. Because of its power source, electric cars do not contribute to the state's gas tax revenues.

Many of the definition changes are effective May 22, 2009; study language and utility regulation sections take effect Aug. 1, 2009.

HF1250*/SF916/CH134

— M. Cook

TRANSPORTATION

Mini-truck usage, fines

Generally sold as off-road vehicles for farms and construction sites, some people use fuel-efficient mini-trucks for other everyday needs, even though the vehicles are not allowed to be on roads.

Law enforcement is concerned the approximately 2,200-pound vehicles, that resemble a pickup truck or van, don't meet federal safety standards for highway use, nor do they meet federal emissions standards. Small cars, such as a Ford Focus or Honda Civic, weigh in the 2,600-pound range.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids) and Sen. Dan Skogen (DFL-Hewitt), a new law authorizes mini-truck operation on local streets and highways, under a special permit issued by the local unit of government.

The special permit will be similar to what is now provided for motorized golf carts and certain all-terrain vehicles. Unlike operators of golf carts and eligible all-terrain vehicles, mini-truck operators must have a driver's license and can drive the vehicle at night.

The law also identifies required equipment for mini-trucks operated under the special permit, including headlamps and taillights, turn signals, rear view mirrors, a windshield, seatbelts and a parking brake.

CONCENTRATION



PHOTO BY ANDREW VONBANK

Sophia Hayden, 7, works on an art project while her father, Rep. Jeff Hayden, works to pass bills during a May 15 floor session.

This section of the law is effective Aug. 1, 2009, and expires on July 31, 2012.

Those same effective dates apply to a provision prohibiting law enforcement agencies from mandating a quota for administrative citations.

The provision is part of HF1517/SF1894, sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Tarryl Clark (DFL-St. Cloud). It allows peace officers to authorize administrative citations for certain traffic violations. Hosch said more than 100 cities now use the practice with different enforcement and fine rules.

A person who commits an administrative violation — such as driving less than 10 mph over the speed limit, failure to yield, stop sign violations or equipment violations — will

be fined \$60. Two-thirds of the fine will be credited to the local unit of government and one-third to the state's General Fund.

The administrative fine language takes effect Aug. 1, 2009.

HF571/SF492*/CH158

— M. Cook

Agency provisions modified

A new law makes various Department of Transportation changes relating to filing highway surveys, state aid calculations and plat requirements.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Ann Rest (DFL-New Hope), the so-called "housekeeping" law requires the department to file the centerline of a trunk highway as part of the

Override

Inside and Outside the House Chamber

If the governor vetoes a bill (including a line-item veto), that doesn't necessarily mean the measure is dead. Despite the governor's action, the Legislature can have the last word — it can override the veto. It's not easy, but with at least a two-thirds vote of the members in each house, a vetoed bill can become law.

Veto override attempts are rare in our state's legislative history and attempts to overturn line-item vetoes are even rarer.

The first line-item override attempt occurred in January 1992, when the House unsuccessfully tried to override two of Gov. Arne Carlson's line-item vetoes. But during Gov. Jesse Ventura's administration, there

was one successful override of line-item vetoes. During his four-year term, 1999-2002, there were 15 override attempts — eight (excluding the line-item veto) were successful.

After a successful override last year of Gov. Tim Pawlenty's veto of the omnibus transportation finance bill, the House was unsuccessful this year in its attempt to override the omnibus tax bill and to restore a line-item veto in the omnibus health and human services finance law.

Information from the nonpartisan House Research Department and the Legislative Reference Library.



PHOTO BY ANDREW VONBANK

Rep. Thomas Huntley makes a motion May 17 to override the governor's line-item veto of provisions in the omnibus health and human services finance law.



PHOTO BY TOM OLMSCHIED

Rep. Karla Bigham wipes away tears as Rep. Roger Reinert gives an emotional speech encouraging members to override Gov. Tim Pawlenty's line-item veto of General Assistance Medical Care in the omnibus health and human services finance law May 17.



PHOTO BY TOM OLMSCHIED

Rep. Rod Hamilton looks up and tells observers in the House Gallery May 17 that the Legislature has to set priorities, as members debated before unsuccessfully trying to override Gov. Tim Pawlenty's line-item veto of General Assistance Medical Care in the omnibus health and human services finance law.



PHOTO BY ANDREW VONBANK

Members of the faith, labor and nonprofit communities gather May 17 in front of the House Chamber for a rally to encourage legislators to override the governor's veto of the omnibus tax bill.



PHOTO BY TOM OLMSCHIED

Holding her "Override" sign, Mary Kohls of Minneapolis joined several hundred people outside the House Chamber May 17 encouraging members to override Gov. Tim Pawlenty's line-item veto of General Assistance Medical Care in the omnibus health and human services finance law. The House failed to override on a vote of 87-47.



PHOTO BY TOM OLMSCHIED

Five-year-old Ella Marie holds a sign outside the House Chamber May 17 as members debate Gov. Tim Pawlenty's line-item veto of General Assistance Medical Care funding.



PHOTO BY ANDREW VONBANK

Russ Scheidler rallies citizens with his guitar and song, "King Tim", during a May 17 gathering in the State Capitol encouraging legislators to override the governor's veto of the omnibus tax bill.

permanent public record before it is moved. The centerline is referenced in some older property records as a survey monument in the property description, and the department believes it is important to officially record the existing line for cases where the centerline is to be moved.

Three provisions related to primary seatbelt law are included to make it less restrictive: an exemption for newspaper delivery carriers, provides that only one surcharge can be applied per stop no matter how passengers are unbuckled, and it names the primary seatbelt law the "Kathryn Swanson Seat Belt Safety Act." The former director of the Office of Traffic Safety and seatbelt advocate, Swanson died in February 2008 after a two-year battle with amyotrophic lateral sclerosis (ALS) at age 53.

Representatives from MnDOT and the Public Safety Department are to study "the mandatory 24-hour use of vehicle lighting by vehicles on public highways." The study is to include Canadian and European Union experiences with a 24-hour display of vehicle lighting requirements. A report is due to the Legislature by Jan. 15, 2011.

The law also clarifies calculations used to allocate state-aid dollars to counties, so that projects funded from the state park road account do not count against money needs for the county. State law directs MnDOT to do this, but it is not followed in current practice.

Cities with less than 5,000 people are allowed to arrange a special census for purposes of determining municipal state-aid. It eliminates obsolete language on use of the federal census to determine the population of a city. Previous language referred to the 1980 census.

MnDOT is provided the ability to review and comment on preliminary plat proposals abutting state rail bank corridors. Department officials hope it will help preserve and protect such corridors for future uses.

All provisions take effect Aug. 1, 2009, except for language relating to a seatbelt requirement that takes effect June 9, 2009.

HF878*/SF746/CH168

— M. Cook

Seatbelt use becomes mandatory

Everybody in a motor vehicle will need to buckle up or they could be paying financially.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Steve Murphy (DFL-Red Wing), a new law makes failure to wear a seatbelt a primary offense, thereby allowing issuance of citations solely based on a seatbelt violation. Previously, a person

had to be stopped for another offense before a no-seatbelt citation could be issued.

The law, effective June 9, 2009, requires everyone in a passenger vehicle to wear a seat belt, and extends the seat belt law to drivers and passengers of commercial motor vehicles, type III school buses and type III Head Start buses.

A \$25 fine is to be assessed to the driver for failure to wear a seatbelt, and the driver is subject to a \$25 fine per violation for each unbuckled passenger under age 15. Passengers age 15 and above are subject to their own fine. A violation will not appear on the person's driving record.

Supporters of the primary seatbelt law say it is about saving lives, reducing injuries and saving significant hospital costs. Norton said children in a vehicle are restrained about 90 percent of the time when a driver buckles up, compared to 25 percent when a driver does not fasten his or her seatbelt.

Opponents said the law eliminates personal choice, can increase racial profiling and gives law enforcement another reason to pull someone over.

An estimated 87 percent of Minnesotans now wear a seatbelt during daytime hours, with fewer doing so at night. Supporters think the law will increase compliance to 93 percent or 95 percent.

Norton said passage of the law puts Minnesota in line for \$3.4 million from the federal government for transportation safety programs.

The law also permits a driver to exceed the



PHOTO BY ANDREW VONBANK

Rep. Kim Norton, House sponsor of the primary seatbelt law, gets a congratulatory hug from Rep. Patti Fritz after the bill was passed May 18 by the House.

speed limit by 10 mph when passing another vehicle going the same direction on a two-lane highway with a speed limit of at least 55 mph. The provision comes from HF464/SF601, sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. David Tomassoni (DFL-Chisholm).

Three provisions related to primary seatbelt law are included in a MnDOT housekeeping law (HF878*/SF746/CH168): an exemption for newspaper delivery carriers; a provision that only one surcharge can be applied per stop, no matter how many passengers are unbuckled; and naming the law the "Kathryn Swanson Seat Belt Safety Act." The former director of the Office of Traffic Safety and seatbelt advocate, Swanson died in February 2008 after a two-year battle with amyotrophic lateral sclerosis (ALS) at age 53.

HF108*/SF42/CH165

— M. Cook

Keeping trucks off lift bridge

An attempt to keep big trucks off an older bridge has been accomplished without directly banning them from the span.

Sponsored by Rep. Matt Dean (R-Dellwood) and Sen. Ray Vandeveer (R-Forest Lake), the law prohibits motor vehicle combinations longer than 55 feet from using Highway 36 between Highway 95 and the Stillwater Lift Bridge.

Emergency vehicles, vehicles needed for work on the section of highway or the bridge and vehicles carrying an oversize permit are exempt from the law that takes effect the day signs are erected giving notice of the prohibition.

City officials initially wanted a weight restriction on the 1,000-foot long bridge, but the change was made just for a highway designation so as not to set a precedent for other bridges. However, the law will likely keep dangerous trucks out of historic downtown Stillwater. A saturation study found that many of the large, over-the-road trucks stopped by law enforcement personnel had major safety violations, and some were pulled from the road. Supporters said trucks are often driven through Stillwater to avoid an inspection station on Interstate 94.

A 2008 Department of Transportation review found the bridge to be fracture-critical. A new span over the St. Croix River is expected to be open by 2016.

The law states that by July 1, 2009, signs are to be erected "at appropriate locations" giving notice of the restriction. It will be requested that Wisconsin officials do the same on their side of the river. This section is effective May 22, 2009.

HF1204/SF1091*/CH144

— M. Cook

BUDGET

No need for 'lights-on'

A so-called "lights-on bill" to keep government operating if session ended without any appropriations for state agencies wasn't needed and therefore vetoed by Gov. Tim Pawlenty.

House Majority Leader Tony Sertich (DFL-Chisholm), the bill's sponsor along with Senate Majority Leader Larry Pogemiller (DFL-Mpls), called it "an option of a last resort."

When the bill was presented to the governor in the session's final week, there was uncertainty over whether he would enact any of the omnibus finance bills passed by the Legislature. This bill's intent was to cap state agency spending during fiscal year 2010 at the fiscal year 2009 spending level, if no budget resolution was reached by the constitutional deadline for adjournment.

In his veto letter, Pawlenty wrote that the bill "overlaps with appropriations found in omnibus appropriation bills now signed into law. As a result this bill is not needed."

HFnone/SF2141*/CH100

— L. SCHUTZ

EDUCATION

Safe schools bill is not signed

A bill that would have strengthened schools' responsibility to intervene and prevent bullying was vetoed by Gov. Tim Pawlenty.

In his veto message, the governor called the bill "duplicative of current law." School boards are already required to adopt written sexual, religious and racial harassment and violence policies that conform to the Minnesota Human Rights Act.

Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), the bill's original version would have listed characteristics of people who could be targets of bullies, including disability, socioeconomic status, sexual orientation, gender identity or expression, or association with others with those characteristics. It would have required school boards to provide training for teachers about how to intervene and prevent bullying, intimidation, violence and other forms of harassment including by electronic means such as social networking sites or text messaging.

"It would be unfortunate if we had adult staff in our school systems who turned a blind eye and didn't defend our school children,"

said Rep. Ron Shimanski (R-Silver Lake). He suggested schools teach the "Golden Rule" in the early grades to promote respectful behavior.

Others noted that casualties can result from adults' ignorance of how to handle bullies.

"You can hardly pick up a magazine these days without pictures of junior high students who have experienced (bullying) or committed suicide because others don't recognize what bullying is," said Rep. Sandra Peterson (DFL-New Hope).

Davnie said research indicates that when policies clearly identify the groups that could be targets, the policy is more likely to be better enforced.

Pawlenty wrote that he agreed with the goal of the bill, adding that "bullying is a serious issue that must be vigilantly monitored, prevented, and addressed by school administration and staff." He has instructed the education commissioner to review the model policy required by state law and to contact school districts "to ensure they are meeting the requirements of Minnesota law relating to intimidation and bullying" and to encourage them "to revisit" how policies are enforced.

HF1198/SF971*/CH164

— K. BERGGREN

ELECTIONS

Precinct caucus changes vetoed

When political parties in cities like Minneapolis and St. Paul hold precinct caucuses in odd years to nominate mayoral candidates, they don't have all the same privileges that caucuses receive in even years.

Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), a bill vetoed by Gov. Tim Pawlenty would have allowed major political parties in Minneapolis, St. Paul and Duluth to hold odd-year caucuses using the same privileges as even-year caucuses, including:

- pre-empting certain school and government activities after 6 p.m. on caucus nights;
- allowing employees to be absent from work to attend political caucuses;
- prohibiting school officials from denying use of public school buildings for caucuses; and
- requiring public agencies to make their facilities available for holding a precinct caucus.

In a veto message, Pawlenty objected to granting "special privileges" for caucus attendees in three cities. He also wrote that the state "should not dictate additional mandates on businesses for what is a local issue."

HF300/SF284*/CH99

— N. BUSSE

No notice for felons

A proposal to help felons understand that their voting rights have been restored after they serve out their sentence was nixed by Gov. Tim Pawlenty.

The governor vetoed the bill sponsored by Rep. Bobby Joe Champion (DFL-Mpls) and Sen. Mee Moua (DFL-St. Paul) that would have required the Corrections Department and court officials to ensure that people convicted of a felony are aware of their civil rights status.

Under the proposed legislation, the Office of the Secretary of State would develop a publication regarding voting rights of those who are convicted of a crime and provide it to corrections and court officials, who would then inform convicts of when their right to vote is taken away and when it is restored.

Supporters said that some inmates are never informed of the restoration of their rights upon discharge from prison. Although the information is included in a letter sent to ex-offenders upon their release, many never receive the notice because they are frequently moving and living temporarily with friends and relatives.

In his veto message, Pawlenty stated the bill would have placed added mandates on state and local governments at a time when the state is trying to reduce mandates, and also that the purpose of the bill could be accomplished without statutory requirements.

"Moreover," the message states, "citizens should bear some responsibility for being informed about their own situations and rights."

HF545/SF763*/CH116

— N. BUSSE

No automatic voter registration

A proposal to make voter registration automatic for anyone who applies for a driver's license or other state-issued identification card did not meet the approval of Gov. Tim Pawlenty.

The governor vetoed a bill sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. John Marty (DFL-Roseville) that would have changed Minnesota's current system from an opt-in to an opt-out voter registration system.

TAX BILL PROTEST



PHOTO BY TOM OLMSCHIED

Rep. Tom Emmer, second from right, speaks May 18 against the omnibus tax bill that was brought to the House floor during the last hour of the session. Other members waiting to speak include, from left, Rep. Pat Garofalo, Rep. Paul Kohls, Rep. Joyce Peppin, Rep. Kurt Zellers and Rep. Mark Buesgens. The bill was hurriedly passed by the House and Senate, but vetoed by the governor.

Currently those applying for state IDs can ask to be registered to vote at the same time; under the bill, this would have been automatic unless someone asked not to be registered.

In addition, the bill contained a number of provisions to keep voter rolls updated and check for persons who are ineligible to vote, including:

- using data from the Department of Public Safety to check for any non-citizens listed in the statewide voter registration system;
- comparing voter rolls with Social Security databases to check for any deceased voters;
- requiring the Department of Corrections and the courts to update elections officials on the convictions and civil rights statutes of felons; and
- forwarding information on name changes from the courts system to the Office of the Secretary of State and to county auditors, who would then notify individuals with changed names that they have to re-register to vote.

Pawlenty vetoed the bill, in part, he wrote, because no Republican legislators voted for it. The veto letter states that changes to election law “should be accomplished on a bipartisan basis.” In addition, Pawlenty wrote that

“registering to vote should be a voluntary, intentional act.”

HF1053*/SF660/CH133

— N. BUSSE

Election changes vetoed

Minnesota’s political primaries will continue to be held in September.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Katie Sieben (DFL-Newport), Gov. Tim Pawlenty vetoed an omnibus elections bill that would have made a variety of mostly technical changes to the state’s election laws.

Among the more significant provisions included in the bill, primary elections for the state’s major political parties would have been held in August instead of September. Other provisions included administrative changes requested by local governments, the Campaign Finance and Public Disclosure Board and the U.S. Department of Defense.

Previous versions of the bill included provisions such as online voter registration, early voting and various absentee voting reforms; however, these were removed by a conference committee in an effort to make the bill non-controversial and court the

approval of Republican legislators.

The effort failed, however, and during floor debate, House Republicans stated that members of their caucus would not vote for any elections bill that did not include a photo ID requirement for voters. The photo ID measure is opposed by most Democrats as well as by the Office of the Secretary of State, and was never included as part of the bill.

In his veto letter, Pawlenty stated that he would not sign a bill that did not have support from Republican lawmakers.

“Election laws set forth rules relating to the fundamental right to vote and the government’s administration of those rights,” Pawlenty wrote. “Omnibus election bills making changes to our election process should be bipartisan. Unfortunately, this bill fails that test.”

HF1351/SF1331*/CH162

— N. BUSSE

EMPLOYMENT

Calculating unemployment

The U.S. unemployment rate reached 8.9 percent in April. But what if the real percentage were nearly twice that much?

In fact, it is, depending on what measures are used to calculate unemployment. According to the U.S. Bureau of Labor Statistics, the most comprehensive set of statistical measures available, put the actual unemployment rate at 15.8 percent.

Gov. Tim Pawlenty vetoed a bill that would have ensured that the state's official unemployment estimates are always calculated using the more comprehensive method.

Sponsored by House Majority Leader Tony Sertich (DFL-Chisholm) and Sen. D. Scott Dibble (DFL-Mpls), the legislation would have asked the Department of Employment and Economic Development to use a method of calculation known as "U-6."

The U-6 calculation takes into account people who are unemployed and no longer actively seeking work because of impediments like transportation issues or a lack of child care, and also those who are working part-time but who wish to work full-time. The state's current method of calculation, known as U-3, does not include these measures.

Sertich said the new method would allow DEED, which produces the state's official labor market information reports, to give lawmakers and others a clearer picture of the employment situation in Minnesota. The bill would have allowed up to \$120,000 from funds collected for unemployment insurance administration to be used to implement the changes.

In his veto letter, the governor called the U-6 measure "relatively obscure." He noted that only two other states use it, and that neither of them releases the information publicly, in part because they want to "avoid misleading comparisons with other states."

HF925*/SF1368/CH135

— N. BUSSE

ENVIRONMENT

House paint pilot project vetoed

For the second consecutive year, a product stewardship plan to charge consumers a recycling fee on house paint fell under Gov. Tim Pawlenty's veto pen.

The pilot project would have allowed participating retailers to charge up to 35 cents on each paint container sold at the point of purchase until June 30, 2012. The revenue would have been used to pay for a statewide recycling program administered by a new nonprofit organization comprised of paint manufacturers and retailers.

In liquid form, paint is considered hazardous waste and may not be thrown away with household trash. Most cities and counties accept leftover paint at local government recycling centers.

In his veto letter, Pawlenty said Minnesotans are already paying about \$6 million in taxes a year to cities and counties for paint recycling programs. "I would be willing to consider legislation that creates an industry-managed paint collection and recycling program as long as the program clearly demonstrates taxpayers will not be paying for the same thing twice."

Sponsored by Rep. Brita Sailer (DFL-Park Rapids) and Sen. John Doll (DFL-Burnsville), the goal of the legislation was to minimize the public's involvement in managing leftover paint.

HF569/SF477*/CH121

— S. HEGARTY

HEALTH

Medical marijuana use vetoed

Terminally ill Minnesotans hoping to use medical marijuana to ease their pain will have to seek relief some other way.

Gov. Tim Pawlenty vetoed a measure that would have allowed doctors to prescribe medical marijuana to patients suffering from certain terminal and debilitating conditions.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Steve Murphy (DFL-Red Wing), the bill would have made Minnesota the 14th state to allow medical use of marijuana. A regulatory process would have been set up through the Health Department, requiring patients to possess special photo identification cards and providing for licensing of marijuana dispensaries.

The bill passed the House and Senate with bipartisan support — and bipartisan opposition — following a series of committee hearings earlier in the session where advocates for medical marijuana pressed their case by emphasizing the benefits to cancer patients and others. Survivors of cancer victims gave testimony that marijuana — obtained illegally — was the only thing that increased the quality of life for their loved ones during their final days and weeks.

The bill included a sunset date of Oct. 1, 2011. This was a concession made in an attempt to assuage concerns from law enforcement. According to Rukavina, the proposal would have been much more restrictive than medical marijuana laws in other states.

Opponents of the measure cited widespread opposition from the law enforcement community, who expressed concerns about whether it would increase the street availability of marijuana. Many argued it would also send the wrong message to young people about the potential dangers of using marijuana.

In his veto letter, Pawlenty echoed these

sentiments, stating the bill posed "serious public safety and health risks."

"While I am very sympathetic to those dealing with end-of-life illnesses and accompanying pain, I stand with law enforcement in opposition to this legislation," the governor wrote.

Noting that the U.S. Food and Drug Administration has not approved and does not regulate medical marijuana, Pawlenty stated that the scientific evidence regarding the benefits and risks of medical marijuana is "insufficient."

HF292/SF97*/CH166

— N. BUSSE

HOUSING

No legal fees for warranty suit

Gov. Tim Pawlenty vetoed a bill that would have made homeowners who successfully sue a builder or contractor for a warranty violation eligible to receive reasonable attorney fees and any other suit-related costs.

"The availability of legal fees can prolong litigation, and it does little to address the underlying issue of home defects," Pawlenty wrote in his veto letter. "Moreover, attorney's fees are typically available only in limited circumstances, and Minnesota should be careful not to overreach in that regard."

Supporters said that builders, contractors and their insurance companies often drag out a case, hoping a homeowner will exhaust their financial resources and settle for less than needed to repair their home.

The bill also would have required the commerce and labor and industry commissioners to work with interested parties to review homeowner warranty statutes and find ways to make such agreements more effective for all parties and report to the Legislature. Among the parties that would have been consulted are the construction section of the Minnesota State Bar Association, Builders Association of Minnesota, Association of General Contractors and homeowner and consumer representatives.

"I support provisions in the bill that would bring interested parties together to develop a timely and prescriptive process for resolving homeowner warranty disputes without litigation," Pawlenty wrote. "My administration will move forward with that process even though this legislation was vetoed."

Rep. Marsha Swails (DFL-Woodbury) and Sen. Kathy Saltzman (DFL-Woodbury) sponsor the bill.

HF211*/SF170/CH136

— M. COOK

Rent control changes vetoed

Legislation intended to help cities enforce rent-control provisions in subsidized housing agreements was vetoed by Gov. Tim Pawlenty.

Sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. John Marty (DFL-Roseville), the bill would have clarified that cities have the right to enforce contracts with property owners who agree not to raise rents in exchange for accepting public subsidies. Under the bill, cities could take action against property owners who violate their contracts.

In his veto message, Pawlenty expressed concern about the language of the bill, which states that a city has the right to “manage or control property to which it is providing public assistance and for a period of time consistent with the term of the public assistance.” The governor’s letter stated that the bill language could be interpreted as providing broad powers for cities to manage or control properties without providing notice in the agreements.

In addition, Pawlenty’s message stated that the bill is unnecessary because parties to agreements could insert provisions that address the issue into the agreements themselves.

HF1670/SF1033*/CH81

— N. BUSSE

No displacement reimbursement

Several bills intended to boost homeowners’ protection against defective construction faced steady opposition on the House floor from Republicans. They emphasized how the measures could burden the beleaguered construction industry by opening the door to greater contractor liability for damages or to costly lawsuits.

Gov. Tim Pawlenty agreed with their reasoning when he vetoed a bill sponsored by Rep. Paul Gardner (DFL-Shoreview) and Sen. Ron Latz (DFL-St. Louis Park) that would have reimbursed temporarily dislocated homeowners for the cost of short-term housing, such as a motel, if they were forced to vacate their homes because of a construction defect under warranty, or if the conditions of repairing such a defect, made the property uninhabitable.

“Although this legislation may be well-intentioned,” the governor wrote in his veto message, “we should be cautious about placing more burdens on the housing sector during this historic recession.”

The bill specified that homeowners would be reimbursed for the cost of temporary lodging at a rate limited to the maximum per diem rate set by the federal government for the place where the property is located.

“Under current law,” the veto letter

continued, “a homeowner is entitled to receive ‘the amount necessary to remedy the breach of the warranty’ or ‘the difference between the value of the house without defect.’ Current law provides adequate reconciliation for the homeowner where there has been a violation of a warranty.”

HF239*/SF6/CH103

— K. BERGGREN

Home warranty extension vetoed

Minnesota winter weather can postpone the effects of certain construction defects or inhibit a contractor’s or inspector’s ability to determine a problem in a timely fashion.

Lawmakers wanted to extend the time a homeowner would have to see the effects of a problem and request remediation from their builder.

However, Gov. Tim Pawlenty vetoed a bill that would have extended from six months to one year the period in which a warranty claim may be made by a homeowner.

“Not reporting a construction related problem in a timely manner could exasperate the problem and increase costs,” he wrote in this veto message.

The bill, sponsored by Rep. Bev Scalze (DFL-Little Canada) and Sen. Lisa Fobbe (DFL-Zimmerman), was one of several passed this session that sought to strengthen homeowner warranty rights.

HF330*/SF264/CH112

— K. BERGGREN

Reverse mortgage bill vetoed

Reverse mortgage regulations will not be tightened anytime soon.

Available to people 62 or older who borrow a lump sum or receive monthly payments or a line of credit against the value of their home while they continue to live there, reverse mortgages must be paid in full when the borrower moves or dies.

The loans can provide a safety net for many older Minnesotans hit hard by the economic downturn. However, advocates of tighter standards say some borrowers have become victims of unscrupulous lenders or financial counselors who target the product to people who don’t really need it or who have sold borrowers other financial products, such as annuities, paid from the loan proceeds. In some cases, closing costs have exceeded the amount of the loan, and interest rates may be considerably higher than other loans.

A bill sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Tarryl Clark (DFL-St. Cloud) to tighten the rules was vetoed by Gov. Tim Pawlenty.

The governor’s veto message said he shares lawmakers’ goal of trying to protect

borrowers from predatory lending practices, but thinks the legislation could have triggered unintended consequences and increased costs to consumers. He singled out a “suitability” requirement that would have required lenders to make a determination about whether a reverse mortgage is suitable for a particular borrower, as not being clearly defined.

“The suitability criteria in the bill should be clear and specific,” he wrote. “The standard set forth in this bill is vague and will spawn litigation.”

HF528/SF489*/CH127

— K. BERGGREN

Put that warranty claim in writing

An 80-year-old Duluth homeowner called his builder to report a problem with his new home within the six-month warranty period. He agreed to the builder’s proposal to defer an inspection until winter was over and the problem could be more easily examined. The builder’s insurance company extensively documented the problem, but did not agree to accept liability. The case went to trial, and eventually the Court of Appeals upheld a lower court ruling against the homeowner based on his failure to give written notice. The retiree paid \$250,000 to repair home damages resulting from the construction defect.

Gov. Tim Pawlenty vetoed a bill that would have allowed a phone call or e-mail, besides a written letter, to serve as adequate “actual notice” in similar cases.

Rep. Kate Knuth (DFL-New Brighton) and Sen. Kevin Dahle (DFL-Northfield) sponsor the bill. Limits would have remained in place to hold builders reasonably harmless, such as the six-month claim period, and if the damage is due to homeowner’s negligence or other factors unrelated to the contractor’s work.

“There is a high level of ambiguity as to how a homeowner conveys an actual notice message. Not having the notice put in writing will lead to disputes as to whether and how verbal notice was provided. A requirement for written notice is a much better approach,” the governor’s veto message stated.

HF362*/SF362/CH140

— K. BERGGREN

No Homestead-Lender Mediation Act

Minnesota home values are predicted to plummet by more than \$7 billion by 2010, while 30,000 additional home foreclosures are predicted this year.

A bill sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Linda Scheid (DFL-Brooklyn Park) that intended to promote mediation as a tool to prevent some of those foreclosures was vetoed by Gov. Tim Pawlenty.

HF354, the Homestead-Lender Mediation Act of 2009, was modeled after the 1986 Farmer-Lender Mediation Act, which Hilstrom said helped 14,000 farmers avoid foreclosure.

The mediation option would have been available to homeowners who had already received mortgage counseling as currently required, requested the mediation and demonstrated in good faith that they could meet the financial obligations of a refinanced mortgage, an adjusted repayment schedule or other arrangements agreed to by debtor and creditor.

“While I am supportive of a mediation option for certain foreclosure cases, this bill does not incorporate my key recommendations,” Pawlenty wrote in his veto message.

Having a mediator rather than a mortgage counselor determine who is eligible for mediation is “nonsensical,” the governor wrote. If the mediator is making that decision, “the mediation process would have already begun.” Instead, “the counselor should determine eligibility for mediation based on objective criteria prior to the matter being referred to a mediator.”

The attorney general’s office would have appointed and paid for qualified mediators, but Pawlenty wrote that the office “is not the proper entity to select neutral dispute resolution personnel or procedures.” He preferred the Office of Administrative Hearings with the use of qualified volunteers.

To fund the program, every foreclosure fee would have increased by \$125 per foreclosure, even those not involving mediation. Pawlenty wanted the program to fund itself through fees applied within the mediation transaction.

The governor wanted all meetings to be available electronically, instead of having the initial meeting by telephone or video conferencing with the subsequent option to meet in person at the mediator’s discretion, as the bill proposed.

HF354*/SF340/CH154

— K. BERGGREN

No statute of repose clarification

A plan to update a 2004 law that would have helped some homeowners was rejected by the governor.

Sponsored by Rep. Julie Bunn (DFL-Lake Elmo) and Sen. Sandy Rummel (DFL-White Bear Lake), the bill was an attempt to clarify intent of the law to provide when a lawsuit for a warranty violation must be brought.

“Although this legislation may be well-intentioned we should be cautious about placing more restrictions on the housing sector during this historic recession,” Gov. Tim Pawlenty wrote in his veto letter.

MAYOR’S CONCERNS



PHOTO BY TOM OLMSCHIED

St. Paul Mayor Chris Coleman, right, holds a property tax statement during a May 16 Capitol news conference. Mayors from around the state expressed concerns over possible property tax increases and reductions to personnel and services if local government aid is cut as a state budget-balancing measure. Mayors attending the news conference, from left, Jeff Kletscher, Floodwood; Mary Hamann-Roland, Apple Valley; Steve Cook, Hutchinson; and Dan Mess, Alexandria.

The statute of repose remained in the bill presented to the governor, so no one could make a claim after 12 years; but it contained two different statutes of limitations. If the breach were discovered in the first 10 years, the homeowner would still have up to two years of statute of limitations to file the claim once they’ve reported the breach. Problems discovered in year 11 or 12 would have just one year to file a claim.

The 2004 law requires a lawsuit to be brought within two years of the breach of the warranty discovery, but not more than 12 years from when the warranty took effect. However, Bunn said one subdivision in law has a 10-year maximum and some courts use that shorter timeframe, thereby catching homeowners in the middle.

A 2007 court decision went against the original intent by stating all claims must be within 10 years — the stated warranty on many home repairs — even though 12 years was always the intent of the 2004 state law, she said.

“The current period of 10 years in current law seems sufficient,” Pawlenty wrote. “The legislation also applies not only to future cases, but current cases as well. Changing the law in the middle of the game is unfair and unwise.”

HF412*/SF470/CH104

— M. COOK

TRANSPORTATION

Policies not OK with Pawlenty

Rest area prohibitions, highway names, pedestrian bridge access and high-speed rail were part of the omnibus transportation policy bill that failed get off the governor’s desk.

“While I support several provisions in the bill, the Minnesota Department of Transportation (Mn/DOT) has raised concerns regarding provisions in this legislation,” Gov. Tim Pawlenty wrote in his veto message. “Those concerns were brought to the attention of the bill’s authors, but the concerns were ultimately ignored.”

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Steve Murphy (DFL-Red Wing), the law would have required the department to work with Wisconsin to apply for federal economic stimulus funds relating to the planning and construction of a high-speed passenger rail line that would connect Chicago, La Crosse, Wis. and the Twin Cities metropolitan area, including the Union Depot in St. Paul.

Pawlenty noted that MnDOT has been working with Wisconsin officials on a line from the Twin Cities to Chicago, and that the route is part of a statewide rail study. “We have cautioned the Legislature on many occasions about prematurely selecting specific routes, stops, or endpoints,” he wrote.

A 2008 law that requires mitigation on

transportation construction impacts on local businesses would have been amended to include rail transit projects.

In the area of highways, the bill would have:

- prohibited certain activities at rest stops, including failure to properly dispose of trash, dumping household or commercial trash, leaving an unattended vehicle or trailer at a rest area and pitching tents or sleeping overnight outside a vehicle;
- designated Highway 200 between Mahanomen and the North Dakota border as “Veterans Memorial Highway,” and parts of Highways 34 and 87 in Becker County as the “Becker County Veterans Memorial Highway”;
- named the new Highway 23 bridge over the Mississippi River in St. Cloud as the “Granite City Crossing”;
- permitted the annual closing of Highway 19 in New Prague one weekend in September for the Dozinky Festival; and
- required MnDOT to complete the final envi-

ronmental impact statements to accelerate the improvement on part of Highway 14.

MnDOT already incorporates bicycle and pedestrian facilities into many planning documents, but the bill would have required bicycle and pedestrian facilities on certain bridges repaired or replaced using the trunk highway bridge improvement program enacted last year. It would have applied only to bridges located in a city or that link to a pedestrian path, trail or bikeway. The provisions would not have applied if MnDOT determined there is no demand or a “reasonable alternative” crossing is located within one-quarter mile of the bridge.

Other provisions would have allowed:

- deputy registrars to accept credit cards and add a surcharge to cover the costs of the credit card processing fee;
- removing the household income threshold from the conditions of allowing a person to retrieve contents from an impounded vehicle;
- a statewide expansion of the DWI ignition

interlock device pilot program;

- a prohibition against driving into an intersection controlled by a stoplight until a vehicle is able to move completely through; and
- creation of the Minnesota Council on Transportation Access to improve coordination, availability, cost-effectiveness and safety of transit services to the transit dependent.

Pawlenty wrote that the council would overlap the Interagency Committee on Transit Coordination. “I established ICTC to coordinate health and human service programs with public transportation systems. ... I will direct Mn/DOT to expand the membership of the ICTC to address the purported need for the new council.”

HF928*/SF1455/CH151

— M. Cook

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

OUT THE DOOR



PHOTO BY ANDREW VONBANK

Legislators spill out of the House Chamber after a hectic conclusion of the 2009 legislative session in this time-exposed image.

Warm homes, cool jobs

Energy upgrades planned with federal stimulus funds

By SUSAN HEGARTY

An unprecedented number of houses throughout Minnesota will be retrofitted to conserve more energy and hundreds of jobs will be created as a result of a new law and federal economic stimulus funding.

Up against a May 12 deadline, the Office of Energy Security submitted an application to receive an estimated \$196.75 million in federal stimulus funds earmarked for energy improvements. Nine days later, Gov. Tim Pawlenty signed into law how the money will be spent.

Pawlenty sent a May 23 letter to Steven Chu, secretary of the U.S. Department of Energy, assuring him that Minnesota is poised to move forward with energy efficiency programs.

"We are prioritizing our energy investments to take advantage of existing programs and expand programs where appropriate. Our State is committed to a robust improvement in energy efficiency and renewable energy, as well as a balanced State energy policy," Pawlenty wrote. Awarding of the energy stimulus package is expected sometime this summer.

Immediate needs addressed

Weatherizing residences, state government buildings and public schools account for a large portion of the new law, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Ellen Anderson (DFL-St. Paul).

Training and hiring people to perform weatherization tasks and energy upgrades to schools and public housing with the stimulus funds is expected to save taxpayers' money by reducing unemployment and utility costs. Less than 3,800 public housing units are weatherized annually now; that number could increase to 35,000 once the federal dollars are received.

The new law outlines several policies related to the expenditures:

- contractors must ensure that workers are qualified and have participated in apprentice and training programs for the work being performed;
- the Minnesota Housing Finance Agency will coordinate loans, grants and rebates for energy improvements to qualified residents, including for energy efficient window installation;
- a revolving loan fund for Duluth customers of Minnesota Power will stretch stimulus dollars, and a grant program for its customers in communities with less than 4,000 people will be established;
- local governments may apply for block grants to plan for and implement energy upgrades, such as window replacement or street lighting;
- Department of Education staff will help prioritize school district projects that optimize energy savings and improve the learning environment for students; and
- state government buildings will receive lighting upgrades, window repair or replacement and other energy upgrades.

Brighter future with renewables

With an eye to the future, Minnesota will plan for a national energy efficiency center designed to test and measure energy saving performance of equipment. Stakeholders

will include the Center for Energy and the Environment, the Minnesota Center for Engineering and Manufacturing Excellence, and the Minnesota Technical Assistance Program at the University of Minnesota.

A former school building in the city of Kennedy will also be converted for use as a renewable energy business center through a grant provision in the new law.


Rebate money will be used to encourage the movement toward renewable resources, such as solar or geothermal production of electricity. Both homeowners and businesses may be eligible for rebates when they install solar energy.

Schools, park districts, port authorities and local governments will be able to submit financing proposals to the commerce commissioner for purchase and installation of renewable energy systems or geothermal heating and cooling systems. Criteria used when awarding grants include projects that use parts manufactured in Minnesota; those that will reduce greenhouse gas emissions; and geographic diversity of grant recipients. Schools that accept the grants must include information about their renewable energy project into their education curriculum.

Even companies that manufacture parts for renewable energy systems may be eligible for grants. Applicants must demonstrate that their company will help position Minnesota as a center for renewable energy manufacturing.

The St. Paul Port Authority will receive money to establish a revolving loan fund for Xcel Energy's commercial and industrial customers. Though the authority will accept the grant, the money will be disbursed as sub-grants to Xcel Energy business customers throughout the state.

The Office of Energy Security has more information on its Web site, which will be updated as new information becomes available. Log onto www.energy.mn.gov and click on the federal stimulus energy info box on the right-hand side of the homepage.

HF680/SF657*/CH138 

Holding firm on funding positions

Historic deficit magnifies differences on how to pay for state services

By SONJA HEGMAN

The governor and the Legislature were at loggerheads all session as to how to fill what was to be a nearly \$3 billion funding gap to support programming for the 2010-2011 biennium.

The governor's stand was no new taxes, but to rely on cuts, shifts and use of appropriation bonds. The Legislature said that appropriation bonds would be "borrowing against the future," and even with shifts, an increase in taxes would be necessary to stave off devastating cuts.

One bill (HF885*/SF681) to make taxes part of the funding mix made it onto the governor's desk, and was swiftly vetoed. Positions were held firm right up to the last night of session, when with minutes to spare in the 2009 legislative session, House DFLers hoped for another chance at funding the spending bills with what they termed sustainable revenue.

Amidst shouts of unfairness from the minority, House Minority Leader Marty Seifert (R-Marshall) kept yielding to members of his caucus as the clock ran down to the midnight constitutional adjournment. "Division!" they would shout after every voice vote, in an effort to stall a vote on HF2323*/SF2074, the tax bill passed in a conference committee about an hour earlier.

"This should have been a thoughtful process," said Rep. Tom Emmer (R-Delano). "We had no chance to go through the bill. This was completely mismanaged."

The bill, vetoed May 21 by Gov. Tim Pawlenty, would have closed a \$2.7 billion budget gap by delaying payments to schools, raising income taxes on joint filers earning more than \$250,000 a year, increasing alcohol taxes and creating a surcharge on lenders charging high interest rates.

"I think everyone can be proud of this bill," said Rep. Ann Lenczewski (DFL-Bloomington), chairwoman of the House Taxes Committee on the House floor explaining the second tax bill. "We're at a point where we need to close up the session and I hope you'll join me in voting yes."

The bill passed 82-47 in the House and 35-1 in the Senate minutes later. Sen. Dan Sparks (DFL-Austin) voted no, and Sen. Tom Bakk (DFL-Cook), Senate Tax Committee chairman, and the bill's co-sponsor, was among the 31 senators who abstained from voting.

Session-long disagreement

After vetoing the first omnibus tax bill on May 9, the governor announced May 14 that there would be no special session to solve the funding disagreement, and that he would unallot to resolve the deficit.

"A key principle is that the DFL-controlled Legislature shouldn't spend more money than the state has available," Pawlenty said. "Unfortunately, they have done just that and now I'll fix it."

With no new tax bill coming together in a conference committee, negotiations between legislators and Pawlenty failing to produce an agreement, and the Legislative Commission on Planning and Fiscal Policy demanding answers about the potential unallotment scenario, Pawlenty's ultimatum forced the Legislature to try to override an earlier veto.

An override attempt of HF885*/SF681, sponsored by Lenczewski and Bakk, failed to get the 90 votes needed with a vote of 85-49 on May 17. Rep. Gene Pelowski, Jr. (DFL-Winona) and Rep. Jeanne Poppe (DFL-Austin) joined all House Republicans in supporting the veto.

That bill was similar to HF2323 in that it would have raised more than \$1 billion in taxes in the 2010-2011 biennium, but did not include the K-12 shift. It was an attempt to save cuts to schools, hospitals and nursing homes by creating a new tax bracket for the state's top earners, increasing alcohol taxes and adding a tax for excessive interest rates.


"This is a bold move by the Legislature to acknowledge the governor's revenue proposal and solve the state's historic budget shortfall," House Speaker Margaret Anderson Kelliher (DFL-Mpls) said prior to the veto.

New tax law

Though the Legislature was not successful with either of its omnibus tax finance bills, the governor did sign HF1298*/SF1257/CH88, a tax policy bill.

The law has many technical policy and non-controversial tax provisions as were possible, Lenczewski said.

It includes more federal tax conformity that Congress has adopted since HF95, the House federal conformity bill, was signed into law earlier in the session. In addition, it includes disaster relief provisions for St. Charles for a fire and the flood-ravaged Red River Valley for help with new home construction. It also allows for an emergency debt situation for cities and counties that may lose local government aid, market value homestead credit and county program aid due to unallotment.

Seifert called the bill the "lifeboat" of the tax conference committee, as it was the only bill to come out of the committee that didn't include a tax increase. 

State government funding signed

New law strengthens accountability of stimulus funds received by the state

By NICK BUSSE

Less spending and more accountability are the hallmarks of a new law that funds state government operations for the 2010-2011 biennium.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley), the law funds the Legislature, the state's constitutional offices and several state agencies including Minnesota Management and Budget and the Department of Revenue.

In all, the law will have a net General Fund impact of \$580 million, which amounts to a 7 percent reduction from the February forecasted base. This is made possible largely through a new tax compliance initiative by the Revenue Department that is expected to supply \$41.5 million in the biennium.

Under the law, the Legislature and the governor's office will receive 3 percent cuts from their forecasted base funding. The Office of the Secretary of State and the Office of the Attorney General will be cut 5 percent and 4.5 percent, respectively. The Office of the State Auditor would actually see a 3.7 percent budget increase to help oversee and report on the use of federal stimulus funds from the American Recovery and Reinvestment Act of 2009. Most executive agencies would see a 5 percent reduction in their operating budgets.

The law includes several information technology initiatives supported by Gov. Tim Pawlenty, including:

- funding completion of an integrated tax system;
- partial funding and lease-purchase

- authorization for replacing the state's accounting and procurement system;
- funding for preliminary planning to consolidate the state's data centers; and
- provisions to establish a statewide electronic licensing system for commercial and professional licenses, paid for by an extension on a temporary technology surcharge.

The law is designed to help strengthen accountability and financial management in state government in a number of ways. A provision sponsored by Rep. Ryan Winkler (DFL-Golden Valley) clarifies that knowingly misusing state funds is a gross misdemeanor and grounds for employment termination; previously, statutes were unclear as to whether misappropriating state funds is actually a crime.

Legislation sponsored by Winkler and Rep. Keith Downey (R-Edina) that would strengthen the state's internal financial controls has been included in the law. The provisions require Minnesota Management and Budget to take responsibility for internal controls across the executive branch, and also direct the Legislative Audit Commission to make recommendations on improving internal controls.


A provision sponsored by Rep. Steve Simon (DFL-St. Louis Park) establishes a false claims act for the state. The act imposes penalties

and allows the state to recover damages and establishes protections for whistleblowers.

Other policy provisions include:

- granting preferences to certain veteran-owned small businesses in regard to bids on state contracts;
- requiring municipalities to consider using the state's cooperative purchasing venture for contracts greater than \$25,000;
- requiring the creation of a Web site with a searchable database of information on state contracts, expenditures and appropriations;
- officially changing the name of the Department of Finance to the Department of Management and Budget, which may also be referred to as Minnesota Management and Budget;
- requiring the state demographer to release a state demographic forecast to coincide with the November economic forecast from MMB;
- allowing the use of state facilities to provide fitness or wellness classes for state employees;
- establishing a central Geospatial Information Office within the Department of Administration that consolidates a number of existing state geographic information services; and
- requiring occupants of state-owned buildings to try to turn off building lights between midnight and dawn during bird migration seasons (the "bird-safe buildings" provision).

Funding provisions in the law take effect July 1, 2009. Most policy provisions are effective Aug. 1, 2009. The provisions relating to the false claims act take effect July 1, 2010.

HF1781/SF2082*/CH101 

Line-item vetoes for jobs bill

New law funds jobs and housing, makes ice hockey the state sport

By Nick Busse

Gov. Tim Pawlenty trimmed a little more than \$1.8 million from a new law that funds jobs, housing and cultural heritage programs for the next biennium — and also designates ice hockey as the official state sport.

The law, sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. David Tomassoni (DFL-Chisholm), authorizes \$260.1 million (after line-item vetoes) in net General Fund spending.

Major appropriations, reflecting cuts from earlier projected funding bases, include:

- \$115.9 million to the Department of Employment and Economic Development (a 4 percent cut);
- \$86.8 million to the Housing Finance Agency (a 3.5 percent cut);
- \$46 million to the Minnesota Historical Society (a 6 percent cut);
- \$20.2 million to Explore Minnesota Tourism (a 9 percent cut);
- \$17.2 million for the Minnesota State Arts Board (a 16.6 percent cut); and
- \$4 million for public broadcasting (a 3 percent increase).

The law prevents deeper cuts to DEED programs by temporarily increasing a fee paid by employers into the state's workforce development fund. The fee hike would raise \$15.5 million over the next biennium.

Pawlentyline-item vetoed six appropriations. The largest, a \$1.2 million grant to the Minnesota Film and TV Board, was intended to nearly double the amount of money available to the "Snowbait" film production incentive. In his veto letter, the governor said that while incentivizing the film industry

creates short-term jobs in the state, funding should focus on long-term job growth.

Other line item-vetoes include:

- a \$280,000 grant to Minnesota Public Radio to help with its conversion to a digital broadcast signal;
- \$200,000 for the Indigenous Earthkeepers environmental and cultural youth education program;
- \$100,000 for the Southeast Asian Collaborative;
- \$70,000 to the Legislative Coordinating Commission to study economic development issues; and
- \$50,000 to the Department of Administration for a workers memorial on the Capitol grounds.

Pawlenty also vetoed an earlier version of the legislation because it included a provision that would have forgiven \$33 million of a loan St. Paul owes the state on the Xcel Energy Center. The loan forgiveness would have allowed the city to move forward on a proposed new indoor ice arena across the street from the Xcel.

While St. Paul didn't get its new ice rink, hockey fans can still take heart, as the law establishes ice hockey as the official state sport.

A number of other policy provisions are also included in the law. Among them, public employers will be required to purchase

employee equipment and apparel made in the United States. The provision takes effect Jan. 1, 2010, or upon expiration of contracts entered into before June 1, 2009, whichever is later.

A "Minnesota Green Enterprise Assistance" provision in the law directs DEED and the Commerce Department to collaborate on a program to "advise, promote, market and coordinate" state help for environmentally focused enterprises. The objective is to use existing state resources to expedite the delivery of grants, licenses, permits and other authorizations for green economy projects.


Increased accountability requirements for DEED are also in the law, which directs the agency to develop a set of measures to evaluate the effectiveness of its workforce development programs. Annual reports are required to the Legislature.

The law establishes an 18-member bipartisan Economic Development Strategy Working Group to create an overall economic growth strategy for the state. Made up of six senators, six House members and six public members, the group will work under the umbrella of the Legislative Coordinating Commission and report back to the Legislature by Feb. 15, 2010.

Other policy changes include:

- splitting the Board of Barber and Cosmetologist Examiners into two separate organizations;
- strengthening enforcement of prevailing wage requirements for state contracts; and
- allowing Delta Airlines flight attendants taking unpaid furloughs as part of their contracts to collect unemployment benefits.

Appropriations in the bill take effect July 1, 2009. Policy provisions mostly take effect either May 17, 2009, or Aug. 1, 2009.

HF2088*/SF1926/CH78 

Higher education 'stabilized'

Tuition caps, student financial aid increases are focus of funding law

By Nick Busse

A higher education funding package mostly passed muster with Gov. Tim Pawlenty, who trimmed a little more than \$2.5 million from the legislation before signing it into law.

However, there may be deeper cuts coming, as Pawlenty said he may unallot between \$150 million and \$190 million of higher education spending to help close the state's remaining budget gap.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Sandy Pappas (DFL-St. Paul), a new law sets higher education funding in the 2010-2011 biennium at \$3.1 billion. This includes funding for the University of Minnesota, the Minnesota State Colleges and Universities system and the Office of Higher Education, which includes student aid and other programs.

The total includes nearly \$138 million in fiscal stabilization funds from the American Recovery and Reinvestment Act of 2009. Notwithstanding any possible unallotments by the governor, the \$3.1 billion figure represents a cut of approximately 2 percent from the forecasted base for total higher education funding.

The law caps undergraduate tuition increases at MnSCU institutions to no more than 3 percent in the first year and 5 percent in the second year of the biennium. Similarly, the law asks the university to cap its tuition increases at \$300 in the first year and \$450 in the second year.

More restrictive tuition caps were included in the law when it was originally signed; however, after hearing of the governor's unallotment plans, the Legislature passed, and the governor signed, a deficiency law

(HF2251*/SF1938/CH177) that raised the caps slightly in the second year of the biennium.

Student financial aid will get a boost under the law, which raises the four-year tuition maximum for students in the state grant program, and also raises the maximum allowance for living and miscellaneous expenses. Work-study funding will also get a \$5 million increase.

The governor used his line-item veto power to cut several programs. The largest, a \$2 million appropriation for a free-tuition demonstration project called the Power of You, was nixed, according to Pawlenty's veto message, because it would only serve six cities and is "not a viable option" given the budget deficit.

Pawlenty also vetoed a \$500,000 appropriation to a scholarship program to early childhood care and education providers, commenting that it already received funding from the omnibus health and human services finance law.

The governor also vetoed a \$40,000 appropriation to the Cook County Higher Education Board, stating that a county board "is not the appropriate place to fund higher education."

Funding provisions in the law take effect July 1, 2009, with the exception of appropriations from ARRA stabilization funds that are effective May 17, 2009.

Policy provisions

In addition to providing funding, the law includes policy changes covering a variety of higher education-related subjects ranging from alcohol at sporting events to clothing sold in campus bookstores.


A new class of mid-level dental practitioners is established by the law: "dental therapists." These oral health care practitioners will serve as a middle option between dentists and hygienists, and will work in "settings that serve low-income, uninsured, and underserved patients," especially rural areas. The law lays out educational requirements for dental therapists and "advanced dental therapists," and also establishes licensure requirements and other regulations.

State funding for the University of Minnesota may not be used for research that involves human cloning, partially defined as "generating a genetically identical copy of an organism at any stage of development," under the law. The provision was added to the legislation as an amendment on the House floor by Rep. Steve Smith (R-Mound).

Campus bookstores at public colleges and universities must, to the extent possible, offer clothing for sale that was manufactured in the United States, under a provision proffered by Rukavina. A report back to the Legislature on attempts made to comply with the provision is required.

The new TCF Bank Stadium and other sports arenas will have to offer liquor for sale throughout the facilities if they offer it for sale in certain areas, under a Rukavina-sponsored provision in the law. Rukavina said the goal is to make sure ordinary people attending sports events are not denied the same privileges afforded to people in premium seating areas. Or, in the words of the governor, who supports the provision, "If some get beer, all should get beer."

Most policy provisions in the law take effect Aug. 1, 2009.

HF869/SF2083*/CH95 

Money for outdoors, arts gets green light

Legacy bill passes but still needs work

By SONJA HEGMAN

The majority of state voters approved a sales tax increase in November 2008 with some uncertainty as to how the anticipated revenue would be spent.

A new law provides the answer.

"This is the best ride I've had in 33 years at the Legislature. This is the people of Minnesota's (law)," said Rep. Mary Murphy (DFL-Hermantown), who sponsors the omnibus cultural and outdoor funding resources finance law with Sen. Richard Cohen (DFL-St. Paul).

Yet it almost did not happen.

After making the motion to pass the conference committee report in the session's final hours, the committee recessed abruptly with no clear explanation before voting. About an hour later, conferees reconvened and Murphy explained that three concerns were brought to her attention that were to be corrected in the so-called "revisor's bill" because there was no time to make the necessary changes in this bill. The concerns were:

- criteria for how grants are appropriated regarding emerald ash borer;
- the conservation partner grant program will not be a pilot program, and will be reviewed at the end of the first year; and
- the Lessard Outdoor Heritage Council, which was established to provide annual recommendations to the Legislature on how the funds should be used, can use its definition of "protect, restore and enhance," because it differs from the conference committee report. Murphy said these definitions would be discussed in the interim.

Beginning July 1, 2009, the state's sales tax will increase from 6.5 percent to 6.875 percent.

The tax is expected to generate \$396.8 million annually to be divided into four dedicated funding areas: wildlife habitat, clean water, parks and trails, and arts and culture.

Funding in the law for the 2010-2011 biennium includes:

- \$75.7 million to the Department of Natural Resources split among prairies; wetlands; forests; and fish, game and wildlife habitat;
- \$51.3 million to the Pollution Control Agency for grants, drinking water protection, Minnesota river water quality testing and wastewater treatment monitoring;
- \$36.9 million to the DNR for grants and the state parks and trails legacy;
- \$32.7 million to the Public Facilities Authority for grants among small community wastewater treatment technical assistance and construction and phosphorus reduction; and
- \$22 million to the Minnesota Historical Society for a variety of things including grants and assistance to local historical societies.

Line-item vetoed by Gov. Tim Pawlenty was \$200,000 to the Star Lake Board for a "pilot program to focus on engaging citizen participation and fostering local partnerships by increasing citizen involvement in water quality enhancement by designating star lakes and rivers."

"This board was created with a \$100,000 appropriation as a pilot program last year. At the time, supporters of the legislation

indicated the need was for one-time money only," Pawlenty wrote in his veto message. "If additional funding is needed for this new board, it should come from sources other than constitutionally dedicated dollars. Such dollars should be used for projects, not process and bureaucracy."

The law is the result of weeks of testimony about the potential monetary impact during the next 25 years especially in the face of an economic downturn, Murphy said. It also provides a plan to guide the distribution of the legacy amendment money over the 25-year life of the tax. All appropriations are one-time, thus agencies should not expect to receive the same amount of funding from the tax every year. Priorities will be reviewed on a year-to-year basis.

"We looked at this as a tremendous fiscal responsibility," Murphy said. "We did not want to make a mistake. It certainly would be better if we'd had more time."

Rep. Dean Urdahl (R-Grove City) acknowledged Murphy's task was "monumental."

"You were looking to the future and trying to do it right," he said. "I know it was a hard job and tweaks will come in the future."

Murphy said that there had not been a lot of communication between the Lessard Outdoor Heritage Council and legislative committees, which is why there were some things that still need to be worked out. "We need a lot more communication so we create better understanding and a better environment for the future," she said. "This is the promise to the future on enhancement, protection and restoring of our habitats. This is the promise of the future for arts and culture and having whole new groups of people exposed to arts and culture."

HF1231*/SF1651/CH172 

Health care law quagmire

Sustainability at issue in law line-item vetoed by governor

By PATTY OSTBERG

Unsustainable or part of the budget-balancing solution? Such was the dilemma faced by supporters and opponents of the omnibus health and human services finance law.

Gov. Tim Pawlenty line-item vetoed \$381 million in funding for the state's General Assistance Medical Care, which assists some of the state's poorest residents.

An attempted override failed in the House on an 87-47 party-line vote.

Recipients of the state's publicly funded health program are adults between ages 21-64 who have no children and make less than \$7,800 per year. Rep. Thomas Huntley (DFL-Duluth), who sponsors the law with Sen. Linda Berglin (DFL-Mpls), said of the approximately 35,000 on GAMC, many have mental illness, severe physical disabilities or chronic conditions to the point that they can't work on a regular basis; therefore, they receive state health care at no cost to them.

While some will qualify for MinnesotaCare, a different public program, opponents say many of those on GMAC do not have the mental capacity to maintain eligibility or the finances to make payments MinnesotaCare requires.

Yet, veto supporters say health care costs continue to rise at an unsustainable rate the state can't afford, and can't fund when the state's Health Care Access Fund runs out of money, which it's projected to do in the future. Rep. Steve Gottwalt (R-St. Cloud) said the state is already unable to pay market rates to hospitals and providers for services they provide to those on GAMC, and the costs that

shift to the rest of the state are "bankrupting our health care system." They also note the cut does not take effect until fiscal year 2011.

But opponents argue costs will increase in the long run when those dropped from GAMC show up in emergency rooms in worse conditions.

"The impact of this item veto and related, anticipated unallotments will not occur immediately. As a result, the legislature will have an opportunity to address this change further if it chooses," the governor wrote in his veto message. He urged legislators "to continue working next session to slow the growth in the state's human services spending."

Other provisions

The law, mostly effective July 1, 2009, implements a 3 percent cut to Medical Assistance and GAMC providers, but it does not cut primary care providers such as pediatricians, family practice physicians and general internal medicine.

"Every one of these cuts is painful and will hurt somebody," Huntley said. "We tried to minimize the damage best we could."

"There was tremendous pressure on us to protect hospitals," Huntley said, noting the 3 percent cut to hospitals is 1/17th of what the governor wanted. Many of them are "in the red," and the governor's proposal would have

put more of them in the red, he added.

Specialists are cut by about 5 percent in the law. While the cuts will hurt, it's a push to help change the way the state provides medical care and move toward managing chronic diseases through primary care providers instead, Huntley said.

Other spending reductions include delayed rebasing for nursing homes; a 2.58 percent cut to long-term care facilities; reducing public assistance dental services; and limiting personal care attendant hours to 310 per month/per individual.

A personal care attendant recipient must need help with at least one activity of daily living — dressing, grooming, bathing and toileting — to qualify for public assistance. The governor's proposal required at least two activities of daily living to be needed for services.


The disability community services comprise about 29 percent of the state health and human services budget, and were cut by that percent.

Money is invested to meet the federal Children's Health Insurance Program Reauthorization Act of 2009 that could result in an additional \$20 million to increase the number of children on public health insurance by easing the enrollment process, said Huntley.

The change will add an additional 22,000 children to MinnesotaCare, but they are children that already qualify but for some reason are not on the program, he said.

Another \$4 million is invested to meet provisions of, and receive funding from, the federal Health Information Technology for Economic and Clinical Health Act that is designed to help the state convert health records to electronic form.

A Starring Committee on Performance and Outcome Reforms is established in the law to develop a review process for essential human services programs. The committee is to develop reporting and accountability measures to respond to a county or human service authority that is not achieving performance measures.

HF1362*/SF695/CH79 

No shifts, no cuts

Education funding in a holding pattern

By KRIS BERGGREN

Minnesota schools emerged fairly unscathed in the state budget battle of 2009. Education funding will hold steady at \$13.7 billion for the 2010-2011 biennium and increase to \$14.1 billion the following biennium.

The law, effective July 1, 2009, includes \$500 million in one-time federal economic stimulus money, but not \$1.8 billion in accounting shifts proposed by the House but rejected in the conference committee. However, Gov. Tim Pawlenty is expected to implement similar shifts through the same authority by which he has pledged to unallot portions of the state budget.

"While we're very proud of this budget, who would think we would ever have to be proud of not cutting or not paying the schools late?" asked Rep. Mindy Greiling (DFL-Roseville), who sponsors the law with Sen. LeRoy Stumpf (DFL-Plummer).

In a message to legislative leaders, Pawlenty said that he signed the law "with reluctance," because it doesn't increase education spending as he had proposed, or include his reform proposals, such as several teacher-training programs, his Pay for Progress incentive or a statewide implementation of the alternative teacher compensation plan known as Q Comp.

The governor isn't the only one who isn't thrilled.

"There's a big gap between where this (law) is and where it could be," said Rep. Pat Garofalo (R-Farmington), the House K-12 Education Finance Division minority lead. "It cuts \$185 million from the governor's education budget. It lacks reform."

The law isn't exactly what Greiling hoped for either, because it does not include the proposal to stabilize and simplify education funding, known as the "new Minnesota

Miracle" which would have equalized state aid to districts statewide and eliminated property tax levies from the funding formula.

Others said the law does include meaningful reforms they expect will pay off in coming years, including new ways of measuring student performance; significant and hard-won special education changes and mandate reductions; and a provision allowing school districts to create site-governed schools.

A facelift for charters

The law makes the most significant reforms to charter schools since 1991, when Minnesota became the first state to allow their development.

"Whether someone hates charters or loves them, they're not going away," said Rep. Linda Slocum (DFL-Richfield), so it makes sense "to make them more responsive and more responsible and better in our communities."

The responsibilities of charter school authorizers (formerly known as sponsors) are strengthened and the fees they may charge increased; a more rigorous process for application to open a new charter school is established; board financial training is required and conflict of interest rules clarified.

School boards may now approve site-governed schools, which function as a kind of hybrid of charter and district schools that allow teachers freedom to innovate while retaining district status, especially to reach students not well served by traditional schools. Rep. John Benson (DFL-Minnetonka)

compares the concept to the professionalism of "forming a practice, like a law firm or doctor's office." Greiling called it a "cutting-edge" model and a national first.

Testing is examined

A highly disputed alternative path to graduation for students who cannot pass a high-stakes math test is included. While Pawlenty expressed his disappointment with the measure, calling it a "step backward" in efforts to raise academic standards, its advocates were concerned that thousands of high school juniors could fail the test this year, leaving them in postsecondary limbo without a diploma.

The GRAD's (Graduation-Required Assessment for Diploma) effectiveness will be studied, but in the meantime the new law relieves some testing anxiety. New measures of student progress assessing students' year-to-year growth in addition to standards-based knowledge will "fully, fairly and accurately report student achievement and measure school excellence" and represent "the critical reform in this bill," said Rep. Kathy Brynaert (DFL-Mankato).

All eyes on the achievement gap

Lawmakers kept their eye on a guiding goal: their desire to close the nation's biggest achievement gap between white students and students of color, which Rep. Carlos Mariani (DFL-St. Paul), House K-12 Education Policy and Oversight Committee chairman, calls an "opportunity gap."

Early learning and literacy are considered the foundation for future school success. The law expands a pilot Quality Rating and Improvement System for child care facilities to help parents gauge their child care choices by considering how programs address school readiness, as well as other factors like safety and family support. It establishes a Minnesota Reading Corps to train Head Start teachers in literacy instruction, and requires that pre-kindergarten and elementary teacher candidates must successfully complete a reading instruction assessment as part of their exam for licensure.

Integration revenue, the \$92 million funding category intended to reduce segregation through cross-cultural programs, magnet

Education continued on next page


Education continued from previous page

schools and other means, is an old-school response to concerns about making sure all children get a high-quality education. The program was scrutinized by the Office of the Legislative Auditor in 2005 and found wanting. The new law redefines its purpose to include closing the achievement gap and requires school districts' integration budget

plans to be approved by their boards, or in the case of the Minneapolis, St. Paul and Duluth districts, by the education commissioner, before integration revenue is awarded.

As classrooms in every corner of the state are absorbing a demographic transition to a more diverse, less affluent and sometimes more mobile student body, Mariani issued a gentle challenge to what he called the "E-12 establishment."

"I think we are really going to need you to step up not just simply to protect the wonderful schools and school districts that you have," Mariani said, "but to really be courageous about suggesting different ways to restructure, if you will, the delivery of K-12 education."

HF2*/SF1328/CH96 

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Bills not acted upon in 2009 could come to life in 2010

When the gavel came down on the legislative session at midnight May 18, it didn't put an end to the business of the 86th session.

Minnesota is one of several states operating on a biennium: the first year is used to set the state budget, and the second year is generally used to consider capital investment projects. Unlike the second year, when legislators adjourn sine die, which means "without a day," in the first year a date for return is established. The Legislature is scheduled to reconvene Feb. 4, 2010, at noon.

Of the 2,407 bills introduced in the House and 2,166 in the Senate, only 179 were passed by both bodies and sent to the governor. So, what happened to the remaining bills? Some were duplicates, some were folded into other bills, but most are sitting in limbo, waiting for possible action in the 2010 session.

The future of any bill depends upon where it was in the process when session ended:

- Bills on the General Register return to the last standing committee or division where they were acted upon. The rules also apply to any bill up for consideration on the Consent Calendar, Calendar for the Day or the Fiscal Calendar.
- For appointed conference committees that have not submitted a report upon adjournment, the bill returns to the body where it originates and is laid on the table. The conference committee is discharged.
- Bills that passed one body and not the other remain alive for the second year of the biennium. The house that approved the bill in the first year need not repass the bill in the second.

- House files amended by the Senate coming back for concurrence are available to take up when session begins.
- Bills pending before the rules committee of either body return to the standing committee to which the bill was previously referred.
- Bills vetoed by the governor are returned to the body where the bill originated and tabled.
- Bills remaining in standing committees can be taken up in the second year of the biennium in the committee to which they were referred.

For information on how a bill becomes law, go to www.house.leg.state.mn.us/hinfo/govser/GOVSER6.pdf or call House Public Information Services at 651-296-2146 or 800-657-3550 and request the Minnesota State Government Series State Law Process.

— L. SCHUTZ

New Laws and their effective dates

Editor's note: The following chart includes the 179 bills that passed both the House and the Senate and were sent to the governor for consideration. The bills are, for the most part, sorted according to the committee of origin. An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

Here are definitions of some of the terms used in the chart.

Governor's options

• enactment

The date the governor signed the bill into law.

• line-item veto

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

• veto

The governor did not approve the bill.

Effective dates for new laws

Each act takes effect at 12:01 a.m. on the day stated in the act itself, unless it specifies a different time. Examples:

• Aug. 1, 2009

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following final enactment, unless the act specifies a different date.

• July 1, 2009

An appropriations act, an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

• Day after enactment

The act becomes effective the day after the governor signs it.

• Upon local approval

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

• Various

Different parts of the act have different effective dates.

• with exceptions

Act includes other effective dates.

• with qualifications

Act adds conditions to the effective date.

• retroactive

Act goes into effect as of a specified date in the past.

2009 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 23, 2009

HF—House File
SF—Senate File

R—Resolution
CH—Chapter

*—bill the governor
signed or vetoed

CH

Enactment

HF	Author	SF	Author	Description	CH	Enactment
AGRICULTURE						
1122*	Juhnke	1779	Vickerman	Omnibus agriculture and veterans affairs bill.	94	Line-item vetoed
BONDING						
855*	Hausman	781	Langseth	Omnibus bonding bill.	93	Line-item vetoed
BUDGET						
886*	Solberg	824	Cohen	General Fund balance allocation exempted at end of fiscal year 2009.	5	3/2/2009
117	Solberg	95*	Cohen	Deficiency funding provided for certain state agencies, and money appropriated.	13	4/6/2009
none		2141*	Pogemiller	Continuing appropriations for state agencies.	100	Vetoed
2251*	Solberg	1938	Cohen	Federal stimulus oversight funding allocated for certain state agencies.	177	5/21/2009
BUSINESS						
1717	Atkins	1711*	Dahle	Motor vehicle sales and distribution regulation.	34	5/6/2009
none		1910*	Dahle	Commerce provisions modifications. Salespersons and appraisers licensing and regulations and continuing education requirements.	63	5/12/2009
2082	Hortman	1810*	Scheid	Uniform Disclaimer of Property Interests Act.	67	5/12/2009
1685	Davnie	1431*	Tomassoni	Motor vehicle dealers unreimbursed expenses deduction from wages regulation.	69	5/12/2009
CONSUMERS						
1615	Sanders	743*	Dahle	Petroleum standards updated, biodiesel blends and fuels standards established.	17	4/16/2009
326	Clark	247*	Rummel	Bisphenol-A products prohibition for young children.	40	5/7/2009
1648	Sailer	1486*	Higgins	Electronic products recycling (e-waste) manufacturer and retailer responsibilities modifications.	42	5/7/2009
1306	Hornstein	122*	Dibble	Cocoa bean shell mulch retail sellers warning sign posting requirement.	47	Vetoed
854	Lesch	298*	Anderson	Cell phones unauthorized use customer liability limits.	54	5/9/2009
819*	Atkins	759	Latz	Unfair ticket sales prohibited.	61	5/11/2009
914	Davnie	806*	Dahle	Consumer short-term (pay day) loan lending regulation.	68	5/12/2009
420*	Laine	776	Latz	Existing statutory implied residential construction warranties required to be made as express warranties.	91	5/16/2009
239*	Gardner	6	Latz	Homeowners permitted to recover certain damages incurred due to faulty construction.	103	Vetoed
412*	Bunn	470	Rummel	Home owner warranty claims statute of repose adjusted.	104	Vetoed
330*	Scalze	264	Fobbe	Homeowners provided with a longer period within which to notify contractors of construction defects.	112	Vetoed
1476*	Atkins	1313	Scheid	Liquor licensing requirements clarified and modified.	120	5/20/2009
528	Davnie	489*	Clark	Reverse mortgage provisions modifications.	127	Vetoed
1853*	Atkins	1653	Sparks	Miscellaneous commerce provisions.	178	5/22/2009
CRIME						
1639	Morrow	1436*	Lourey	Sex offender program provisions modifications.	111	5/20/2009
818*	Hilstrom	758	Moua	Vulnerable adults financial exploitation, investigation, protection and cause of action establishment.	119	5/21/2009
1505*	Paymar	1514	Pappas	Data on human trafficking, criminal penalties increased for promoting prostitution/sex trafficking offenses.	137	5/21/2009
1213	Hortman	1009*	Torres Ray	Prostitution penalty enhancement clarification; crime of prostitution in a public place expansion.	170	5/21/2009
DEVELOPMENT						
1169	Rukavina	2081*	Tomassoni	Omnibus economic development and housing appropriations.	39	Vetoed
2088*	Rukavina	1926	Tomassoni	Omnibus Economic Development bill.	78	Line-item vetoed

2009 MINNESOTA LEGISLATURE

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HF—House File
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CH—Chapter

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CH

Enactment

HF	Author	SF	Author	Description	CH	Enactment
EDUCATION						
1040	Shimanski	811*	Dille	McLeod West; ISD 2887 reorganization operating debt bonds issued.	20	4/16/2009
2*	Greiling	1328	Stumpf	Omnibus K-12 education bill.	96	5/16/2009
648	Mariani	567*	Saltzman	Cardiopulmonary resuscitation and automated external defibrillator instruction requirement.	107	5/19/2009
ELECTIONS						
300	Davnie	284*	Higgins	First-class cities major political party caucuses privileges application.	99	Vetoed
1053*	Simon	660	Marty	Maintaining the voter registration system, and automatic voter registration.	133	Vetoed
1351	Winkler	1331*	Sieben	Omnibus elections provision bill.	162	5/22/2009
EMPLOYMENT						
4	Mahoney	4*	Metzen	Unemployment; new base period for calculating benefits and a limited extension of benefits provided.	1	1/29/2009
1227	Rukavina	1197*	Tomassoni	Minnesota law conformed to the requirements necessary to receive federal stimulus funds, and money appropriated.	15	4/8/2009
1048	Brynaert	643*	Sheran	Eligibility for unemployment benefits under certain training programs provided.	25	4/27/2009
2040	Urdahl	1454*	Saltzman	Shared work plan establishment.	27	4/30/2009
334*	Hilstrom	683	Scheid	Garnishment instructions, forms, procedures, and exemptions modified.	31	5/1/2009
1850	Haws	1569*	Clark	Workforce development; local workforce council representative requirements modifications.	65	5/12/2009
1678	Nelson	1476*	Bakk	Workers compensation provisions modifications.	75	5/12/2009
1218	Lillie	1036*	Metzen	State labor contracts ratification.	85	5/16/2009
925*	Sertich	1368	Dibble	Dissemination and calculation of the state unemployment rate regulated.	135	Vetoed
ENERGY						
863	Hilty	550*	Prettner Solon	Omnibus energy conservation provisions; nuclear power plant certificate of need issuance prohibition elimination.	110	5/19/2009
680	Kalin	657*	Anderson	Federal stimulus energy programs funding direction and appropriations.	138	5/21/2009
ENVIRONMENT						
1756	Kath	1329*	Frederickson	Federal funds allocated for clean water and drinking water loans and grants, money appropriated.	16	4/8/2009
2123*	Wagenius	1915	Rummel	Omnibus environment and natural resources bill.	37	Line-item vetoed
1539	Rosenthal	640*	Kelash	Public waters temporary drawdown.	48	5/7/2009
569	Sailer	477*	Doll	Paint stewardship pilot program; used architectural paint collection and processing.	121	Vetoed
2049	Wagenius	1012*	Anderson	Environment and natural resources appropriations.	143	Line-item vetoed
FAMILY						
632	Jackson	412*	Moua	Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.	46	5/7/2009
265*	Hortman	262	Scheid	Disposition of items on death references clarified.	117	5/20/2009
695	Hilstrom	548*	Betzold	Marriage provisions modifications.	129	5/20/2009
804*	Thissen	951	Moua	Guardian and conservator governing provisions modified.	150	5/22/2009
1709	Hosch	1503*	Torres Ray	Child welfare provisions modifications; birth records disclosure provisions affidavit filing by birth parents requirement.	163	5/22/2009
GAMBLING						
1511	Atkins	1284*	Lourey	Lawful gambling regulation provisions modifications.	124	5/20/2009
GAME AND FISH						
1237*	Eken	1110	Chaudhary	Natural resources and state park provisions modified.	176	5/22/2009

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GOVERNMENT

100	Winkler	94*	Latz	I-35W bridge collapse survivor compensation process provisions clarified, indemnification rights specified.	4	2/24/2009
801*	Pelowski	779	Gimse	State report and document laws modified.	32	5/1/2009
1857	Pelowski	532*	Rest	Electronic mail (e-mail) notification for department of administration rule proposals and hearings.	71	5/12/2009
456	Johnson	764*	Moua	State agencies electronic meetings authority.	80	5/15/2009
1171	Jackson	1096*	Moua	Revisor's bill.	86	5/16/2009
111*	Winkler	131	Bonoff	Divestment required from certain investments relating to Iran.	90	5/16/2009
none		2082*	Betzold	Omnibus state government appropriations.	101	5/16/2009
1193*	Koenen	1011	Latz	Department of Corrections and Department of Employment and Economic Development claims settlement provided, and money appropriated.	126	5/21/2009

HEALTH

1554	Winkler	1462*	Prettner Solon	Public health emergencies and pandemics medication mass dispensing authority; isolation and quarantine.	41	5/7/2009
286	Clark	245*	Berglin	Equal Access to Acupuncture Act and Edith R. Davis memorial.	45	5/7/2009
665	Swails	615*	Prettner Solon	Hennepin County specialty psychiatric hospital construction project moratorium exception.	51	5/7/2009
521	Thissen	457*	Higgins	Volunteer health practitioners licensed in other states provisions modifications.	72	5/12/2009
1362*	Huntley	695	Berglin	Omnibus health and human services finance bill.	79	Line-item vetoed
120	Hosch	203*	Kubly	Health cooperative arrangements oversight.	97	5/16/2009
1322	Thissen	1890*	Lourey	Health information technology and infrastructure and electronic health record system.	102	5/19/2009
1448	Mullery	1887*	Marty	Health care agents information release and agent quarantine access; public safety department traffic accident reporting modification.	108	5/19/2009
1745*	Ruud	1445	Marty	Department of health technical provisions.	157	5/21/2009
53	Murphy, E.	29*	Sheran	Pharmacy practice influenza vaccines administration provision clarification.	161	5/22/2009
292	Rukavina	97*	Murphy	Medical use of marijuana.	166	Vetoed

HIGHER EDUCATION

none		2083*	Pappas	Omnibus higher education appropriations.	95	Line-item vetoed
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HOUSING

1394	Hayden	1147*	Higgins	Vacant, abandoned and nuisance property modifications.	123	5/20/2009
995	Mullery	1302*	Fobbe	Mortgage foreclosure procedures modification.	130	5/20/2009
211*	Swails	170	Saltzman	Statutory housing warranties recovery for breaches regulated.	136	Vetoed
362*	Knuth	362	Dahle	Homeowner notice requirements modified.	140	Vetoed
903	Mullery	708*	Fobbe	Mortgage foreclosure consultants provisions modifications.	141	5/21/2009
354*	Hilstrom	340	Scheid	Mortgage foreclosure proceedings on homestead property mediation provided.	154	Vetoed

HUMAN SERVICES

177	Thissen	162*	Berglin	Moratorium on radiation therapy facility construction extended in certain counties.	6	3/11/2009
782	Sterner	978*	Erickson Ropes	Shaken baby syndrome training requirements changed in licensed programs.	26	4/27/2009
940	Zellers	729*	Rest	Hennepin County human resources board modifications; Victory Memorial Drive historic district task force sunset extension.	50	5/7/2009
388	Bigham	431*	Betzold	Civil commitment clinical drug trials participation prohibition.	58	5/11/2009
936*	Thissen	839	Sheran	Communities for a lifetime criteria specified.	60	5/11/2009

2009 MINNESOTA LEGISLATURE

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HF	Author	SF	Author	Description	CH	Enactment
985	Hayden	666*	Marty	Children aging out of foster care provisions modified.	106	5/19/2009
285	Clark	213*	Erickson Ropes	WIC coupons cost neutral organic food purchase authorization.	114	5/20/2009
545	Champion	763*	Moua	Civil rights restoration notice requirements.	116	Vetoed
702*	Hilstrom	561	Moua	State expenditure pilot project on children authorized for various purposes.	132	5/21/2009
1750	Abeler	1447*	Lourey	Human services licensing bill.	142	5/21/2009
266	Fritz	711*	Marty	Children with developmental disabilities services costs requirements modification.	145	5/21/2009
581	Hosch	501*	Lynch	Disabled children's services medical assistance services availability expansion.	147	5/21/2009
1760*	Thissen	1526	Lourey	Continuing care provisions modifications.	159	5/22/2009
1708	Hosch	1504*	Berglin	Mental health provisions modifications.	167	5/22/2009
1276*	Norton	986	Lynch	County human services mandates modified.	174	5/22/2009
1728*	Loeffler	1509	Torres Ray	Child care programs, program integrity, and adult supports including general assistance medical care.	175	5/22/2009
HUMANITIES						
422	Obermueller	237*	Carlson	Fallen Firefighters Memorial Day designation.	87	5/15/2009
1825	Urdahl	1623*	Dille	Resolution to urge the President and Congress to repeal the federal legislation of 1863 ordering the removal of Dakota people from Minnesota and the Dakotas.	171	5/21/2009
1231*	Murphy, M.	1651	Cohen	Omnibus cultural and outdoor resources finance bill.	172	Line-item vetoed
INDUSTRY						
1056*	Howes	638	Scheid	Construction subcontractors prompt payment required, and progress payments and retainages regulated.	66	5/12/2009
1813	Juhnke	1425*	Skoe	Grain elevators and feed mills manlifts and platform wheelchair lifts and elevators in churches.	76	5/12/2009
813	Johnson	910*	Tomassoni	Independent contractor definition clarifications.	89	5/16/2009
1532	Kalin	1288*	Olseen	Secretary of State filings provisions modifications.	98	5/16/2009
INSURANCE						
2138	Atkins	1904*	Scheid	Health coverage limited extension of continuation election period.	33	5/6/2009
1823	Simon	1754*	Kubly	Church benefits board as trustee authorization.	43	5/7/2009
704	Knuth	166*	Scheid	Insurable Interest Act (STOLI).	52	5/9/2009
1789	Fritz	1611*	Sparks	Nonprofit insurance trust self-insurance authorization.	53	5/9/2009
1719	Atkins	1539*	Gerlach	Viatical (life insurance) settlement model.	62	5/12/2009
417*	Atkins	528	Bakk	Third-party administrators of health coverage plans, health claims clearinghouse regulated.	148	5/22/2009
1988*	Murphy, E.	1924	Berglin	Managed care plan and county-based purchasing plan provider reimbursement rate information report required.	173	5/22/2009
LAW						
332	Jackson	261*	Latz	Transfer on death deeds technical modifications.	30	4/30/2009
348*	Lesch	297	Anderson	Law prohibiting sheriffs, deputy sheriffs, and coroners from practicing law repealed.	118	5/21/2009
1529*	Mullery	798	Betzold	Attorney or agent fees dollar limitation removed.	125	5/19/2009
1482	Thissen	1208*	Dibble	Medical assistance claims and liens against estates provisions modifications.	160	5/21/2009
LOCAL GOVERNMENT						
329	Reinert	212*	Prettner Solon	Boiler operation regulation exception provided.	2	2/20/2009
56*	Hosch	55	Fischbach	Stearns County; grantee for parks appropriation corrected.	7	3/23/2009

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951	Lillie	896*	Wiger	Two or more existing municipal power agencies authorized to form a new municipal power agency.	19	4/16/2009
1501	Westrom	1489*	Ingebrigtsen	Central Lakes region sanitary district dissolution.	44	5/7/2009
955	Morrow	275*	Frederickson	Minnesota River basin joint powers board name change to Minnesota River board and provisions modifications.	49	5/7/2009
1670	Mariani	1033*	Marty	Local government rent control provisions modification.	81	Vetoed
1275*	Poppe	1449	Fobbe	Sewage treatment systems provisions modified.	109	5/19/2009
17	Sertich	79*	Tomassoni	Central Iron Range sanitary sewer district establishment.	122	5/20/2009
1946	Seifert	1477*	Frederickson	Redwood County Gilfillan Estate state building code limited exemption authority.	146	5/21/2009
519*	Nelson	747	Rest	Nonconforming lots in shoreland areas regulated.	149	5/21/2009
1849*	Nelson	1544	Rest	Local governmental unit mandates removed, extended, and modified.	152	5/22/2009
MILITARY						
433	Obermueller	236*	Carlson	Medal of Honor day designated as March 25.	8	4/1/2009
1400	Kalin	1142*	Murphy	Honoring All Vietnam Era Veterans Day enacted.	10	4/3/2009
1127	Eastlund	1794*	Clark	National Guard and reserve members pay differential conditions clarification.	84	5/16/2009
RECREATION						
865*	Welti	983	Lynch	Wabasha and Olmsted counties; Great River Ridge Trail established.	11	4/3/2009
RETIREMENT						
723	Murphy, M.	191*	Betzold	Omnibus retirement provisions modifications.	169	5/22/2009
SAFETY						
254	Thissen	265*	Kelash	Crime alerts required to be distributed in a format that people with disabilities can access.	22	4/16/2009
525	Mullery	462*	Latz	DWI ignition interlock device pilot program expansion.	29	4/30/2009
1242*	Seifert	1146	Frederickson	Brandon's law established, and procedures implemented for investigating missing person cases.	38	5/7/2009
1820	Rosenthal	1172*	Koch	Alcohol and controlled substance testing exemption extension.	55	5/9/2009
1301*	Hilstrom	993	Moua	Omnibus public safety policy bill.	59	5/11/2009
842	Olin	675*	Kubly	Ambulance emergency medical services technical changes.	70	5/12/2009
1097	Hansen	1408*	Metzen	Aircraft laser discharge criminal penalties.	73	5/12/2009
1293	Loeffler	1217*	Higgins	Emergency medical transport provisions modifications.	74	5/12/2009
267	Hortman	99*	Carlson	Motor vehicle operators child restraint systems use requirement expansion.	82	5/15/2009
1657	Paymar	802*	Higgins	Omnibus public safety appropriations.	83	5/15/2009
988*	Mariani	738	Limmer	REAL ID Act implementation prohibited.	92	5/15/2009
1677*	Simon	1452	Moua	Sex offenders excluded from the Safe at Home program.	105	5/19/2009
668*	Morrow	782	Olseen	Post crash procedures provided for school buses in accidents.	113	5/19/2009
523*	Bigham	402	Saltzman	School background check requirements modified relating to disciplinary actions.	115	5/19/2009
448	Mullery	707*	Saxhaug	911 system referral to mental health crisis teams authorization.	128	5/20/2009
954	Lesch	722*	Kelash	National Instant Criminal Background Check System information transmittal for persons civilly committed.	139	5/21/2009
1805	Atkins	1219*	Rest	Firefighters licensing standards.	153	5/22/2009
1328*	Thissen	1235	Marty	Youth violence addressed as a public health problem.	156	5/21/2009
1198	Davnie	971*	Dibble	School harassment, bullying, intimidation, hazing and violence policy clarification.	164	Vetoed
108*	Norton	42	Murphy	Seat belt violation made a primary offense in all seating positions regardless of age, and increased speed limit provided when passing.	165	5/21/2009

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TAXES						
95	Lenczewski	49*	Bakk	Health Insurance premium credit created.	3	2/20/2009
392*	Lenczewski	252	Bakk	Internal Revenue Code federal update provided, and net income and payment of corporate franchise tax refunds computation modified.	12	4/3/2009
1073	Solberg	832*	Bakk	Income tax; exception extended to minimum contacts required for jurisdiction to ownership of property on the premises of a printer.	14	4/6/2009
885*	Lenczewski	681	Bakk	Tax bill.	77	Vetoed
1298*	Lenczewski	1257	Bakk	Tax policy bill.	88	5/16/2009
2323*	Lenczewski	2074	Bakk	Omnibus tax bill.	179	Vetoed

TECHNOLOGY						
868	Mahoney	684*	Sheran	Bioscience business development public infrastructure grant program expansion.	35	5/6/2009
1149	Juhnke	926*	Sparks	Telecommunications service providers reduced rate regulation and promotion activities provisions.	57	5/11/2009
1744*	Hilty	1600	Rest	Technology accessibility standards created for the state, rulemaking authorized.	131	5/21/2009
1250*	Hornstein	916	Dibble	Electric vehicle infrastructure regulated.	134	5/21/2009
384*	Thissen	704	Dahle	Technology standards and tools developed to exchange information electronically between groups.	155	5/22/2009

TRANSPORTATION						
1797*	Lieder	1511	Murphy	Federal economic recovery transportation funds receipt and appropriation provided.	9	4/1/2009
121	Sailer	451*	Skoe	Memorial signs erected on designated highways governing provision modified.	18	4/16/2009
619	Hornstein	757*	Carlson	Public Safety Department authorized to collect fuel decal fee.	21	4/16/2009
110	Anzelc	335*	Saxhaug	Irv Anderson Memorial Highway designated.	23	4/16/2009
116	Ward	33*	Olseen	Type III school bus driver qualifications modified.	24	4/23/2009
486*	Eastlund	1183	Olseen	Trunk highway system routes removed.	28	4/30/2009
1309*	Lieder	1276	Murphy	Omnibus transportation finance bill.	36	5/7/2009
1421	Scott	1467*	Fobbe	Rural residential district speed limits.	56	5/9/2009
1816	Morrow	1876*	Carlson	Miscellaneous transportation department (DOT), motor carriers and highways provisions modifications.	64	5/12/2009
1204	Dean	1091*	Vandever	Stillwater lift bridge trucks prohibition.	144	5/21/2009
928*	Hornstein	1455	Murphy	Omnibus transit and transportation policy bill.	151	Vetoed
571	Sailer	492*	Skogen	Mini truck use and operation regulation.	158	5/21/2009
878*	Hortman	746	Rest	MnDOT agency provisions.	168	5/22/2009

Frequently called numbers

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 175 State Office Building 296-9283
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 211 Capitol 296-2314

House Index

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Senate Index

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Friday, May 15

HF2389-Hausman (DFL)

Health Care & Human Services Policy & Oversight

Health facilities authority feasibility and potential benefit study and report required.

HF2390-Faust (DFL)

Energy Finance & Policy Division

Carbon sequestration exemption to greenhouse gas control plan provided.

Saturday, May 16

HF2391-Dill (DFL)

Finance

Metropolitan area shooting sports facility funding provided.

HF2392-Atkins (DFL)

Commerce & Labor

Claims practices regulated for certain homeowner's or property claims.

HF2393-Nelson (DFL)

Commerce & Labor

Building and construction contracts regulated, certain conditions on payments to subcontractors prohibited and notice of loan defaults required.

HF2394-Faust (DFL)

Energy Finance & Policy Division

Carbon dioxide emissions by utilities provisions modified.

Sunday, May 17

HF2395-Falk (DFL)

Rules & Legislative Administration

Unallotment authority repealed.

HF2396-Johnson (DFL)

Commerce & Labor

Cable communication system regulation amended and state-authorized video service provider regulation provided.

HF2397-Slawik (DFL)

K-12 Education Policy & Oversight

Public school theft reports of financial and property loss required.

HF2398-Urdahl (R)

Finance

Wright County; Bertram Chain of Lakes Regional Park funding provided.

HF2399-Mahoney (DFL)

Finance

St. Paul; regional baseball facility funding provided.

HF2400-Morrow (DFL)

Taxes

Agricultural property tax credit provided for property used in a farm operation that has incurred economic losses due to the H1N1 virus.

HF2401-Gunther (R)

Finance

Pork producers funding provided and money appropriated.

HF2402-Gardner (DFL)

Commerce & Labor

Lead acid battery recycling purchase, return and collection regulated.

HF2403-Dettmer (R)

State & Local Government Operations Reform, Technology & Elections

Temporary successors provided to members of the Legislature called into active military service; implementation of statutory language provided and constitutional amendment proposed.

HF2404-Brod (R)

Taxes

Additional personal exemption allowed and an alternate even rate tax provided.

Monday, May 18

HF2405-Reinert (DFL)

State & Local Government Operations Reform, Technology & Elections

Temporary successors provided to members of the Legislature called into active military service; implementation of statutory language provided.

HF2406-Mariani (DFL)

Finance

Jobs created through rehabilitation and construction of affordable housing and through green energy investments in public buildings; nonprofit housing bonds authorized; emergency employment development program established.

HF2407-Gardner (DFL)

Environment Policy & Oversight

Product stewardship framework operated and funded by producers to collect, recycle and dispose of products at the end of their useful lives, account created, civil penalties provided and report required.

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2009-2010 Minnesota House of Representatives

District	Member/Party	Room*	Phone 651-296-	District	Member/Party	Room*	Phone 651-296-
48B	Abeler, Jim (R)	203	1729	34A	Kohls, Paul (R)	313	4282
19A	Anderson, Bruce (R)	295	5063	50A	Laine, Carolyn (DFL)	407	4331
13A	Anderson, Paul (R)	239	4317	9A	Lanning, Morrie (R)	259	5515
43A	Anderson, Sarah (R)	217	5511	40B	Lenczewski, Ann (DFL)	509	4218
3A	Anzelc, Tom (DFL)	417	4936	66A	Lesch, John (DFL)	537	4224
39B	Atkins, Joe (DFL)	503	4192	30A	Liebling, Tina (DFL)	553	0573
35A	Beard, Michael (R)	207	8872	1B	Lieder, Bernard (DFL)	423	5091
43B	Benson, John (DFL)	517	9934	55A	Lillie, Leon (DFL)	369	1188
57A	Bigham, Karla (DFL)	353	4342	59A	Loeffler, Diane (DFL)	349	4219
25B	Bly, David (DFL)	557	7065	42B	Loon, Jenifer (R)	311	7449
25A	Brod, Laura (R)	291	4229	37A	Mack, Tara (R)	321	5506
27A	Brown, Robin (DFL)	337	8216	22A	Magnus, Doug (R)	253	5505
23B	Brynaert, Kathy (DFL)	421	3248	67A	Mahoney, Tim (DFL)	591	4277
35B	Buesgens, Mark (R)	307	5185	65B	Mariani, Carlos (DFL)	563	9714
56A	Bunn, Julie (DFL)	521	4244	9B	Marquart, Paul (DFL)	597	6829
45B	Carlson Sr., Lyndon (DFL)	479	4255	38A	Masin, Sandra (DFL)	527	3533
58B	Champion, Bobby Joe (DFL)	329	8659	53B	McFarlane, Carol (R)	223	5363
61A	Clark, Karen (DFL)	471	0294	57B	McNamara, Denny (R)	255	3135
24B	Cornish, Tony (R)	281	4240	40A	Morgan, Will (DFL)	411	4212
31B	Davids, Greg (R)	283	9278	23A	Morrow, Terry (DFL)	415	8634
62A	Davnie, Jim (DFL)	545	0173	58A	Mullery, Joe (DFL)	367	4262
52B	Dean, Matt (R)	287	3018	10B	Murdock, Mark (R)	213	4293
29A	Demmer, Randy (R)	245	9236	64A	Murphy, Erin (DFL)	413	8799
52A	Dettmer, Bob (R)	251	4124	6B	Murphy, Mary (DFL)	343	2676
6A	Dill, David (DFL)	571	2190	46A	Nelson, Michael V. (DFL)	569	3751
47A	Dittrich, Denise (DFL)	371	5513	49B	Newton, Jerry (DFL)	331	5369
33B	Doepke, Connie (R)	215	4315	10A	Nornes, Bud (R)	277	4946
12B	Doty, Al (DFL)	433	4247	29B	Norton, Kim (DFL)	387	9249
41A	Downey, Keith (R)	323	4363	38B	Obermueller, Mike (DFL)	335	4128
28B	Drazkowski, Steve (R)	247	2273	1A	Olin, Dave (DFL)	593	9635
17A	Eastlund, Rob (R)	243	5364	11B	Otremba, Mary Ellen (DFL)	445	3201
2A	Eken, Kent (DFL)	575	9918	64B	Paymar, Michael (DFL)	543	4199
19B	Emmer, Tom (R)	301	4336	31A	Pelowski Jr., Gene (DFL)	491	8637
20A	Falk, Andrew (DFL)	431	4228	32A	Peppin, Joyce (R)	279	7806
8B	Faust, Tim (DFL)	567	0518	4A	Persell, John (DFL)	529	5516
26B	Fritz, Patti (DFL)	551	8237	45A	Peterson, Sandra (DFL)	345	4176
53A	Gardner, Paul (DFL)	581	2907	27B	Poppe, Jeanne (DFL)	487	4193
36B	Garofalo, Pat (R)	221	1069	7B	Reinert, Roger (DFL)	429	4246
15A	Gottwalt, Steve (R)	231	6316	41B	Rosenthal, Paul (DFL)	393	7803
54A	Greiling, Mindy (DFL)	381	5387	5A	Rukavina, Tom (DFL)	477	0170
24A	Gunther, Bob (R)	289	3240	42A	Ruud, Maria (DFL)	515	3964
48A	Hackbarth, Tom (R)	309	2439	2B	Sailer, Brita (DFL)	577	4265
22B	Hamilton, Rod (R)	209	5373	51A	Sanders, Tim (R)	233	4226
39A	Hansen, Rick (DFL)	401	6828	54B	Scalze, Bev (DFL)	451	7153
66B	Hausman, Alice (DFL)	453	3824	49A	Scott, Peggy (R)	225	4231
15B	Haws, Larry (DFL)	473	6612	21A	Seifert, Marty (R)	267	5374
61B	Hayden, Jeff (DFL)	539	7152	5B	Sertich, Anthony "Tony" (DFL)	459	0172
46B	Hilstrom, Debra (DFL)	379	3709	14A	Severson, Dan (R)	261	7808
8A	Hilty, Bill (DFL)	559	4308	18A	Shimanski, Ron (R)	227	1534
36A	Holberg, Mary Liz (R)	303	6926	44A	Simon, Steve (DFL)	375	9889
34B	Hoppe, Joe (R)	317	5066	55B	Slawik, Nora (DFL)	403	7807
60B	Hornstein, Frank (DFL)	437	9281	63B	Slocum, Linda (DFL)	501	7158
47B	Hortman, Melissa (DFL)	377	4280	33A	Smith, Steve (R)	271	9188
14B	Hosch, Larry (DFL)	565	4373	3B	Solberg, Loren (DFL)	443	2365
4B	Howes, Larry (R)	201	2451	37B	Sterner, Phillip (DFL)	523	4306
7A	Huntley, Thomas (DFL)	585	2228	56B	Swails, Marsha (DFL)	409	1147
16A	Jackson, Gail Kulick (DFL)	531	6746	65A	Thao, Cy (DFL)	359	5158
67B	Johnson, Sheldon (DFL)	549	4201	63A	Thissen, Paul (DFL)	351	5375
13B	Juhnke, Al (DFL)	485	6206	51B	Tillberry, Tom (DFL)	583	5510
59B	Kahn, Phyllis (DFL)	365	4257	21B	Torkelson, Paul (R)	211	9303
17B	Kalin, Jeremy (DFL)	579	5377	18B	Urdahl, Dean (R)	237	4344
26A	Kath, Kory (DFL)	357	5368	62B	Wagenius, Jean (DFL)	449	4200
60A	Kelliher, Margaret Anderson (DFL)	463	0171	12A	Ward, John (DFL)	533	4333
28A	Kelly, Tim (R)	241	8635	30B	Walti, Andy (DFL)	389	4378
16B	Kiffmeyer, Mary (R)	229	4237	11A	Westrom, Torrey (R)	273	4929
50B	Knuth, Kate (DFL)	507	0141	44B	Winkler, Ryan (DFL)	525	7026
20B	Koenen, Lyle (DFL)	439	4346	32B	Zellers, Kurt (R)	315	5502

2009-2010 Minnesota Senate

District/Member/Party	Room*	Phone 651-296-	District/Member/Party	Room*	Phone 651-296-
66 Anderson, Ellen R. (DFL).....	120 Cap.....	5537	30 Lynch, Ann (DFL).....	G-24 Cap.....	4848
6 Bakk, Thomas M. (DFL).....	226 Cap.....	8881	54 Marty, John (DFL).....	328 Cap.....	5645
61 Berglin, Linda (DFL).....	309 Cap.....	4261	39 Metzen, James P. (DFL).....	322 Cap.....	4370
51 Betzold, Don (DFL).....	111 Cap.....	2556	41 Michel, Geoff (R).....	133 SOB.....	6238
43 Bonoff, Terri E. (DFL).....	325 Cap.....	4314	67 Moua, Mee (DFL).....	120 Cap.....	5285
38 Carlson, Jim (DFL).....	G-9 Cap.....	7-8073	28 Murphy, Steve (DFL).....	325 Cap.....	4264
50 Chaudhary, Satveer S. (DFL).....	205 Cap.....	4334	17 Olseen, Rick E. (DFL).....	G-24 Cap.....	5419
15 Clark, Tarryl (DFL).....	208 Cap.....	6455	33 Olson, Gen (R).....	119 SOB.....	1282
64 Cohen, Richard J. (DFL).....	121 Cap.....	5931	4 Olson, Mary A. (DFL).....	124 Cap.....	4913
25 Dahle, Kevin (DFL).....	320 Cap.....	1279	34 Ortman, Julianne E. (R).....	125 SOB.....	4837
26 Day, Dick (R).....	113 SOB.....	9457	65 Pappas, Sandra L. (DFL).....	120 Cap.....	1802
60 Dibble, D. Scott (DFL).....	111 Cap.....	4191	36 Pariseau, Pat (R).....	117 SOB.....	5252
18 Dille, Steve (R).....	103 SOB.....	4131	59 Pogemiller, Lawrence J. (DFL).....	235 Cap.....	7809
40 Doll, John (DFL).....	G-9 Cap.....	5975	7 Prettner Solon, Yvonne (DFL).....	G-9 Cap.....	4188
31 Erickson Ropes, Sharon L. (DFL).....	G-24 Cap.....	5649	45 Rest, Ann H. (DFL).....	205 Cap.....	2889
14 Fischbach, Michelle L. (R).....	145 SOB.....	2084	35 Robling, Claire A. (R).....	143 SOB.....	4123
16 Fobbe, Lisa (DFL).....	306 Cap.....	8075	24 Rosen, Julie A. (R).....	109 SOB.....	5713
47 Foley, Leo T. (DFL).....	G-24 Cap.....	4154	53 Rummel, Sandy (DFL).....	323 Cap.....	1253
21 Frederickson, Dennis R. (R).....	139 SOB.....	8138	56 Saltzman, Kathy L. (DFL).....	306 Cap.....	4166
37 Gerlach, Chris (R).....	129 SOB.....	4120	3 Saxhaug, Tom (DFL).....	124 Cap.....	4136
13 Gimse, Joe (R).....	105 SOB.....	3826	46 Scheid, Linda (DFL).....	G-9 Cap.....	8869
42 Hann, David W. (R).....	127 SOB.....	1749	29 Senjem, David H. (R).....	147 SOB.....	3903
58 Higgins, Linda (DFL).....	328 Cap.....	9246	23 Sheran, Kathy (DFL).....	G-24 Cap.....	6153
11 Ingebrigtsen, Bill G. (R).....	123 SOB.....	7-8063	57 Sieben, Katie (DFL).....	321 Cap.....	7-8060
49 Johnson, Debbie J. (R).....	135 SOB.....	3219	2 Skoe, Rod (DFL).....	303 Cap.....	4196
48 Jungbauer, Michael J. (R).....	121 SOB.....	3733	10 Skogen, Dan (DFL).....	303 Cap.....	5655
63 Kelash, Ken (DFL).....	320 Cap.....	7-8061	27 Sparks, Dan (DFL).....	317 Cap.....	9248
19 Koch, Amy T. (R).....	115 SOB.....	5981	1 Stumpf, LeRoy A. (DFL).....	208 Cap.....	8660
12 Koering, Paul E. (R).....	131 SOB.....	4875	5 Tomassoni, David J. (DFL).....	317 Cap.....	8017
20 Kubly, Gary W. (DFL).....	301 Cap.....	5094	62 Torres Ray, Patricia (DFL).....	124 Cap.....	4274
9 Langseth, Keith (DFL).....	122 Cap.....	3205	52 Vandever, Ray (R).....	107 SOB.....	4351
44 Latz, Ron (DFL).....	306 Cap.....	7-8065	22 Vickerman, Jim (DFL).....	226 Cap.....	5650
32 Limmer, Warren (R).....	141 SOB.....	2159	55 Wiger, Charles W. (DFL).....	323 Cap.....	6820
8 Lourey, Tony (DFL).....	303 Cap.....	0293			

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MINNESOTA INDEX

2009 session

House files introduced during the 2009 session	2,407
In 2007	2,552
In 2005	2,562
In 2003	1,658
Senate files introduced during the 2009 session	2,166
In 2007	2,363
In 2005	2,340
In 2003	1,568
Bills sent to the governor in 2009.....	179
In 2007	150
In 2005	169
In 2003	133
Bills signed into law this year	149
Number of full gubernatorial vetoes in 2009.....	22
Line-item vetoes.....	8
Full vetoes in the seven years Tim Pawlenty has been governor	78
Line-item vetoes by Pawlenty	22
Full, line-item vetoes when Jesse Ventura was governor (1999-2002)	33, 21
When Arne Carlson was governor (1991-98).....	127, 52
When Rudy Perpich was governor (1983-90).....	15, 5
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Maximum number of legislative days that lawmakers can meet in regular session	
during the biennium.....	120
Number used in 2009.....	58
In 2007	75
In 2005	66
Pages in the 2009 House Journal	7,462
In 2007 regular session	7,576
In 2005 regular session	5,038
Member's annual salary.....	\$31,140
Daily House, Senate member per diem	\$77, \$96
Time lawmakers are scheduled to reconvene Feb. 4, 2010	noon
Date members reconvened in 2008.....	Feb. 12
Date members reconvened in 2006.....	March 1
Days from the May 18, 2009, adjournment until legislators reconvene in 2010.....	262

— **M. Cook**

**Sources: House Public Information Services office; Legislative Reference Library;
Governor's Log 2009; Journal of the House; Journal of the Senate.**

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