

# 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

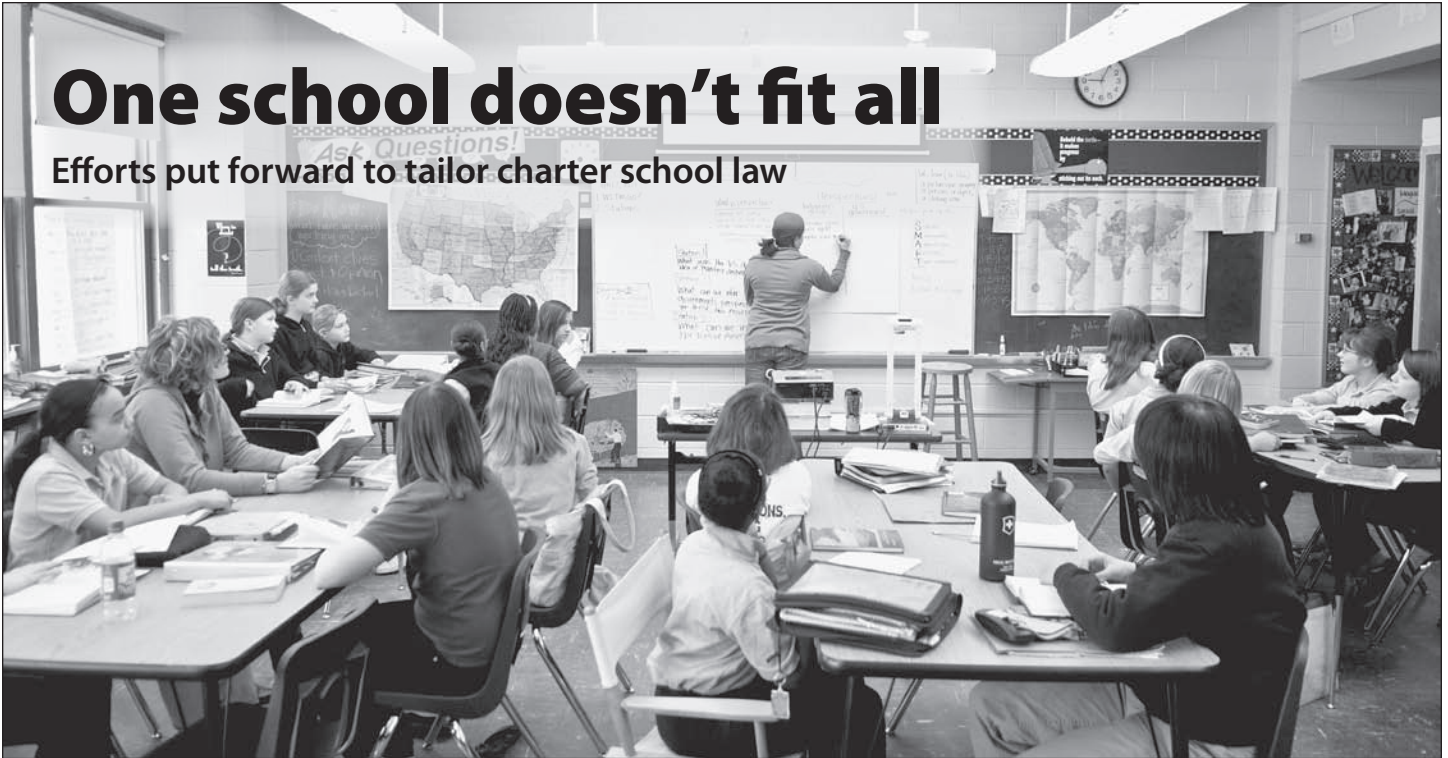


PHOTO BY TOM OLMSCHIED

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

**F**ormer 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 OLMSCHIED

**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 Brownton 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](http://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

**Signed  
by  
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

**Signed  
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

**Frequently called numbers**

Area code 651

**House Public Information Services**

175 State Office Building ..... 296-2146

**Meeting Schedule Hotline, House**

175 State Office Building ..... 296-9283

**Chief Clerk of the House**

211 Capitol ..... 296-2314

**House Index**

211 Capitol ..... 296-6646

**Senate Information**

231 Capitol ..... 296-0504

**Secretary of the Senate**

231 Capitol ..... 296-2344

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

**Senate Index**

110 Capitol ..... 296-2887

**Meeting Schedule Hotline, Senate**

231 Capitol ..... 296-8088

# 'Bread and butter' emergency borrowing

Omnibus bonding bill heads to conference committee

By SONJA HEGMAN

**W**ith 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

**"A**sk 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](http://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

**A**adults 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
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	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



## 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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MAJORITY LEADER: ANTHONY "TONY" SERTICH  
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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