

# SESSION WEEKLY

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SLAPSHOTS AND BUDGET-CHOPS

CONFERRING A COMPROMISE

TRACKING NEW LAWS

BRANDON'S LAW IS LAW

HF2362 - HF2372

## SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 Legislative Session, each issue reports House action between Thursdays of each week, lists bill introductions and provides other information. No fee.

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On the cover: The Taxes Conference Committee meets May 2.

— Photo by: Tom Olmscheid



# Hammering out an agreement

Conference committees have sometimes unpopular task of compromise



PHOTO BY TOM OLMSCHIED

Members of the capital investment conference committee listen to Finance Commissioner Tom Hanson explain Gov. Tim Pawlenty's position on the House and Senate bonding proposal April 27.

By LEE ANN SCHUTZ

**E**ven though House and Senate majorities are from the same political party, it doesn't mean agendas are similar or they agree on how things should be done. Just like a family, differences can cause angst and stand in the way of compromise.

Take for example how the House and Senate DFL differ in their proposals to balance the 2010-2011 biennial budget and dig the state out of a \$4.6 billion hole. These differences filter down to the various finance committees and the bills passed to fund the various state agencies and programs.

If a piece of legislation has any chance of making it to the last stop, the governor's desk, the House and Senate have to agree on what's being sent.

Bring on a conference committee.

## Public's work in public

A bill's path to law isn't smooth, nor is it meant to be. Let's say that a bill passes the House and the Senate agrees with most of the language, but wants to include other provisions. Conference committees are the mechanism in the legislative process for reaching compromise.

Some longtime House members have been frustrated with process transparency, especially during the last days of session when closed-door negotiations between leadership

and the governor have been the norm. But this year, there are some efforts to bring transparency and negotiation power back to the conference committees.

Rep. Gene Pelowski Jr. (DFL-Winona) led a two-year effort to make state government more accessible and open to the public. He saw some fruits of his labor this year with adoption of some recommendations into the House Rules, which govern the way the House operates, including more negotiations being completed in public on at least some finance bills.

"Both the House and Senate have made changes to allow every aspect of the conference committee process to be done in full view of the public, Pelowski said." However, there are still problems with amendments being offered on the House floor that were never introduced as a bill or heard in committee, he said.

The new changes aren't lost on Rep. Mary Ellen Otremba (DFL-Long Prairie), who

**First Reading continued on page 4**

## First Reading continued from page 3

has served on several agriculture-related conference committees in her seven terms. “It feels different this year,” she said. As a member of the omnibus agriculture and veterans finance conference committee, she said that in the past, the spending targets were pretty much carved in stone. But this year, given room to negotiate, “We really talked about the issues; there was a lot more transparency.”

## Creating the team

There’s no formula used by House leadership in the conference committee appointment process. However, House Speaker Margaret Anderson Kelliher (DFL-Mpls) says that it certainly “shouldn’t take a member six years before they get their chance to serve on a conference committee, like it did me.”

She takes recommendations from the committee chairs, but looks for people who are familiar with the issues, served on the committee and support the bill. But “extra factors” can come into play. Take, for example, the appointment of House Minority Leader Marty Seifert (R-Marshall) to the taxes conference committee.

“I got put on the conference committee under duress,” Seifert said.

He has been adamantly opposed to the proposed tax bill and has often referred to his new position as one on the “tax increase conference committee.”

Kelliher defends her choice and said he clearly understands the issues, as well as the governor’s position. “He is an excellent communicator and is the best person to bring an understanding to his caucus.”

This year, a sixth person was appointed to each of the major conference committees — it could be a person serving their first term. Although they have no voting privileges, it allows them a chance to get familiar with the process, Kelliher said.

## Taking ownership in the bill

For many House minority members on a conference committee, it can be a time to lay party affiliation aside and take ownership in the bill language the member is charged to confer.

Rep. Pat Garofalo (R-Farmington) is a first-time conferee, and has been appointed to the omnibus E-12 education finance conference committee.

“The House has a great team,” he said, referring to members and staff. “We’ve got some really smart people with a strong understanding of school finance. That’s a big asset in terms of negotiating House versus Senate positions moving forward in the conference process.”

Besides, he added, “the House K-12 bill is just plain better. By any objective measurement the House bill is clearly superior.”

Garofalo smiled when asked if he and other members had a specific role to play at the table.

“Every member of every team has their own strengths and weaknesses,” he said. “The strength the House team has is that we universally despise the Senate bill. It transcends political party and geography.”

But for some members, the process of conferring bills can be a frustrating because they are forced to watch months of their hard work being scrutinized, challenged and sometimes sacrificed for the sake of compromise.

“You feel like now we’ve finally got a position we can all live with, and then you have to turn around and try to defend that position against someone else who’s come to an equally solidified view of their side,” said Rep. Mike Obermueller (DFL-Eagan).

Obermueller, a freshman lawmaker, participated as a non-voting member of the omnibus economic development finance conference committee

Rep. Karen Clark (DFL-Mpls), who sat on the same conference committee, and chairs the House division responsible for setting the Housing Finance Agency’s budget, saw much of her hard work erased, as conferees agreed to force the agency to take budget cuts that Clark had tried hard to prevent.

We had funded affordable housing much more adequately in the House bill,” Clark said. “The fact that they cut housing was very hard for me to take.”

## New role for old commission

Kelliher has been a major advocate for transparency, and has used the Legislative Commission on Planning and Fiscal Policy as the portal for helping to take the mystery out of fiscal negotiations.

With at least weekly public meetings — and now daily, as the adjournment gets closer — Senate and House leadership along with the governor’s chief negotiator, Finance Commissioner Tom Hanson, have been explaining terminology, digging through and comparing numbers, and at times, gotten into gritty give-and-take.

Kelliher has said that fiscal transparency will help the public understand the tough decisions lawmakers must make.

Pelowski hedged, however, “Session is not over, so it is too early to predict if the push to have the public participation and understand the positions of the House, Senate and governor will continue to the end of session.”

## CONFERENCE COMMITTEES

*Excerpts from the Joint Rules of the Senate and House of Representatives*

In all cases of disagreement between the Senate and House on amendments adopted by either house to a bill, memorial or resolution passed by the other house, a conference committee consisting of not less than three members nor more than five members from each house may be requested by either house. The other house shall appoint a similar committee.


The manner of procedure shall be as follows:

- The house of origin passes a bill and transmits it to the other body;
- If the other body amends and passes the bill, it returns with a record of its actions to the house of origin;
- If the house of origin refuses to concur with the amended bill, it can ask for a Conference Committee, appoint members and transmit the bill with a record of its action to the other house;
- If the other house adheres to its amendment, it appoints a like committee and returns the bill to the house of origin.

All Conference Committees shall be open to the public. As much as practical, meetings of Conference Committees are announced as far in advance as possible, with the intent to provide a 24-hour notice, and actions taken shall be agreed upon in an open meeting. At an agreed upon hour the Conference Committee shall meet. The members from each house shall state to the members from the other house, orally or in writing, the reason for their respective positions. The members shall confer thereon. A conference committee may not meet between the hours of midnight and 7 a.m., except that a committee may extend a meeting for up to one hour past midnight by a vote of two-thirds of the members appointed to the committee by each house. The chair shall rotate between the Senate and the House of Representatives at least every calendar day, Sundays and holidays exempted. The conferees shall report to their respective houses the agreement they have reached, or, if none, the fact of a disagreement.

If an agreement is reported, the house of origin shall act first upon the report.

If the report is adopted and repassed as amended by the Conference Committee by the house of origin, the report, the bill and a record of its action shall be transmitted to the other house.

He cautions about the too often negative consequences of “closed door deal-making,” and that pressure needs to continue for an open process. “It will need constant monitoring and improvement. Without it, three people in the governor’s office will be deciding issues with no public input.” 

SESSION WEEKLY STAFFERS NICK BUSSE, KRIS BERGGREN, SUSAN HEGARTY AND SONJA HEGMAN CONTRIBUTED TO THIS ARTICLE.



**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held April 30-May 7. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and \*- the bill version considered by the House or the bill language signed by the governor.

## AGRICULTURE

### Conference action at standstill

After agreeing to approximately \$11.8 million in cuts May 1, House and Senate conferees still had not signed off on the omnibus agriculture and veterans finance bill nearly a week later.

Rep. Al Juhnke (DFL-Willmar) said HF1122, which he sponsors, contains the necessary financing provisions for the state's five veterans homes, but SF1779, sponsored by Sen. Jim Vickerman (DFL-Tracy), does not. The homes funding is positioned in the

omnibus health and human services finance bill, sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls).

Juhnke said the omnibus bill can't be closed until the issues are resolved with Berglin, and that they are holding discussions; however, no meeting of the conference committee has been scheduled. House Speaker Margaret Anderson Kelliher (DFL-Mpls), said May 6 there is also a problem with a proposal for a new veterans mental health facility in Kandiyohi County. Some House members think any siting of a new veterans home should have further study.

The finance bill would cover 2010-2011 biennial funding for the Veterans Affairs, Military Affairs and Agriculture departments, the Board of Animal Health and the Agricultural Utilization Research Institute.

One of the smaller General Fund spending categories, the governor's funding request is \$266.4 million and coming into conference committee, the House proposal was \$248.39

million and the Senate's position was \$251.9 million. The bill is projected to come in at approximately \$250.5 million.

Agreed upon provisions include:

- changes to the noxious weed law;
- a biennial delay in ethanol producer payments to be made up in deficiency payments at a later date;
- an increase in Rural Finance Authority loan amounts;
- using a portion of the unallocated money in the state's G.I. bill for other purposes;
- changes to the veterans preference law, including the right to an interview;
- an extension of the sunset on campus veteran representative program to June 20, 2013, and
- some funding for the governor's Ag21 investment program.

— L. SCHUTZ

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## MAKING HIS POINT

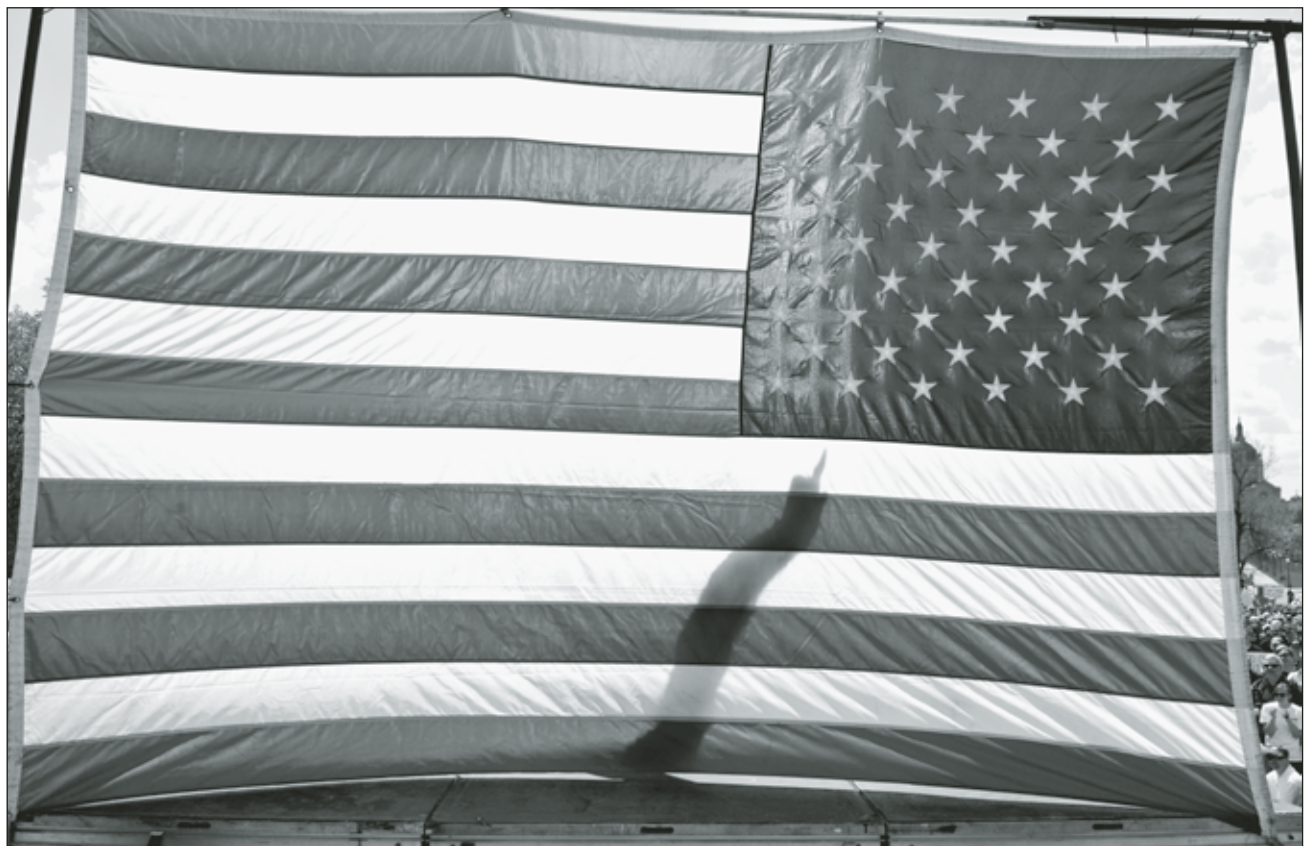


PHOTO BY TOM OLMSCHIED

**Gov. Tim Pawlenty's arm is silhouetted as he points at the Capitol May 2 while telling a tax cut rally that he will veto any tax increases that legislators include in their budget-balancing proposals.**

## BONDING

### Bonding update

The House and Senate are moving closer to an agreement on what to bond for capital investment this year.

"All I care is that the bill is signed and the language is workable," said Rep. Alice Hausman (DFL-St. Paul).

The current House proposal offers \$90 million for asset preservation, \$58 million for "shovel ready" projects and \$94 million for rehabilitation, renovation and flood mitigation.

HF855\*/SF781, sponsored by Hausman and Sen. Keith Langseth (DFL-Glyndon), differ by \$549,000, the House using General Obligation bonds for more projects.

Both bills contain money for asset preservation for several things, including the University of Minnesota and Minnesota State Colleges and Universities system.

Bonding for other projects includes:

- \$24 million in both bills for the Bell Museum at the University of Minnesota;
- \$50 million in the Senate versus the House's \$53.8 million for flood mitigation grants;
- \$22.8 million in the House bill for the Metropolitan Council versus \$23.7 million from the Senate; and
- \$2.5 million for national solar testing certification laboratories in both proposals.

Also working though the process and presented during the conference committee May 6 was a disaster relief bill HF2347/SF2113, sponsored by Rep. Morrie Lanning (R-Moorhead) and Langseth, with the House proposal as \$17.7 million and the Senate at \$57.3 million,

for various disaster relief including help for flood loss and economic development.

The flood proposal is a major piece of the negotiations in the capital investment bill.

— S. HEGMAN

## BUSINESS

### Helping car dealers move on

**Signed  
by  
the  
governor**

The precarious economic situation for U.S. auto manufacturers is affecting local car dealerships not only in lower sales, but through contracts they have with the model supplier.

The goal of a new law, according to House sponsor, Rep. Joe Atkins (DFL-Inver Grove Heights), "is to help car dealers survive in this difficult time."

Signed by Gov. Tim Pawlenty May 6 and effective the next day, the law will help dealerships be adequately compensated if their franchise is affected by actions of the vehicle manufacturer.

The law will:

- require successor manufacturers to offer existing dealers a franchise on similar terms as the predecessor;
- have the manufacturer recognize "blue sky" and compensate the terminated dealer for the value of the franchise over and above the physical assets; and
- allow the dealer to add another line-make to their existing facility.

Sen. Kevin Dahle (DFL-Northfield) is the Senate sponsor.

HF1717/SF1711\*/CH34

— L. SCHUTZ

## CONSUMERS

### Selling safer baby bottles

Health-conscious parents of babies and young children may be able to cross one product off their no-buy list, depending on the governor's stroke of a pen. Baby bottles and sippy cups containing the chemical Bisphenol-A, or BPA, could be off Minnesota store shelves within two years.

HF326/SF247\*, sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Sandy Rummel (DFL-White Bear Lake), would ban Minnesota manufacturers from selling cups and bottles intended for use by children age 3 or younger that contain BPA after Jan. 1, 2010, and retailers from selling them after Jan. 1, 2011. The House passed the bill 126-5 May 5. The Senate approved it 53-8 on April 30. It awaits action by Gov. Tim Pawlenty.

Clark said the bill is "narrowed and focused" from its original form that would have banned the chemical more broadly in other products intended for or used by children. She credited Rep. Kurt Zellers (R-Maple Grove) with helping to garner bipartisan support. He, in turn, thanked Clark for listening to "peer-tested, peer-reviewed" research in honing the bill's scope.

Lindsay Dahl, policy and media coordinator with the Healthy Legacy Program of the Institute for Agriculture and Trade Policy, said in committee that numerous research studies have found BPA to be a carcinogen and endocrine disruptor. The chemical is widely used in consumer products such as eyeglasses, sports helmets, electronic toys and lining for beverage or liquid cans. Its use in baby products is banned in Canada, and 14 other states are looking at banning it.

— K. BERGGREN

## CRIME

### Vulnerable, elderly adult protection

House approval was given to a bill that would help some vulnerable adults.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul), HF818\*/SF758 would make various statutory changes relating to investigations and crimes for maltreatment or financial exploitation of vulnerable adults. Hilstrom said a working group of 52 agencies, entities and organizations were involved in the bill's creation.

The bill was approved 131-0 by the House May 6 and sent to the Senate.

The legislation intends to help people like a 92-year-old St. Paul man whose case was



PHOTO BY TOM OLMSCHIED

Rep. Alice Hausman, left, and Sen. Keith Langseth, co-chairs of the capital investment conference Committee, ask questions of Finance Commissioner Tom Hanson during an April 27 hearing.



## REMEMBERING FORGOTTEN CHILDREN

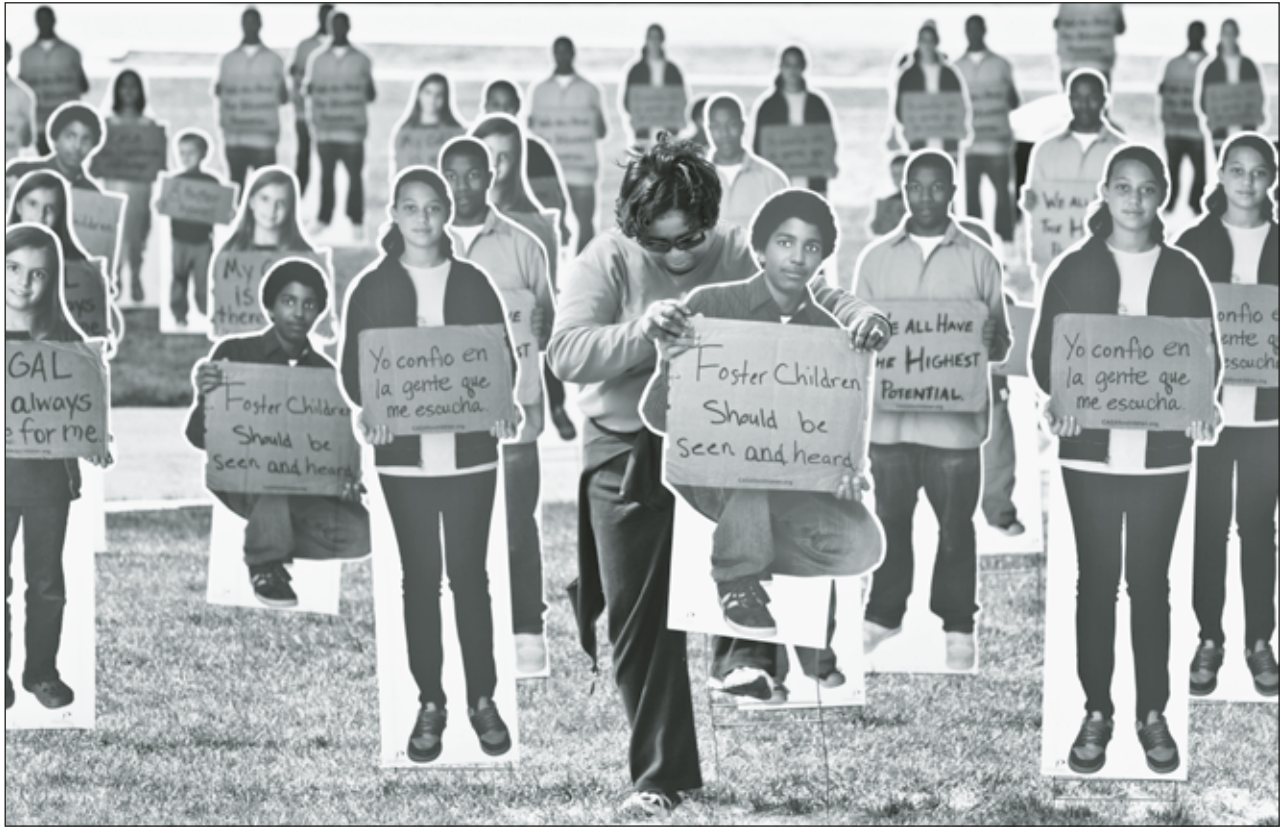


PHOTO BY TOM OLMSCHIED

**Valerie Pruitt, a recruit volunteer who finds guardians for children going into foster homes, pushes a cutout of the 185 foster children into the lawn on the Capitol Mall May 4 during the CASA Minnesota's Forgotten Children rally. Each cutout illustrates the number of children that enter foster care in one week in Minnesota.**

referenced during the committee process. A neighbor befriended him when he became frail and bilked him out of almost \$200,000. The woman put his home on the market without his knowledge, put an ad in the newspaper for a rummage sale of his belongings and left him to sit in a chair all day.

She was ultimately sentenced to probation and repayment of funds.

"The Vulnerable Adults Act has shown us that victims can be of any age," Hilstrom said. "According to a recent Met Life mature market study, it estimates that older Americans lose about \$2.6 billion a year. Now that our economy is in a downturn, we anticipate that vulnerable adults will be more at risk."

The bill makes it easier to investigate and prosecute unscrupulous individuals by clearing up definitions of financial exploitation; extending the statute of limitations for criminal financial exploitation from three to five years because no problem may be realized until bills are not getting paid; and any business or financial institution that acts on good faith in telling authorities about suspected maltreatment or financial

exploitation would be granted immunity from legal liability.

It also creates a 20-year felony for conviction of financial exploitation of a vulnerable adult when the stolen amount exceeds \$35,000 and removes the consent defense, where the victim lacks the capacity to consent.

"We want to make it certain that we are able to prosecute those that prey upon our vulnerable adults and to make certain they take care of them in their time of need," Hilstrom said.

— M. COOK

## EDUCATION

### E-12 conferees talk without target

Although the E-12 education conference committee still lacks a budget target, conferees are "not stalled at all," Rep. Mindy Greiling (DFL-Roseville) said May 6.

"The House has not agreed with the Senate to split the difference" between the two omnibus bills, said Greiling, chairwoman of the House K-12 Education Finance Division. The difference in the proposed appropriations is about \$500 million.

Conferees, however, are moving toward some policy agreements. The Senate submitted a policy offer May 6 indicating it would accept some House proposals allowing districts to authorize site-governed schools, approving special education reforms on restrictive procedures and expanding the P-20 partnership to include four members of the Legislature.

No action was taken on the offer pending House members' consideration of other Senate proposals such as allowing the St. Cloud school district to continue to receive Q Comp revenue despite repeated warnings by the education commissioner that it is out of compliance with its agreement; adding physical education to state academic standards; and, an alternative teacher training program for nontraditional candidates seeking a two-year temporary licensure.

Another difference is in the bodies' shared services proposals. House conferees don't support the Senate idea to mandate that districts work with a consultant who would be paid up to 5 percent of any savings garnered from sharing services or cooperative

purchasing. Instead, they prefer a plan whereby the state auditor would create a Web site to congregate existing best practices from districts or regional cooperatives, which would cost \$11,000 to set up and \$4,000 a year to maintain.

House members also resist the Senate's proposed 12-hour per week requirement for school readiness programs. Members agree with research indicating at-risk students benefit most from high quality early learning programs they attend at least 12 hours a week, but say some programs would be forced to cut students if required to expand hours. The Senate would allow districts to levy for the expansion. Assistant Education Commissioner Karen Klinzing suggested at the committee's May 5 hearing the possibility that sites be required to offer 12-hour per week programs but permit some students to attend fewer hours if parents prefer or can't afford more.

A number of differences remain unresolved including state academic standards, student assessments and Other Post Employment Benefit measures, as well as significant changes to the education finance formula. The Senate offers a consolidated levy that would replace three existing levies with a statewide average rate based on adjusted net tax capacity, which would raise some property taxpayers' burden but lower others. The House proposes the "new Minnesota Miracle," which would simplify the education funding formula, including eliminating the property tax levy as part of that formula in favor of state aid.

Although Greiling and Sen. LeRoy Stumpf (DFL-Plummer), conference committee co-chairs and sponsors of HF2/SF1328, have met with Gov. Tim Pawlenty to negotiate, the governor indicated his disappointment with several House and Senate positions in a May 4 letter.

For example, the House doesn't support the governor's desire to mandate Q Comp statewide by fiscal year 2011 at a cost of about \$41 million that year, followed by \$53 million and \$55 million, respectively, in fiscal years 2012 and 2013, nor his "pay for performance plan" linking extra district funding to student test performance, which would cost about \$90 million in the next biennium and \$101 million the following biennium. The letter said he considers these "critical" to the bill's chance of becoming law.

The House bill also excludes the governor's "Teaching Transformation Act" in favor of a proposal to enhance teacher professional development. Pawlenty warned in the letter that these provisions are "critical," and failure to include them in the final bill "will jeopardize the likelihood of the bill's success."

— K. BERGGREN

## EMPLOYMENT

### Garnishment modifications/remedies

**Signed  
by  
the  
governor**

A new law aims to make the garnishment process more fair and useful to creditors and debtors.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Park) and Sen. Linda Scheid (DFL-Brooklyn Park), the law is the product of three years of negotiations between creditors, legal aid representatives and financial institutions. It modifies the timeline and forms required to be served related to certain exemptions that may be claimed by a judgment debtor.

Signed May 1 by Gov. Tim Pawlenty, it takes effect Aug. 1, 2009.

"The primary focus of the (law) is to make sure that the debtors who have exemptions that are released from garnishment process have access to their funds as quickly as possible," Hilstrom said. "This is in the best interest of the debtor, but also the creditor and the banks so that they are not pursuing funds that are not to be collected."

To do this, the mainly technical law:

- ensures that debtors get clear and proper notice prior to garnishment, including a second notice after the service of the summons explaining what they must do before their wages are garnished;
- simplifies the exemptions claim process for all parties, including updating necessary forms to put them into more plain language; and
- eases the process for people to protect exempt funds.

All parties that worked on the law asked Hilstrom to read the following message on the House floor: "This bill updates the exemption making changes that reflect their current names and deleting obsolete old ones. These changes are not meant to change existing law, nor are they intended to impact current or future case law."

HF334\*/SF683/CH31

— M. COOK

## ENVIRONMENT

### Percent change for lake drawdowns

Government agencies that want to drawdown lake water to control invasive species would only need 75 percent of the lakefront owners to agree to the method, instead of the unanimous approval currently required, according to a bill passed by the House 120-12 May 4. Passed by the Senate one day later 60-0, it now awaits action by Gov. Tim Pawlenty.

Sponsored by Rep. Paul Rosenthal (DFL-

Edina) and Sen. Ken Kelash (DFL-Mpls), HF1539/SF640\* would apply to temporary drawdowns, not permanent ones, and is intended for small and shallow lakes that become overgrown with non-native plants and fish, such as curly-leaf pondweed, Rosenthal said. Typically the reduction in water levels lasts for a couple of months in the fall.

The drawdown method is preferred by some municipalities in place of using chemicals to remove the invasive species.

A few members expressed concern for property owner rights. The bill requires that the commissioner of natural resources make findings of fact that the drawdown is in the public interest and hold public hearings.

— S. HEGARTY

### Electronic-waste bill passes

Modifications to the Electronics Recycling Act were approved 112-19 by the House May 5 and will now be sent to the governor.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids) and Sen. Linda Higgins (DFL-Mpls), HF1648/SF1486\* was passed 65-0 by the Senate April 7.

When the act began in 2007, 11.6 tons of electronic waste was diverted from landfills because manufacturers of electronic products, such as computers, televisions and other electronic video devices, were required to collect the waste for recycling. Manufacturers received credits toward an annual goal of retracting 60 percent of equal amounts that they sold the previous year.

Public collection events were so successful, the retailers and manufacturers earned enough recycling credits to last up to three years. To avoid the possibility that some manufacturers could stop collections until they run out of credits, the bill proposes minor changes to the law.

It removes a three-year cap for when manufacturers must use their credits but it limits their ability to apply past credits to just 25 percent per year.

Between July 1, 2007 and June 30, 2008, an estimated 6.3 pounds of electronic waste per Minnesotan was collected for recycling.

— S. HEGARTY

### River board reorganization passes

Heading to the governor is a bill to reorganize the Minnesota River Joint Powers Board in southern Minnesota.

Sponsored by Rep. Terry Morrow (DFL-St. Peter) and Sen. Dennis Frederickson (R-New Ulm), HF955/SF275\* would rename the board the Minnesota River Board and make a number of changes to its purpose, duties and membership structure. House approval came May 5 on a 118-13 vote. The Senate passed the



## FAST RELIEF?



PHOTO BY TOM OLMSCHIED

**Taxes conference committee chairs Rep. Ann Lenczewski and Sen. Tom Bakk talk prior to the May 1 meeting. A bottle of Budget Proposal Heartburn Caplets sat at each member's position around the conference committee table.**

bill 63-0 on March 26.

Comprised of representatives from the 12 major watersheds in the area, the joint powers board was established in 1995 to improve and protect water quality in the Minnesota River basin. Proposed reorganization plans include collaboration with the Water Resource Center at Minnesota State University, Mankato and the creation of an advisory committee, which must convene prior to Dec. 31, 2009 and serve as a forum for issues the board should address.

The board would be required to compile and submit reports to the Legislature about the results and progress of water cleanup efforts within the basin.

— S. HEGARTY

### Sewage system regulations modified

Technical changes to current laws regarding subsurface sewage treatment systems were passed 99-34 May 4 by the House.

According to HF1275\*/SF1449, the Pollution Control Agency would adopt new rules pertaining to the closure of sewage treatment systems. Also, a system inspection would be required before a homeowner could be eligible to receive a building permit. If the property

containing a subsurface water treatment system is sold, the seller would have to disclose to the buyer information relative to the compliance status of the treatment system, and whether a straight-pipe system exists. If a previous inspection report exists, a copy would need to be attached to the disclosure statement.

Sponsored by Rep. Jeanne Poppe (DFL-Austin) and Sen. Lisa Fobbe (DFL-Zimmerman), the bill awaits action by the Senate floor.

— S. HEGARTY

## HEALTH

### House passes health policy omnibus

The omnibus health and human services policy bill was passed 90-42 May 6 by the House.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF1760 includes technical changes to continuing care for the aging and adult services; doula services definition changes; modifications to safe patient handling in clinical settings; certain restrictions on those who can participate in a clinical drug trial;

and the establishment of a working group to study nursing staffing levels when adverse health care events occur.

The bill now goes to the Senate, where Sen. Tony Lourey (DFL-Kerrick) is the sponsor.

Doula services would be defined as “continuous emotional and physical support throughout labor and birth, and intermittently during the prenatal and postpartum periods.”

Thissen removed a controversial portion that would have exempted the collection of genetic information from newborns from the state's written informed consent laws.

Rep. Erin Murphy (DFL-St. Paul) successfully offered an amendment that would require health care providers to annually provide information on certain transactions, including increased rates paid to providers categorized by subspecialty and primary care, to the human services commissioner. She said that knowing the exact rates would help in dealing with rising health care costs.

An amendment unsuccessfully offered by Rep. Steve Gottwalt (R-St. Cloud) would have created a health care coverage program that would essentially replace MinnesotaCare. Gottwalt said the “Healthy Minnesota Plan”

would pay providers at commercial rates and provide better health care for adults currently on MinnesotaCare.

While the plan is intriguing and raises some interesting questions about current state health care programs, there are still unanswered financial questions on how to fund the program, Thissen said.

— P. OSTBERG

### Specialty psychiatric hospital sought

Imagine having a child needing psychiatric services, but having to send them hundreds of miles away because all the hospital beds near your home are full. That is the impetus for a bill that would allow a specialty psychiatric hospital to be built in western Hennepin County to serve patients under the age of 21.

HF665/SF615\*, sponsored by Rep. Marsha Swails (DFL-Woodbury) and Sen. Yvonne Prettner Solon (DFL-Duluth), would allow for an exception to the hospital moratorium by approving the hospital construction of 20 beds for young patients.

Passed 117-13 by the House May 5, it awaits action by Gov. Tim Pawlenty. The Senate passed the bill 62-0 April 20.

The hospital would be a private initiative by Prairie St. John's, said Swails.

As the severe shortage of child and adolescent beds in the state continues to worsen, the addition of 20 beds would give teens and adolescents the inpatient mental health services they need in a time crisis, Swails said.

Rep. Joyce Peppin (R-Rogers) said the proposal needs more community input, noting neither she or members of her city council were contacted by Prairie St. John's about the proposal. Allowing a hospital to be built without community input "might make some of your constituents a little uncomfortable."

Rep. Laura Brod (R-New Prague) said, while the hospital might not be the perfect location, there is a need for those services.

— P. OSTBERG

### Isolation and quarantine

How the state will mass dispense vaccinations or prescription drugs in the case of a public emergency are defined in a bill now awaiting signature by Gov. Tim Pawlenty.

HF1554/SF1462\*, sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Yvonne Prettner Solon (DFL-Duluth), was passed 122-8 by the House May 5; 57-6 by the Senate April 30.

It would create three dispensing methods: a designated representative of a household could pick up prescription drugs or vaccines for that household; postal carriers could deliver drugs to households; and a closed-

point of dispensing in which a business, church or other organization could be a center for dispensing drugs to a limited number of people. A closed-point would not be open to the public.

The bill would remove a sunset provision on peace officer's authority to use force when a person resists isolation and quarantine required by a court order.

The health commissioner would be authorized to purchase vaccines, antitoxins, serums, immunizing agents, antibiotics, antivirals, antidotes, other pharmaceutical agents and medical supplies. The commissioner could also request Minnesota Responds Medical Reserve Corps health volunteers to help in case of emergency.

Rep. Mary Liz Holberg (R-Lakeville) said the changes could minimize individual people's rights and have never been "road tested."

Winkler responded that until the state "road tests" the changes, "we're not going have any kind of results."

— P. OSTBERG

## HOUSING

### Foreclosure accountability

A bill that could help prevent desperate homeowners from being taken advantage of by consultants who offer help to avoid foreclosure but don't follow through awaits conference committee action.

"What we're doing is closing some loopholes in the statute," said Rep. Joe Mullery (DFL-Mpls), who sponsors HF903/SF708\* with Sen. Lisa Fobbe (DFL-Zimmerman). "It gets at a lot of the problems with people who say they're going to help people with mortgage problems" but instead take payment without providing the services they promise.

The Senate, which passed the bill 60-4 March 30, refused to concur with amended House bill, passed 131-1 May 4.

The bill would modify a 2004 law regulating mortgage foreclosure consultant contracts by clarifying that people classified as mortgage consultants, including originators of mortgages who negotiate or renegotiate a mortgage and nonprofit agency counselors who work with people at risk of foreclosure, may collect a fee only after the services have been performed.

As amended by the House, the bill would allow an owner of homestead real estate consisting of one to four residential units to postpone a mortgage foreclosure sale for five months. That provision would give the homeowner more time to reinstate the mortgage loan by paying off the amount in

default plus associated costs, rather than the entire amount mortgage loan after the foreclosure sale.

— K. BERGGREN

## INSURANCE

### Proof of insurance clarifications

With more contractors and individuals seeking proof of insurance from their subcontractors, some changes in law are requested to get all provisions relating to certificates of insurance under one statute.

Sponsored by Rep. Greg Davids (R-Preston), HF534 would clarify procedures of the certificate, which is used to prove that a person has coverage, the type of coverage and what coverage is in force at the time of the certificate. Passed 131-0 by the House May 5, it now goes to the Senate where Sen. Dan Skogen (DFL-Hewitt) is the sponsor.

Clarifications include language that the certificate is nothing more than proof of insurance and that the certificate can't change the underlying coverage in the policy. The bill would also prohibit insurance agents from altering certificates to suggest anything contrary to the policy.

— L. SCHUTZ

### Short-term coverage for unemployed

Increasing unemployment numbers are translating to more people losing their health care coverage. However, thanks to funds from the American Recovery and Reinvestment Act of 2009, some could see their coverage continued and their payments subsidized.

Signed May 6 by Gov. Tim Pawlenty, and effective the next day, the law will ensure that employers with fewer than 20 people have the same benefit as their larger counterparts, under terms of Minnesota's "mini-COBRA" statute.

Qualified employees who have been involuntarily terminated for reasons other than misconduct will see the federal government provide a 65 percent subsidy toward their COBRA premiums for up to nine months of coverage, while reducing an enrollee's share of the premium to 35 percent. People terminated between Sept. 1, 2008, and Feb. 16, 2009, who originally declined COBRA coverage or unenrolled by Feb. 16, will have a second chance to accept the coverage now that the federal subsidy is available.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsor the law.

HF2138/SF1904\*/CH33

— L. SCHUTZ



## MINORITY BRIEFING



PHOTO BY TOM OLMSCHEID

House Minority Leader Marty Seifert talks with the press after the House Republican Caucus met with Gov. Tim Pawlenty May 4 to discuss legislation.

## LOCAL GOVERNMENT

### Hennepin County rule changes

Hennepin County would be allowed to streamline its human resources policies, under a bill awaiting gubernatorial action.

Sponsored by Rep. Kurt Zellers (R-Maple Grove) and Sen. Ann Rest (DFL-New Hope), HF940/SF729\* would make technical changes requested by the county. Currently Hennepin County's human resources policies are governed by state laws as well as the county's

own rules. The bill would change state law to conform to internal rule changes recently adopted by the county.

Under the bill's provisions, department directors and the county human resources director would be given more discretion to set policies regarding the length of probationary periods, compensation plans and non-disciplinary appeals. Currently, the authority in such matters resides in the county board.

The bill was passed as amended 128-4 by the House May 4 and repassed 60-1 by the Senate May 5.

### Sanitary district dissolution

The Central Lakes Regional Sanitary District would be allowed to dissolve, under a bill awaiting action by Gov. Tim Pawlenty.

Established in 2003, the district was to construct a wastewater collection system spanning several townships in north-central Minnesota; however, it ran into a number of problems, including opposition from residents. It now plans to dissolve.

Rep. Torrey Westrom (R-Elbow Lake) said HF1501/SF1489\* would clarify statutes so that the district has a "path to dissolution." He said the townships' residents and local leaders support the bill.

The House passed the bill 131-0 on May 5; the Senate passed it 61-0 on April 30. Westrom and Sen. Bill Ingebrigtsen (R-Alexandria) are the sponsors.

— N. BUSSE

### Shoreland regulation changes

A bill that lawmakers hope will give some comfort to property owners who have spent years battling the Department of Natural Resources and local governments on the issue of shoreland regulations was passed by the House 130-0 on May 5.

Sponsored by Rep. Michael Nelson (DFL-Brooklyn Park), HF519 seeks to address the longstanding problem of DNR shoreland rules preventing property owners of legal nonconforming lots from selling or otherwise using their land as they see fit.

Nelson explained the problem by giving the example of a property owner on a lake who purchases a cabin on the lot next to him. DNR rules currently prohibit that property owner from selling the property he acquired, Nelson said.

"There's people out there who inadvertently bought the lot next to them on the lakeshore, and found out now that they can't sell it. Or, they bought it for investment purposes, and now they can't sell it," he said, explaining that the bill would remedy the situation.

The bill's language is based on a compromise reached last year by a working group comprised of DNR officials, realtors, builders and local governments.

Rep. Torrey Westrom (R-Elbow Lake), who has sponsored similar bills in the past, said he was "glad to see some progress" on the issue.

"I think there are scenarios we're still going to find this doesn't cover, but it's a very good step forward," Westrom said.

Rep. David Dill (DFL-Crane Lake) successfully amended the bill to include protections for landowners in cases where their properties are destroyed and DNR rules prevent them from rebuilding in their current locations.

— N. BUSSE

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

— N. BUSSE

## MILITARY

### Power of attorney short form

It might become easier for some active military personnel to give power of attorney.

Sponsored by Rep. Mike Obermueller (DFL-Eagan) and Sen. Tarryl Clark (DFL-St. Cloud), HF1960\*/SF1712 would create a new short form for active duty Minnesota military personnel serving outside the state.

Approved 131-0 by the House May 5, it awaits Senate action.

"The power of attorney provided in this short form is the same as any other," Obermueller said. "It just gives another tool for military personnel about to be deployed outside the state to give power attorney to usually a family member or friend." It would automatically expire when the person is off active duty.

Obermueller said the greatest difference between the current form and that proposed is accountability.

"This bill provides that unless the service person thinks otherwise, there's going to be an accounting of the money spent or used by the attorney-in-fact," Obermueller said. "That is not in current law, although you could always negotiate that or use that point if you wanted to have it. This sets it out as a baseline."

Rep. Dan Severson (R-Sauk Rapids) wondered if there are safety measures in the bill so the power of attorney is not abused and future earnings are not put in jeopardy.

"If the short form is used, it does prohibit the power of attorney from transferring money to themselves out of the accounts," Obermueller said. The attorney-in-fact must also report what money was used and for what purpose. "If you just sign the short form as it is would provide that quarterly, but you could even put it in place, as part of signing off on it as the principal, at weekly, monthly or once a year, however you want to do it."

— M. COOK

## SAFETY

### 'Brandon's Law' is now law

**Signed  
by  
the  
governor**

A new law is designed to help find missing and endangered adults more quickly.

Sponsored by Rep. Marty Seifert (R-Marshall) and Sen.

Dennis Frederickson (R-New Ulm), "Brandon's Law," signed by Gov. Tim

Pawlenty May 7 expands the state's missing children's law to include adults who go missing under dangerous circumstances. It takes effect July 1, 2009.

The law is named after Brandon Swanson, whose car got stuck in a ditch near Taunton along the Lincoln and Lyon county line in southwest Minnesota on May 14, 2008. As his parents were on their way to help, the cell phone connection went dead at 3:10 a.m. He hasn't been heard from since.

Brandon's parents, Brian and Annette Swanson, and his sister Jamine were in attendance during the governor's signing ceremony.

The law will require law enforcement to take a missing persons report without delay after notification of someone missing under dangerous circumstances, no matter the missing person's age; immediately conduct a preliminary investigation to determine if the person is missing, and whether the person is endangered; and promptly notify all other law enforcement agencies of the situation. It clarifies that the agency taking the report be the lead agency in the investigation.

Law enforcement will be required to seek additional information — including DNA samples, dental records, X-rays, photographs and fingerprints — if the missing person is not found within 30 days.

A working group will be convened to create a standardized form for law enforcement to use when taking a missing persons report, and to develop "a model policy that incorporates standard processes, procedures, and information to be provided to interested persons regarding developments in a missing person case." Its work is to be complete by Sept. 1, 2009.

The Jon Francis Foundation has agreed to pay the approximate \$10,000 cost for the working group. Francis, a 24-year-old Stillwater native, was missing for more than a year in Idaho's Sawtooth Mountains before his remains were found on July 24, 2007. The parents of Jon Francis, David and Linda Francis, were also at the signing ceremony.

HF1242\*/SF1146/CH38

— M. COOK

### Drug and alcohol testing

A simple change in statute would allow state workers with commercial driver's licenses to receive their required drug and alcohol testing from the federal government rather than the state.

HF1820/SF1172\*, sponsored by Rep. Paul Rosenthal (DFL-Edina) and Sen. Amy Koch (R-Buffalo), would extend an exemption on drug and alcohol testing currently applied to local governments to include the state as well.

Under the bill, as long as state drivers with commercial licenses were covered by the federal regulations, the state regulations would not apply.

"This relieves the pressure on our administration and also keeps in place appeal processes for employees," Rosenthal said, adding that the issue was brought forward by Minnesota Management and Budget.

Passed 131-0 by the House on May 6, the bill now awaits action by the governor. The Senate passed it 66-0 on April 24.

— N. BUSSE

### Omnibus policy bill to Pawlenty

Awaiting action by the governor is an omnibus public safety policy bill that covers a number of areas.

"This bill increases public safety by increasing the requirements on predatory offenders, it eases the mandates on state agencies and it provides the needed assistance to local agencies in times of an emergency," said Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors HF1301\*/SF993 with Sen. Mee Moua (DFL-St. Paul).

It was approved 130-0 by the House May 5 and 63-0 by the Senate one day later.

Hilstrom said 30 bills from House members are included in the omnibus package.

Rep. Karla Bigham (DFL-Cottage Grove) offered three provisions that made the final bill: prohibiting the use of electronic devices to sexually solicit children; permitting corrections personnel to conduct unannounced searches of computers, or other electronic devices capable of accessing the Internet, used by offenders on intensive supervised release; and prohibiting someone required to register as a predatory offender from accessing social networking Web sites, instant messaging and chat room programs.

"We are being on the forefront of this, and keeping up with technology and protecting our citizens," she said.

In the area of crime victims, the bill increases from 12 to 24 hours the time an officer may arrest a person who the officer has probable cause to believe committed domestic abuse, expands the ability of judicial districts to create domestic fatality review teams and would require prosecutors to notify victims of criminal sexual conduct about civil protection orders.

Other provisions include:

- businesses that sell over-the-counter methamphetamine precursor drugs would be required to retain a sale log for three years and make it available for inspection by law enforcement at all reasonable times;
- commercial retailers could not sell a toy designed for children under age 12 that has



- been recalled for safety reasons;
- public employers could not consider an applicant's criminal background history prior to an interview;
- cities could establish a license reinstatement diversion pilot program for specified persons charged with driving after a suspension or revocation, but have not yet entered a plea;
- the state's trespass law would expand to include crossing into or entering any public or private area lawfully cordoned off by a peace officer;
- a state policy to eliminate racial, gender and ethnic fairness barriers in the courts would be set forth;
- a court could order an aggravated sentence beyond what is specified in the sentencing guidelines grid based on an aggravating factor arising from the same course of conduct; and
- the appointment of a working group to review changes to the state's laws and policies on DWI offenders.

— M. COOK

### Making Safe at Home more secure

More safety is sought for the Safe at Home program.

Administered by the Office of the Secretary of State, the address confidentiality program aims to provide extra security for the approximately 226 participants.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Mee Moua (DFL-St. Paul), HF1677\*/SF1452 does two things: states that sex offenders cannot be in the program, and it would supersede local ordinances that require a person to post their name outside of an apartment building where they are residing. In some buildings, a listing in the entryway contains each tenant's name and apartment number.

The bill was approved 131-0 by the House May 5, and now awaits Senate action.

"Essentially the Safe at Home program is a place where people who are abused or in an abusive relationship or the victims of domestic abuse can have a P.O. Box as their address so their offender can't get at them," Simon said.

He said the bill is the result of an agreement between the Minnesota Sheriff's Association, the League of Minnesota Cities and other stakeholders.

"Having been around as secretary of state and initiating the Safe at Home program, and having bipartisan support, it's good to see this bill progressing, being improved and also to see it having functioned in the way in which it was intended," said Rep. Mary Kiffmeyer (R-Big Lake).

— M. COOK

## TAXES

### Technical tax changes

A tax bill not seen as controversial, received about an hour and half of debate on the House floor on May 7.

Passing 120-11 and sponsored by Rep. Ann Lenczewski (DFL-Bloomington), HF885 would make technical tax law changes, as recommended by the Department of Revenue. Some of these changes include extending the time for filing estate tax returns; and expanding the exclusion of prepared food and soft drinks from the government and nonprofit sales tax exemptions to alcoholic beverages. A companion, SF681, sponsored by Sen. Tom Bakk (DFL-Cook), awaits Senate floor action.

Nine of the 10 amendments offered were not adopted, ranging from including horses as livestock in the tax code to offering an education credit.

One amendment offered successfully by Rep. Kurt Zellers (R-Maple Grove) would prevent the governor from appointing a revenue commissioner who has been convicted of a criminal violation of a federal or state tax or revenue law, who has failed to file a required original individual income tax return within one year of its due date, or who has unpaid federal, state, or local taxes for a prior taxable year when the appointment is announced to the public. This same amendment was adopted to the House's federal tax conformity bill earlier in the session, but was deleted during a conference committee.

The House took up HF885 again on the floor because of changes made to the bill by the Senate. The Senate passed a delete-all amendment for HF885 using the language of SF681 devoid of numbers. In a 117-0 vote, the House did not concur on the change and a conference committee was appointed.

— S. HEGMAN

## TECHNOLOGY

### Bioscience infrastructure grants

**Signed  
by  
the  
governor**

State colleges and universities will be eligible for bioscience business infrastructure grants, under a new law.

Signed by Gov. Tim Pawlenty May 6, and sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Kathy Sheran (DFL-Mankato), the law will make the University of Minnesota and the Minnesota State Colleges and Universities system eligible to receive money under the

state's bioscience business development infrastructure program.

The program, run by the Department of Employment and Economic Development, allows state General Obligation bonds to be used for grants to cover capital costs for bioscience-related business facilities.

Currently only local governments are eligible for the grants. The change will address issues at Minnesota State University, Mankato and the University of Minnesota Morris. Both schools were authorized to receive funding for bioscience projects, only to learn they could not accept it because they were not technically eligible for the program.

In addition, the law specifies that local governments or institutions receiving grant money must pay for at least half of the cost of the completed project using non-state funds.

The law takes effect Aug. 1, 2009.

HF868/SF684\*/CH35

— N. BUSSE

### Statutory speed limit changes

Recommendations from a speed limit study are en route to the governor's office.

Sponsored by Rep. Peggy Scott (R-Andover) and Sen. Lisa Fobbe (DFL-Zimmerman), HF1421/SF1467\* would make various modifications and clarifications to statutory speed limits.

Amended and approved 126-5 by the House May 5, the Senate concurred with the one-word change and repassed the bill 53-0 one day later.

"In 2007, the Legislature asked (the Department of Transportation) to form a task force with some city and county persons to look over kind of a void in statute that covers areas that used to be fairly rural, but now have been developed to the point where speed limits in those areas that used to be 55 mph are too fast," Scott said.

The bill would change the speed limit to 35 mph along rural residential districts where the homes are spaced 300 feet or less along those roads, if adopted by the local road authority.

Scott said the bill has no state cost, and would have minimal costs to local units of government.

The bill also narrows the definition of a "residential roadway" and clarifies that an "urban district" can be on a city street or town road.

— M. COOK

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# Slapshots and budget-chops

Hockey controversy tops off bill that cuts jobs and housing programs

By Nick Busse

**Y**ou might be forgiven for thinking that a pair of provisions dealing with ice hockey are relatively small items in the conference report on SF2081, the omnibus economic development finance bill. After all, the bill includes budget cuts for jobs and housing at a time when the state is experiencing a jobs and housing crisis — something the bill's sponsor isn't happy about.

"The story, members, is about cuts. Because that's what it's all about this year," Rep. Tom Rukavina (DFL-Virginia) told House members on the floor May 5.

But in the debate that followed, the story was actually all about hockey, as House Republicans seized on a provision that would forgive nearly \$33 million of a \$48 million state loan to St. Paul for the Xcel Energy Center.

The city has asked the state to forgive the loan to help pay for "The Pond" — a proposed multi-use hockey rink across the street from the Xcel. Calling the provision a "bailout," House Minority Leader Marty Seifert (R-Marshall) noted that it comes at a time of record budget deficits for the state.

"Go back to your coffee shop, go back to your hardware store like I did in Marshall ... and ask people if you think this is an opportune time for us to be forgiving over \$30 million that's owed to the state of Minnesota," Seifert said.

Supporters defended the provision as an important economic development project. Rep. Tim Mahoney (DFL-St. Paul), who sponsored the proposal, noted that St. Paul would still be required to make its scheduled loan payments through 2014, leaving no impact on the state's current budget crisis.

"St. Paul agreed to a bad deal, and we're back here asking you to fix that bad deal,"

Mahoney said, summarizing a common argument among supporters who believe the Xcel should've been paid for with state bonds instead of a loan.

St. Paul's proposed new ice arena wasn't the only hockey-related provision that drew fire. As amended by conference committee, the bill also includes a Senate-sponsored provision that would designate ice hockey as the official state sport.

"We're sending a pretty bad message to the rest of the athletes ... if we're making one sport as the sport of the state of Minnesota," said Rep. Bob Dettmer (R-Forest Lake).

## Painful cuts

In the end, the House voted 74-57 to pass the conference report. Having been approved 38-23 the previous day by the Senate, the bill now awaits action by Gov. Tim Pawlenty.

The conference committee report spends significantly less than the bill passed 78-50 by the House on April 24. During negotiations with executive agency staff, it became clear that the governor would not sign off on a House plan to raise the workforce development

fee paid by Minnesota employers from 0.10 percent of taxable wages to 0.14 percent for the next biennium. Instead, a compromise was reached at a 0.12 percent raise — a difference of about \$15.4 million in revenue, the loss of which forced House conferees to accept deeper agency budget cuts.

The Housing Finance Agency, which the House had tried to hold harmless in its budget proposals, would have to take a 3.5 percent cut. Programs facing base reductions include the Housing Challenge Program, the Homeownership Assistance Fund and the Affordable Rental Investment Fund.

Rep. Karen Clark (DFL-Mpls), who chairs the House Housing Finance and Policy and Public Health Finance Division, said she felt "terrible" about the cuts, and blames the governor for not letting them raise more revenue.

"The thing about housing is it just returns back so much to the community," Clark said. "It was disappointing to not be able to more fully fund housing as we had in the House bill."

Business and workforce development programs funded through the Department of Employment and Economic Development also take reductions in the conference report, to the tune of 3.9 percent. The increase in the workforce development fee should sustain many current programs; however, one

that did not make the final cut was the wage subsidy pilot project proposed by Rukavina and based on the 1980s-era Minnesota Emergency Employment Development program. A \$15 million request for the project was included in the House language.

Other budget cuts include:

- 3.5 percent for Explore Minnesota Tourism;
- 6.2 percent for the Minnesota Historical Society; and
- 16.6 percent for the Board of the Arts.

In all cases, the governor had proposed deeper cuts — up to 50 percent, in the case of the arts

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***'The story, members, is about cuts. Because that's what it's all about this year.'***

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— Rep. Tom Rukavina





PHOTO BY TOM OLMSCHIED

A provision in the omnibus economic development finance bill would allow this parking lot near the Xcel Energy Center in downtown St. Paul to become the future sight of “The Pond,” a proposed multi-use indoor ice arena. The bill would forgive nearly \$33 million of an outstanding loan to the city to help finance the project.

board. Rukavina said he is not proud of the cuts, but that there was no way around them.

“We cut, we cut, we cut. We can’t create jobs when we’re cutting, but we did the best we could,” he said.

## Policy

A House proposal to strengthen prevailing wage requirements for state contractors is included in the conference report with some modified language suggested by the Department of Labor and Industry. The provisions come from legislation sponsored by Mahoney.

Also included is a requirement that public employers purchase uniforms and safety equipment only manufactured in the United States. Sponsored by Rukavina, the proposal would take effect Jan. 1, 2010, or after current state contracts expire, whichever is later.

The bill would establish an 18-member bipartisan Economic Development Strategy Working Group to establish an overall economic growth strategy for the state. Made up of six senators, six House members and six public members, the group would work under the umbrella of the Legislative Coordinating Commission. Mahoney sponsors the provision.

The Board of Barber and Cosmetologist Examiners would be split into two separate boards. Rep. Bob Gunther (R-Fairmont), who

played a role in the 2004 merging of the Board of Barbers with the Cosmetology Division of the Commerce Department, said the proposal was drafted at the request of barbers who opposed the merger from the beginning.

A provision sponsored by Rep. Frank Hornstein (DFL-Mpls) that would allow Delta Airlines flight attendants taking unpaid furloughs as part of their contracts to collect unemployment benefits is also included in the conference report.

***‘Go back to your coffee shop, go back to your hardware store like I did in Marshall ... and ask people if you think this is an opportune time for us to be forgiving over \$30 million that’s owed to the state of Minnesota.’***

— House Minority Leader Marty Seifert

## Minnesota State Agencies

Administration .....	651-201-2555	Higher Education Services .....	651-642-0567	Metropolitan Council .....	651-602-1000
Agriculture .....	651-201-6550		800-657-3866	Military Affairs.....	651-268-8919
	800-967-2474	Housing Finance Agency.....	651-296-7608	Natural Resources .....	651-296-6157
Commerce.....	651-296-4026		800-657-3769		888-646-6367
Corrections .....	651-361-7200	Human Rights .....	651-296-5663	Pollution Control Agency.....	651-296-6300
Education .....	651-582-8200		800-657-3704		800-657-3864
Employment and		Human Services .....	651-431-2000	Public Safety.....	651-201-7000
Economic Development .....	651-259-7114	Iron Range Resources.....	218-744-7400		800-422-0798
	800-657-3858		800-765-5043	Revenue .....	651-296-3403
Enterprise Technology .....	651-296-8888	Labor and Industry.....	651-284-5005	Transportation .....	651-296-3000
Explore Minnesota Tourism .....	651-215-9041		800-342-5354		800-657-3774
	800-657-3535	Management and Budget.....	651-201-8000	Veterans Affairs .....	651-296-2562
Health .....	651-201-5000	Mediation Services.....	651-649-5421		
	888-345-0823				

## Helping transit, for now

Transportation bill includes short-term transit funding fix

By Mike Cook

**T**ransit will not come to a screeching halt in some areas, road construction will not get as much state funding, but the state patrol will remain whole.

All in all, supporters say HF1309\*/SF1276 is not a bad omnibus transportation finance bill in these tough economic times.

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Steve Murphy (DFL-Red Wing), the bill calls for nearly \$4.29 billion worth of funding, but just \$194.27 million from the General Fund, a \$17.3 million decrease from the current biennium. More than \$3.9 billion comes via user-generated highway funds, including \$2.64 billion from the trunk highway funds, \$1.02 billion from

the County-State Aid Highway Fund and \$275.4 million from the Municipal State-Aid Street Fund. Three smaller accounts make up the remainder.

The bill contains no property tax increases, and the proposed taking of money designed for a gas tax credit for low-income Minnesotans is absent.

"We did most of what the governor wanted," said Rep. Frank Hornstein (DFL-Mpls). "This is a compromise bill. All parties gave a little."



PHOTO BY TOM OLMSCHIED

Sen. Steve Murphy, left, talks with Rep. Bernie Lieder prior to the May 1 Transportation Finance Conference Committee meeting.

### Transit funding

Lieder and Murphy said the big issue was how to fund transit. Lieder said the Metropolitan Council — which operates Metro Transit — needs roughly \$76 million and Greater Minnesota transit needs \$6 million. However, no revenue source exists to help to that extent.

Working with the Metropolitan Council, Department of Transportation and the governor's office, Lieder said a "reasonable solution" was reached.

Dollars from the motor vehicle sales tax are currently split so that, in fiscal year 2012, 60 percent of revenue will go to highways, 36 percent to Metro Transit and 4 percent for Greater Minnesota Transit. None of that changes, under the bill.

"We're just changing those percentage amounts a little bit so we can put a little bit of money in Greater Minnesota transit and into metropolitan transit," Murphy said.

The proposal calls for Greater Minnesota Transit to receive 4.75 percent in fiscal year 2010, before dropping back to 4 percent in future years, while reducing the allocation to the highway-user fund by 0.75 percent for one fiscal year, or about \$19 million.

"We're just going to be taking care of these folks right now," Murphy said. "Going forward this gap that is happening there, we need to figure out how to take care of that."

Relying on these funds for future transit needs, instead of roads, should be of concern because motor vehicle sales are decreasing, said Sen. Julianne Ortman (R-Chanhassen). "When you sell less cars, there are less revenues for MVST (motor vehicle sales tax) and we're going to continue to raid those funds and pay for more transit. We're creating these cycles."

Greater Minnesota transit gets help in another pair of ways.

In addition to receiving \$2.5 million to fill an immediate short-term need by shifting money from future years to fill a fiscal year 2009 operating shortfall, state payments for operating procedures are adjusted to allow for additional flexibility so that providers with cash flow issues can receive payments earlier than under the current schedule.

Both the House and Senate proposals included a \$7.56 million shift to assist all Greater Minnesota transit providers, but MnDOT took a closer look at all services and



PHOTO BY TOM OLMSCHIED

#### The transportation finance conference committee meets May 1.

determined just \$2.5 million was needed to meet immediate cash flow needs. “We wanted to focus on the areas where the need would be the most,” said Deputy Commissioner Khani Sahebjam. “That way we were able to take care of those folks that really need the help.”

To help Metro Transit, the agency is permitted to transfer in fiscal years 2009, 2010 and 2011 a percentage of money not committed to grant or loan awards to its transit operating budget, from its tax base revitalization account, metropolitan livable communities demonstration account and right-of-way acquisition loan fund, as well as current and future balances in the metropolitan livable communities fund. The agency is also expected to receive about \$13 million in MVST acceleration.

The bill leaves Metro Transit about \$3 million short, but it presumes no price hikes or service reductions will be needed in the next year.

“We will be able to balance the budget without a fare increase, but would very much appreciate we not be precluded from doing a fare increase given unusual circumstances, fuel increases, a drop in ridership and the like,” said Peter Bell, the council chair. A provision to prohibit fare increases through fiscal year 2011 was removed by conferees.

The bill does permit the Metropolitan Council to establish a pilot program to sell half-price transit fares to eligible charitable organizations for use by homeless persons.

#### Roads

Conferees were also charged with addressing an approximately \$155 million decrease in revenues for MnDOT.

Conferees took \$120 million from its construction account, \$17.25 million in infrastructure operations and maintenance, \$13.58 million from infrastructure investment support, \$2.97 million from department support and \$1.19 million from department buildings.

“All the construction people that were in the room said this is OK because they got \$510 million of federal money,” Murphy said. “The locals were OK with this, as well, because a large chunk of that is going to our local partners to help with city streets, county roads and our township roads.”

The state patrol was not touched, something insisted upon by the governor.

“They’re the only ones I think we’ll see in the whole Legislature this year coming out with basically not a cut,” said Lieder, who noted the patrol got an increase of roughly \$7 million with last year’s transportation finance law. “We were assuming they should feel a little pain, as all the other departments, everybody else did.”

House Minority Leader Marty Seifert (R-Marshall) expressed concern about taking \$137 million from road construction and maintenance, while accelerating the motor vehicle sales tax to cover the transit shortfall. “That is one area where I feel that priorities are misplaced.”

He also said the bill does not address long-term cash flow problems in highway construction, expansion of four-lane roads and current road maintenance. “(This bill) is essentially putting together some Band-Aids on what is a very, very serious problem.”

#### Other provisions


The bill does not contain a Senate proposal for mandatory seatbelt usage, nor does it contain a provision from Rep. Tom Rukavina (DFL-Virginia) that would have allowed a driver to exceed the speed limit by 10 mph when passing another vehicle on a two-lane highway.

A Design-Build Project Selection Council is created to select, evaluate and support local state-aid projects conducive to the use of design-build contracting method. The council will expire the earlier of Oct. 1, 2012, or upon the completion of nine design-build projects.

MnDOT can authorize \$40 million in trunk highway bonds for construction of interchanges to promote economic development and a local match for federal grants to the state, split evenly between the Twin cities metropolitan area and Greater Minnesota transportation districts.

A \$2.25 million increase in airport development grants is authorized for fiscal year 2010.

An endowment account is created in the state treasury for operations and maintenance of the Stillwater lift bridge.

MnDOT is provided with powers and authority related to passenger rail, and it can create a grant program for rehabilitation or replacement of fracture-critical bridges. 

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# Unearthing the state's past

Legacy bill moves through final process quickly, awaits floor action

By SONJA HEGMAN

**T**he accidental unearthing of remains of American Indians has become a rather common occurrence in the state.

This according to Annamarie Hill and Jim Jones, executive director and cultural resource director, respectively, at the Indian Affairs Council.

"I bring forward the voice of the American Indian people, the voices of the past, our ancestors that lay within the grounds," Jones said during testimony before the House Cultural and Outdoor Resources Finance Division this session on how the constitutional legacy money should be spent. "Ancestors that keep getting accidentally unearthed, excavated, removed. Remains that are turned over to us almost every

month. Boxes, skeletal remains, partial remains. Things that we deal with on a day-to-day basis at the Indian Affairs Council."

Jones said the council did an inventory of the remains left in its collection, and the result is close to 550 remains, with 186 of those remains ready to "go back tomorrow if the tribes in the southwest (area of the state) came forward." But, he said, there's a process the council still has to go through to get one tribe to agree to take the remains, meaning the tribe needs to have a place to rebury the remains and it doesn't.

The Indian Affairs Council is requesting money from the constitutional legacy fund be used to supplement what it does already for the state under the private cemeteries act and under a mandated, unfunded federal law.

Sponsored by Rep. Mary Murphy (DFL-Hermantown), HF1231 would provide that new sales tax revenues be deposited in four dedicated funds, under the legacy amendment adopted onto the state's constitution last year. It increases the state's sales tax from 6.5 percent to 6.875 percent.

Jones said they are looking to the constitutional legacy fund to allocate money to the preservation and identification of burial sites and to create a program for more immediate response and recovery of accidental unearthings to assist landowners.

Proposed funding for the Indian Affairs Council in the bill is \$250,000 for the 2010-2011 biennium.

The process of recovering remains is quite arduous with the council having to go out to recover the remains and then determine what tribe the remains belong to. "The cuts proposed by the governor will affect this," Jones said.

In the past 10 years, there have been 12 to 15 accidental unearthings. Jones said the average is one or two per year, but that doesn't include what the council gets from various individuals, adding that one woman gave them remains she found in 1960.

Also, a few years ago Becker County had 17 bodies found in one spot.

"Each case is unique," Jones said, talking of the reburial process. "The ones in Becker County went back to the same spot." But some found last summer near Mille Lacs are still out of the ground. Jones said the Mille Lacs Band of Ojibwe will probably have to find room somewhere else for those remains because there's a sewer line that goes through the burial mound where they were found.



PHOTO BY TOM OLMSCHIED

During the May 5 meeting of the House Cultural and Outdoor Resources Finance Division, Garry Leaf, executive director of Sportsmen for Change, expressed his displeasure with the way heritage funds are proposed to be spent.

Heritage continued on page 21

# Funding environment and energy

Conferees make additional spending cuts

By SUSAN HEGARTY

**C**onferees cut an additional \$16.5 million from the omnibus environment and energy finance bill before both legislative bodies passed the bill within minutes of each other May 4.

\*HF2123/SF2099, sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul) passed the House 98-35 and 52-15 in the Senate.

Its fate rested in the hands of Gov. Tim Pawlenty Thursday but results were not available at the time of publication.

## Environment

The environment portion, which includes General Fund appropriations for the Pollution Control Agency, Department of Natural Resources, Board of Water and Soil Resources, Minnesota Zoo, Science Museum of Minnesota and the Metropolitan Council for parks funding, shakes out to be \$305.7 million from the General Fund. That is less than the House proposed, but more than the Senate.

Conferees were able to keep basic funding for parks and water quality projects, which was important if the projects are to receive additional funds from the Outdoor Heritage Fund, Wagenius said. The fund resulted from passage of a constitutional amendment that requires that the dedicated tax receipts supplement traditional sources of funding and may not be used as a substitute, such as replacing General Fund cuts.

However, Wagenius was disappointed with conferees dilution of the Toxic Free Kids Act. "That was clearly the low point of our conference committee," she said.

Rep. Kate Knuth (DFL-New Brighton), who sponsored the Toxic Free Kids Act as HF250, said pressure from the governor's office resulted in its partial deletion from the law.

The Pollution Control Agency is directed to collect and prioritize a list of toxic chemicals, but the provision that required the agency to look for safer alternatives in children's products was removed by conferees.

"We'll keep working on toxic chemical policies because people think their government is taking care of toxic chemicals in products. That belief is being undermined," Knuth said.

## Energy

Energy-related spending comprises \$54.3 million from the General Fund. At the Senate's suggestion, two money transfers will be completed.

In the first instance, \$500,000 will go from a dedicated fund in the Department of Commerce to the General Fund.

Another \$750,000 one-time transfer from the E85/biodiesel grant program will be made to the General Fund. Rep. Bill Hilty (DFL-Finlayson) said demand for the grants has dropped and the Office of Energy Security assured him there was enough grant money remaining to fund requests.

Besides the money transfers, a swap was done to provide a solution to a sticking point regarding usage of the federal stimulus money. Republican leaders argued that a \$1.5 million appropriation from the federal stimulus package would jeopardize the law because federal stimulus dollars may not be used for applied research.


When passed off the House floor, the law allocated \$1.5 million to the proposed

International Renewable Energy Technology Institute at Minnesota State University, Mankato. The institute is a public, private partnership of the state's colleges and universities system to gain renewable energy technology from Sweden.

Instead, conferees removed it from the law and appropriated \$1.5 million from the rural and energy development revolving loan fund to the institute. In its place within the energy finance bill, \$2 million was appropriated for an Emerging Renewable Energy Industries grant program.

When prioritizing where to save money, conferees cut administration costs and tried to spare the grant programs that help local government agencies complete their fieldwork, said Rep. Rick Hansen (DFL-South St. Paul). For example, the Board of Water and Soil Resources took a 10.8 percent budget cut.

"These are painful cuts, but they are effective cuts," Hansen said.

Nearly \$200 million of federal stimulus money was removed from the law, and is moving forward as HF680/SF657\*, sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Anderson. Now in the conference committee process, the bill uses federal stimulus funds for weatherizing low- to moderate-income homes and rental properties, establishes a window replacement option and a residential revolving loan program. 

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## From beginning to end

Tracking bills is just a mouse click away

**W**hether you follow a number of bills or just a few, you don't have to physically be at the Capitol to track legislation. Through the Legislature's Web site ([www.leg.mn](http://www.leg.mn)), there are several ways to follow a bill from your computer.

### Personalized tracking

The MyBills service allows a user to personalize bill tracking for current legislation, and be notified by e-mail of the bill's movement through the process.

Beginning at the Legislature's main page, click "MyBills" under the "Bill Search and Status" heading. This will take you to the "MyBills" subscription page. Once there, just follow the instructions, which includes establishing a username and password. Once that is established you can:

- Receive an RSS feed of bills in your account;
- Add House and Senate bills to your list by bill number, subject or author;
- View the legislative status of your bills, with items with significant current action highlighted;
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### Bills, bills and more bills

Information about any bill that has been introduced since 1993 is accessible through the Web.

Begin at [www.leg.mn](http://www.leg.mn) and click on "Bill Search and Status." This will take you to a page where you can enter a House or Senate file number, which is used to identify a bill in the House or Senate, the name of the chief sponsor in either body, a committee of origin topic, or a keyword description.

Once the search criteria is entered,

the "bill status summary" page gives a short version of what the bill is about, and provides links to the status, full text or summary of a bill from the nonpartisan House Research Department. The status area shows the process of a bill from its introduction, through the committee and floor process to gubernatorial action.

### Tools to help with your search

You don't have to know a bill's number or even the chief sponsor to find information on legislation you are interested in.

There are several features on the Legislature's Web site to help you determine a bill's number, and sponsors in both the House and the Senate.

### Information by phone

For those who do not have access to a computer, bill information is just a phone call away. Contact the House Index Department at 651-296-6646. Also, if you're looking for information on the Internet, and you're not sure where to find it, contact House Public Information Services at 651-296-2146 or 800-657-3550.

On the main bill tracking search page, there is a section at the top for House and Senate bills. Choose either link and you will be directed to an Internet form providing a number of options.

If you are unsure about the best way to proceed, click the Help button and be directed to the Examples and Explanations page. The page features an explanation of how to search for bills that have been passed or are still in the legislative process.

Near the top of the main "Bill Search and Status" page are four links to four different searches.

- **Topic Search:** this search allows you to find bills according to the major topic area that it falls into. In some cases, a bill deals with several topics, and the topic you are interested in will be a part of another larger bill.
- **Author Search:** this option allows you to see all the bills a particular member has sponsored. It is handy when you know a certain representative has sponsored a bill, but you're not sure of its number or status.
- **Committee Search:** sometimes all you might know about a bill is that a particular House committee is hearing the bill. This search option allows you to see all the bills initially referred to a committee.
- **Action Search:** this link offers dozens of possible status actions for bills in the House. This may also be handy if you are trying to determine whether a committee has reported on a certain bill or if you think a bill was acted upon on a certain day, but you're not sure of any other information.



**The MyBills service allows a user to personalize bill tracking for current legislation, and be notified by e-mail of the bill's movement through the process.**



## The guts

Murphy's bill moved through the process quickly this week, being passed by the House Finance Committee, the House Rules and Legislative Administration Committee and the House Ways and Means Committee. It now awaits action on the House floor. There is no Senate companion.

The four newly created funds will go toward wildlife habitat, clean water, parks and trails, and arts and culture.

Murphy said the bill is the result of weeks of testimony about the potential impact of the money over the next 25 years, especially in the face of an economic downturn.

"One of the most moving learning experiences we had was the night when

the four historians talked about the WPA projects in Minnesota, and the effect it had in Minnesota," Murphy said. "We looked at this money from that point on as a kind of a stimulus for the economy in Minnesota."

Murphy says the bill provides a plan to guide the distribution of the legacy amendment money over the 25-year life of the tax. The tax goes into effect July 1 and funding would become available at the beginning of 2010.

Things of note for fiscal years 2010-2011 include:

- \$59.7 million from the Outdoors Heritage Fund to the Department of Natural Resources split among prairies; wetlands; forests; and fish, game and wildlife habitat;
- \$40.19 million from the Clean Water Fund to the Pollution Control Agency for grants,

drinking water protection, Minnesota River Water Quality testing and wastewater treatment monitoring;

- \$31.9 million from the Parks and Trails Fund to the Department of Natural Resources for grants and the state parks and trails legacy;
- \$25.37 million from the Clean Water Fund to the Public Facilities Authority for grants among small community wastewater treatment technical assistance and construction and phosphorus reduction; and
- \$20.9 million from the Arts and Cultural Heritage Fund to the Minnesota Historical Society for things including grants, assistance to local historical societies and the Minnesota History Educational Network.



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# Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the first year of the biennium, the governor has three days from the time of presentment to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes, which occur in the days after the Legislature has adjourned sine die), the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

Policy items contained in appropriations bills may not be line-item vetoed. In order

to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature anything vetoed after the Legislature adjourns is history — at least until the next session.

The governor's veto authority is outlined in the Minnesota Constitution (Article IV, Section 23).

**Key: CH=Chapter; HF=House File; SF=Senate File; \*=denotes bill language signed into law.**

CH	HF	SF	Description	Signed	Vetoed
1	4	4*	Unemployment; new base period for calculating benefits and a limited extension of benefits provided.	1/29/2009	
2	329	212*	Boiler operation regulation exception provided.	2/20/2009	
3	95	49*	Health Insurance premium credit created.	2/20/2009	
4	100	94*	I-35W bridge collapse survivor compensation process provisions clarified, indemnification rights specified, records of the special master panel access limited, testimonial privileges specified, and third-party subrogation or recovery claims prohibition clarified.	2/24/2009	
5	886*	824	General fund balance allocation exempted at end of fiscal year 2009.	3/2/2009	
6	177	162*	Moratorium on radiation therapy facility construction extended in certain counties.	3/11/2009	
7	56*	55	Stearns County; Grantee for parks appropriation corrected.	3/23/2009	
8	433	236*	Medal of Honor day designated as March 25.	4/1/2009	
9	1797*	1511	Federal economic recovery transportation funds receipt and appropriation provided.	4/1/2009	
10	1400	1142*	Honoring All Vietnam Era Veterans Day enacted.	4/3/2009	
11	865*	983	Wabasha and Olmsted Counties; Great River Ridge Trail established.	4/3/2009	
12	392*	252	Internal Revenue Code federal update provided, and net income and payment of corporate franchise tax refunds computation modified, requirements for appointment of commissioner of Department of Revenue modified, and Green Acres provisions modified.	4/3/2009	
13	117	95*	Deficiency funding provided for certain state agencies, and money appropriated.	4/6/2009	
14	1073	832*	Income tax; exception extended to minimum contacts required for jurisdiction to ownership of property on the premises of a printer.	4/6/2009	
15	1227	1197*	Minnesota law conformed to the requirements necessary to receive federal stimulus funds, and money appropriated.	4/8/2009	
16	1756	1329*	Federal funds allocated for clean water and drinking water loans and grants, money appropriated.	4/8/2009	
17	1615	743*	Petroleum standards updated, biodiesel blends and fuels standards established.	4/16/2009	
18	121	451*	Memorial signs erected on designated highways governing provision modified.	4/16/2009	
19	951	896*	Two or more existing municipal power agencies authorized to form a new municipal power agency.	4/16/2009	
20	1040	811*	McLeod West; ISDN 2887; Reorganization operating debt bonds issued.	4/16/2009	
21	619	757*	Public Safety Department authorized to collect fuel decal fee for International Fuel Tax Agreement, and cost of decal rule removed.	4/16/2009	
22	254	265*	Crime alerts required to be distributed in a format that disabled citizens can access.	4/16/2009	
23	110	335*	Irv Anderson Memorial Highway designated.	4/16/2009	
24	116	33*	Type III school bus driver qualifications modified.	4/23/2009	
25	1048	643*	Eligibility for unemployment benefits under certain training programs provided.	4/27/2009	
26	782	978*	Shaken baby syndrome training requirements changed in licensed programs.	4/27/2009	
27	2040	1454*	Shared work plan establishment.	4/30/2009	
28	486*	1183	Trunk highway system routes removed.	4/30/2009	
29	525	462*	DWI ignition interlock device pilot program expansion	4/30/2009	

\*The legislative bill marked with an asterisk denotes the file submitted to the governor.

CH	HF	SF	Description	Signed	Vetoed
30	332	261*	Transfer on death deeds technical modifications; common element certificates modifications; real estate designated transfer, power of attorney and cartway procedure modifications.	4/30/2009	
31	334*	683	Garnishment instructions, forms, procedures, and exemptions modified.	5/1/2009	
32	801*	779	State report and document laws modified.	5/1/2009	

# BILL INTRODUCTIONS

MAY 4 - 7, 2009  
HOUSE FILES 2362 - 2376

## Monday, May 4

### HF2362-Mahoney (DFL) Commerce & Labor

State Building Code preemption exemption created in certain cases and advisory committee established.

### HF2363-Kalin (DFL)

#### Finance

Lindstrom; sewer systems and wastewater treatment facility improvement funding provided.

### HF2364-Sertich (DFL)

#### Finance

Tax increment financing requirements modified, state investment in a loan guaranty program authorized, nonprofit housing bonds authorized, income tax credits provided and JOBZ program extended.

### HF2365-Anderson, B. (R)

#### Energy Finance & Policy Division

A resolution memorializing the president, the secretary of energy and Congress to review national policy on used nuclear fuel.

### HF2366-Kahn (DFL)

#### State & Local Government Operations Reform, Technology & Elections

Retirement; municipal amortization aid provisions modified.

### HF2367-Marquart (DFL)

#### Taxes

Flood areas; property tax abatement provided for newly constructed residential structures in flood-damaged areas.

## Tuesday, May 5

### HF2368-Greiling (DFL)

#### State & Local Government Operations Reform, Technology & Elections

Experimental mail balloting pilot program authorized for certain elections in certain cities and school districts.

### HF2369-Bunn (DFL)

#### Finance

Oak Park Heights; funding provided for cost-sharing purchase and construction of geothermal heating and cooling system.

### HF2370-Garofalo (R)

#### Commerce & Labor

Federal Internet gambling investigations and enforcement prohibited without prior legislative approval.

### HF2371-Brod (R)

#### K-12 Education Policy & Oversight

Licensed kindergarten through grade 12 teachers offered a multiyear employment contract and performance-based compensation as an alternative to continuing employment.

## Thursday, May 7

### HF2372-Davnie (DFL)

#### State & Local Government Operations Reform, Technology & Elections

Minneapolis; Special street light provisions repealed.

### HF2373-Brod (R)

#### Energy Finance & Policy Division

Minnesota Public Utilities Commission, or its successor, provided authority to issue a certificate of need for the construction of a nuclear electric generating plant, and constitutional amendment proposed.

### HF2374-Olin (DFL)

#### Finance

Student loan forgiveness program established for dentists to increase enrollment in the University of Minnesota School of Dentistry, and money appropriated.

### HF2375-Hayden (DFL)

#### State & Local Government Operations Reform, Technology & Elections

Juneteenth governing provisions modified.

### HF2376-Emmer (R)

#### Public Safety Policy & Oversight

Firearm, firearm accessory or ammunition manufactured and retained in Minnesota exempted from federal regulation under the commerce clause of the Constitution on the United States.

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## MINNESOTA INDEX

### Reel economy

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Number of films made in Minnesota during the 1990s.....	65
Year Disney's "The Mighty Ducks" was shot in Minnesota.....	1992
Number of Disney films made here.....	4
Peak year for films shot in the state.....	1995
Number of films shot here .....	9
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Year Snowbate funds were re-appropriated by Legislature.....	2006
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Estimated millions of in-state expenditures qualifying for Snowbate .....	\$11.6
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Movies and television shows filmed in Minnesota in 2008, 2007 .....	14, 4
Millions in 2007 state wages paid, movie and TV production and distribution industry.....	\$340.8
Billions in 2007 California wages paid to the movie and TV industry.....	\$16.33
Minnesota mean hourly wage for an actor (including stage, TV and film).....	\$21.30
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Number of Minnesota theaters; screens.....	189; 965
Average number screens per theater.....	5.1
Average adult ticket price.....	\$7.12
Years of Minneapolis-St. Paul International Film Festival existence .....	27
Number of 2009 films entered in the festival .....	147
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Year Oak Street Arts merged with the U Film Society to form Minnesota Film Arts .....	2002
Number of years U Film Society existed before merger.....	40
Annual number of titles screened by Minnesota Film Arts.....	400
Estimated yearly audience .....	100,000
2008 U.S. box office receipts, in billions.....	\$9.8
Percentage increase over 2007.....	1.7

— K. BERGGREN

**Sources: Minnesota Film and TV Board; Minneapolis-St Paul International Film Festival; Minnesota Film Arts; "The Economic Impact of the Motion Picture & Television Industry on the United States" (April 2009 report from The Motion Picture Association of America); MPAA 2008 Theatrical Market Statistics; Minnesota Salary survey, 4th quarter 2008 update, DEED; Box Office Mojo**

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