

SESSION WEEKLY

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'NO CHILD LEFT ON THEIR BEHIND'

MEDICAL MARIJUANA DEBATE

MOE: LOOKING FOR RELIEF

THE 'KILLER,' THE GENERAL AND LEMOND

HF783 - HF1007

SESSION WEEKLY

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

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On the cover: Five-year-old Max Derosier of Arden Hills, dons a Abraham Lincoln-like stovepipe hat and beard adorned with a Lincoln-head penny as part of the Minnesota Historical Society's "History Matters Day" in the Rotunda Feb. 16. The event happened to fall on Presidents' Day that honors the birthdays of Lincoln and George Washington.

— Photo by: Tom Olmscheid

MOEs - looking for relief

Members say unfunded mandates need to be changed

By SONJA HEGMAN

The MOE system doesn't work.
That's what House members are further realizing every day this session.

MOEs, or maintenance of effort, are funding mandates imposed mostly on counties that require them to fund things like libraries and mental health services at a certain level. The issue is that the funding is set based on history. So, whatever a county was paying for its regional library system when a MOE went into effect, that's what it continues to pay today. It doesn't matter that the economy has imploded, county aid has been cut, local government aid to cities has been cut or levy limits have been imposed. And, those library services would have to be paid first out of a county's budget no matter what. If the county doesn't have enough money, it would have to make cuts in other areas of its budget.

"This system is absolutely not working," said House Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) during a joint Feb. 18 meeting with the House Property and Local Sales Tax Division, and two health care and human services committees.

Pat Dalton, legislative analyst with the nonpartisan House Research Department, said \$95 million is the MOE library share for counties and \$65 million is the share for cities. Currently, all counties and 119 cities pay the library MOE, each on a per capita basis.

The only time a city or county can reduce what it pays to the library is if its tax capacity goes down. Since it's calculated per capita,

Rep. Ann Lenczewski and Sen. Tom Bakk sponsor HF95/SF49 to repeal a provision that suspends all state maintenance of effort and matching fund requirements for counties while levy limits are in effect. House and Senate leadership agreed to repeal the suspension early in the 2009 session so Gov. Tim Pawlenty would sign the 2008 omnibus tax bill into law.*

Hennepin County, for instance, wouldn't include Minneapolis in its MOE calculation because that city has its own library MOE. Even though the city's library system recently merged with the county system, because it is still a part of the regional system, the city must still pay a separate MOE based on its past behavior, Dalton said.

The MOE issue surfaced last year with the omnibus tax law. A provision provided counties relief from all MOEs and matching fund requirements while levy limits are in effect. But Gov. Tim Pawlenty wouldn't sign it unless there was an agreement to repeal the MOE suspension. So, House and Senate leadership, and the tax chairs of each body, agreed to repeal the MOE suspension early in the 2009 session. Counties were advised of this so it would not play a factor in their budgeting.

Lenczewski and Sen. Tom Bakk (DFL-Cook) sponsor HF95/SF49* to repeal the provision based on the agreement. It was passed 77-52 by the House on Feb. 16 and 49-7 by the Senate on Jan. 29. It awaits action from the governor.

Lenczewski said, "We're all in a box and we've got to think our way out of this box."

She added that there have been moments in time where grandfathered tax provisions were removed because it was shown that property tax relief is "basically based on what you used to get, not what you needed today." It also appeared to her that maintenance of effort had never been changed.

"We, the Legislature, are going to tell local units of government, 'You've got to keep spending on it even if it doesn't make sense. And then we're going to take away your aid."

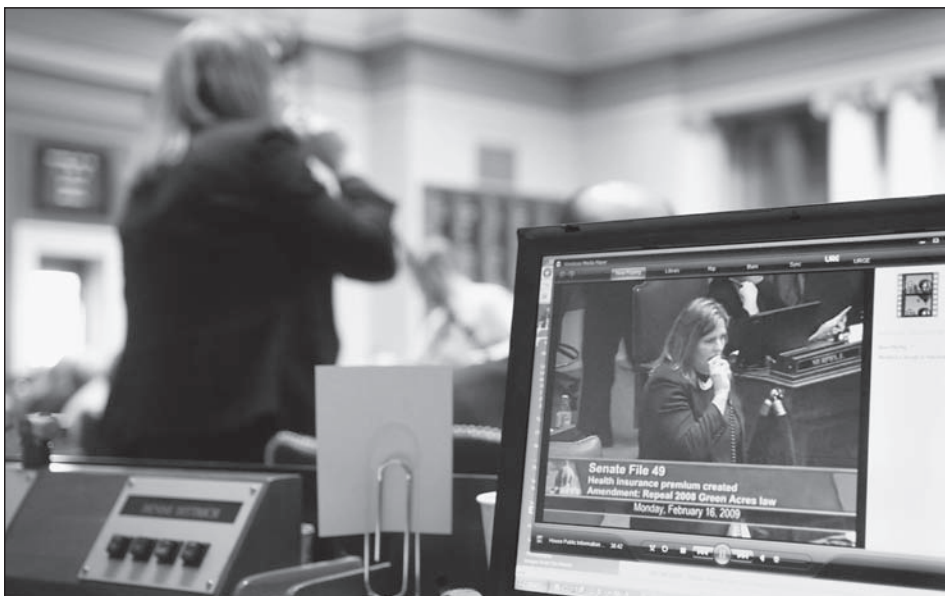


PHOTO BY TOM OLMSCHEID

Rep. Ann Lenczewski is viewed on a computer in the House Chamber as she speaks in support of a bill that makes changes to the 2008 tax law as specified in an agreement between legislative leaders and the governor following adjournment last May. The bill passed the House 77-52 on Feb. 16.

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First Reading continued from page 3

We're going to cut your county aid. If you're a city, we're going to cut your LGA and then we're going to put levy limits on you too," she said.

Rep. Morrie Lanning (R-Moorhead) said he's dealt with unfunded mandates for many years as a mayor, so a willingness to discuss revising it is a welcome thing. Though he said the bill takes a step backward, he supports it because of the leadership agreement, the governor said he wouldn't sign the bill unless the provisions were repealed and counties had already planned that the provisions would not be in effect.

"The way this MOE was slipped in at the end ... there was inadequate review of this MOE provision," Lanning said. "In spite of all this, we still need reform when it comes to MOE especially with the health care portion. My question is if we vote for this, if we take a step back, will we have reform when it comes to MOEs?"

Lenczewski said there isn't a choice in the matter. "We have a deficit. We are all in a really tough way here. We need to find relief for these MOEs. I'm committed to working with you. You have been a leader on this and we will address this."

Health care mandates

Lenczewski added that the two health care and human services chairmen, Rep. Thomas Huntley (DFL-Duluth) and Rep. Paul Thissen (DFL-Mpls), have "a big nut to crack here because most of the MOEs are taking place in health and human services."

If a city or county voluntarily increases its payment in any MOE area, that becomes its new MOE requirement on an ongoing basis.

Huntley said St. Louis County has a high level of funding for child welfare management because it started funding it before that funding was a state requirement. "When the Feds do something they always punish the good people," he said.

Dalton agreed, saying the way a lot of the MOEs are written, a county has to continue funding at the level it was at the time a match or grant came into place. "So counties tend to get punished for being ahead of the curve," she said.

In part of the mandates in the health and human service areas, the MOE or matching fund is a function of federal government requirements, Dalton said. So, if counties don't meet those requirements, the state has to pick them up or the federal money would be lost.

Rep. Diane Loeffler (DFL-Mpls) said all of these things are related to history that may go back 25 years, and some were imposed by the state when it decided to start a new program.

"Those who are out front get frozen into a

levy forever even though it was discretionary funds," she said.

She added that it's pretty rare that the federal government puts a MOE requirement into anything, but it's doing it now with the stimulus package.

Dalton said that some MOEs are statutory state mandates. Under the change in last year's

tax bill, she said the statutory requirement didn't change, it just said the counties didn't have to pay their MOEs. The state would have had to pay for the counties' share because it is statutory.

On the mental health side, if counties cannot maintain their current level of funding, they

MOEs continued on page 23

ISOLATED INCIDENT



PHOTO BY ANDREW VONBANK

Representatives Jerry Newton, Paul Rosenthal and Julie Bunn get a close look at an isolation cell during a Feb. 13 tour of the Minnesota Correctional Facility - Stillwater. Members of the House Public Safety Policy and Oversight Committee and House Public Safety Finance Division toured the facility and the Oak Park Heights prison to get a better understanding of prison needs and concerns.

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 12-19. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

BUDGET

Covering projected shortfalls

Deficiency funding for a pair of state departments awaits action by the full House.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids), HF117 would provide a combined \$17.06 million to the Human Services and Public Safety departments. It was amended and approved Feb. 16 by the House Ways and Means Committee.

The bill would provide \$16 million for the Minnesota Sex Offender Program and \$1.06 million to provide a match for federal flood relief money designated for Cook, Fillmore, Freeborn, Houston, Mower and Nobles counties.

Of the sex offender money, \$14.4 million would come from the General Fund, with the other 10 percent coming from counties.

"The deficiency bill is one that the administration has identified that needs to be passed this year to fund programs that are short for a variety of reasons," Solberg said.

Dennis Benson, executive director of the Minnesota Sex Offender Program, said participation is up and a building to be completed last year is not complete, forcing beds to continue being rented from the Corrections Department. "If we laid off 500 staff today, we could not pile up \$16 million the rest of the biennium. I don't think we want to waste our time talking about releasing 500 sex offenders."

Amended to the bill is a provision to allow any positive unrestricted General Fund balance at the end of the current biennium, June 30, 2009, to be carried forward to fiscal year 2010.

Rep. Lyndon Carlson Sr. (DFL-Crystal) said most state requirements to receive federal funds have been met, but state law would require some of the incoming money to first be used to replenish the state's budget reserve. However, that is prohibited under federal law.

"There would be, in all likelihood, some Medicaid dollars that would be coming in," Carlson said. "This amendment would allow those dollars to carry forward to 2010 and not be put in the budget reserve."

Minnesota Management and Budget Commissioner Tom Hanson said there is a "strong possibility" the state could lose federal money without the amendment in place.

A companion bill, SF95, sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action by the Senate Finance Committee.

— M. COOK

Stimulus details sketchy

Now that President Obama has signed the federal economic stimulus act, Gov. Tim Pawlenty's biennial budget will need an adjustment, or nearly a complete do-over, according to House Speaker Margaret Anderson Kelliher (DFL-Mpls.).

Details of Minnesota's cut of the federal funds (as much as \$2 billion to \$3 billion in direct appropriations) are still sketchy, and so are its effect on the state's projected deficit that the governor said could be around \$7 billion.

Tom Hanson, Minnesota Management and Budget commissioner and the state's federal stimulus coordinator, updated the Legislative Commission on Planning and Fiscal Policy Feb. 18 on progress to make the state ready for the money. A core group of agency heads has been formed to work with Hanson, but he said a framework needs to be developed for funding projects (that may have to first be approved by the Legislature) and a grant process established.

Among the uncertainty is the certainty that Pawlenty will need to revisit his 2010-2011 biennial budget as some of his proposed cuts to human services and shifts in education to balance the budget could make the state ineligible for these one-time federal funds.

With release of the February Forecast (used to determine the state's 2010-2011 biennial budget) set for March 3, Sen. Linda Berglin (DFL-Mpls) questioned Hanson for a timeline as to when numbers would be formalized and the governor's new recommendations would be ready so legislators can adequately prepare budgets and end session on time.

"We are going to have to sprint to the end to make a May 18 adjournment date," Kelliher said. She emphasized the importance that allocation of the stimulus money be transparent and have a strict audit control.

State Budget Director Jim Schowalter laid out a tentative three-month timeline for stimulus activities, but emphasized that it could change as more information becomes available.

— L. SCHUTZ

Weigh in on budget woes

The Minnesota House of Representatives and Senate plan to hold hearings across the state on Gov. Tim Pawlenty's budget recommendations. The schedule of town hall meetings follows. To testify go to www.house.mn, look for the brown banner near the top of the page and click on Town Hall Meetings.

Monday, Feb. 23

Woodbury – 6 p.m.
Central Park Amphitheater
8595 Central Park Place

Tuesday, Feb. 24

Bloomington – 7 p.m.
Bloomington City Hall
1800 W. Old Shakopee Road

Minneapolis – 6 p.m.
Minneapolis Park Board
2117 W. River Road

Wednesday, Feb. 25

Burnsville – 7:30 p.m.
Fairview Ridges Hospital
201 E. Nicollet Blvd.

White Bear Lake – 6:30 p.m.
White Bear Lake High School–South Campus
3551 McKnight Road N.

Thursday, Feb. 26

Coon Rapids – 7 p.m.
Coon Rapids City Hall
11155 Robinson Drive

Forest Lake – 6:30 p.m.
Forest Lake City Hall
220 N. Lake St.

Plymouth – 7 p.m.
Plymouth City Hall
3400 Plymouth Blvd.

St. Paul – 6 p.m.
West Minnehaha Recreation Center
685 Minnehaha Ave. W.

BUSINESS

Fee increases criticized

A proposal by Gov. Tim Pawlenty to increase fees on certain occupational and commercial licenses came under criticism from some members of a House division.

During a Feb. 17 hearing, members of the House Higher Education and Workforce Development Finance and Policy Division expressed skepticism about the governor's proposal to impose a temporary surcharge on various professional and occupational licenses issued by the state.

The surcharge, which would equal the greater of \$10 or 10 percent of the total license fee, would go to fund a one-stop "e-licensing" Web site for the state's approximately 320 different kinds of professional licenses. If implemented, it is expected to raise \$38 million over the next eight years.

Department of Labor and Industry Commissioner Steve Sviggum defended the plan, saying the money raised by the surcharge is necessary to fund a program that would make the state's licensing operations more efficient.

That argument was lost on several division members, however, who questioned the logic of making workers and businesses pay more for a Web-based version of a service the state currently provides.

"Why do we have to charge the folks that are licensed at your department for doing something you obviously charge them for already?" asked division chairman Rep. Tom Rukavina (DFL-Virginia). He added that in his experience, "technology has never saved government any money."

Rep. Rob Eastlund (R-Isanti) asked whether future savings from the switch to e-licensing would be reflected back to the license holders, for example, by reducing license fees at a later date. Sviggum replied that he had no specific numbers on how much savings would result from e-licensing.

Although the surcharge would apply to licenses issued by his department, Sviggum emphasized that the state's Office of Enterprise Technology would actually be the agency collecting revenues from the surcharge. He urged division members to direct their questions about the proposal to the office.

— N. BUSSE

CONSUMERS

Helping homeowners in default

Minnesota home values are expected to plummet more than \$7 billion by 2010, while 30,000 additional home foreclosures are predicted this year, Rep. Debra Hilstrom (DFL-Brooklyn Center) told the House Labor and Consumer Protection Division Feb. 13.

Hilstrom sponsors HF354, the Homestead-Lender Mediation Act, modeled after the 1986 Farmer-Lender Mediation Act, which she said has helped 14,000 farmers avoid foreclosure. The bill would require mortgage lenders to send homeowners who have defaulted on mortgage payments a mediation notice before initiating foreclosure proceedings.

The bill was approved and referred to the House Commerce and Labor Committee.

Banker, credit union and real estate associations applaud the bill's intent, but said the requirement would, in effect, duplicate state and federal measures already helping some homeowners avoid foreclosure and could delay foreclosure proceedings by as much as 180 days.

"For us the time delay is a huge concern

because you're losing value on the property. And I think everyone loses out, not just the financial institution but also communities, cities — the houses deteriorate the longer it's just sitting there," said Mara Humphrey, Minnesota Credit Union Network's vice president for government relations.

For example, Hilstrom said a vacant home in her neighborhood, with many updated features, is listed for sale at \$60,000, far below its original value. "Try to get a loan for a house valued at \$200,000 in my neighborhood; I don't think you could do it," she said.

Rep. Steve Simon (DFL-St. Louis Park) suggested the bill provides leeway for adjusting the timing to better suit lenders' needs to move properties through foreclosure and back on the market as soon as possible, if homeowners are unwilling or unable to renegotiate payments.

A companion bill, SF340, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), is scheduled to be heard Feb. 24 by the Senate Commerce and Consumer Protection Committee.

— K. BERGGREN

CRIME

Penalty for deadly careless driving

Doing a burnout while spinning one's wheels or killing someone while driving can get a person the same penalty.

Rep. Karla Bigham (DFL-Cottage Grove) and Rep. Pat Garofalo (R-Farmington) find that unfair.

Sponsored by Bigham, HF45 would increase the penalty for careless driving that results in the death of another person to a gross misdemeanor, which could mean a year in jail.

Approved Feb. 12 by the House Public Safety Policy and Oversight Committee on a split voice vote, the bill was sent to the House Finance Committee.

"Right now there is a misdemeanor penalty or a felony penalty that exists in the case of when a person is found to be carelessly driving and causes the death of another person," said Garofalo, who sponsors a similar bill, HF134, but agreed to support Bigham's bill. "This would create a way in the middle where prosecutors would have the option, not a requirement, to charge at a gross misdemeanor level only in those cases in which a death results."

Scott Hersey, head of the Criminal Division for the Dakota County Attorney's Office, said a prosecutor needs to show probable cause to get a felony conviction.

Among the testifiers was Maureen Johnson,

whose brother, John, was killed by someone who ran a red light. Charged with failure to obey a traffic signal semaphore, the driver was ultimately sentenced to 50 hours of community service and had to write an apology to the family. "While we were picking out a casket, this driver was driving," she said, fighting back tears. "It made no difference that this person killed somebody's son, brother, uncle and friend. He just ran a red light. No big deal."

The bill would also provide for a person's license to be revoked for one year, and would prohibit a limited license from being issued before 180 days have elapsed from the date of revocation. Sentencing judges would be prohibited from staying the license revocation.

"We oppose these bills because it dramatically lowers the standard prosecutors need to meet to prove a serious criminal charge, and it opens the door to punitive damages," said Doug Grawe, legal counsel for Dart Transit Company.

A companion bill, SF639, sponsored by Sen. Jim Carlson (DFL-Eagan), awaits action by the Senate Transportation Committee.

— M. COOK

Consent to waive a jury trial

State law permits a defendant to waive a jury trial with court approval. However, some prosecutors would like to have a say in the matter.

Sponsored by Rep. John Lesch (DFL-St. Paul), HF582 would do just that. Heard Feb. 12 by the House Public Safety Policy and Oversight Committee, it was held over for possible omnibus bill inclusion.

Supporters say the bill would prevent the few cases each year where a judge seems to indicate they favor the defendant's position.

Lesch related the issue to the legislative process. If a sponsor knew a bill would be rejected by a committee, but that the chair supports the bill, the member would seek to bypass the committee and just have the chair push it through.

During pre-trial motions, Lesch said a judge can give a sense on their thoughts about the case by deciding what evidence will be allowed or motions could be granted. "When you have those answers, it allows you to deal with the case more effectively, and maybe you want to settle if the judge is going to exclude certain evidence I have."

"There's plenty of judge-shopping going on," said Winona County Attorney Chuck MacLean. "Then all the defendant has to do is flip the switch, waive a jury trial. ... The state should have a chance to weigh in."

Not all attorneys see the need for change.

EDUCATION

William Ward, chief public defender for the eight-county 10th Judicial District, said in some areas of the state race can be a factor in a jury trial, and many minorities believe a judge can look beyond skin color. "It's about whether the client believes in the fairness of the process for which they're faced."

I still like the idea that if I'm a defendant, I have a choice, said Rep. Tony Cornish (R-Good Thunder), calling it "too big a risk to take with our system" for something that happens a few times.

A companion, SF210, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Judiciary Committee.

— M. COOK

Access to firearms data

Current statute gives law enforcement agencies and prosecutors access to a database of people authorized to carry a pistol or who have applied for a permit. Sponsored by Rep. Joe Mullery (DFL-Mpls), HF497 would extend that access to probation and parole officers.

"It's pretty obvious if you have to go into somebody's home, because it's your duty as a probation officer, you want to have access to that information," he said.

Approved Feb. 18 by the House Civil Justice Committee, the bill was sent to the House Public Safety Policy and Oversight Committee. It has no Senate companion.

Calvin Saari, legislative liaison for the Minnesota Corrections Association, said the bill is not only about officer safety, but it's also about pre-sentence investigations.

"The Citizens Personal Protection Act requires the revocation of gun permits for people convicted of certain crimes," he said. "It would be imperative that we be able to have access to that material so it could be contained in a part of the pre-sentence investigation, and the judge became aware of that and make sure it is in the sentencing minutes as such."

Saari said probationers have reported that "it is very, very common" for convicted felons not to reveal they have a permit. "These people aren't going to admit it on their own," he said. "This access could be addressed by the court, and it would be clear in their conditions of supervision that they aren't eligible to hold a permit."

Rep. Mary Liz Holberg (R-Lakeville) expressed concern about possible data privacy issues, and expressed a willingness to work with Mullery to fine tune the bill's wording to clarify that, among other things, probation and parole officers can only access information about people assigned to them.

A similar bill was passed last year by the House, but did not survive the conference committee process.

— M. COOK

School computers paid for in ore

Money for computers, electronic whiteboards and video equipment in schools could be found in Minnesota's north woods, ore deposits and lakeshore property.

About 2.5 million acres of land and 1 million acres of severed mineral rights remain of 8 million acres granted to the state by the federal government in 1857, 1860 and 1866. The state constitution created a permanent school fund from use or sale of the land, though trust land income previously has been diverted to the state's General Fund.

HF104 would require trust fund income be used to fund school technology. The bill was held over by the House K-12 Education Finance Division Feb. 12 for possible inclusion in its omnibus bill. There is no Senate companion.

The bill's sponsor, Rep. Denise Dittrich (DFL-Champlin) said, "Technology is as basic as notebooks, pencils" and other classroom staples, "and a long-term, stable funding source for technology is needed to help our schools meet the needs of educating students in the 21st century."

The Permanent School Fund was worth about \$714 million in 2007, and generated about \$30 million in revenue that year, said Marty Vadis, director of the Department of Natural Resources Lands and Minerals Division,

which oversees trust land management. Potential income to the permanent trust is \$1.4 billion from mining operations and metallic mineral leases alone over the next 20 years, he said.

The bill "addresses the progressively more urgent, unmet need of funding school districts and school and classroom technology, hardware, software and higher bandwidth networks," said Patrick Plant, chief technology and information officer for the Anoka-Hennepin School District.

"We could do wonderful things with accountability if we had classroom response systems so that we had a pulse every single second as we're working with kids," said Karen Hermanson, a first-grade teacher in Brainerd.

Rep. Randy Demmer (R-Hayfield) said he doesn't usually like categorical funding but it "makes some sense in this case" because the need is widespread, and it's tricky to fund ongoing technology updates through traditional means of bonding for capital expenses.

— K. BERGGREN

Staying in school through age 18

Rep. Carlos Mariani (DFL-St. Paul) wants Minnesota to serve students and the state better by requiring school attendance until age 18.

Mariani, chairman of the House K-12 Education Policy and Oversight Committee,

SIGN FOR THE TIMES



PHOTO BY TOM OLMSCHIED

Unemployed and under-employed construction workers Larry Goldsby, with sign then clockwise, Abdul Mohamed, Babu Gunga and Tai Larkins came to the House Transportation and Transit Policy and Oversight Division Feb. 18 to, in part, encourage the Department of Transportation to consider minority companies and workers for any upcoming projects, especially those funded by the recently enacted federal economic stimulus package.

sponsors HF314, which would raise the upper compulsory attendance age from 16 to 18 or until students meet all graduation requirements, starting in the 2012-13 school year.

“Our state and our schools should really match our rhetoric and our legislation — our trend in legislation toward higher and higher standards — with an unambiguous expectation of our young to stay in school. I believe we can no longer have such a low bar for dropping out of high school,” said Mariani, who noted that high school graduates earn more, are likelier to avoid jail and stay healthier than dropouts.

The bill “sends a strong message that we are serious about school in Minnesota, and that a high school diploma means something,” said Minneapolis Public Schools Deputy Superintendent Bernadeia Johnson. She urged lawmakers to “set clear and high expectations and say no to failure.”

Assistant Ramsey County Attorney Pam Nolan, who enforces the compulsory attendance law, said letting kids leave school at age 16 “does, in fact, send the wrong message.”

Rep. Jenifer Loon (R-Eden Prairie) asked administrators if they know whether students usually have their parents’ blessing to drop out. “If support isn’t there from parents I wonder if we can really make an impact with changing the law.”

Johnson said phone calls to families whose children have left school indicate a variety of reasons, including the need to work and lack of engagement. But, sometimes, she said, teenagers prone to “risky behavior” are difficult for parents, as well as schools, to handle.

The bill was approved by the committee Feb. 18 and sent to the House Finance Committee with a recommendation to re-refer it to the House K-12 Education Finance Division. Its companion, SF19, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Education Committee.

— K. BERGGREN

ENVIRONMENT

Controlling spread of buckthorn

Now that it’s made itself at home in Minnesota, it’s nearly impossible to get rid of the noxious weed called buckthorn. It invades everywhere it takes hold — out-competes native plants for light and moisture, threatens future forests and can harbor a pest harmful to soybean crops, according to the Department of Natural Resources’ Web site.

North Oaks has had success in controlling other noxious weeds and diseases that strike trees. Now some residents want to try their

hand at controlling the spread of buckthorn.

Rep. Paul Gardner (DFL-Shoreview) sponsors HF418 that would allow a municipality, by ordinance, to control buckthorn on all public and private property within its geographical boundaries. The bill has no Senate companion.

Joan Brainerd is a 30-year resident of the northern Twin Cities suburb, which is unique not only for its wooded acreage, but also because all land in the city is privately owned. She told the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 16 that buckthorn is spread by birds dropping seed berries. The bill would give jurisdictions, such as North Oaks, the ability to adopt an ordinance to place their own control measures on buckthorn.

Considered a “restricted noxious weed” by the Department of Agriculture, the government cannot require landowners to eradicate buckthorn. However, control measures are taken by prohibiting the import, sale and transportation of the weed.

Approved by the committee, it now moves to the House State and Local Government Operations Reform, Technology and Elections Committee.

— L. SCHUTZ

ENERGY BOOST



PHOTO BY ANDREW VONBANK

As Rep. Jeremy Kalin, right, the bill’s sponsor watches, Wayne Waslaski, director of real estate and construction services for the Department of Administration, testifies before the House State Government Finance Division Feb. 17 in support of a bill that would allocate federal stimulus funding for energy programs.

‘Clean Car Act’ gets first OK

A bill to have vehicles run cleaner got a green light from a House division, but it wasn’t a smooth ride.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), HF690 would establish motor vehicle emission standards for certain passenger vehicles, light-duty trucks and SUVs beginning with the 2013 models. The standards would follow those set forth in the California emissions program, but with a few Minnesota modifications.

Approved 9-6 by the House Transportation and Transit Policy and Oversight Committee Feb. 18 on a party-line vote, it now goes to the House Environment Policy and Oversight Committee. A companion, SF674, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

Hortman said the so-called “Minnesota Clean Car Act” would help the state reach its greenhouse gas emissions-reduction goal of at least 15 percent below 2005 levels by 2015, 30 percent by 2025 and 80 percent by 2050. The levels were established in 2007’s Next Generation Energy Act.

“We have done a lot of things that start to get us towards decreasing the amount of carbon dioxide pollution,” she said. “But our goal that we set in statute is to go down. We have to take some bold and aggressive steps.”

Supporters also said the bill would save consumers money by encouraging more fuel-efficient vehicles.

“The governor’s own Climate Change Advisory Group estimated if we were to adopt the clean car standard in Minnesota, it will save consumers \$225 million between now and 2025,” Hortman said.

Among concerns addressed by opponents are that the bill would compromise the state’s commitment to renewable fuels, such as E85; limit consumer choice for flex-fuel vehicles; and cede the state’s regulatory authority to California.

“We are uncertain how Minnesotan’s voices will be heard when the California legislature or the California Air Resources Board considers changes to their vehicle emission regulations,” Kevin Paap, Minnesota Farm Bureau Federation president, wrote in a statement.

Of greater consumer concern is a potential for fewer flex-fuel vehicles on dealer lots.

According to the Alliance of Automobile Manufacturers, 30 flex-fuel vehicles were available to consumers in 2008, but only 19 were available in California or states that have adopted California emissions.

“So we have big government telling us what we can and can’t drive,” said Rep. Greg Davids (R-Preston).

Others suggested the state wait and see what federal standards would be implemented by the Obama administration.

— M. COOK

GAME & FISH

Bear hunting could be barrel of fun

More details remain to be resolved on a bill that would allow bear hunters to leave portable stands overnight in wildlife management areas and give them permission to use a barrel to bait bear on private hunting grounds.

Nonetheless, HF477, sponsored by Rep. Cy Thao (DFL-St. Paul), was laid over Feb. 16 by the House Game, Fish and Forestry Division for possible inclusion in its omnibus bill.

Due to the overlap of deer and bear hunting seasons and variations in regulations, division members urged that further language be inserted to clarify between bear and deer hunting etiquette. For example, deer stands left in wildlife management areas may be used on a first-come, first-served basis. Bear stands, on the other hand, must be removed from areas daily. Allowing overnight bear stands may cause confusion and encroachment problems, said division members.

The bill's other provision would allow bear hunters to use a barrel to hold bait, but only on private property.

Howard Goldman, state director of the Humane Society of the United States, said the bear population is declining, and he fears that more bears would be taken by allowing barrels for bait. Feeding bears from a barrel also contradicts wildlife education that urges people not to feed bears. A fed bear makes it less wary of humans, and the bear can become a nuisance, said Goldman.

Rep. Tom Hackbarth (R-Cedar) suggested that Thao study barrel policies in Ontario, Canada and refine his bill prior to action being taken.

A companion bill, SF388, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

Group fishing waiver expansion

Gun clubs and other not-for-profit groups could be eligible to have permit fees waived for hosting fishing contests.

HF301, sponsored by Rep. Larry Hosch (DFL-St. Joseph), would allow the Department of Natural Resources commissioner to dispense with the fee, which can range from \$120 to \$1,000, depending upon the number of participants and the type of fishing. The

FOUR-STAR TESTIMONY

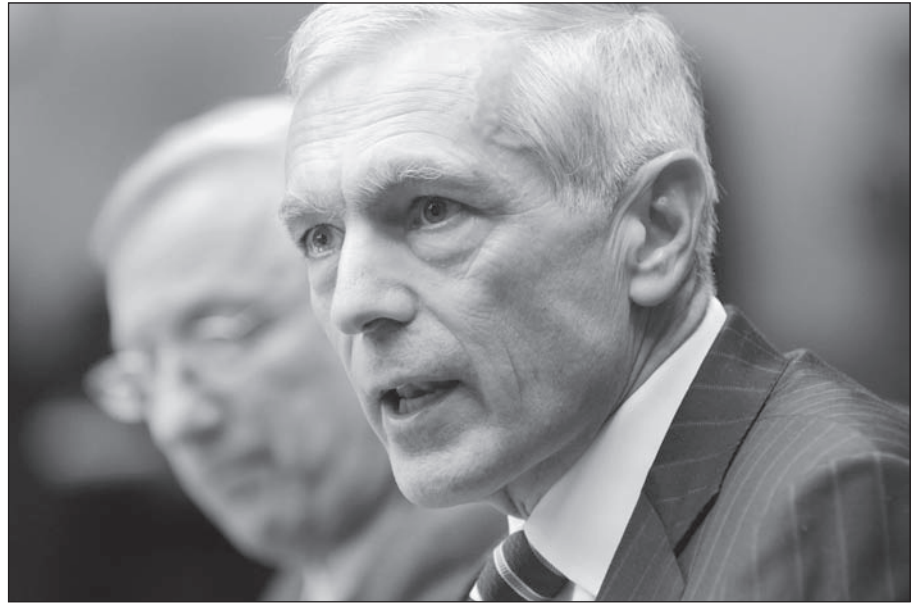


PHOTO BY TOM OLMSCHIED

Gen. Wesley Clark, right, a member of the Juhl Wind Inc. Board of Directors, testifies before the House Energy Finance and Policy Division Feb. 18 in support of a bill that would change several provisions in the state's Community-Based Energy Development (C-BED) statutes. Dan Juhl, chief executive officer, left, also testified for the bill.

commissioner already has the discretion to waive fees for nonprofit groups with 501(c)3 status, but there are not-for-profit organizations without that designation. The not-for-profit group would have to be registered with the Secretary of State, however.

About 444 permits for fishing contests are granted each year, earning \$71,200 in revenue, according to Ed Boggess, Department of Natural Resources Fish and Wildlife division assistant director. Boggess said the fee is designed to cover the cost of issuing the permit. Because of a recent decline in the number of permits issued, the department would not be able to recover their costs if the waiver allowance was expanded. He suggested raising the fees or "give up on the idea of fully recovering the cost."

The House Game, Fish and Forestry Division, which heard testimony Feb. 16, laid the bill over for possible inclusion in its omnibus bill. A companion, SF186, sponsored by Sen. Michelle Fischbach (R-Paynesville), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

Uncased weapons in a vehicle

Hunters may be allowed to have an uncased, albeit unloaded, weapon in their vehicle, according to a bill approved by the House Game, Fish and Forestry Division Feb. 16.

The bill would overturn a long-standing

requirement that guns and bows must be kept in a case while inside a motor vehicle, in the trunk, or the bow must be unstrung.

Rep. David Dill (DFL-Crane Lake), the sponsor of HF128, said the legislation is "long overdue" and doesn't change the fact that rifles can't be loaded or discharged from a motor vehicle or boat. What it does change, said Dill, is the ability to move from one hunting location to another without being required to unload, store, uncase and reload a firearm.

But statistics show that higher incidences of firearms-related accidents occur among states that do not have gun case laws, according to a 10-year study by the International Hunter Education Association.

That's one of the reasons the Department of Natural Resources' Enforcement Division does not support the bill. Mike Hammer, the division's recreational vehicle coordinator, also speculated that cities and counties that rely on the state's current gun-case requirement for their own enforcement criteria will disagree with the changes and enact their own gun-case ordinances, causing potential confusion among hunters.

The bill now goes to the House Environment Policy and Oversight Committee. It has no Senate companion.

— S. HEGARTY

HIGHER EDUCATION

Private colleges hurting

Officials from private colleges told members of a House division that public universities aren't the only schools that have been hit hard by the economy.

Macalester College President Brian Rosenberg told members of the House Higher Education and Workforce Development Finance and Policy Division Feb. 12 that the college's endowment funds have shrunk, and its fundraising environment is terrible because of the economic recession. As a result, he said they've had to make cutbacks.

"We are trying in every way possible to reduce our expenses without having a negative impact on either the accessibility of the college or the quality of the education that we provide to our students. As you would imagine, that is an extremely difficult trick," Rosenberg said.

He said many capital projects are being slowed or halted, and that most Macalester employees are likely to experience a wage freeze.

Rosenberg also said roughly 70 percent of Macalester students receive some level of need-based financial aid — some in the form of state grants. Similarly, College of St. Catherine President Sister Andrea Lee said students at her college often depend on state aid for access to higher education. Contrary to popular myth, she said, most students at hers and other private colleges do not come from wealthy families.

Both Lee and Rosenberg urged lawmakers not to cut funding for higher education, as they look for solutions to the state's budget deficit. Rosenberg said it's especially important to invest in higher education during times of recession.

"There is a direct correlation between the rate of increase in participation in higher education and the rate of increase in gross domestic product," Rosenberg said. He advocated for increasing revenues as well as cutting the budget to solve the state's projected deficit.

The division took no action.

— N. BUSSE

LOCAL GOVERNMENT

Boiler bill helps Duluth's bottom-line

A Duluth-specific bill relating to maintenance of steam-producing boilers passed 127-1 by the House Feb. 16 could help the city's bottom line.

Minnesota statute lays out licensing

requirements for boiler operations and exemptions to the requirements. Sponsored by Rep. Roger Reinert (DFL-Duluth) and Sen. Yvonne Prettner Solon (DFL-Duluth), HF329/SF212* would add to the list of exemptions a situation faced by the city.

For several years, the city has owned and operated a boiler in a building owned by Minnesota Power. Steam generated from the boiler provides power for a nearby paper mill, which employs approximately 300 people. Selling the boiler will bring \$2 million to the city, which is selling some assets in order to balance an \$8.5 million deficit, Reinert explained.

However, for the boiler to be sold, the exemption from licensing requirements needs to be changed to apply to the new owner.

The bill was passed 59-0 by the Senate Feb. 5. It now awaits action by the governor.

— L. SCHUTZ

Hiring residents for city projects

Cities would be encouraged to hire their own residents for public works projects, under a bill that has cleared two committees.

Sponsored by Rep. Bobby Joe Champion (DFL-Mpls), HF644 would permit cities to require contractors to hire either a certain number or percentage of their residents for city projects. They could also specify a number or percentage of "low-income residents," as defined by the cities, that contractors must hire.

The House Local Government Division approved the bill Feb. 16, and the House State and Local Government Operations Reform, Technology and Elections Committee approved it on Feb. 18.

Speaking Feb. 16, Champion said that although cities can already require contractors to hire residents, passing his bill would encourage an expanded use of the practice by setting "guiding principles" for cities to follow.

Roosevelt Gaines, a trade specialist with the Minneapolis Urban League, said cities often set goals for hiring residents that contractors ultimately never meet. He said passage of the bill would "send a message" to local governments about making contractors include people from the community on local construction projects.

Critics of the proposal include Rep. Rob Eastlund (R-Isanti), who said that where workers live "should not necessarily be the predominant characteristic" of whether they can be hired for a project. He added that projects involving public dollars should focus on hiring the most efficient workforce — not necessarily the most local one.

Rep. Mark Buesgens (R-Jordan) criticized

the bill as being unnecessary arguing that local governments can already do what the bill would authorize them to do. He tried unsuccessfully to amend the bill to have it apply only to Minneapolis and St. Paul.

The bill now goes to the House Finance Committee. A companion, SF536, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Development credit banks

A bill that would allow local governments to set up a "transfer of development credits bank" to purchase, hold and sell development credits cleared two committee hurdles.

HF305, sponsored by Rep. Jeremy Kalin (DFL-North Branch), would add to a current law that allows local governments to adopt official controls providing for the purchase of development rights, in the form of conservation easements, and transfer them to areas that are considered more desirable for development.

The bill would allow for the establishment of a third-party development credit bank with the power to purchase credits from willing sellers who Kalin said may be in a hurry to sell because of the economy.

Kent Sulem, an attorney with the Minnesota Association of Townships, said his organization has taken a neutral position on the bill. He said whether the bill would have a positive or negative effect would depend on how local governments use it, but he added that is also true of existing law.

"It's one more tool. It's neither good nor bad," Sulem said.

Lobbyists representing the Association of Minnesota Counties and the League of Minnesota Cities gave similar testimony, taking a largely neutral position on the bill but also arguing that it would give local governments some helpful flexibility.

Rep. Steve Gottwalt (R-St. Cloud) said he found the proposal "intriguing," but also worried that it could create conflicts of interests by allowing people to reap profits from inflated prices on land development credits.

The House Local Government Division approved the bill Feb. 16 and the House State and Local Government Operations Reform, Technology and Elections Committee approved it Feb. 18. It now goes to the House Commerce and Labor Committee.

A companion, SF234, sponsored by Sen. Rick Olseen (DFL-Harris), awaits action by the full Senate.

— N. BUSSE

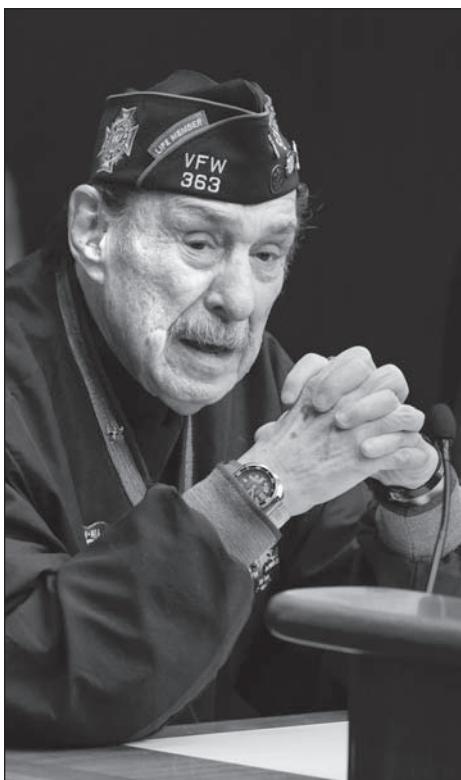


PHOTO BY ANDREW VONBANK

Former professional wrestler Stan "Killer" Kowalski testifies before the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 18 in support of a bill that would memorialize Congress to appoint an independent counsel to investigate the prisoner of war/missing in action issue.

MILITARY

Congress asked to act on POW issue

Despite efforts by the U.S. Department of Defense, there are still more than 88,000 service members unaccounted for from conflicts back through World War II, according to the Government Accountability Office.

Rep. Leon Lillie (DFL-North St. Paul) sponsors HF303, which memorializes Congress to appoint an independent counsel to investigate the prisoner of war and missing in action issue.

"There has been quite a bit of effort in the past, but there just isn't a lot of follow through. This is just another way for us, as a state, to say this is important, and we hope that the U.S. government will do the right thing," he said.

Former professional wrestler Stan "Killer" Kowalski, a World War II veteran and state commander of the Veterans of Foreign Wars, told the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 18, "Our government is falling on its backside. They made a promise ... we need closure on what's happening to our veterans who are not returning."

According to the nonpartisan House Research Department, the 1991 Legislature memorialized Congress to study the issue of POW/MIAs from the Vietnam War. The U.S. Senate responded by appointing the Select Committee on POW/MIA Affairs.

Earlier approved by the House Veterans Affairs Division, the bill was approved by the full committee and now awaits action on the House floor.

The companion, SF18, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Agriculture and Veterans Affairs Committee.

— L. SCHUTZ

SAFETY

EMS fund is stock-market victim

A program that helps rural areas enhance their volunteer ambulance personnel efforts has fallen victim to the stock market downturn, and those benefitting from the funds are reprioritizing their requests to the state.

Advocates for the Minnesota Ambulance Association came before the House Health Care and Human Services Policy and Oversight Committee Feb. 17 asking to use some of the fund's remaining money for new and existing emergency services programs.

HF161, sponsored by Rep. Paul Thissen (DFL-Mpls), would make that possible.

O.J. Doyle, a lobbyist on behalf of the association, said the Cooper/Sams Volunteer Ambulance Recruitment and Retention Trust has been used to help recruit and retain volunteer ambulance personnel in rural Minnesota. Funded by the state, it developed a surplus over the years and some money was put back into the General Fund, including last year.

Expecting the state to use money for the General Fund again this year, the Emergency Medical Services Board began to detail how much it would need to ensure its programming. They were surprised to learn the value of the fund had dropped in half, to \$5 million, because of investment losses in the state pension funds.

Therefore, the board is reprioritizing its request to use some money for existing programs, and new programs in 2010, including:

- \$800,000 for the regional EMS programs to be equally distributed among the state's eight regions;
- \$250,000 for a one-year pilot project to demonstrate savings to the health care system;

- \$200,000 for grants to a new veterans paramedic apprenticeship program; and
- \$100,000 for training of emergency personnel relating to children.

The bill received committee approval and awaits action by the House Public Safety Policy and Oversight Committee.

Its companion, SF109, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action by the Senate Finance Committee.

— L. SCHUTZ

TAXES

Credit extension for surviving spouse

Under a law passed in 2008, qualified disabled veterans can see a lowered market value classification on their homestead for property tax purposes. The law also extends the credit to a surviving spouse for one year after the passing of the qualified veteran.

Rep. Al Juhnke (DFL-Willmar) sponsors HF541 that would amend the law to allow the surviving spouse to continue receiving the credit until the property is transferred, disposed of or the person remarries.

"This is a great provision that we should have put in the original bill," Rep. Dan Severson (R-Sauk Rapids) told the House Veterans Affairs Division Feb. 13. The bill, which has no Senate companion, was approved and moved to the House Agricultural Rural Economies and Veterans Affairs Committee, where it was approved Feb. 18 and sent to the House Taxes Committee.

It was noted that there are few disabled veterans in the state that meet the threshold for the tax credit, and there would be no fiscal impact to the state.

— L. SCHUTZ

Care credits for working families

Legislators debated the costs and benefits of a proposed change to the dependent care tax credit that would cost \$15 million, but could lighten the tax burden for thousands of working parents of young children.

Sponsored by Rep. Nora Slawik (DFL-Maplewood), HF276 would align the state dependent care credit eligibility with its federal counterpart and simplify the process for taxpayers.

"Over time state and federal credits have become out of synch and difficult to navigate, and end up leaving low-income families out who need it the most," Slawik told the House Early Childhood Finance and Policy Division Feb. 12. The division approved the bill and sent it to the House Finance Committee.

About 46,000 families would receive a larger state credit than under current law, including

about 11,000 who fall through the cracks under the current formula and receive no state credit. About 4,000 families would receive smaller state credits than under current law.

The \$15 million price tag troubled Rep. Keith Downey (R-Edina).

"In our taxes committee, as we are debating many of the other tax credits within the governor's overall budget proposal, one of the disciplines that we are asked to adhere to is that if we're extending an additional credit we are asked to provide some means," he said. "I personally don't like this terminology — to consider how we are 'paying' for the credit."

Putting even a little more money into low-income families' pockets could have lasting benefits, said Rep. Gail Kulick Jackson (DFL-Milaca), such as decreased rates of alcohol and chemical abuse and domestic abuse, and increased children's school success.

"It's too bad we don't have a figure for the benefit of helping people stay employed, keeping their jobs," she said.

Downey lamented the lack of opportunity to weigh the value of a credit "because we do static budgeting as compared to dynamic," he said. "We simply have to balance a tax credit either with a revenue increase, a tax increase somewhere else or the reduction of another credit."

A companion bill, SF653, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Taxes Committee.

— K. BERGGREN

Exempting 'green' companies

If your business is green, you could get a tax exemption starting in 2010.

GreenJOBZ, proposed by Gov. Tim Pawlenty, is modeled after the original Job Opportunity Building Zones program that was created in 2003, which exempts qualified businesses from sales, income and property taxes.

Mark Lofthus, director of business and community development for the Department of Employment and Economic Development, said the main goal of GreenJOBZ is to retain companies that are producing a green manufacturing type of product, like wind turbine blades.

GreenJOBZ would target projects that are green/renewable-manufacturing related. The program would cost the state an estimated \$3.65 million in the 2010-11 biennium and \$6.6 million in the 2012-13 biennium.

GreenJOBZ is different from original JOBZ in that:

- it would be exclusively for companies that create renewable energy, represent manufacturing equipment or services used in renewable energy, or that create a product or service that lessens energy use or emissions;

- companies would receive benefits for 12 years for all agreements signed by the end of 2015; and
- projects could be anywhere in Minnesota.

The original JOBZ program was only for businesses in Greater Minnesota.

Lofthus told the House Taxes Committee Feb. 16 that projects will be considered as they come in, but it will be more selective than the original JOBZ program. Only five projects would be exempted in the first year of GreenJOBZ versus 110 projects during the first year of the current JOBZ program.

Renewable energy companies, like wind farms, could be included in the program, but Lofthus said analysis of that type of project has not been completed.

"We've looked less at the renewable wind side of that," he said.

— S. HEGMAN

Covering revenue shortfalls

Local units of government could have another tool to use in times of economic distress.

HF686, sponsored by Rep. Ann Lenczewski (DFL-Bloomington), would give cities, counties and towns the authority to issue emergency debt certificates to finance unexpected revenue shortfalls during the fiscal year. It was laid over Feb. 18 for possible inclusion in the House Property and Local Sales Tax Division's report.

The bill came about as a result of Gov. Tim Pawlenty's December unallotment of state aid payments, which occurred after local levy limits had already been certified. Because they would be used in only emergency circumstances, the certificates would be issued without voter approval. Certificates would have to be paid off within two years of the end of the fiscal year that they were issued.

"This is just another tool to help them get some relief," Lenczewski said.

Gary Carlson, director of intergovernmental relations for the League of Minnesota Cities, said this bill was an alternative to allowing the recertification of local levies in January, something that has never been done before. He also stressed that any circumstances would have to be unforeseen to issue the certificates.

"I hope no one has to use this," Carlson said. "But we would like to have a safety net in place."

A companion, SF520, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Taxes Committee.

— S. HEGMAN

Seeking more local government aid

One city feeling the crunch of local government aid cuts could get some relief.

Sponsored by Rep. Paul Kohls (R-Victoria), HF488 would provide a \$250,000 annual increase in local government aid for the city of Mayer. The increase would be for five years starting in 2010.

Kohls said he proposed this bill because Mayer has suffered due to state mandates for road construction and the city's proximity to a Job Opportunity Building Zone. City Administrator Luayn Murphy said businesses "pass right by us" to go to a town down the road that is included in the JOBZ program. The city was also mandated to update its water and wastewater treatment plant, at a \$2.7 million cost.

There is no state cost with this change because LGA is set to a fixed amount, but it would shift money away from other cities.

Kohls said he didn't want to pit cities in his district against each other, but the formula and fairness issues need to be addressed. Murphy said cities with similar characteristics and sizes sometimes receive more LGA because of the formula.

The bill was laid over Feb. 18 by the House Property and Local Sales Tax Division for possible inclusion in its division report. A companion, SF421, sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits action by the Senate Taxes Committee.

— S. HEGMAN

Conforming federally

After more than three hours of debate and a slew of amendments, a bill that would conform Minnesota with most federal tax changes enacted since last February received House approval.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington), HF392 was passed 128-0 Feb. 19. It now goes to the Senate, where Sen. Tom Bakk (DFL-Cook) is the sponsor.

The changes Minnesota would conform with include:

- counting nontaxable combat pay as earned income for members of the military for purposes of claiming the earned income credit and working family credit;
- allowance of direct transfers to charities from traditional IRAs and Roth IRAs for tax years 2008 and 2009;
- extension of the special rule for contribution of conservation property by qualified farmers and ranchers;
- apportioning of the exclusion of gain on the sale of an individual's principal residence for time periods after Jan. 1, 2009, when the residence was not used as the principal residence;
- extension of various provisions related to depreciation and expensing;
- provision of preferential tax treatment within the Midwestern Disaster Relief



PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher, back, listens as Bryce Stenzel portrays Abraham Lincoln while he presents the Gettysburg Address prior to the Feb. 16 floor session. Lincoln was on hand for the annual Minnesota Historical Society's "History Matters Day," which happened to fall on President's Day.

- Area and within other federally designated disaster areas; and
- changing requirements for employer-sponsored group health plans to qualify for the employee income exclusion.

An amendment successfully offered by Rep. Kurt Zellers (R-Maple Grove) would prevent the governor from appointing anyone who has been convicted of a criminal violation of a federal or state tax or revenue law; who has

failed to file a required original individual income tax return within one year of its due date; or who has unpaid federal, state or local taxes for a prior taxable year when the appointment is announced to the public.

— S. HEGMAN

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

Ensuring airport funding

Aviation supporters want to ensure their contributions get used for proper purposes.

Money in the State Airports Fund comes from a handful of user sources, including aircraft registration fees and fuel taxes.

Last session, \$15 million was taken from the fund to help address state budget issues, thereby eliminating state aid for airport projects from July 1, 2008, to June 30, 2009.

The fund is forecast to have a \$6.5 million balance on June 30, 2009, and supporters want the money to be used soon for projects that would improve the safety and reliability of access to the air transportation system.

Sponsored by Rep. Bernie Lieder (DFL-Crookston), HF548 would transfer \$5 million from the State Airports Fund to the Transportation Department for assistance to airports and aviation-related activities. The money cannot be spent without legislative authorization.

The House Transportation Finance and Policy Division approved the bill Feb. 17 and sent it to the House Finance Committee. A companion, SF483, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

We want to use this money before it is used for a shortfall, said Rep. Mike Beard (R-Shakopee). "The remaining \$1.5 million should be safe from legislative grabbing because we can't really let the fund go much below that amount without them getting into cash-flow problems."

Ray Strege, a principal with Short Elliott Hendrickson Inc., said there are "substantially more" than \$5 million in construction projects ready for spring construction. "This would give us one-third more construction season by being able to start in the spring than waiting until the first of July. It also gives us the best third of the construction season with the longest days. ... No use of General Fund money nor borrowing would be required for this."

Strege expects state funds would leverage at least twice the amount in construction projects. "On those there would be individual, corporate and state sales taxes paid into the General Fund."

— M. COOK

Spending stimulus money

The American Recovery and Reinvestment Act of 2009, signed Feb. 17 by President Obama could provide more than \$1 billion in fully funded airport improvements across the country.

However, state law requires that airport projects receiving federal, state or local funding shall have at least a 5 percent local contribution.

Rep. Bernie Lieder (DFL-Crookston) has a simple solution to the problem — HF547.

The House Transportation Finance and Policy Division approved the bill Feb. 17, and sent it to the House Finance Committee. A companion, SF482, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Finance Committee.

The bill would exempt airports from the 5 percent requirement in cases where the project is funded before June 30, 2011, through a federal economic stimulus program. A fiscal note indicates no cost to the state because it is assumed projects undertaken with the federal money would not otherwise be started at the time.

Rep. Mary Liz Holberg (R-Lakeville) is concerned that some planned projects would no longer need a local match, but that some lower “in the pipeline” still might need a local match depending on available stimulus funds. She wants to ensure that the federal money is evenly spread around among airports, so that everybody gets some work done without a local match.

Ray Strege, a principal with Short Elliott Hendrickson Inc., said a federal task force is to pick the projects to be funded with stimulus dollars and provide oversight.

— M. Cook

Final Central Corridor funding

Less than 1 percent of the funds needed to construct the Central Corridor light rail transit line are requested in a bonding bill that may not happen.

Sponsored by Rep. Alice Hausman (DFL-St. Paul), HF263 would authorize the remaining \$8.5 million in bond proceeds to fund the proposed 11-mile line between the downtowns of St. Paul and Minneapolis. Thus far,

\$83 million in state bonds has been authorized for the project.

This bill would satisfy the remainder of state responsibility, said Judd Schetnan, government affairs director for the Metropolitan Council. “You need to have the state share in hand before you apply for a full-funding grant agreement.”

However, Schetnan indicated the governor has not committed to a bonding bill this year.

“If we don’t have these bonds in hand, the council will have to find a way to basically commit a certain amount of dollars to say that we have that in place,” he said. “What we could do is commit those dollars and come back next year for the additional \$8.5 million.”

The bill was held over Feb. 12 by the House Transportation Finance and Policy Division for possible referral to the House Capital Investment Finance Division. A companion bill, SF320, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Transportation Budget and Policy Division.

The transit project’s final design is scheduled to be completed this year, with construction to begin next year, and service to begin in 2014, although Hausman hopes it’ll be reduced to a two-year construction cycle.

“If we can do the 35W bridge, we can do this in a faster timeline,” she said.

By 2030 the line is expected to provide more than 43,000 rides per day, but Hausman noted that nearly every line across the country exceeds ridership goals “long before” the date projected. She also said there are expected to be 345,000 jobs in the corridor by 2030, about 65,000 more than today.

Half of the \$914.9 million project is to come from federal funds, with the state and Hennepin and Ramsey counties funding the rest.

— M. Cook

Union Depot funding sought

The final piece of a funding package is being requested for a project that could make an

historic St. Paul building a hub of multimodal activity.

Ramsey County has received \$3.5 million in state bonding funds and is requesting an additional \$9 million to complete a state match necessary to receive \$50 million in federal funding for the Union Depot renovation.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul), HF316 was held over Feb. 17 by the House Transportation Finance and Policy Division for possible inclusion in its recommendations to the House Capital Investment Finance Division.

A companion, SF300, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Transportation Budget and Policy Division.

“This will provide economic vitality and excitement in our downtown St. Paul as people take advantage of our transportation options,” Johnson said.

Jim McDonough, chairman of the Ramsey County Regional Rail Authority, said that when completed, the Union Depot would serve intercity and Metro Transit buses, bicycle and pedestrian traffic, the Central Corridor light rail line, Greyhound and Jefferson Lines bus service, Amtrak and a potential high-speed train between the building and Chicago. Future commuter rail lines may also be connected to the facility.

An environmental assessment should be completed this spring, said Steve Morris, the authority’s transit project manager. “The environmental documentation is needed to access that \$50 million. We are also planning to start preliminary engineering on the property.” Planners hope the facility is operational by 2012.

Built in 1923, the Union Depot served more than 200 passenger trains daily at its peak before closing in 1971. It is listed on the National Register of Historic Places.

— M. Cook

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Medical marijuana

Controversial treatment clears first committee hurdle

By Nick Busse

For Joni Whiting, the decision to let her daughter, Stephanie, use medical marijuana wasn't an easy one. A proud Vietnam veteran and mother of four, Whiting said allowing drugs in her house under any circumstances had been unthinkable — right up until almost the end.

In fact, Whiting resisted the notion of medical marijuana even after doctors had given Stephanie just six months to live — even after her skin cancer had ravaged her face and left Stephanie suffering from constant and uncontrollable pain, despite the dozens upon dozens of powerful painkillers she took every day. Finally, Whiting's other adult children took Stephanie out of her home and let her use marijuana. When Stephanie returned three days later, she told Whiting that the drug had not only alleviated much of the pain but also allowed her to eat food without her usual vomiting. Whiting changed her mind about marijuana.

"My only regret is not allowing her to use marijuana in my home throughout her illness," she said.

According to Whiting, the illegally obtained marijuana allowed her daughter to live out the last three months of her life in considerably less agony than what she had experienced without the drug. Whiting now believes the state's prohibition

on medical marijuana needs to be lifted.

"I am no longer willing to support making criminals out of the sick and dying," she said.

On Feb. 18, Whiting was one of several witnesses to testify in favor of a bill that would allow doctors to prescribe medical marijuana for Minnesotans suffering from certain debilitating conditions.

Sponsored by Rep. Tom Rukavina (DFL-Virgina), HF292 would regulate the use

of medical marijuana by setting limits for allowable amounts, requiring patients and caregivers to possess registry identification cards, and specifying penalties for violations. The House Health Care and Human Services Policy and Oversight Committee approved the bill on a 9-6 party-line vote.

As with medical marijuana initiatives in the past, Rukavina's bill has people taking up positions along familiar battle lines. Proponents say medical marijuana will provide desperately needed relief to people for whom other treatments do not work; critics

argue medical marijuana opens the door to increased drug abuse and gives the false impression that the drug is less dangerous than it is.

"This bill will send the wrong message to impressionable young people that there's nothing wrong with marijuana because now it's a medicine," said James Hafiz, a recovering drug addict who said marijuana served as his "gateway drug" to harder substances.

Tom Prichard, president of the Minnesota Family Council, said the bill would enable exactly that kind of drug abuse by allowing people with problems like a "bad knee" or "tennis elbow" to obtain medical marijuana under the pretense of "debilitating conditions."

"I believe this bill will open up a can of worms, and I urge you to reject it," Prichard said.

Others doubt the basic premise that marijuana can be used legitimately as a medicine.

Deborah Mosby, an assistant professor of human services at Metropolitan State University, said that in some of the 13 states where medical marijuana is legal, the drug has been prescribed for conditions such as anxiety, which she said could actually be exacerbated by using marijuana.

Mosby said smoking marijuana can impair the body's immune system and make people more susceptible to diseases. While she would not "take a joint out of the hand of somebody who's dying," she said many potential medical marijuana users might be better off without it.

Supporters of medical marijuana, however, say that's a decision best left to doctors. George Wagoner, a physician whose wife died of cancer, said medical marijuana allowed her to eat food and bypass the nausea associated with her chemotherapy treatments — something that greatly improved the quality of her life before she died. He said doctors should have the right to prescribe patients whatever treatment their conditions require.

"Patients should be able to choose a medication that works best for them ... and that's precisely what this bill will allow."

The bill was sent to the House Civil Justice Committee. A companion, SF97, sponsored by Sen. Steve Murphy (DFL-Red Wing), was approved Feb. 11 by the Senate Health, Housing and Family Security Committee, and now awaits action by the Senate Judiciary Committee. 🌿



PHOTO BY ANDREW VONBANK

K.K. Forss, from left, Joni Whiting and Dr. George Wagoner testify before the House Health Care and Human Services Policy and Oversight Committee Feb. 18 in support of a bill legalizing medical marijuana.

Getting youth to move

Bill aims to ensure 'No child left on their behind'

By KRIS BERGGREN

Minnesota's children are gaining — but that's not always good.

Since 1990, the prevalence of obesity in the state's general population has increased 155 percent, according to the American Heart Association, while the Centers for Disease Control has found childhood and youth obesity almost tripled from about 6 percent nationally to almost 20 percent between 1971 and 2004.

While obesity plus sedentary lifestyles equals high risk for heart disease, diabetes and other ailments, exercise can reverse children's risk of being overweight and its lifelong health problems.

But exercise is like a secret weapon in the war to improve test scores, say some educators who find that boosting students' activity levels improves their ability to learn — or as Farmington physical education teacher Jack Olwell quipped: "No child left on their behind."

The movement to get kids to move may have begun in Naperville, Ill. public schools. Seventeen years ago that district began to incorporate vigorous daily physical education; last year, 98 percent of its 19,000 students took the Trends in Mathematics and Science Study tests which show students' ranking globally.

"They came in number one in the world in science and sixth in math," Dr. John Ratey, associate clinical professor of psychiatry at Harvard Medical School and an expert on exercise and brain chemistry, told the House K-12 Education Policy and Oversight Committee Feb. 18.

Student success through exercise

Olwell works at North Trail Elementary School, where student success has been boosted through targeted physical activity. For example, a mini-class called Literacy PE

has helped a group of fourth- and fifth-graders identified as "struggling" readers, based on their Northwest Evaluation Association test scores, to improve dramatically with a daily dose of exercise.



PHOTO BY TOM OLMSCHIED

Jack Olwell, left, a physical education teacher at North Trail Elementary School in Farmington, tells the House K-12 Education Policy and Oversight Committee Feb. 18 that the name of the bill requiring statewide standards for physical education should be "No Child Left on Their Behind." Greg LeMond, right, a three-time winner of the Tour de France, also testified in support of the bill.

"In this era of academic accountability and fiscal constraints, it is difficult to argue for an increase in physical education time solely on the basis that it lengthens and adds quality to life," said Olwell.

Literacy PE students' reading class is preceded by a 15-minute physical education session involving "vigorous activities and games embedded with reading components," said. In late-January, following the nine-week class, students were again administered an NWEA test.

"The results have been stunning," Olwell said. "Literacy PE participants showed an average increase of five times the national average in reading." More to the point, he said, they improved three times their fourth- and fifth-grade peers in their district, and almost twice the Title I average.

A bill before the House would help teachers like Olwell to promote exercise and fitness. HF439 would require statewide physical education standards including one-half credit of physical education for high school graduation.

"It has always been my belief that our schools when acting in loco parentis should be the role model for not only academics but social and nutritional standards," said the bill's sponsor, Rep. Kim Norton (DFL-Rochester), a public health advocate who has also promoted school nutrition and "Reclaiming Recess," a movement to keep recess time in the school day. She said physical education, like music, is integral to a well-rounded curriculum, but often on the chopping block when districts face serious budget constraints.

The bill was approved Feb. 19 by the committee and sent to the House Finance Committee. It has no Senate companion.

Ratey, the author of *Spark: The Revolutionary New Science of Exercise and the Brain* and *Driven to Distraction*, said well designed exercise programs not only help children focus in school, but significantly reduces behavioral problems and boosts test scores.

Schools with high rates of disciplinary problems or many students diagnosed with attention deficit disorder might take note: "Exercise releases a lot of neurotransmitters," Ratey said after the hearing. "It's like taking a little bit of Ritalin and a little bit of Prozac."

"When I hear about education reform,"

Fitness continued on page 23

From tragedy to high hopes

Hayden hopes to effect big change

By KRIS BERGGREN

Although a tragedy brought Rep. Jeff Hayden (DFL-Mpls) back to his hometown in 1995 from California, it set him on the



Rep. Jeff Hayden

path toward the House seat where he hopes to make everyday life a little better for the low- and moderate-income South Minneapolis area bisected by Interstate 35W.

Hayden's childhood friend was killed in 1995, when a spike in Minneapolis murders led to the dubious moniker "Murderapolis." Hayden returned to attend the young man's funeral. Having recently been laid off, he remained in the city where he had many family ties and began to volunteer with a local park program called "Phat Summer,"

targeted to teenagers seeking alternatives to crime and gangs. Hayden ended up running the program, serving on the park's board, and taking a succession of community and government jobs, including Hennepin County financial worker, aide to Minneapolis City Councilman Gary Schiff, and eventually to a run for the city's eighth ward seat. He lost the primary by just 141 votes.

"I said I would never run for office again," he recalled. Instead, he returned to the nonprofit sphere, most recently working with Hearth Connection, a partner in the statewide initiative Heading Home Minnesota which intends to end homelessness in the state.

Yet Hayden was drawn back into politics by supporters who suggested he run for the House seat vacated by former Rep. Neva Walker (DFL-Mpls).

"What compelled me was my combination of experiences, having community-based

DISTRICT 61B
Population: (2007 est.) 37,241
Largest City: Minneapolis
County: Hennepin
Top Concerns: Affordable housing and health care, public transportation

work, neighborhood work, city council experience," which he felt would allow him "to not only win, but effect change here," he said.

Hayden has high hopes he'll be able to make laws addressing his district's concerns, which include public transportation and affordable housing and health care. Hayden, who serves on three health-related committees or divisions, has already signed onto HF135, sponsored by Rep. David Bly (DFL-Northfield), which would provide universal single-payer health care to all Minnesotans.

Hayden and his wife, Terri, have two children, Tomas, 12, and Sophia, 7. Hayden calls them, "The light of my life."

A passion for local issues

Reinert plans to be 'an advocate and a partner' for Duluth

By NICK BUSSE

When Rep. Roger Reinert (DFL-Duluth) resigned as president of the Duluth City Council at 11:59 a.m. Jan. 6, it was only



Rep. Roger Reinert

so he could take his oath of office as a state representative a minute later. But Reinert's commitment to his home city hasn't ended; in fact, he said it's the whole reason he came to the Capitol.

"Knowing the city's issues intimately as a councilor and the president of the council, I knew the role that St. Paul played," Reinert said. "I thought this was a good opportunity for someone who knows the city's issues to be in St. Paul to be

an advocate and a partner."

Reinert, a college science instructor and lieutenant in the U.S. Navy Reserve, spent six years on the council. He has a list of things he'd like to get done for Duluth; however, he also hopes to strengthen the hand of other regional centers like Mankato, Rochester and St. Cloud. Reinert said these regional centers often provide vital services to surrounding communities that don't help pay for them. As local government aid is reduced and cities are forced to cut spending, he said an undue burden is being placed on these regional hubs.

"Somehow, regional centers need to find a way to make that more equitable, or to find more stable funding for those services, or they're not going to survive," said Reinert. He plans to organize a monthly gathering

DISTRICT 7B
Population (2007 est.): 36,306
Largest City: Duluth
County: St. Louis
Top Concerns: Local government issues, state budget, the economy

of House members who represent regional centers to discuss common issues.

Reinert hopes he and his fellow lawmakers can address the state's budget deficit quickly enough to finish the legislative session on time, arguing that it's one of the ways in which Minnesotans judge leadership. He also said all options need to be on the table as they hammer out the budget.

"We can't tax our way out of this, nor can we cut our way out of it; there's going to be some mix of all of it by the time we're done," Reinert said.

Monday, February 16

HF783-Slocum (DFL)

Transportation & Transit Policy & Oversight Division

Emergency vehicle status accorded to vehicles operated by protective agent for escorting funeral procession or oversized loads, and technical correction made.

HF784-Newton (DFL)

Finance

State reimbursement increased for reduced price school lunch meals from 12 cents to 52 cents per meal.

HF785-Thissen (DFL)

Finance

Nonprofit organization grant provided for work on behalf of licensed vendors to coordinate responses to solicitations or other requests and to increase employment opportunities for persons with disabilities.

HF786-Norton (DFL)

Health Care & Human Services Policy & Oversight

Broker or coordinator prohibited to manage non-emergency medical transportation services.

HF787-Loeffler (DFL)

Finance

Minneapolis; Father Hennepin Regional Park funding provided.

HF788-Thissen (DFL)

Taxes

Equity and opportunity in education tax credit provided.

HF789-Knuth (DFL)

Energy Finance & Policy Division

Public Utilities Commission provisions modified relating to deadline for rate determination.

HF790-Slawik (DFL)

Health Care & Human Services Policy & Oversight

Comprehensive child welfare quality assurance system required.

HF791-Simon (DFL)

Taxes

St. Louis Park; fire station and municipal service center building provided with construction purchase exemptions.

HF792-Hilstrom (DFL)

Public Safety Policy & Oversight

Machine gun and short-barreled shotgun possession included on list of crimes against a person for registration under the Predatory Offender Registration Law.

HF793-Juhnke (DFL)

Agriculture, Rural Economies & Veterans Affairs

Loan program terms updated and family farm security program abolished.

HF794-Anderson, B. (R)

State & Local Government Operations Reform, Technology & Elections

Senate and House of Representatives membership numbers reduced.

HF795-Brynaert (DFL)

Finance

Mankato; ISD 77 fund transfer authorized.

HF796-Morrow (DFL)

Finance

Minnesota First bond sale authorized.

HF797-Emmer (R)

Agriculture, Rural Economies & Veterans Affairs

Horses and other equines clarified as livestock and raising them is an agricultural pursuit.

HF798-Hornstein (DFL)

Finance

Motor Vehicle Feebate Task Force and program established, funding provided from gifts and grants and money appropriated.

HF799-Davnie (DFL)

Taxes

Income tax credit provided for qualified Minnesota business ventures.

HF800-Cornish (R)

Public Safety Policy & Oversight

Use of force in defense of home and person law clarified, Minnesota's self-defense and defense of home laws codified and extended, common law eliminated, boundaries of dwelling expanded, presumption created and rights available extended to a person defending against entry of occupied vehicle.

HF801-Pelowski (DFL)

State & Local Government Operations Reform, Technology & Elections

State report and document laws modified.

HF802-Murphy, E. (DFL)

Health Care & Human Services Policy & Oversight

Hospital payment prohibited for certain hospital-acquired conditions and certain treatments.

HF803-Slocum (DFL)

Health Care & Human Services Policy & Oversight

Medical examinations regulated.

HF804-Thissen (DFL)

Civil Justice

Guardian and conservator governing provisions modified.

HF805-Nornes (R)

Taxes

Tax benefit allowance extended in certain job opportunity building zones.

HF806-Buesgens (R)

K-12 Education Policy & Oversight

Charter schools authorized to lease or purchase district buildings, and state money authorized to purchase land and buildings.

HF807-Peppin (R)

Commerce & Labor

Gasoline sales below cost prohibition eliminated.

HF808-Gardner (DFL)

Finance

Intermediate care facility rate increase provided.

HF809-Hornstein (DFL)

Finance

Charitable organizations provided a metropolitan transit pass discount.

HF810-Urdahl (R)

Finance

Little Crow Transit Way feasibility study required.

HF811-Davids (R)

Commerce & Labor

Insolvent life and health insurance company policyholder maximum dollar protection amount increased to provide greater comparability with limits of federal deposit insurance of bank accounts.

HF812-Cornish (R)

Public Safety Policy & Oversight

Local authorities prohibited from enforcing criminal provisions with administrative penalties, and application of the criminal and traffic offender surcharge clarified.

HF813-Johnson (DFL)

Commerce & Labor

Trucking industry classifications of employment regulated.

HF814-Urdahl (R)

State & Local Government Operations Reform, Technology & Elections

Bounce-back annuity authorized when marriage dissolution decree revokes joint and survivor annuity form.

HF815-Beard (R)

Finance

Scott County; regional public safety training center funding provided.

HF816-Lenczewski (DFL)

State & Local Government Operations Reform, Technology & Elections

Former legislators, constitutional officers, agency heads and certain legislative employees prohibited from lobbying for legislative or administrative action for one year after leaving office.

HF817-Kahn (DFL)

State & Local Government Operations Reform, Technology & Elections

Postsecondary institution requirements expanded to report resident student information to the secretary of state for voter registration purposes, and enhanced access required to voter registration records and records of returned absentee ballots on the World Wide Web.

HF818-Hilstrom (DFL)

Public Safety Policy & Oversight

Financial records disclosure in connection with financial exploitation investigations authorized, procedures for reporting and investigating maltreatment modified, duties of financial institutions in cases of financial exploitation specified and penalties imposed.

HF819-Atkins (DFL)

Commerce & Labor

Early Internet sales of event tickets at inflated prices prohibited.

HF820-Hausman (DFL) Finance Como Zoo improvements funding provided.	HF835-Dettmer (R) Civil Justice Livestock activities liability regulated.	HF851-Haws (DFL) Finance St. Cloud; regional airport funding provided.
HF821-Morrow (DFL) Finance Rural Policy and Development Center funding provided.	HF836-Drazkowski (R) Transportation & Transit Policy & Oversight Division Town road speed limits modified.	HF852-Kahn (DFL) Finance Minneapolis; Grand Rounds National Scenic Byway funding provided.
HF822-Lesch (DFL) K-12 Education Policy & Oversight Charter school financial and academic requirements modified, civil and criminal penalties provided.	HF837-Juhnke (DFL) Taxes Property tax refund definitions modified for disabled military veterans.	HF853-Demmer (R) Finance Trunk Highway 14 reconstruction funding provided.
HF823-Norton (DFL) Health Care & Human Services Policy & Oversight Dental therapist fees, licensing and practice limitations established.	HF838-Juhnke (DFL) Finance Agriculture nutrient research funding provided.	HF854-Lesch (DFL) Commerce & Labor Customer liability for unauthorized use of lost or stolen cellular phones limited.
HF824-Davids (R) Finance Disaster preparedness and relief services funding provided, money appropriated.	HF839-Juhnke (DFL) Finance Minnesota Veterinary Diagnostic Laboratory funding provided.	HF855-Hausman (DFL) Finance University of Minnesota and the Minnesota State Colleges and Universities asset preservation funding provided.
HF825-Murphy, M. (DFL) State & Local Government Operations Reform, Technology & Elections Volunteer firefighter retirement plan created.	HF840-Juhnke (DFL) Agriculture, Rural Economies & Veterans Affairs Congress of the United States memorialized to oppose legislation interfering with a state's ability to direct the transport or processing of horses.	HF856-Emmer (R) Health Care & Human Services Policy & Oversight Medical assistance providers allowed to repackage and reprice services; health opportunity account project established and human services commissioner required to develop and seek federal approval; Minnesota Care voucher project established; and proposals and timetable required.
HF826-Murphy, E. (DFL) Health Care & Human Services Policy & Oversight Non-Medicare home care agencies permitted to provide alternative care services, customized living rate cap eliminated.	HF841-Juhnke (DFL) Agriculture, Rural Economies & Veterans Affairs Sunset of the farmer-lender mediation law eliminated.	HF857-Emmer (R) Health Care & Human Services Policy & Oversight MFIP eligibility drug screening required.
HF827-Hausman (DFL) Finance State bond financed property sale proceeds distribution modified.	HF842-Olin (DFL) Health Care & Human Services Policy & Oversight Emergency medical services technical changes made.	HF858-Lenczewski (DFL) Environment Policy & Oversight Public water temporary drawdown provided.
HF828-Hansen (DFL) Finance Dakota County; Robert Street Corridor Transit Way funding provided.	HF843-Slocum (DFL) K-12 Education Policy & Oversight Charter school students allowed to participate in extracurricular activities of their resident district.	HF859-Rukavina (DFL) Finance Higher education asset preservation and replacement funding provided.
HF829-Mullery (DFL) Public Safety Policy & Oversight Metal theft penalties increased.	HF844-Brod (R) Taxes Permitted time to file claims for refunds modified.	HF860-Rukavina (DFL) Higher Education & Workforce Development Finance & Policy Division University of Minnesota; meeting requirement eliminated for regent candidate nominations.
HF830-Hosch (DFL) Taxes Agricultural products definition expanded.	HF845-Emmer (R) Taxes Biomass electrical generation facility property tax exemption provided.	HF861-Rukavina (DFL) Higher Education & Workforce Development Finance & Policy Division Regent nomination joint committee regulated.
HF831-Hosch (DFL) Taxes Tax exemption for township road materials expanded.	HF846-Lieder (DFL) Finance Rail service funding provided.	HF862-Hilty (DFL) Energy Finance & Policy Division Annual legislative report required on adequacy of electric transmission infrastructure.
HF832-Lenczewski (DFL) Commerce & Labor Bloomington; state-operated or state-licensed gambling facilities prohibited unless approved by voter referendum.	HF847-Rukavina (DFL) Finance Mountain Iron; energy park water and sanitary sewer extension funding provided.	HF863-Hilty (DFL) Finance Excess energy savings carry forward allowed by power companies, and conservation improvement program study required.
HF833-McFarlane (R) Finance Rush Line Corridor Transit Way funding provided.	HF848-Brynaert (DFL) Finance Employment support services funding provided for persons with mental illness.	HF864-Hilty (DFL) Energy Finance & Policy Division Legislative Energy Commission directed to analyze state energy standards for certain appliances.
HF834-Kohls (R) State & Local Government Operations Reform, Technology & Elections State employee suggestion system established.	HF849-Haws (DFL) Health Care & Human Services Policy & Oversight Health care program renewal notice requirements modified.	
	HF850-Haws (DFL) Taxes Counties authorized to exceed levy limits when covering costs of confining sex offenders subject to civil commitment proceedings.	

HF865-Welti (DFL)
Environment Policy & Oversight
Wabasha and Olmsted counties; Great River Ridge Trail established.

HF866-Hosch (DFL)
Commerce & Labor
School districts required to obtain employee health coverage through the public employees insurance program.

HF867-Davnie (DFL)
Health Care & Human Services
Policy & Oversight
Self-insurance pools providing health coverage to local government employees regulated.

HF868-Mahoney (DFL)
Higher Education & Workforce Development
Finance & Policy Division
Bioscience business development public infrastructure grant program expanded.

HF869-Rukavina (DFL)
Finance
Midwest Higher Education Compact state membership funding provided.

HF870-Reinert (DFL)
Taxes
Tax increment financing district creation authorized by the Seaway Port Authority of Duluth.

HF871-Rukavina (DFL)
Higher Education & Workforce Development
Finance & Policy Division
Minnesota Office of Higher Education report required on certain financial transactions.

HF872-Marquart (DFL)
Taxes
Property tax exemption eligibility clarification provided for institutions of public charity.

HF873-Marquart (DFL)
State & Local Government Operations Reform,
Technology & Elections
Voting in a primary authorized for certain persons who are 17.

HF874-Hortman (DFL)
Civil Justice
Statutory interpretation found in an advisory opinion issued by a commissioner of administration in 2008 rejected.

HF875-Hortman (DFL)
Finance
State requirement modified for pupil transportation for elementary pupils, and a levy authorized to pay for certain transportation costs.

HF876-Hortman (DFL)
K-12 Education Policy & Oversight
Public residential high school established for science, technology, engineering and mathematics.

HF877-Hortman (DFL)
Environment Policy & Oversight
Idling reduction technology purchases grant program established.

HF878-Hortman (DFL)
Finance
Highway centerline relocation governing provision added, county state-aid highway and municipal state-aid street provisions modified, advertising device placement regulated and plats of lands abutting state rail bank property procedures provided.

HF879-Dettmer (R)
Taxes
Agricultural product definition modified.

HF880-Dettmer (R)
Environment Policy & Oversight
Watershed districts and watershed management organizations required to submit information to counties, and county approval of levies and fees required.

HF881-Champion (DFL)
State & Local Government Operations Reform,
Technology & Elections
Civil rights of an individual upon release from incarceration restored and notice required.

HF882-Champion (DFL)
Civil Justice
Admission of criminal history evidence limited in actions against private employers.

HF883-Champion (DFL)
Public Safety Policy & Oversight
Race and other data collection and analysis required during traffic stops by law enforcement, reports required, improvement plans required, law enforcement business cards required and money appropriated.

HF884-Thissen (DFL)
Health Care & Human Services
Policy & Oversight
Medical supplies and equipment purchasing alliance created.

HF885-Lenczewski (DFL)
Taxes
Tax policy provisions changed.

HF886-Solberg (DFL)
Ways & Means
General Fund balance allocation exempted at end of fiscal year 2009.

HF887-Lesch (DFL)
Civil Justice
Collection service fees required to be paid by obligor.

HF888-Anderson, B. (R)
Commerce & Labor
Transportation infrastructure projects funding provided through the cooperation of state-chartered banks.

HF889-Haws (DFL)
State & Local Government Operations Reform,
Technology & Elections
County law library authorized to be located outside of the courthouse.

HF890-Simon (DFL)
Civil Justice
Parentage presumption and right to custody provisions modified and clarified, and pre-birth parentage orders or judgments provided in certain cases.

HF891-Champion (DFL)
Public Safety Policy & Oversight
Expungement law expanded and modified, courts authorized to modify or suspend collateral sanctions under certain circumstances, and situations limited in which juvenile delinquency criminal record is publicly available.

HF892-Hilstrom (DFL)
Civil Justice
Public defender representation provided for juveniles, children in need of protection and other persons.

HF893-Kahn (DFL)
Civil Justice
Gender-neutral marriage laws provided and the Marriage and Family Protection Act enacted.

HF894-Atkins (DFL)
Energy Finance & Policy Division
Commerce commissioner required to collect and hold in escrow fees paid by Minnesota ratepayers for permanent repository for disposal of high-level radioactive waste.

HF895-Eken (DFL)
Finance
Rural school district grant program created to allow the sharing of services.

HF896-Hortman (DFL)
Finance
Locally controlled process defined for establishing hazardous traffic condition pupil transportation zones, and levy authorized for certain hazardous pupil transportation services.

HF897-Slocum (DFL)
K-12 Education Policy & Oversight
Charter schools authorized to lease district buildings.

HF898-Hornstein (DFL)
Environment Policy & Oversight
Greenhouse gas reduction goals and strategies added to various state and metropolitan programs and plans, goals established for per capita reduction in vehicle miles traveled to reduce greenhouse gases and money appropriated.

HF899-Hausman (DFL)
Transportation & Transit Policy & Oversight Division
Transportation goals modified, reduction of vehicle miles traveled and greenhouse gas emissions provided.

HF900-Juhnke (DFL)
Agriculture, Rural Economies & Veterans Affairs
Pesticide railroad application regulated.

HF901-Emmer (R)
Health Care & Human Services
Policy & Oversight
Genetic information use modified.

HF902-Emmer (R)
Health Care & Human Services
Policy & Oversight
Property interest in human biological specimens created, specimen use limited.

HF903-Mullery (DFL)
Commerce & Labor
Foreclosure consultant provisions modified.

HF904-Juhnke (DFL)
Commerce & Labor
Prompt payment of real estate appraisal reports required.

HF905-Doty (DFL)**Agriculture, Rural Economies & Veterans Affairs**

Commissioner of military affairs authorized to accept uncompensated and voluntary services.

HF906-Hornstein (DFL)**K-12 Education Policy & Oversight**

Responsible family life and sexuality education program established.

HF907-Lillie (DFL)**Commerce & Labor**

Employee invention agreements regulated.

HF908-Urdahl (R)**Commerce & Labor**

Shared work employer plans extended by one year.

HF909-Kohls (R)**Finance**

Carver County; waived service program expenditure repayment requirement eliminated.

HF910-Hortman (DFL)**State & Local Government Operations Reform, Technology & Elections**

Notaries public fees modified, commissions, stamps and seals regulated; clarifications and physical limitations accommodations provided.

HF911-Ward (DFL)**Finance**

Telecommunications and Internet access equity established.

Thursday, February 19

HF912-Eken (DFL)**Transportation & Transit Policy & Oversight Division**

Cargo tank vehicle weight restrictions exempted on seasonally weight-restricted roads.

HF913-Pelowski (DFL)**State & Local Government Operations Reform, Technology & Elections**

Independent expenditure provisions in political campaigns removed, timing and method of filing with the Campaign Finance and Public Disclosure Board modified.

HF914-Davnie (DFL)**Commerce & Labor**

Payday lending regulated, penalties and remedies provided.

HF915-Thao (DFL)**Finance**

Lifetrack Resources grant provided.

HF916-Hausman (DFL)**Environment Policy & Oversight**

Permits issued for nonferrous metallic mineral mining prohibited, financial assurance defined and civil penalty for mining law violations increased.

HF917-Jackson (DFL)**Health Care & Human Services Policy & Oversight**

Department of Human Services and country agencies allowed direct access to Department of Corrections' data for background studies.

HF918-Hausman (DFL)**Finance**

General obligation bond sale provisions amended.

HF919-Scalze (DFL)**Finance**

Specific information required for local capital improvement requests.

HF920-Tillberry (DFL)**K-12 Education Policy & Oversight**

Education; obsolete and unneeded mandates removed.

HF921-Fritz (DFL)**Health Care & Human Services Policy & Oversight**

Safe patient handling plans in clinical settings required.

HF922-Nelson (DFL)**Finance**

Public housing rehabilitating funding provided.

HF923-Carlson (DFL)**Taxes**

Property taxes; one-year lag in determining fiscal disparities contribution net tax capacities and discrimination levies eliminated.

HF924-Hackbarth (R)**Environment Policy & Oversight**

Northshore Trail renamed C.J. Ramstad Memorial Trail.

HF925-Sertich (DFL)**Commerce & Labor**

Official measure of unemployment expanded.

HF926-Dill (DFL)**Environment Policy & Oversight**

St. Louis County; public and private sales of county bordering tax-forfeited land authorized.

HF927-Mahoney (DFL)**Commerce & Labor**

Construction codes and licensing modified, high pressure piping profession provisions added, appropriations restrictions modified and authority to adopt rules for obtaining broiler licenses extended.

HF928-Hornstein (DFL)**Transportation & Transit Policy & Oversight Division**

Wireless communications device use prohibited in Metropolitan Council public transit vehicles.

HF929-Ruud (DFL)**State & Local Government Operations Reform, Technology & Elections**

Minnetonka; street improvement districts establishment and apportionment of fees authorized, street improvement plan required.

HF930-Wagenius (DFL)**Civil Justice**

Classification of grants data by government entities proposed, regional parks foundation private donor gift data classified as private or nonpublic.

HF931-Hamilton (R)**Finance**

Worthington; city appropriations modified.

HF932-Bly (DFL)**Finance**

Rate schedule for renewable energy projects established and reports required.

HF933-Olin (DFL)**Environment Policy & Oversight**

Kittson County; public sale of tax-forfeited land bordering public water authorized.

HF934-Loeffler (DFL)**Health Care & Human Services Policy & Oversight**

Children aging out of foster care provisions modified.

HF935-Slocum (DFL)**K-12 Education Policy & Oversight**

Charter school provisions modified.

HF936-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

Communities for a lifetime criteria specified, and Minnesota Board on Aging and commissioner of employment and economic development required to develop recommendations on the designation of communities for a lifetime.

HF937-Demmer (R)**Taxes**

Job opportunity building zone amendments allowed to agreements under certain circumstances.

HF938-Reinert (DFL)**State & Local Government Operations Reform, Technology & Elections**

State employees with disabled veteran status provided additional sick leave.

HF939-Mahoney (DFL)**Finance**

New job training funding provided for hard-to-train individuals.

HF940-Zellers (R)**State & Local Government Operations Reform, Technology & Elections**

Hennepin County; personnel rules and procedures modified.

HF941-Thissen (DFL)**Civil Justice**

Interlocutory appeal provided on the question of class certification.

HF942-Davids (R)**Finance**

Fountain; grant provided.

HF943-Davids (R)**Finance**

Brownsville; grant provided.

HF944-Davids (R)**Finance**

La Crescent; grant provided.

HF945-Davids (R)**Finance**

Peterson; grant provided.

HF946-Davids (R)**Finance**

Minnesota Historical Society grants provided for local historic preservation projects.

HF947-Thao (DFL)**Finance**

Parents' fair share program funding provided.

HF948-Peterson (DFL)**Finance**

Mighty Ducks ice facility grant amounts modified.

HF949-Thissen (DFL)**Public Safety Policy & Oversight**

Official traffic-control device automatic enforcement authorized, fine proceeds generated by devices allocated and petty misdemeanor penalty imposed.

HF950-Murphy, M. (DFL)**State & Local Government Operations Reform, Technology & Elections**

Public Employees Retirement Association authorized to offer a postretirement option for members of the public employees retirement general plan.

HF951-Lillie (DFL)**Energy Finance & Policy Division**

Two or more existing municipal power agencies authorized to form a new municipal power agency.

HF952-Eken (DFL)**Environment Policy & Oversight**

Board of Water and Soil Resources membership modified.

HF953-Paymar (DFL)**Public Safety Policy & Oversight**

Transfer of pistols or semiautomatic military-style assault weapons provisions modified.

HF954-Lesch (DFL)**Public Safety Policy & Oversight**

Information transfer to the federal National Instant Criminal Background Check System required on persons civilly committed, found not guilty by reason of mental illness or incompetent to stand trial; and certain persons prohibited from possessing a firearm under state law authorized to petition a court of restoration of rights.

HF955-Morrow (DFL)**Environment Policy & Oversight**

Minnesota River Basin Joint Powers Board renamed, and duties and membership of board clarified.

HF956-Hornstein (DFL)**State & Local Government Operations Reform, Technology & Elections**

Municipalities authorized to establish street improvement districts and apportion street improvement fees within districts, adoption of street improvement plan required and collection of fees authorized.

HF957-Olin (DFL)**Finance**

Kennedy; municipal geothermal, wind turbine and solar energy power facility funding provided.

HF958-Olin (DFL)**Finance**

State agencies authorized to develop plan for using federal stimulus funds dedicated to energy projects to install energy-efficient windows in government and residential buildings, to weatherize residential buildings and to train installers.

HF959-Scalze (DFL)**Finance**

Ramsey County; Keller Regional Park funding provided.

HF960-Masin (DFL)**Finance**

Dakota County; Cedar Avenue Bus Rapid Transit Way funding provided.

HF961-Bunn (DFL)**Health Care & Human Services Policy & Oversight**

Physical activity costs allowed to be covered under home and community-based waivers.

HF962-Dittrich (DFL)**Taxes**

Special levy provided for costs of operating and maintaining new county facilities.

HF963-Hilstrom (DFL)**Finance**

Children of incarcerated parents mentor grants provided.

HF964-Holberg (R)**State & Local Government Operations Reform, Technology & Elections**

Legislative and congressional districts coordinated.

HF965-Gottwalt (R)**Taxes**

Taxation; long-term care insurance credit adjusted.

HF966-Gunther (R)**Finance**

School swimming pool levy expanded to include small school districts.

HF967-Lillie (DFL)**Finance**

Ramsey County; trail construction funding provided.

HF968-Hosch (DFL)**Commerce & Labor**

Board of Residential Construction established, license regulation modified.

HF969-Atkins (DFL)**Health Care & Human Services Policy & Oversight**

Patient access to health records provisions and costs modified.

HF970-Brod (R)**State & Local Government Operations Reform, Technology & Elections**

Recount requirement in statewide elections removed, runoff election requirement established and public money use authorized.

HF971-Bigham (DFL)**Public Safety Policy & Oversight**

Predatory offender registration time period rule clarified.

HF972-Bigham (DFL)**Finance**

Youth intervention programs grants provided.

HF973-Swails (DFL)**K-12 Education Policy & Oversight**

Health and safety revenue used to fund school district playground safety, accessibility, safe surfacing, play and fitness equipment, inspections, design, installation and maintenance costs.

HF974-Gottwalt (R)**Energy Finance & Policy Division**

Nuclear power plant certificate of need prohibition abolished.

HF975-Gottwalt (R)**Taxes**

Taxation; subtraction for contributions to a qualified section 529 college savings plan provided.

HF976-Gunther (R)**Taxes**

Long-term care insurance credit increased.

HF977-Juhnke (DFL)**Environment Policy & Oversight**

Let's Go Fishing community outreach grants provided.

HF978-Lillie (DFL)**Commerce & Labor**

Automobile insurers prohibited from owning repair facilities.

HF979-Severson (R)**Taxes**

Taxation; levy limit base modified.

HF980-Lieder (DFL)**Public Safety Policy & Oversight**

Peace officer eligibility requirements based on military experience modified.

HF981-Bly (DFL)**K-12 Education Policy & Oversight**

Charter school provisions amended, New Schools Minnesota commission established and private nonprofit corporation authorized.

HF982-Murphy, M. (DFL)**State & Local Government Operations Reform, Technology & Elections**

Allowable service credit for job-sharing project of job-share program participants revised.

HF983-Hansen (DFL)**Finance**

Natural resources asset preservation and replacement established.

HF984-Norton (DFL)**Health Care & Human Services Policy & Oversight**

Medical assistance coverage of primary care health care providers performing primary caries prevention services as part of the child and teen checkup program authorized.

HF985-Hayden (DFL)**Health Care & Human Services Policy & Oversight**

Children aging out of foster care provisions modified.

HF986-Thissen (DFL)**Health Care & Human Services Policy & Oversight**

County maintenance of effort provisions amended for mental health provisions.

HF987-Abeler (R)**Health Care & Human Services Policy & Oversight**

Medical assistance drug formulary committee provisions modified.

HF988-Mariani (DFL)**Transportation & Transit Policy & Oversight Division**

REAL ID Act implementation prohibited.

HF989-Gottwalt (R)**Transportation & Transit Policy & Oversight Division**

Driver's license and identification card required to show full head and face.

HF990-Bunn (DFL)**Finance**

General Fund forecast additional revenue priorities modified.

HF991-Eken (DFL)**Transportation & Transit Policy & Oversight Division**

Trunk Highway 200 portion established as Veterans Memorial Highway.

HF992-Dill (DFL)**Health Care & Human Services Policy & Oversight**

Local school districts permitted to provide health coverage to their employees through the state employee group insurance plan, and school district procedure specified.

HF993-Dill (DFL)**Commerce & Labor**

Financial statements submitted to the attorney general by charitable organizations audit requirement adjusted.

HF994-Lieder (DFL)**Transportation & Transit Policy & Oversight Division**

State hazardous materials registration and permit requirements abolished.

HF995-Mullery (DFL)**Civil Justice**

Sheriff's sale procedure modified relating to foreclosures.

HF996-Paymar (DFL)**Civil Justice**

Personal appearance in an application for a name change made by an adult requirement eliminated.

HF997-Seifert (R)**State & Local Government Operations Reform, Technology & Elections**

Federal government memorialized to halt its practice of imposing mandates upon the states for purposes not enumerated by the Constitution of the United States and affirming Minnesota's sovereignty under the 10th Amendment to the Constitution of the United States.

HF998-Emmer (R)**State & Local Government Operations Reform, Technology & Elections**

Congress memorialized to claim sovereignty under the 10th Amendment to the Constitution of the United States over certain powers, serve notice to the federal government to cease and desist certain mandates, and direct distribution.

HF999-Mullery (DFL)**Civil Justice**

Civil union relationships provided, and civil union contracts substituted for marriage for purposes of Minnesota law.

HF1000-Norton (DFL)**Transportation & Transit Policy & Oversight Division**

Highway 14 designated as Black and Yellow Trail.

HF1001-Demmer (R)**Finance**

K-12 education state grants authorized to leverage quality improvements.

HF1002-Murphy, E. (DFL)**Health Care & Human Services Policy & Oversight**

Nursing education demonstration project grant established.

HF1003-Mahoney (DFL)**Civil Justice**

Rebuttable presumption of minimum parenting time changed, rebuttal factors specified and parenting expense adjustment changed.

HF1004-Hamilton (R)**Health Care & Human Services Policy & Oversight**

Cottonwood County; ICF/MR facility relocation provided.

HF1005-Reinert (DFL)**Finance**

Enhanced driver's license and enhanced identification card created, application, issuance and appearance of card provided, and Homeland Security secretary approval sought.

HF1006-Gunther (R)**Commerce & Labor**

Combative Sports Commission requirements modified.

HF1007-Wagenius (DFL)**Finance**

Environmental and natural resources funding provided, Legislative-Citizen Commission on Minnesota Resources membership terms modified.

MOEs continued from page 4

must create a plan that will help them achieve that funding, said John Zakelj, a planner in the Minnesota Department of Human Services' Mental Health Division. If they can't come up with a plan, the county would lose lawsuit protection related to mandated mental health services.

The total of all county mental health costs for MOEs is \$111 million. Of that, \$66 million goes to fund services for uninsured and underinsured individuals and for services such as children's respite care and adult housing supports that keep people out of hospitals, but are not reimbursable by health care programs, Zakelj said.


In the governor's budget proposal, he

has suggested that some county services be consolidated. This would also affect how MOEs are funded.

Rep. Tina Liebling (DFL-Rochester) asked what would happen if a consolidation went into effect. "What would happen if we didn't make any changes to MOEs? Would we just have one pot and throw all the money into that and then have that just be for the group of counties?"

Dalton said the governor's initiative would require counties to look at combining and providing these services regionally and there would be "a very big carrot" to do this. He is proposing that if counties don't combine their services, their county program aid would be cut more than it would be otherwise.

Rep. Tom Anzelc (DFL-Balsam Township)

said the state is asking this MOE system to do the impossible. "Largely because over the last 25 years, at a minimum, we've moved away from state supervision and county administration and we've tried to fit a one-size-fits-all system for all of these populations ... without any regard to property values, without any regard for community values, without regard to the size of the population and without regard to the whole provider system. For 25 years, the system has been driven by providers and advocacy groups and the policy has been diluted. And then we require 87 county boards of commissioners to grapple with this in the real world at the local level and depend upon property taxes. It just doesn't work." 

Fitness continued from page 16

said three-time Tour de France winner Greg LeMond, "you could have the best schools in the world but if your kids can't pay attention, their brains are asleep, they're not going to absorb what they need to. I think that's what Dr. Ratey's studies have shown."


Olwell and Ratey agree student exercise

programs show best results from daily, morning sessions and an emphasis on aerobic fitness, not "ball sports" or athletics.

"It's not about who's good, who's bad," Ratey said. "Everybody plays all the time."

North Trail Elementary principal Steven Geis calls the effects of his school's physical

education program "magical."

"It works. Student scores, their engagement, the attendance rate, the obesity rate — we're less than 5 percent in our student population — all those things by having student engagement in the gym is just magical. To have that in all the schools would be wonderful." 

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MINNESOTA INDEX

Less lighting up

Estimated number of Minnesota adults who smoked in 2007	634,000
Percent of the state's population.....	17
Percent in 2003, 1999	19.1, 22.1
National percentages in 2007, 2003 and 1999	20, 21.5, 23.3
Fewer state smokers, as approximate, in 2007 than 1999.....	164,000
Percent of Minnesota men, women who smoke.....	18.6, 15.5
Minnesotans with less than a high school diploma who smoke, as percent.....	26.3
Percent of Minnesotans with a college degree who smoke.....	5.9
Percent of Minnesotans whose household income is less than \$35,000 who smoke.....	23.2
Percent of Minnesota smokers in households with at least \$75,000 in annual income.....	11
Percent of young adults, ages 18-24, responding to 2007, 2003 surveys who smoked in the past 30 days.....	28.4, 36.8
Estimated number of public school students in 2008 who used tobacco.....	85,000
Estimated number in 2005.....	97,000
Percent of high school students in 2008 and 2000 surveys who used tobacco in past 30 days.....	27, 38.7
Percent of middle school students	6.9, 12.6
Percentage of 2008, 2005 high school students who were taught in school about the dangers of tobacco use.....	37.4, 60.3
State adults exposed to secondhand smoke in past seven days during 2007, 2003	56.7, 67.2
Minnesota workers in 2007, 2003 who had a smoke-free workplace.....	76.1, 68.4
Percent of adult Minnesotans in 2007, 2003 who said smoking was not allowed anywhere inside their home	83.2, 74.9
Adult smokers in 2007, as percent, who stopped for at least a day in the previous 12 months because they were trying to quit smoking.....	56.7
Among those who tried to quit, percent who made multiple attempts in previous 12 months.....	67.7
Percent of attempted quitters in 2007, 2003 who used behavioral counseling for their last quit attempt.....	14.9, 3.6
Taxes and fees per pack paid on cigarettes sold in the state	\$1.48
Year Minnesota enacted the Clean Indoor Air Act	1975
Year Moose Lake became the first city to pass a smoke-free restaurant ordinance	2000
Month when Minnesota's smoke-free law that covers indoor public places and workplaces, including bars and restaurants took effect	October 2007

Sources: Tobacco Use in Minnesota 1999-2007, Minnesota Adult Tobacco Survey, September 2008; Teens and Tobacco in Minnesota, the View from 2008: Results from the Minnesota Youth Tobacco and Asthma Survey, Department of Health, December 2008.

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