

SESSION WEEKLY



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GETTING AN EARFUL

LOOKING BACK TO WHAT IS TODAY

SEE YOU IN COURT

BILLS MAKING THEIR WAY

HF1008 - HF1179

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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CONTENTS

HIGHLIGHTS

Bonding • 5	Energy • 10	Insurance • 16
Budget • 6	Environment • 10	Law • 17
Consumers • 6	Game & Fish • 10	Local Government • 17
Crime • 6	Government • 15	Recreation • 17
Development • 7	Housing • 15	Taxes • 18
Education • 8	Human Services • 16	Transportation • 18
Elections • 9		

BILL INTRODUCTIONS (HF1008-HF1179) • 20-23

FEATURES

FIRST READING: Division gets a lesson on a controversial work program • 3-4

AT ISSUE: Legislators fan out across the state to hear budget solutions, problems • 11-14

MINNESOTA INDEX: See you in court • 24

On the cover: Cameron Hubley of Duluth, holds 19-month-old Bergen at the back of the Duluth City Council Chamber Feb. 20 while waiting her turn to tell a panel of House and Senate legislators to continue funding Early Childhood Family Education programs.

— Photo by: Tom Olmscheid

Looking to the past

Division hears New Deal's controversial story

BY SONJA HEGMAN

The country was in the throes of The Great Depression in 1935. It saw passage of the Social Security Act, as well as the Wagner Labor Relations Act, making collective bargaining possible as a means of maintaining labor standards. It was also the year President Franklin Delano Roosevelt's Works Progress Administration began putting people to work.

Mary Murphy knows what it's like to have Roosevelt impact your life. The DFL representative from Hermantown grew up in a house built as a part of the WPA, which was the largest agency in Roosevelt's New Deal.

"I am a product of growing up thinking that

Franklin Roosevelt was some kind of a hero," Murphy said during a meeting of the House Cultural and Outdoor Resources Finance Division, which she chairs. "Actually, I thought Franklin Roosevelt was a house builder."

There were 84 houses built in Murphy's area

in the 1930s. This project provided two- and three-bedroom houses that were available with either 5- or 10-acre lots. Murphy said her parents were eligible for a house because at the time, they had four children and a job — her father was a steel worker at the Duluth Steel Plant — but he didn't make a lot of money.

Her parents applied for a house along with about 200 other families, and their names were pulled out of a hat during the first drawing. "My dad said it was the wrong house," Murphy said. "My dad said he already had a two-bedroom house, and he needed a three-bedroom house."

The Murphys put their name back in the hat for the second drawing a week-and-a-half later. "And lo and behold, at the second drawing, Lloyd and Gertrude Murphy's names were pulled out again, and it was matched with a three-bedroom house and 10 acres," Murphy said. "That is the only home I've ever lived in and I've never been away longer than six weeks."

Murphy has kept the house true to its era. As a child when neighbors started getting more

First Reading continued on page 4



Rep. Mary Murphy, at about age 8, stands in front of her New Deal house in Hermantown. She has lived in the house her entire life.

Photo courtesy of Rep. Mary Murphy

First Reading continued from page 3

modern looking “fancy” kitchens, Murphy’s father would say, “Franklin Roosevelt built this house and this is the way he wanted it.” So you can imagine what I thought when I went to school and my second- or third-grade teacher was talking about President Franklin Roosevelt and I said, ‘How could Franklin Roosevelt be president when he was the guy that built my house?’”

New Deal history

Suddenly, what Hy Berman has been teaching for more than 40 years has become very relevant.

A history professor at the University of Minnesota, Berman has been educating students on Roosevelt’s New Deal. He said today’s students “thought that this was so irrelevant that they didn’t pay any attention to it.” With today’s economic troubles, a thing or two could be learned, he said.

Roosevelt entered office in 1933 in probably the worst economic crisis in our nation’s history, Berman said. This crisis had already been in existence for more than two years. Unemployment had reached 25 percent to 30 percent and underemployment was at 30 percent to 40 percent.

their leaders, but it just didn’t work, Berman said. The result was a major period of upheaval and discontent that reached a peak in 1934 all over the nation, including the Minneapolis truck strike.

Work relief was only an afterthought during the deep economic depression of the winter of 1933-34. Public works was considered a necessity, but it wasn’t immediately effective for economic stimulation. The Public Works Administration was involved with large projects, like the Triborough Bridge (renamed the Robert F. Kennedy Memorial Bridge) in New York, or the Bay Bridge between San Francisco and Oakland, but these kinds of projects were not immediately effective.

In 1935, the nature of the New Deal shifted to the belief that there was a necessity to increase public spending to stimulate the economy.

“The public spending was going to be done in the way of expanding job opportunities for people, making work, even if the work was to be funded and the federal government was to be the employer of last resort,” Berman said. This was done through the WPA starting in 1935.

It was through these work projects that Murphy’s house was built.

The WPA was not only an agency that put the usual kind of blue-collar workers to work. Berman said the belief was that other people — like artists, teachers and historians — were also put to work in different kinds of projects that had an effect on art, music and literature. For instance, as part of a WPA project for the Library of Congress, historians were put to work recording the lives of slaves.

“It was not only the building of bridges and building of your homes and of the roads and the infrastructure and the other light industries, like seamstresses working in different kinds of activities,” Berman said. “But also the works of the artist and musician, the teacher and the historian were of great value.”

There is a tendency among some economists to believe, he said, that the New Deal didn’t work.

“It didn’t get us out of the Depression, but it

put people to work,” Berman said. “Getting us out of the Depression was a function of other kinds of activities. It stimulated the economy, and the nation was better off after 1935 than it was before.”

In 1935 and 1936, 65,000 people were employed by the WPA on 1,700 projects in Minnesota.

The New Deal in Minnesota

In 1932, there was massive unemployment on the Iron Range.

Steel plants in the country were operating at 22 percent of capacity, while 78 percent were cold. If the rate of steel consumption continued, there would be enough ore stockpiled at the steel plants and at the mines — especially on the Iron Range — to feed the steel plants for five years, which meant there was no reason for iron miners to be working. Iron Range unemployment during the Depression was at 70 percent.

“It gives you a sense of how devastating that really was,” said Pam Brunfelt, instructor of history and political science at Vermillion Community College in Ely.

Although it did not end the Depression, taking a quote from President Obama, she said FDR “gave the American people the audacity of hope.”

A ray of hope came in the form of the Civilian Conservation Corps (CCC) that was established by Congress in 1933 as a measure of the New Deal program. Unlike the WPA, which employed adults, the corps provided work and vocational training for unemployed single young men through conserving and developing the country’s natural resources.

Most of the CCC camps in Minnesota were in the Chippewa and Superior national forests, state forests, state parks and one private forest, Brunfelt said. “There are still remnants of a camp in Royalton.”

Sixty-one camps were built across the state, with nine in farming areas or flood control areas. Two of the camps were in Otter Tail County, where some of the men cleaned up the Ottertail River. Soil conservation work was also done by the CCC, along with tree and seedling planting.

In the program’s first six months, Brunfelt said the men fought forest fires, repaired or installed 165 miles of telephone lines, created 48 fire breaks, cleared 3,914 acres of timber slash and 211 miles of dead or damaged timber, built 20 dams and 25 bridges, inventoried 12,708 acres of forest, made improvements to beaches and lakeshores, and trimmed 1,508 acres of trees. 🌲



Works Progress Administration rock cutters prepare rock for a stone wall connecting the state fairgrounds’ race track.

Photograph Collection 8/18/1936, courtesy of the Minnesota Historical Society.

“So it was really a very disastrous time,” he said. “Between the time Roosevelt was elected and when he became president, the bank system collapsed, so he was faced with an immediate problem.”

In an attempt to solve the problems the nation faced, it was thought that recovery could be done by putting control of the industries into the hands of the large corporations and

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 19-26. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

BONDING

Higher education capital projects

A House division approved a series of bonding requests for the University of Minnesota and Minnesota State Colleges and Universities system.

Sponsored by Rep. Tom Rukavina (DFL-Virginia), HF1063 would provide \$106.6 million for a series of capital construction projects that were either vetoed by Gov. Tim Pawlenty or only partially funded by last year's bonding law.

The university's portion of the money — \$39.5 million — would fund a new Bell Museum of Natural History, while MnSCU's \$67.1 million share would go toward a series of smaller projects across the state.

Rukavina also sponsors HF859 that authorizes \$50 million for MnSCU and \$35 million for the university to fund those institutions' respective higher education asset preservation and replacement (HEAPR) requests.

The House Higher Education and Workforce Development Finance and Policy Division approved the bills Feb. 24 and referred them both to the House Capital Investment Finance Division.

Sen. Sandy Pappas (DFL-St. Paul) sponsors SF150, the companion to HF859. It awaits action by the Senate Higher Education Budget and Policy Division. The companion to HF1063 is SF990 sponsored by Pappas and awaits action by the Senate Finance Committee.

The division approved two other bonding projects, sending each to the House Capital Investment Finance Division:

- HF23, sponsored by Rep. Kim Norton (DFL-Rochester), would authorize \$6 million for a steam pipeline from Rochester Community and Technical College to a local waste-to-energy plant. Norton said steam from the plant would help heat and cool RCTC, reducing the college's operating costs. A companion, SF75, sponsored by Sen. Ann Lynch (DFL-Rochester), was laid over Feb. 23 by the Senate Economic Development and Housing Budget Division;
- HF283, sponsored by Rep. Kathy Brynaert (DFL-Mankato), would authorize \$13.8 million for a combined women's hockey center and performing arts center for Minnesota State University, Mankato. The facility would be an expansion of Mankato's Alltel Center. A companion, SF125, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits

ACCESS BUILDER



PHOTO BY TOM OLMSCHIED

Jim Williams of Shoreview waits for a friend at a front door of the Capitol before entering the Rotunda for a Feb. 23 disabilities advocacy program. He has worked for 18 years in the ramp program at the Minnesota Association of Centers for Independent Living, where he has designed and assembled more than 4,000 ramps for disabled people at private homes in the Twin Cities metropolitan area.

— N. BUSSE

BUDGET

No rainy day use for stimulus money

If Minnesota is to spend federal stimulus money during fiscal years 2010-2011, current law regarding carryover funds must be changed.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids), HF886 would allow money remaining in the General Fund at the end of fiscal year 2009 to be appropriated in the next biennium.

Approved 89-40 by the House on Feb. 23, the bill, sponsored by Sen. Richard Cohen (DFL-St. Paul) passed the Senate Feb. 26 57-8. It now moves to the governor's desk.

Current state law requires a surplus to be used for shoring up the state's cash flow and reserve accounts, and paying back any school funding shifts. As part of the governor's December 2008 unallotment to bring the current biennial budget into balance, the reserve account was depleted.

According to the nonpartisan House Research Department, the stimulus money changes federal Medicaid reimbursement to the state, possibly resulting in a positive General Fund balance at the end of the fiscal year. Federal law prohibits the state from using the Medicaid reimbursement for a budget reserve.

"This says we can accept the (federal stimulus) money, but it doesn't need to go into the reserve account," Solberg said. The change was requested by Minnesota Management and Budget.

House Republicans appeared to use the bill as a test to a change in House rules, whereby the House Rules and Legislative Administration Committee sets time limits for floor debate. Some called the rule change a way to gag the minority, while others said it will make for more informed debate.

Forty-five minutes had been allotted for the bill's debate, but Republicans put forward 11 amendments, which took nearly two hours. House Speaker Margaret Anderson Kelliher (DFL-Mpls) allowed the debate to continue.

The only successful amendment came from Rep. Laura Brod (R-New Prague), and was further amended by Solberg, to require a budget enacted for the 2010-2011 biennium to provide for a balanced General Fund budget in fiscal years 2012-2013.

— L. SCHUTZ

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

CONSUMERS

Ensuring healthy plantings

Nursery plantings may be on the store shelves in March, but it's wishful thinking to assume they'll make it outdoors into warm soil anytime soon. The delay can create a problem for consumers.

In a 130-0 vote, the House passed HF598 Feb. 26 that addresses the growing number of complaints to the Agriculture Department regarding the condition of dormant plant stock shipped to Minnesota from southern states. The bill now goes to the Senate, where Sen. Dan Skogen (DFL-Hewitt) is its sponsor.

The stock has been arriving earlier each year from the southern states, according to the bill's sponsor, Rep. Kent Eken (DFL-Twin Valley). By the time the ground unfreezes in Minnesota, he said many times people are buying dead stock. "Unfortunately, at times the stock has not been maintained adequately and the plant viability and survival has been low in some of the stock."

The bill clarifies definitions regarding dormant stock and requires the material to be properly maintained to protect its viability. The bill also adds nursery stock dealers to the nursery stock certification requirements, which could include inspections to ensure stock is free from quarantine and dangerous plant pests.

— L. SCHUTZ

Mechanic's lien mailing notification

The way a mechanic's lien is sent to a vehicle owner could change.

Under HF208, sponsored by Rep. David Dill (DFL-Crane Lake), a lien notice would be sent by certified, rather than registered mail.

Approved Feb. 23 by the House Civil Justice Committee, the bill awaits action by the full House.

Dill said registered mail is used to send something of value, such as an expensive watch for repair, but certified mail is a way of notifying someone that they need to pay their debt. A certified letter requires the recipient to sign a card, which is then returned to the sender. The sender is also notified if the recipient refuses to accept the payment notice or refuses to pick it up at the post office after receiving notice of an unsuccessful attempt of its delivery.

Dill said this would save the sender about \$8 per lien, the difference in mail cost.

Contractors can file a mechanic's lien within a certain amount of time if payment has not been received for services rendered. Foreclosure of such a lien occurs when the contractor is paid, sometimes that means

when the vehicle is sold at a public auction.

A companion, SF304, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Judiciary Committee.

— M. COOK

CRIME

MINNCOR gets good audit

A number of educational opportunities exist in the state prison system to help those incarcerated prepare to better function on the outside.

One of those received a mostly positive report from the Office of the Legislative Auditor.

"MINNCOR has generally done a good job in achieving high levels of inmate employment and generating enough revenue to cover its costs," Legislative Auditor James Nobles told the Legislative Audit Commission Feb. 23, the day of the report's release.

Formed in 1994 when the Corrections Department centralized individual prison industry programs into one statewide business, MINNCOR Industries employed about 16 percent of state inmates in fiscal year 2008, about three times the national average. The self-supporting program is available at six of the state's nine adult correctional facilities.

MINNCOR had about a \$3 million profit in fiscal year 2008, double a decade prior, and has been profitable in four of the last six years. Profits are used to fund a post-release program that helps inmates with things like resume writing, interview skills and provides a list of employers willing to hire an ex-con.

"They do a pretty good job in a pretty difficult setting," said Jo Vos, the auditor's office project manager.

The program operates two types of inmate work programs. It operates industries that sell products to state agencies, local governments and others. For example, MINNCOR provides laundry and printing services to public customers, and manufactures its own clothing, furniture, cabinetry and metal products, such as snow plow attachments. It also contracts with private businesses to use inmates and prison space to assemble or manufacture products they sell.

The audit found a handful of concerns.

For example, MINNCOR sometimes uses purchase orders instead of state contracts for its services with private businesses. Although no problems were found, auditors think the risk is too great because a state contract would address issues like liability and data privacy.

Deputy Commissioner Lynn Dingle said the department is updating its policy to expand the issuance of state contracts and the

appropriate use of purchase orders; however, it is concerned contracts could be detrimental because of their timeliness and potential loss of revenue.

— M. Cook

Sex offender Web bill defeated

A bill to prohibit sexual predators from using certain computer sites failed to clear a House committee, but its sponsor said the bill is not dead.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove), HF130 would prohibit predators from using social networking sites, like Facebook and MySpace.

Previously approved by the House Public Safety Policy and Oversight Committee, the bill was defeated Feb. 25 by the House Civil Justice Committee on a 6-6 vote.

After the meeting, Bigham was talking to opponents seeking ways to satisfy their concerns. She said the bill would likely be coming back.

One concern raised by Rep. Bobby Joe Champion (DFL-Mpls) is the constitutionality of allowing unannounced searches of computers and PDAs used by offenders. Currently registered sex offenders are subject to unannounced searches of their person, vehicle and premises.

Although no case law was cited, Deputy Attorney General David Voigt expects a search to stand up in court, just as other types of unannounced searches have been upheld.

Champion noted that judges could impose the no online access as part of a registered sex offender's probation, but Voigt said the bill would simply make it uniform.

In addition to the social networking sites, offenders would be prohibited from using instant messaging or chat room Internet sites, even when playing an online game.

Rep. Tim Mahoney (DFL-St. Paul) said this would make it impossible for predators to play online games when communication with other players is required.

Bigham indicated afterward that some language might need to be changed with respect to Mahoney's concern.

A mother of two children, Rep. Melissa Hortman (DFL-Brooklyn Park) said most games have an online/offline feature meaning an offender could play in their own home.

"These are people who are registered predatory offenders and we're trying to take them out of an environment where they have an opportunity to be predators," she said.

Awaiting action by the Senate Judiciary Committee is the bill's companion, SF403, sponsored by Sen. Mee Moua (DFL-St. Paul).

— M. Cook

Public defender representation

The monetary threshold to receive the services of a public defender could change.

It is one provision in a bill sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center).

Under HF509, criteria would be established to determine public defender eligibility based on the person's income and severity of the charge.

For a misdemeanor, a defendant could receive the aid of a public defender if their annual income does not exceed 150 percent of federal poverty guidelines. The percentage increases to 175 percent for a gross misdemeanor and 200 percent for a felony. Under current law, a person or their dependent residing in the same household that receives "means-tested government benefits" is eligible for a public defender.

"We're not expanding or, frankly, significantly contracting eligibility, but trying to give the judges some guidelines, make it more consistent across the state, and direct the statute at the individual or the client, rather than the people that are in the household," said Kevin Kajer, chief administrator of the Board of Public Defense.

Approved Feb. 24 by the House Public Safety Policy and Oversight Committee, the bill was sent to the House Finance Committee. A companion, SF409, sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Judiciary Committee.

Other changes include:

- a defendant would not be eligible for a public defender in a petty misdemeanor case;

- clarification that a chief appellate public defender is to represent those pursuing an appeal or post-conviction relief, while in all other cases they are to be represented by the district public defender; and

- a court "may," rather than "shall," direct an employed defendant to reimburse the state for the cost of a public defender.

"There are some instances where somebody may not qualify, but then they are appointed a public defender and then the court is ordering that reimbursement," Kajer said. "We're trying to give the court some flexibility here, and hopefully have those folks appointed private counsel rather than a public defender."

— M. Cook

DEVELOPMENT

Economic development strategies

An expert in regional and industrial economics from the University of Minnesota challenged legislators to find a smarter approach to promoting economic development in the state.

Ann Markusen, a professor at the Hubert H. Humphrey Institute of Public Affairs, told the House Bioscience and Workforce Development Policy and Oversight Division Feb. 25 that Minnesota — along with most other states — lacks a strategic approach to economic and workforce development issues.

While states often try to incentivize economic growth with tax incentives and workforce development programs, Markusen

REGAL RALLY



PHOTO BY TOM OLMSCHIED

U of M Rally "Regal the Eagle," the mascot at the University of Minnesota, Crookston, joined alumni and students from all university campuses for the Feb. 25 "Support the U Day" rally in the Rotunda. The annual event lets students and alumni discuss the importance of the university to the state.

said they rarely review programs to assess their success. She said policymakers need to look at a more evaluative approach that relies on hard statistical data.

Markusen criticized Gov. Tim Pawlenty's proposed cut to the corporate franchise tax. She said tax breaks ought to be "very precisely targeted" toward only those businesses that actually need the incentive. Otherwise, she said, the state is essentially giving up tax revenue that it could use for other economic development programs.

"We never say, 'What else could we do with this size of tax break that we're giving?'" Markusen said.

Rep. Bruce Anderson (R-Buffalo Township) challenged Markusen's claim that cutting corporate taxes wouldn't necessarily grow the state's economy, citing the recent example of TCF National Bank moving its headquarters from Minnesota to South Dakota because that state was offering better tax incentives.

Markusen said her point is that the state has no mechanism to evaluate whether a company is leaving the state because of taxes or for other reasons, such as access to a better transportation system or proximity to markets.

She emphasized the role that investing in K-12 and higher education plays in economic development, and said state funds are best spent on programs that benefit students rather than research and development.

— N. BUSSE

EDUCATION

Stimulus package benefit

The House Early Childhood Finance and Policy Division heard good news Feb. 24: child care and early childhood education is well-funded in the federal stimulus package.

Some of the estimated \$821.4 million Minnesota expects for education may reach early childhood programs, although states must prioritize restoring K-12 and higher education funding to prior levels, said Michelle Weber, the Education Department's director of government relations.

The state's special education programs servicing children from birth through 5 years old should see \$14.3 million through fiscal year 2011. Its Head Start programs should see about \$7.8 million in additional funds, to be used for increasing provider rates and creating additional sites and Early Head Start programs.

Another pool of incentive grant funds is available, Weber said, and some Minnesota early childhood programs or initiatives will likely qualify.

Minnesota can also expect \$26.1 million

in additional child care development funds, Human Services Department Assistant Commissioner for Children and Families Chuck Johnson told the division: \$22.7 million for assistance to low-income families, which could be used to increase county allocations for Basic Sliding Fee Child Care; a \$2.2 million "set-aside" targeted to quality improvement; and \$1.25 million for infant and toddler programs.

Members questioned whether the governor will now adjust the nearly \$11 million in cuts proposed earlier to child care subsidies, and whether the one-time cash infusion to early childhood programs will skew the state's maintenance of effort appropriation in the future.

Johnson and Weber noted the federal stimulus funds are intended to "supplement, not supplant" state and local matching funds for child care or education programs, but said it is not yet clear to which fiscal year supplemental funds would be correlated.

— K. BERGGREN

Education lawmaking made easier

A proposal to add four legislators to the Minnesota P-16 Education Partnership and expand its scope was approved Feb. 24 by the House K-12 Education Policy and Oversight Committee.

Rep. Marsha Swails (DFL-Woodbury), who sponsors HF106, said adding lawmakers from both major parties and renaming the group the P-20 Education Partnership would cost the state nothing and would help move innovative ideas from the think-tank atmosphere more quickly into the legislative process and the public forum.

Current P-16 partnership members represent education advocacy groups, colleges and universities, the private sector, nonprofit organizations, the governor's office and the Department of Education.

"We are simply asking that we, the implementers of public policy, have a seat at the table," Swails said.

Research indicates such groups are more "successful" and have more "clout" when they include legislators and have the governor's support, said Rep. Mindy Greiling (DFL-Roseville). "Having legislators on the P-16 council is a strong recommendation of the Education Commission of the States." Greiling and Education Commissioner Alice Seagren serve on that national nonpartisan policy and research group, which is chaired by Gov. Tim Pawlenty.

Others said formalizing legislators' presence is not needed.

Beth Aune, the Education Department's director of academic standards and P-16

initiatives, said some council members fear lawmakers' presence could engender a partisan atmosphere on the council and reduce its "nimbleness."

Rep. Randy Demmer (R-Hayfield) opposed the bill. "They haven't asked the Legislature to do anything," he said. "Why do we impose upon them our process?"

But the benefit of having legislators at the table "far outweighs the potential negative," said Rep. Carlos Mariani (DFL-St. Paul), the committee chairman. He attends partnership meetings as the executive director of Minnesota Minority Education Partnership, Inc., not as a lawmaker.

The bill was sent to the House Finance Committee. Its companion, SF21, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Higher Education Committee.

— K. BERGGREN

Toughening up anti-bullying policies

School districts have policies against bullying, but a bill could reinforce the consequences for such behavior.

Its sponsor, Rep. Sandra Peterson (DFL-New Hope), said HF679 represents a "tiny step" to enforce policies already in place by requiring a school administrator to notify a bully's parents when an incident occurs.

Although most agree the problem is serious, some say another mandate is not the solution.

"Without question the intensity around a bullying experience is devastating for a child. It's devastating for a parent," Jon Millerhagen told the House K-12 Education Policy and Oversight Committee Feb. 24. However, the principal of Bloomington's Washburn Elementary School said notifying parents can be counterproductive, such as when "parents take things into their own hands." In such cases, teachers and administrators should work directly with the student in the school setting to address the problem.

The bill, which has no Senate companion, was held over for a later vote.

Rep. Randy Demmer (R-Hayfield) called the bill "prescriptive," and said that school boards and administrators should determine locally how to implement district policies.

Supporters say requiring administrative involvement would support teachers in handling tough disciplinary situations and continue to expose a problem that isn't going away.

Former Chaska teacher David St. Germain supports the bill, because despite policies and programs intended to reduce bullying, intimidating behavior and attitudes remain a widespread problem with "soul-scarring" effects on its targets.

Research and anecdotes indicate bullied children may fear raising their hand in class, eating lunch in the cafeteria or even using the bathroom at school, he said.

"You can't learn if you're frightened," he said.

— K. BERGGREN

Schools in dire straits get help

Desperate times call for desperate measures.

Three bills offering school districts tools to help them work out of financial crisis were approved by the House K-12 Education Finance Division Feb. 25 and held for possible omnibus bill inclusion.

HF427, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) would permit the 18 school districts and charter schools in statutory operating debt as of June 30, 2008 to waive their required special operating plans for fiscal years 2010 and 2011.

That wouldn't erase the debt, but would allow districts to postpone some obligations temporarily as they regain fiscal health, Hilstrom said.

Hilstrom also sponsors HF429 to allow school districts in statutory operating debt to levy for up to three years to eliminate that debt without a ballot question. This, however, was of concern to legislators.

Both bills give districts "tools to educate young people," said Rep. Tom Anzelc (DFL-Balsam Township). "But this one, without the wishes of the people of the district, troubles me some."

Hilstrom, a former city council member, noted that school districts, unlike cities or counties, are the only local government authorities unable to levy for their needs. Rep. Pat Garofalo (R-Farmington) said aligning local government units' discretionary levy authority would enhance government "consistency and transparency."

Now, "there's only one chance" for voters angry about local actions "to take it out at the ballot box and it's reflected on the schools," he said.

Companion bills, SF464 and SF465, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), were laid over Feb. 17 by the Senate E-12 Education Budget and Policy Division for possible omnibus bill inclusion.

Rep. Tim Faust (DFL-Mora) sponsors HF778 to let districts with a negative fund balance authorize an operating levy referendum outside of the November election date. There is no Senate companion.



PHOTO BY ANDREW VONBANK

With Rep. Nora Slawik watching, Stephan Flister, assistant to the Maplewood Voters Coalition board, testifies before the House State and Local Government Operations Reform, Technology and Elections Committee Feb. 19 in support of a bill, sponsored by Slawik, which would prohibit deceptive names of candidates, political committees and political funds.

— K. BERGGREN

ELECTIONS

Anti-deception bill defeated

A House committee voted against a proposal to ban the use of "deceptive names" in political campaigns.

Sponsored by Rep. Nora Slawik (DFL-Maplewood), HF255 would prohibit candidates, campaign committees and other political entities from using names that are "deceptively similar" to a name already used by a candidate or political entity in a deliberate attempt to confuse voters.

Slawik gave the example of a group called the "Maplewood Voters Coalition." She said a competing group with opposing views sent out negative mailings to city residents under the name "Maplewood Voters" in a deliberate attempt to make people believe they had been sent out by the coalition.

Under the bill's provisions, such complaints would be referred to the Office of Administrative Hearings, which would conduct expedited proceedings to determine if an intent to deceive was present. Penalties for violations would be similar to those allowed for other fair campaign practices complaints.

The House State and Local Government Operations Reform, Technology and Elections Committee voted 14-3 against the proposal Feb. 19.

Opponents like Rep. Mark Buesgens (R-Jordan) said the bill could open the door to frivolous, politically motivated complaints.

"I ponder whether or not the taxpayer's league could be prosecuted by the taxpayer's association," Buesgens said, referring to a pair of competing Minnesota tax advocacy groups.

Others agreed, saying that deceptive campaign practices are best handled in other ways.

"The problem I have with this bill is that it's hard to see that someone should have a copyright on the use of the word 'Maplewood,'" said Rep. Phyllis Kahn (DFL-Mpls), referring to Slawik's example. She said that in the past, she had dealt with deceptive tactics used against her own campaign by "working harder."

A companion, SF20, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Referendum recalls too easy?

A House committee approved a bill designed to make it more difficult to recall operating referenda for school districts.

Sponsored by Rep. Bud Nornes (R-Fergus Falls), HF322 would require that 30 percent of registered voters in a district sign a written petition in order to force a referendum on revoking a school levy increase. The current threshold is 15 percent.

Nornes said the legislation was drafted at the request of the Frazee-Vergas School District, which fought for years to pass a referendum on an operating levy increase, only to have a group of citizens try to revoke the referendum after it had passed.

Although the group failed to get the reverse referendum on the ballot because of a legal technicality, Nornes said having the school operating levy revoked would have been financially disastrous for the school district. He argued that it would encourage other disgruntled property-taxpayers to take similar actions in the future.

"I think at that point you would have seen other districts in the state of Minnesota having folks decide ... 'OK, we'll fight this and lower our property taxes. To heck with the school,'" Nornes said.

Opponents included Rep. Steve Gottwalt (R-St. Cloud), who said citizens' ability to revoke referenda is a necessary, albeit messy, part of the democratic process. He also said there

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is no evidence to suggest that such reverse referenda are becoming a trend.

"I'm willing to have a conversation about whether or not the threshold is small and being abused, but the evidence so far suggests that it's not," Gottwalt said.

Approved Feb. 19 by the House State and Local Government Operations Reform, Technology and Elections Committee, it next goes to the House Finance Committee.

A companion, SF314, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate E-12 Education Budget and Policy Division.

— N. BUSSE

ENERGY

C-BED approval advances wind energy

Legislation to increase community-based renewable energy projects around the state was approved by the House Energy Finance and Policy Division.

Large utility companies opposed the measure, while a four-star general and renewable energy companies supported the legislation during lengthy testimony Feb. 18 and 23.

Sponsored by Rep. Andrew Falk (DFL-Murdock), HF357 would require utilities to purchase electricity generated from Community-Based Energy Development operations that produce five megawatts or less, until there are at least 200 megawatts of such projects in operation or contracted for in Minnesota. Falk said property owners have the right to be an owner of projects on their land, and that this legislation keeps jobs and revenues in the local community.

Retired U.S. Gen. Wesley Clark, a member of the Juhl Wind Inc. board of directors, testified on behalf of the bill Feb. 18.

"In Minnesota and the Upper Midwest, we've got plenty of wind. We can become totally self-sufficient in energy, if we do this the right way," Clark said, noting that self-reliance is a matter of national security.

But utility companies disputed that this legislation is the "right way." The bill proposes standard contracts and a controversial tariff formula for C-BED-generated electricity. In addition, the popularity of wind energy has caused a backlog and shortage in construction materials, utility spokespeople said.

Geronimo Wind Energy president Blake Nixon said he is frustrated by the lack of support for C-BED facilities. "We believe a mandate is necessary," said Nixon, whose company has two C-BED units in operation and more in the works.

But several of Xcel Energy's C-BED-financed projects have defaulted due to an

inability to purchase wind turbines and because of delays trying to connect with the Midwest Independent System Operator grid, said Betsy Engelking, director of resource planning and acquisition for Xcel Energy.

Office of Energy Security Director Bill Glahn said there have been difficulties with C-BED projects in the past, "but we seem to be making progress at a pretty good clip now."

Rep. Tom Hackbarth (R-Cedar) opposed the bill because he said ratepayers would be charged more for electricity than current standards.

On a roll call, division members voted 10-5 in favor and to advance the bill to the House Commerce and Labor Committee. A companion, SF399, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

— S. HEGARTY

Nuclear savings are wasteful buildup

Since 1982, Minnesota dollars have piled up in an escrow account in Washington D.C. with nothing to show.

Members of the House Energy Finance and Policy Division approved a bill Feb. 25 calling for nearly \$600 million to be returned until the Yucca Mountain nuclear waste facility in Nevada opens for business.

HF894, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), gained bipartisan approval and moves on to the House Finance Committee. It has no Senate companion.

Atkins said Minnesota's nuclear power generators have paid \$375.9 million to the national government so that nuclear waste from storage facilities such as Red Wing's Prairie Island plant could be transferred to the Nevada storage facility, which was supposed to be ready in 1998.

"If they're not going to build it, they should stop charging us," said Atkins.

Atkins said he is working with Minnesota's federal delegation, as well as encouraging other states to pass similar legislation. Terry Pickens, Xcel Energy's director of nuclear regulatory policy, said the company is frustrated by not being able to remove its nuclear waste and supports efforts to enlist the support of other states and national delegates.

— S. HEGARTY

ENVIRONMENT

Greenhouse gas reduction report

Efforts to reduce greenhouse gas emissions should be a three-pronged approach, according to a subcommittee report of the Minnesota Climate Change Advisory Group.

Speaking before a joint meeting of a House

Environment Policy and Oversight Committee and two House transportation divisions Feb. 24, five members of the group's Transportation and Land Use Policy Subcommittee provided recommendations published in their 2008 study of greenhouse gas.

Emissions are the results of fuel consumption, carbon content in fuel and the overall number of vehicle miles traveled, said Will Schroeder, a MCCAG committee member and state policy director for Smart Growth America. The subcommittee recommended 11 strategies to reduce these three factors.

Among the strategies are a pay-as-you-go car insurance plan that charges rates based on the number of miles traveled; a vehicle miles traveled tax policy; changes in land use requirements for new schools; and rehabilitating the central core of cities before allowing urban sprawl to occur.

One surprise finding of the committee was that rural residents contribute significantly to greenhouse gas emissions, which had been largely considered a metropolitan problem. That led to a rhetorical response from Rep. Terry Morrow (DFL-St. Peter).

"As a representative of Greater Minnesota that has a lot of farmers, and listening to vehicle miles traveled, how do we consolidate those farms into a community where the kids can bike to school? ... I don't know what message I take back to Greater Minnesota."

As a sponsor of the Next Generation Energy Initiative legislation, Rep. Melissa Hortman (DFL-Brooklyn Park) said she felt the subcommittee was underrepresented by the railroad industry in comparison to trucking. "The people you put in a room to come up with solutions influence the solutions that come out of the room," Hortman said.

MCCAG members were appointed by Gov. Tim Pawlenty and were directed to address climate change in response to the Next Generation Energy Initiative.

— S. HEGARTY

GAME & FISH

Spear-fishing and volunteer reward

A bill aimed at rewarding firearm safety instructors with a lifetime of deer hunting, and another that would eliminate slot limits on northern pike for winter spear-fishing were held over Feb. 23 for possible inclusion in the House Game, Fish and Forestry Division's omnibus bill.

HF579, sponsored by Rep. Dave Olin (DFL-Thief River Falls), would give firearm safety instructors a lifetime deer hunting license after 30 years of volunteer service.

Highlights continued on page 15



PHOTO BY TOM OLMSCHIED

Bloomington Mayor Gene Winstead speaks during a Feb. 24 Budget Listening Session at the Bloomington Community Center.

Getting an earful

Legislators fan out across the state to hear budget deficit problems, solutions

BY SUSAN HEGARTY

Solutions for solving the estimated \$4.8 billion deficit next biennium were few and far between at more than 20 town hall meetings held across the state the past two weeks. However, there was plenty of hand-wringing over the impact of Gov. Tim Pawlenty's proposed budget cuts.

Government workers and local taxpayers turned up in droves from Virginia to Albert Lea and from Moorhead to Winona and told a legislative panel how the proposed budget cuts would affect them. A few offered solutions, ranging from implementing a four-day work week to raising taxes.

"This illustrates that we're not looking at numbers on a page and there are no easy answers," said Rep. Gene Pelowski Jr. (DFL-Winona). "There is no facet of life not touched by this crisis."

House Majority Leader Tony Sertich (DFL-Chisholm) said it was important for legislators to get out of the State Capitol to learn what's

on Minnesotan's minds and the "best way is to meet them where they live." The nonpartisan takeaway was that taxpayers want there to be fairness when decisions are made, Sertich said. Pleased with the turnout at hearings, he added, "It's rare that you'll see a room full of politicians that did nothing but listen and didn't talk."

House Minority Leader Marty Seifert (R-Marshall) thought the meetings were a "mixed bag" that began heavy with testimony from government employees. "There were not a lot of voices from taxpayers or the business community," Seifert said. "It was a way for people who spend tax dollars to reiterate their

importance. We know a lot of that already." Twin Cities metropolitan area meetings were more balanced, he said, but they were still "short on solutions."

Ideas presented to solve the deficit will be brought back to the respective House and Senate committees and divisions for discussion.

Great demand to be heard

An estimated 6,000 people attended the opening week of hearings and more than 1,200 spoke their minds, according to House DFL Media.

Court Administrator Hans Holland was unable to attend the Mankato meeting Feb. 19, where 91 of the estimated 300 people in attendance were registered to speak. So, Holland drove to Albert Lea the following morning, where the allotted time, 10 a.m. until noon, was not nearly enough to hear from 46 pre-registered testifiers. As the clock ticked closer to 1 p.m., Pelowski concluded the meeting because the panel needed to make its way to another hearing planned for Winona.

Meetings continued on page 14

Listening across the state



PHOTO BY ANDREW VONBANK

Citizens sign up to testify at the House and Senate Budget Listening Session in Minneapolis Feb. 24.

PHOTO BY ANDREW VONBANK
With sitting room only, legislators and citizens hear public testimony at the Feb. 24 House and Senate Budget Listening Session in Minneapolis. Large crowds were common at hearings throughout the state.



PHOTO BY TOM OLMSCHIED

During a Feb. 20 listening session in Duluth, Linda Hoffman of Two Harbors tells a group of legislators that physical education is her concern in our schools.

PHOTO BY TOM OLMSCHIED

Ron Bliss tells a House and Senate Budget Listening Group in Bloomington Feb. 24 that the easier path to solve the state's budget woes would be to cut programs and services, but the Legislature should give equal attention to other options, such as reforms and raising revenues.





PHOTO BY ANDREW VONBANK

The Rev. Jerry McAfee of New Salem Baptist Church in Minneapolis speaks to legislators during a Feb. 24 Budget Listening Session in the City of Lakes.

Meetings continued from page 11

That angered the Rev. Reuben Unseth who accused meeting organizers of limiting testimony to “a preponderance of people representing the state.”

Some Republican legislators agreed with Unseth. “I’m troubled that the average taxpayer is not getting much of a chance to offer ideas,” Rep. Paul Torkelson (R-Nelson Township) wrote in a later e-mail. “I heard from roughly 120 testifiers at the Mankato and Marshall meetings, and maybe eight people did not have a vested interest in state government funding. That’s not to say those folks shouldn’t have that right, because they should. But the overall lack of citizen and business input was disheartening to say the least.”

A much different crowd turned out Feb. 24 in Minneapolis, where legislators got an earful from both supporters and opponents of Pawlenty’s budget proposals.

That same night in Bloomington, 150 people pre-registered to speak. Several testifiers were met with hoots and hollers after speaking, much to the dismay of Rep. Ann Lenczewski (DFL-Bloomington), who repeatedly asked the audience not to clap or whistle in an effort to keep the line of testifiers moving forward.

Taxes

Amid pleas from health care workers, teachers and parents of disabled children not to cut the budget for programs they depend on, Minneapolis resident Jeff Rosenberg seized the opportunity to rail against the governor’s plan to cut state spending and raise one-time revenues through K-12 accounting shifts. Accusing Pawlenty of “budget gimmicks,” he urged lawmakers to raise taxes instead.

“The governor pledged not to raise taxes and we are all paying for it now,” Rosenberg said, adding, “Minnesotans will stand behind you if you make the tough choices.”

Taking the opposite position, Kris Broberg, another Minneapolitan, told legislators that it is their own fault for creating massive government programs that people now rely on to fulfill their needs. He accused lawmakers of trying to make citizens “pay homage” to them in order to get their piece of the taxpayer money/pie.

Brian Ducklinsky told Albert Lea attendees that proposed cuts have “not gone far enough in some areas.” He suggests selling some of the state’s assets to raise revenue.

David Culver of Hopkins gave legislators in Bloomington several suggestions on the tax front, such as rescinding the tax cuts of the Ventura administration. “Raise the taxes on the wealthy and businesses until they are paying their fair share.” He also said he



PHOTO BY TOM OLMSCHIED

Tina Welch, executive director of the Women’s Health Center in Duluth, leans on a railing as she listens to people testify at a Feb. 20 Budget Listening Session in the Twin Ports.

wanted to see a permanent solution for the budget. “Don’t just go for the quick fix. Going for the quick fix in the past is one reason why we’re in this mess in the first place. Don’t flinch from dealing with long-term spending commitments and be courageous enough to raise taxes where required.”

Roger Janzig, a Bloomington resident and a member of AFSCME, said he’d like to see the rich and middle class taxed more proportionately.

“The trickledown effect doesn’t work,” he said. “You say, ‘If we give more money to the rich the economy gets stronger.’ When that happened, the state started collecting less revenue and more small businesses went out of business.”

Gambling was another remedy proposed to fight the deficit. “All I need to have you do is have video poker,” said Ken Leland of Albert Lea. Supporters of a racino at Canterbury Park also spoke in favor of expanded gambling opportunities.

Government

City and county workers objected to proposed cuts to local government agencies, many of whom are the delivery system for state

and federally funded programs.

Albert Lea City Manager Victoria Simonsen said the city has worked to reduce its dependence on Local Government Aid, which now represents 35 percent of the city’s budget. The counter-fix is a huge local property tax increase, she said. “The citizens of Albert Lea cannot tolerate anymore.”

Richfield Mayor Debbie Goettel shared some of the same concerns. She said that because of the aid unallotment in December to help balance the state’s current biennial shortfall, the city had to dip into its reserves because money had already been spent in anticipation of that state payment.

“Most of our budget is for public services,” she said. “With a small budget like Richfield’s, we’ll have to cut public safety (if the aid isn’t there).”

Mower County employee Craig Oscarson suggested that counties be given the option of a four-day work week, which he estimated would save up to \$75,000 in Mower County on fuel, staffing, utility and maintenance costs. Pelowski asked Oscarson to submit his idea to the Minnesota Association of Counties, who could research the concept on a statewide level.

At the Minneapolis meeting, one speaker suggested that the state save money by temporarily cutting wages for state employees; however, he warned against laying people off, saying they would just collect unemployment.

Health care

Reductions to health care services would also adversely affect rural communities, said Stephen Waldhoff, chief executive officer of the Albert Lea Medical Center, and Adam Rees, Austin Medical Center administrator. Both centers would face \$4 million in service reductions at a time when their charity cases are rising.

Chuck Van Wey, a 14-year cancer survivor and patient advocate, worried that cuts would affect matching federal dollars. He urged legislators to maintain funding for cancer screenings because “the investment is minimal compared to treatment.”

Calling cuts to the mentally ill “penny wise and pound foolish,” social worker Tedd Baumgardt also said group homes and social workers cost far less than hospitalization.

Education

Higher education cuts couldn’t come at a worst time because many dislocated workers are returning to school to move

Meetings continued on page 19

Highlights continued from page 10

This is the second time Olin has tried to pass such legislation; last year the threshold was 25 years. If allowed, nearly 300 instructors would immediately qualify for the lifetime license, valued at \$383. That could short the Department of Natural Resources nearly \$115,000 in anticipated revenue the first year it's enacted.

Assistant DNR Commissioner Bob Meier said volunteers are rewarded in other ways, such as annual banquets and service anniversary gifts. The practice is consistent with other forms of instructor recognition programs, such as all-terrain vehicle and snowmobile safety instructors.

The bill's companion, SF495, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), rests with the Senate Environment and Natural Resources Committee.

The other bill, HF621, is sponsored by Rep. Tom Anzelc (DFL-Balsam Township), who is looking to bring spear-fishing anglers into compliance with current regulations.

Anzelc said during the winter it's nearly impossible to know for sure how large or small a pike is before spearing it and lifting it out of a hole in the ice. Once speared, it can't be released. If it's outside allowable measurement, the angler is non-compliant and subject to a fine. Although the number of lakes where spear-fishing is allowed is minimal (125), representatives of various fishing associations spoke against the bill. Last year, 15,000 spear-fishing licenses were sold.

A companion, SF631, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

GOVERNMENT

Wasting less paper

Less paperwork for government without losing government transparency is the goal of a bill sponsored by Rep. Gene Pelowski Jr. (DFL-Winona).

HF801 would allow the Legislative Reference Library to keep fewer print copies of mandated legislative reports. In addition, the bill would eliminate certain paperwork requirements.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill Feb. 24. It now awaits action on the House floor.

Under the bill's provisions, the library would only be required to keep two print copies of each mandated report on hand; the current requirement is six.

Other eliminated print requirements would include:

- that a print copy of the library's monthly checklist of state documents be distributed to all legislators, state agencies and public college and university libraries; and
- that Minnesota Management and Budget submit daily print copies showing the balances of certain state accounts.

Although the print requirements would be eliminated, the bill would also ensure that the documents are available via the library's Web site. Pelowski said this would actually make the documents more accessible to the public, who may not want to come to St. Paul and dig through boxes in the library to find a document.

A companion, SF779, sponsored by Sen. Joe Gimse (R-Willmar), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

Finance Department no more

When the Departments of Finance and Employee Relations merged last summer, Gov. Tim Pawlenty issued an executive order naming the new agency Minnesota Management and Budget; however, the name change isn't yet officially in state law. A bill sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) would fix the problem.

HF736 would instruct the Office of the Revisor of Statutes to replace all statutory references to the Departments of Finance or Employee Relations to "Minnesota Management and Budget." The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill Feb. 24.

Commissioner Tom Hanson said the name change reflects a new "enterprise approach" to managing the state's fiscal operations. He said there is no known cost associated with the name change, and added that MMB is doing its best to use up all remaining letterhead and stationery with "Department of Finance" written on it.

The bill now goes to the House Finance Committee. It has no Senate companion.

— N. BUSSE

Bridge compensation fund modified

**Signed
by
the
governor**

The compensation process for survivors of the Interstate 35W bridge collapse has been modified.

Rep. Ryan Winkler (DFL-Golden Valley), who sponsors the measure with Sen. Ron Latz (DFL-St. Louis Park), said the law will protect members of a special master panel from legal liability

for duties that they have been assigned. It is retroactive to May 8, 2008, the date the governor signed the law creating the compensation process.

Signed Feb. 24 by the governor, it was passed 129-0 by the House one day earlier, and 56-1 by the Senate Feb. 5.

A 2008 law appropriated funds and established a claims structure for survivors of the Aug. 1, 2007, collapse that killed 13 people and injured 85 others. The panel is to make offers to each claimant by Feb. 28, 2009. Winkler said 179 claims have been filed.

In return for accepting compensation, survivors will release the state from further liability. If they choose not to accept compensation, they can pursue a lawsuit against the state that would be subject to all existing statutory terms and conditions.

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

- provides that records and data created by panel members are not public, except for the settlement agreement;
- prohibits a panel member from testifying in any civil or administrative action related to their service, unless a statement or conduct could constitute a crime;
- clarifies the prohibition on third-party subrogation and recovery claims; and
- clarifies that panel members are state employees for the purposes of indemnification.

HF100/SF94*/CH4

— M. COOK

HOUSING

Challenge Fund cuts questioned

A 69 percent proposed reduction to the Housing Challenge Fund, which helps create affordable housing, should not be on Gov. Tim Pawlenty's chopping block for the 2010-2011 biennium, say policymakers in reaction to a new affordable housing study.

According to a recent report produced for the Minnesota Housing Partnership and Greater Minnesota Housing Fund, each \$1 million from the challenge fund creates 40 new units of affordable housing.

The challenge fund combines private capital with public funds to encourage development of privately owned, but publicly assisted, affordable and accessible housing. Within five years, 72 percent of the state's financial investment could be recouped through repaid state tax revenues, according to a partnership analysis. The challenge fund offers additional economic benefits through job creation and increased tax revenue.

"It really is, among the agency's programs,

the biggest job producer, tax producer back to local and state government,” said Chip Halbach, executive director of the partnership.

With so many foreclosures and a rise in homelessness, members of one House division questioned the rationale for the \$23.5 million biennium program cut.

“The incredible impact on our economy is very well laid out. This study is new. He didn’t have the benefit of it before it was done,” Rep. Karen Clark (DFL-Mpls), chairwoman of the House Housing Finance and Policy and Public Health Finance Division, said at a Feb. 24 meeting. No action was taken.

— S. HEGARTY

Statute of repose clarification

A bill that its sponsor termed a technical fix to clarify a 2004 law, could have major implications for some homeowners.

Rep. Julie Bunn (DFL-Lake Elmo), who sponsors HF412, said the bill’s goal is to make two components even clearer: a homeowner’s warranty claim must be made within two years of the breach, and the claim has to occur within 12 years of the warranty effective date.

The problem, she said, is that court levels have interpreted the law differently, catching homeowners in the middle.

Bunn said that a 2007 court decision went against the original intent by stating all claims must be within 10 years, the stated warranty on many home repairs, even though 12 years was always the intent.

“The Legislature, I think it is clear, intended to give people time, even after the warranty period expires, to discover a problem, go to the builder, and hopefully the builder will take care of it. But if they won’t, you still have time to bring your claim,” said Scott Andresen, an attorney who has represented hundreds of homeowners in warranty disputes.

He said the problem is courts interpreting current law to mean a homeowner has to discover the breach within the warranty period; tell the builder and have the builder “tell you to go pound sand” before a lawsuit can be brought. “They’ve effectively shortened the 10-year warranty period with that interpretation. This bill will clarify to say you still have a two-year statute of limitations, but you have to bring the lawsuit within 12 years of the warranty date.”

Lisa Frenette, government affairs director with the Builders Association of Minnesota, spoke against the bill.

“We believe right now that the law is clear on the time certain of when you can bring forward a claim. It allows a person to come forward, bring a claim and go into an extra two years if they bring the claim within the

ninth and the 10th year,” she said.

Approved Feb. 23 by the House Civil Justice Committee on a split voice vote, it was sent to the House Commerce and Labor Committee. A companion, SF470, sponsored by Sen. Sandy Rummel (DFL-White Bear Lake), awaits action by the Senate Judiciary Committee.

— M. COOK

HUMAN SERVICES

Preparing for the age wave

As baby boomers move into retirement, communities can reap benefits from this age wave if they create an environment and amenities that attract seniors.

Rep. Paul Thissen (DFL-Mpls) sponsors HF936 that would “begin to set policy and institutions in place that will allow people to age in their communities.”

Approved Feb. 24 by the House Health Care and Human Services Policy and Oversight Committee, the bill was sent to the House State and Local Government Operations Reform, Technology and Elections Committee.

The bill specifies criteria for a Communities for a Lifetime state designation. To achieve the rating, a community would need to have in place the housing, transportation, volunteer services, nutrition programs and medical services that would allow people to live in their community as they age, Thissen said.

The bill requires the Minnesota Board of Aging, in cooperation with the commissioner of employment and economic development, to establish a task force to explore issues related to the designation, and bring an implementation

plan to the Legislature by Jan. 31, 2010. Based on the recommendations, the commissioner would be required to draft legislation by February 28, 2010 for consideration.

“What attracted me to this bill is the process ... these communities having to think through the steps to become good communities that are supportive and open to elderly people living in their community,” said Rep. Steve Gottwalt (R-St. Cloud). He added that it is more than a “feel good bill,” and that delivery of services at the community level will become increasingly important. “This process could actually be very beneficial in building capacity across the state.”

The companion, SF839, is sponsored by Sen. Kathy Sheran (DFL-Mankato). It awaits a hearing by the Senate Health, Housing and Family Security Committee.

— L. SCHUTZ

INSURANCE

Covering autism treatment

It’s an important bill that is controversial because of the mandates it would impose — that is the description Rep. Kim Norton (DFL-Rochester) gave to HF359, which she sponsors.

Heard before the House Commerce and Labor Committee Feb. 24, the bill would require health plans to cover autism spectrum disorder, specifically a treatment known as Applied Behavior Analysis. While most autism treatments are covered by insurance, not all cover ABA, which supporters say is the most comprehensive and most effective



PHOTO BY TOM OLMSCHIED

Reece Trahan, 8, who is autistic, rests his arms on the podium as his father, Brad, left top, and mother, Joanie, left center, founders of the Autism Awareness Foundation, Inc., testify Feb. 24 before the House Commerce and Labor Committee in support of a bill that would require insurance carriers to cover autism spectrum disorders. Rep. Kim Norton, left bottom, sponsors HF359.

approach to improving the lives of people with autism and their families.

"Today we are knocking on your door ... to give parents and their children the hope they deserve. We are knocking on your door so those children can receive the medical therapy they need," said Brad Trahan, a parent of an autistic son and chairman of the Senate Autism Task Force.

He and several testifiers talked about the difference the prescribed treatment has made in their children's quality of life, but yet creates a financial hardship when it is not covered by insurance.

Stacia Smith, director of workforce and health policy for the Minnesota Chamber of Commerce, said the organization opposes the bill because of the mandate it would put on the insurance market.

Rep. Greg Davids (R-Preston) said the increasing number of state mandates on insurance is a cause for rate increases and fewer companies offering coverage to their employees.

"This amendment will cause people to become uninsured," he said.

Rep. Steve Simon (DFL-St. Louis Park) called opponents "inflexible" because of their seeming unwillingness to compromise. He wanted to know, "What would you tell these families to do?"

Mike Hickey, state director for the National Federation of Independent Business/Minnesota, responded, "I would tell them that the small employers in this state, in the middle of this terrible recession, really can't afford something that's going to get real expensive. I'd tell them that it just can't be done right now."

Approved by the committee, the bill was referred to the House Finance Committee. Its companion, SF312, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Commerce and Consumer Protection Committee.

— L. SCHUTZ

LAW

Court cost concerns

A constitutional crisis could be looming for the state courts system.

Cut by \$42 million in the past six years, another 5 percent hit is called for in Gov. Tim Pawlenty's biennial budget proposal.

"We're here telling you that we cannot do all of what is constitutionally required, statutorily required, if a cut of the magnitude being suggested happens," State Court Administrator Sue Dosal told the House Public Safety Finance Division Feb. 24. No action was taken.

She noted that courts were cut \$23 million in the 2004-2005 biennium, no funding was restored for the next biennium and they are operating in the 2008-2009 biennium with another \$19 million cut.

Dosal and two judges warned that Pawlenty's proposed \$29.4 million cut could result in a 10 percent to 15 percent staff reduction, which would add to current delays in serving the public. The judiciary's budget is almost all personnel.

The system is already operating 9 percent short-staffed, service counters have been closed a half day per week in three of 10 judicial districts, juror per diem has been reduced, drug court budgets have been reduced and a Washington County satellite court has been closed.

"Someone coming to the counter in the Third Judicial District in southeast Minnesota may have a petition for an ex parte restraining order, or other filing that needs immediate attention, only to find a counter closed," said Fifth District Judge John Rodenberg. Other examples cited include: a more than one-month backlog in opening conciliation court cases in Olmsted County; a four- to six-week delay of judgment enforcements in Winona County; and scheduling misdemeanor trials in Mower County has doubled to eight months.

James Swenson, chief judge of Hennepin County District Court, noted that courts collect about \$200 million annually for state and local governments, a number that would decrease under the proposed cuts because some case types might not be prosecuted.

"There will be no consequence for shoplifting, trespass, worthless check," Dosal said.

The system has consolidated services, such as two districts sharing a court administrator, and an additional \$5.6 million in one-time money for technology investments has been requested.

— M. COOK

LOCAL GOVERNMENT

Law to help Duluth's bottom line

**Signed
by
the
governor**

A Duluth-specific bill relating to maintenance of steam-producing boilers is now law, signed Feb. 20 by Gov. Tim Pawlenty and taking effect the next day.

Minnesota statute lays out licensing requirements for boiler operations and exemptions. Sponsored by Rep. Roger Reinert (DFL-Duluth) and Sen. Yvonne Prettner Solon (DFL-Duluth), a situation faced by the

city is now added to the list of exemptions.

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

However, for the boiler to be sold and remain in operation, the exemption from licensing requirements needed to be changed to apply to the new owner.

HF329/SF212*/CH2

— L. SCHUTZ

RECREATION

Vikings stadium a 'non-starter'

The idea of using public money to help finance a new stadium for the Minnesota Vikings was met with a chilly reception by members of a House division Feb. 23.

Speaking before the House Local Government Division, Metropolitan Sports Facilities Commission Chairman Roy Terwilliger was among those making their case for a new facility to house the team. No action was taken.

Arguing that the Hubert H. Humphrey Metrodome is obsolete and no longer up to National Football League standards, Terwilliger laid out plans for a new stadium where the Metrodome now stands. He said Minnesota is in danger of losing the Vikings when their current use agreement with the facility expires in 2011.

Terwilliger said he understands the state is facing a difficult fiscal situation, but argued that keeping the Vikings and other professional sports teams is important to Minnesota's overall quality of life.

"We certainly recognize the needs that are out there and such," Terwilliger said. "But at the same time, we have a job to do."

Rep. Bev Scalze (DFL-Little Canada) was among the division members who criticized the proposal as being too much to ask during a time of economic crisis.

"You know what the budget situation is," Scalze told Terwilliger. "We've got a 20 percent deficit out of our current budget. It's like telling somebody over their kitchen table, 'Take 20 percent out of what you currently use to run your family and cut it out.'"

Scalze added that Minnesota faces long-term challenges beyond the current biennial deficit, such as an aging population that will demand more health care funding.

Bill Rhoda, a principal with Conventions, Sports and Leisure International, said



PHOTO BY TOM OLMSCHIED

Sporting his Adrian Peterson jersey, Larry Spooner listens while Roy Terwilliger, chairman of the Metropolitan Sports Facilities Commission, tells the House Local Government Division Feb. 23 about the need for a new Vikings stadium. It's been a 12-year passion for Spooner, who co-chairs Minnesota Momentum with former Vikings head coach Bud Grant, a group pushing to get a new stadium for the 2008 NFC North Division Champions.

construction of a new stadium would create thousands of jobs and generate millions of dollars of direct and indirect tax revenue for the state.

Rep. Mark Buesgens (R-Jordan) expressed doubt about Rhoda's prediction that some \$32 million a year in sales and income tax revenue would be lost without a new stadium. He said families might simply spend their money elsewhere, such as at a college sports game or a theater.

Calling the idea of a publicly funded stadium a "non-starter," Rep. Frank Hornstein (DFL-Mpls) encouraged the commission to look either at private funding for a new stadium or rehabilitation options for the Metrodome.

— N. BUSSE

TAXES

LGA disaster relief

After suffering a fire during the summer that took out two city blocks, the city of Green Isle is looking for help.

Sponsored by Rep. Laura Brod (R-New Prague), HF684 would provide a \$150,000 increase in local government aid to Green Isle for aids payable only in 2010. The bill was laid over Feb. 25 for possible inclusion in the House Property and Local Sales Tax Division's report.

Mayor Randal Bruegger said 25 percent of the city's commercial base was destroyed in the

July 3 fire. Shamrock Storage, the city's largest commercial building, suffered the greatest loss. Several neighboring fire departments were called to bring the fire under control. "It smoldered for two weeks," he said.

The city's problems were compounded when a developer with many empty lots stopped paying special assessments in October. This will cause serious future cash flow problems and significant increases in the city's property tax levy, Bruegger said. Green Isle has also been unable to maintain a six-month operating reserve because of increased operating costs.

Other cities have received special LGA increases in the wake of disasters including Browns Valley, Cass Lake and Mahanomen in recent years.

A companion, SF609, sponsored by Sen. Kevin Dahle (DFL-Northfield), awaits action by the Senate Taxes Committee.

— S. HEGMAN

MOE of effort suspension repeal

Signed
by
the
governor

Mandates for counties are back in effect, under a new law signed Feb. 20 by Gov. Tim Pawlenty.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Tom Bakk (DFL-Cook), the new law repeals a provision that suspended all state maintenance of effort (MOE) and matching fund requirements for counties while levy limits are in effect.

The law also replaces two employer credits intended to encourage employers to provide Section 125 plans with a health care credit for certain individuals participating in Section 125 plans.

The MOE section is effective retroactively from July 1, 2008. The insurance credit is effective Feb. 21, 2009.

HF95/SF49*/CH3

— S. HEGMAN

TRANSPORTATION

Speeding to pass vehicles

Those stuck driving behind someone going below the posted limit on a two-lane highway, in many cases, will cross the dashed yellow line and pass the slower vehicle.

The problem is that doing so usually means accelerating beyond the posted speed limit.

Rep. Tom Rukavina (DFL-Virginia) wants to give drivers a break.

He sponsors HF464 that would permit a passing driver to exceed the posted speed limit by 10 mph when passing on a two-lane highway in areas where the speed limit is at least 55 mph.

Approved Feb. 25 by the House Transportation and Transit Policy and Oversight Division, the bill heads to the House Transportation Finance and Policy Division.

Rukavina, who has been ticketed for the infraction, said accelerating to pass is taught in driver's education, even though state law says the speed limit should not be exceeded. "Especially in these trying times financially, I don't need my constituents, and you don't need yours, getting a \$125 speeding ticket for basically doing what we were taught younger to do for safety reasons."

State Traffic Engineer Sue Groth fears the bill would encourage aggressive driving, which is contrary to the Transportation Department's safety program. She said speed is a contributing factor in 28 percent of the state's fatal crashes, and that about 20 percent of crashes on rural two-lane roads are fatal. "Many of those are due to these passing maneuvers."

Furthermore, a change could require lengthening no passing zones, which could have a \$3 million to \$4 million price tag, based on MnDOT crews having to evaluate each of the roughly 10,000 trunk highway no passing zones and possibly restripe roads and relocate traffic signs.

State Patrol Maj. Michele Tuchner expressed concern about enforcement, noting a driver may think they get the extra 10 mph when preparing to pass or after returning to the right lane.

A companion, SF601, sponsored by

Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Transportation Committee.

— M. Cook

Rest area usage prohibitions

Rest areas are designed to offer travelers a place to refresh, relieve and obtain tourist information. However, some are being used for other, less appealing purposes.

As part of his Feb. 25 presentation on HF570, Rep. Bobby Joe Champion (DFL-Mpls) showed a series of rest area pictures to the House Transportation and Transit Policy and Oversight Division.

They showed overflowing dumpsters filled with obvious household waste and construction debris, including residential doors, and trash scattered around a smaller rest area.

“These pictures really capture the challenges (the Department of Transportation) faces on a daily basis when it comes to rest stop areas and the dumping of things that aren’t supposed to be there,” he said.

Based upon a request from the department, Champion said his bill would require disposal of travel-related trash in a designated receptacle. It would also prohibit:

- dumping household or commercial trash;
- draining or dumping refuse, except for trash intended for waste receptacles;
- consuming alcohol or possessing open containers of alcohol; and
- using the rest area for a purpose besides rest, refreshment or obtaining tourist information, unless specifically authorized.

“This would allow law enforcement officers

to cite individuals at rest areas if they were littering, dumping commercial or household garbage, dumping sanitary waste, consuming alcohol or using the rest areas for purposes other than what they were intended,” said Robert Williams, MnDOT’s rest area program manager.

Violation of any dumping prohibition would be a petty misdemeanor, but alcohol consumption or possession would be a misdemeanor.

Williams said many activities are prohibited on state roadways, but current laws aren’t clear if it is illegal at a rest area. He said a survey showed that 69 on-site custodians had witnessed people dumping household or commercial garbage at their rest area.

Approved by the division, the bill heads to the House Public Safety Policy and Oversight Committee. A companion, SF556, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action by the Senate Judiciary Committee.

— M. Cook

Spending stimulus dollars

Under an aggressive timeline to get shovels in the ground and people to work, approximately \$50 million in local road projects have been advertised by the Transportation Department.

Funding is just a small portion of the federal stimulus package the state expects to see for transportation projects.

Abby McKenzie, director of the department’s Office of Investment Management, told a joint meeting of the House Ways and Means and Finance committees Feb. 23, “things are moving very quickly at MnDOT.”

She said the state should be receiving the highway funds on March 10, with project work to begin as soon as May 1, according to the department’s Web site.

The announcement was part of a larger discussion with Tom Hanson, Minnesota Management and Budget commissioner, about the expected funds from the American Recovery and Reinvestment Act of 2009 and the effect on the 2010-2011 biennial budget.

Hanson called it “an almost unprecedented challenge between quick obligation and quick action” regarding the stimulus money, while, at the same time, maintaining current program efficiency.

For committee members, spending transparency is important as well as who will be making the decisions. Hanson, appointed by Gov. Tim Pawlenty to serve as the state’s federal stimulus coordinator, assured members of their involvement, noting much of the spending will come as a result of legislation. He said an informational Web site about the stimulus money should be up “shortly,” with a more comprehensive site to follow.

With the expected March 3 release of the February Forecast, Rep. Loren Solberg (DFL-Grand Rapids), chairman of the House Ways and Means Committee, asked how the stimulus money will affect the governor’s previously released budget proposal. Hanson said the budget will need at least two “lengthy” change items — relating mostly to education and health and human services.

— L. Schutz

Meetings continued from page 14

into alternative careers, said Terry Leas, a Riverland Community College instructor. For every \$1 million cut, the college would serve 400 fewer students, said Leas.

Minneapolis Community and Technical College President Phil Davis reminded those in attendance that a good education leads to

good jobs, which leads to good housing and good health care.

Maureen Bartolotta, chairwoman of the Bloomington school board, said district salaries have been frozen for the next school year. The district also shares management services with the Richfield School District as a way to cut costs. She suggested that instead

of the current requirement to set two-year contracts for teachers, that a one-year contract cycle would be more fiscally prudent. This way, she said, it would be easier to adjust salaries and teachers might be more likely to take a lesser salary for one year versus two years.

SESSION WEEKLY WRITERS NICK BUSSE AND SONJA HEGMAN CONTRIBUTED TO THIS STORY.

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Monday, February 23

HF1008-Solberg (DFL)

Finance

Public television and noncommercial radio station grant timing and requirements modified.

HF1009-Garofalo (R)

Commerce & Labor

Wine sales and samples allowed at farmer's markets.

HF1010-Kalin (DFL)

State & Local Government Operations Reform, Technology & Elections

Military and overseas voting provisions changed.

HF1011-Hilty (DFL)

State & Local Government Operations Reform, Technology & Elections

Election administration provisions changed.

HF1012-Laine (DFL)

Health Care & Human Services Policy & Oversight

Nonprofit health plan company maximum financial reserves specified.

HF1013-Laine (DFL)

Housing Finance & Policy & Public Health Finance Division

Homeless program providers allowed to impose requirements on clients and require consistency in program guidelines.

HF1014-Laine (DFL)

Housing Finance & Policy & Public Health Finance Division

Homeless management information system data required.

HF1015-Laine (DFL)

Finance

Fridley; Springbrook Nature Center funding provided.

HF1016-Scalze (DFL)

Taxes

Prescribed content of property tax statements modified.

HF1017-Peppin (R)

Health Care & Human Services Policy & Oversight

MFIP work activities modified.

HF1018-Kalin (DFL)

State & Local Government Operations Reform, Technology & Elections

Public Websites purposes specified; state agencies required to include contact information on Web sites.

HF1019-Drazkowski (R)

Taxes

Taxable market value increase prohibited for certain homesteads owned by persons age 65 years or older.

HF1020-Drazkowski (R)

Environment Policy & Oversight

Sale of agricultural leased lands required.

HF1021-Kelly (R)

Public Safety Policy & Oversight

Arrest authorized for person who escapes from custody on an allegation or adjudication of a delinquent act.

HF1022-Anzelc (DFL)

State & Local Government Operations Reform, Technology & Elections

Local governments allowed to provide health coverage for employees through negotiated contributions to self-funded, multi-employer health and welfare plans.

HF1023-Kelly (R)

State & Local Government Operations Reform, Technology & Elections

Cannon Falls; design-build process authorized to award contracts for construction of a library and fire station.

HF1024-Poppe (DFL)

Finance

Brownsdale; sewer system funding provided.

HF1025-Poppe (DFL)

Finance

Austin; flood mitigation funding provided.

HF1026-Slawik (DFL)

Early Childhood Finance & Policy Division

Early childhood education provisions amended.

HF1027-Liebling (DFL)

Health Care & Human Services Policy & Oversight

Medicare-covered service balance billing prohibition repealed.

HF1028-Newton (DFL)

Finance

Coon Rapids; new travel lanes funding provided for U.S. Highway 10 between Hanson and Round Lake boulevards, and project at U.S. Highway 10 and Hanson Boulevard.

HF1029-Winkler (DFL)

Finance

BioBusiness Alliance funding provided.

HF1030-Solberg (DFL)

Health Care & Human Services Policy & Oversight

Single dental administrator established to administer dental services for the recipients of the state health care programs.

HF1031-Wagenius (DFL)

Environment Policy & Oversight

Comprehensive statewide sustainable water resources detailed framework funding provided.

HF1032-Fritz (DFL)

Health Care & Human Services Policy & Oversight

Self-advocacy program established for persons with developmental disabilities and appropriated money transferred.

HF1033-Norton (DFL)

State & Local Government Operations Reform, Technology & Elections

School district primary election required in certain jurisdictions.

HF1034-Lesch (DFL)

K-12 Education Policy & Oversight

Employment protection provided for charter school employees.

HF1035-Hosch (DFL)

State & Local Government Operations Reform, Technology & Elections

Greenhouse gas emissions reduced, land use planning required and certain types of development limited, new incorporations prohibited, tax standards modified and minimum acreage standards prohibited.

HF1036-Seifert (R)

Health Care & Human Services Policy & Oversight

New resident general assistance payments modified, and MFIP payments modified for new residents.

HF1037-Swails (DFL)

K-12 Education Policy & Oversight

Home school mandates reduced.

HF1038-Jackson (DFL)

Energy Finance & Policy Division

Public Utilities Commission authorized to order refunds of unlawful utility rate revenues.

HF1039-Smith (R)

Public Safety Policy & Oversight

Provisions clarified for an inmate convicted for assaulting a correctional officer to serve sentence consecutive to the sentence for which they are imprisoned.

HF1040-Shimanski (R)

Finance

McLeod West; ISD 2887; reorganization operating debt bonds issued.

HF1041-Lillie (DFL)

Commerce & Labor

Homeowners' insurance applicant notice required.

HF1042-Slocum (DFL)

Finance

Richfield; new arterial street funding provided.

HF1043-Johnson (DFL)

Public Safety Policy & Oversight

Job applicant's criminal history consideration addressed during the public employment hiring process.

HF1044-Johnson (DFL)

Higher Education & Workforce Development Finance & Policy Division

Postsecondary institutions required to notify prospective students of the potential effects of a criminal conviction on future employment.

HF1045-Mullery (DFL)

Finance

Summer youth employment funding provided.

HF1046-Mariani (DFL)

K-12 Education Policy & Oversight

Minnesota reading corps program established.

HF1047-Hornstein (DFL)

Transportation & Transit Policy & Oversight Division

Statewide goals amended for reduction of greenhouse gas emissions.

HF1048-Brynaert (DFL)

Commerce & Labor

Eligibility for benefits under certain training programs provided.

HF1049-Kalin (DFL)

Energy Finance & Policy Division

Conservation improvement program plan approval regulated.

HF1050-Olin (DFL)

Public Safety Policy & Oversight

Short-term commitment authorization repealed.

HF1051-Olin (DFL)

Finance

Railroad crossing device installation funds allocated.

HF1052-Olin (DFL)

Finance

Kennedy; energy conversion of former school building funding provided and green economy promoted.

HF1053-Simon (DFL)**State & Local Government
Operations Reform, Technology &
Elections**

Public officials required to provide additional data to the secretary of state for use in maintaining the voter registration system, and automatic voter registration of applicants for a driver's license, instruction permit or identification card provided.

HF1054-Doty (DFL)**Environment Policy & Oversight**

Acquisition of certain easements authorized.

HF1055-Doty (DFL)**Finance**

Agricultural nonpoint source pollution monitoring funding provided.

HF1056-Howes (R)**Commerce & Labor**

Construction subcontractors prompt payment required.

HF1057-Brod (R)**Health Care & Human Services
Policy & Oversight**

Abortion provisions changed.

HF1058-Fritz (DFL)**Health Care & Human Services
Policy & Oversight**

Saline amniocentesis abortions prohibited.

HF1059-Otremba (DFL)**Health Care & Human Services
Policy & Oversight**

State-sponsored health programs funds limited for funding abortions.

HF1060-Holberg (R)**Civil Justice**

Neglect, abuse and other actions against incapacitated and vulnerable adult remedies provided.

HF1061-Brown (DFL)**Finance**

Shell Rock River Watershed District funding provided.

HF1062-Brown (DFL)**Finance**

Shell Rock River Watershed District flood mitigation project funding provided.

HF1063-Rukavina (DFL)**Finance**

University of Minnesota and the Minnesota State Colleges and Universities funding provided.

HF1064-Thao (DFL)**Finance**

Gillette Children's Hospital funding provided.

HF1065-Thao (DFL)**Health Care & Human Services
Policy & Oversight**

High-risk children collaborative services established.

HF1066-Bunn (DFL)**Finance**

Interstate Highway 94 Corridor Transit Way funding provided.

HF1067-Peppin (R)**Commerce & Labor**

Gasoline sales below cost regulated.

HF1068-Abeler (R)**K-12 Education Policy & Oversight**

School districts allowed to waive background check fees for volunteers.

HF1069-Abeler (R)**Health Care & Human Services
Policy & Oversight**

Installation of separate temperature controls in individual nursing facility rooms study required.

HF1070-Eken (DFL)**Finance**

Red River Valley river watch program funding provided.

HF1071-Smith (R)**Transportation & Transit Policy &
Oversight Division**

Vehicle registration; license plate system modified, technical changes made and obsolete language removed.

HF1072-Murdock (R)**Commerce & Labor**

Vacation home rental regulation and management clarified.

HF1073-Solberg (DFL)**Taxes**

Exception extended to minimum contacts required for jurisdiction to ownership of property on the premises of a printer under specific circumstances.

HF1074-Abeler (R)**Transportation & Transit Policy &
Oversight Division**

Anoka County; design-build process authorized to award contract for construction of intersection of U.S. Highway 10 and County State-Aid Highway 83.

HF1075-Hackbarth (R)**Environment Policy & Oversight**

Donated venison exempted from certain food laws, nonresident hunting license surcharge eliminated, deer processing removed as an allowable use of revenue from certain donations and surcharges, and hunter-harvested venison donation program repealed.

HF1076-Abeler (R)**Health Care & Human Services
Policy & Oversight**

Adverse health care event billing prohibited.

HF1077-Murphy, E. (DFL)**Health Care & Human Services
Policy & Oversight**

Respiratory therapists licensed.

HF1078-Thissen (DFL)**Energy Finance & Policy Division**

Renewable production of thermal energy policy established.

HF1079-Severson (R)**State & Local Government
Operations Reform, Technology &
Elections**

Legislator and constitutional officer salaries reduced.

HF1080-Norton (DFL)**K-12 Education Policy & Oversight**

Comprehensive scientifically based reading instruction definition clarified, prekindergarten through grade six teacher requirements made, reading instruction assessment created and Board of Teaching rules legislative review provided.

HF1081-Mahoney (DFL)**Finance**

Small growth business growth acceleration program eligibility expanded and matching funds required.

HF1082-Beard (R)**Commerce & Labor**

Occupational licenses provided.

HF1083-Mullery (DFL)**Civil Justice**

Access to data governing laws clarified and modified.

HF1084-Howes (R)**Health Care & Human Services
Policy & Oversight**

Clinical perfusionist licensure required and fees established.

HF1085-Thissen (DFL)**Taxes**

Long-term care trust fund benefits created, long-term care financing program and governing board established, actuarial studies required, income tax imposed to fund long-term care benefits, benefits exempted from income taxation, tax data disclosure allowed and money appropriated.

HF1086-Wagenius (DFL)**Environment Policy & Oversight**

Park and trails fund, outdoor heritage fund, clean water fund, and environment and natural resources trust fund oversight provided and criteria established.

HF1087-Hilstrom (DFL)**Public Safety Policy & Oversight**

Pre-adjudication detention of certain children prohibited, risk assessment instrument required to assist in pre-adjudication detention release decisions and community-based noncustodial supervision options required for children released from pre-adjudication detention.

HF1088-Swails (DFL)**Public Safety Policy & Oversight**

Commercial driver's license record-keeping requirements conformed to federal regulations.

HF1089-Ruud (DFL)**Health Care & Human Services
Policy & Oversight**

Kinship care defined.

HF1090-Ruud (DFL)**Health Care & Human Services
Policy & Oversight**

Relative caretaker consent to certain matters affecting a child authorized, and relative caretaker consent authorization form provided.

Thursday, February 26

HF1091-Mahoney (DFL)**Energy Finance & Policy Division**

New nuclear power plant certificate of need prohibition abolished.

HF1092-Mahoney (DFL)**Finance**

Roseau; flood mitigation project funding provided.

HF1093-Hosch (DFL)**Finance**

Positive abortion alternative base funding increased.

HF1094-Abeler (R)**Health Care & Human Services
Policy & Oversight**

Surgical technologist employment qualifications required.

HF1095-Abeler (R)**Agriculture, Rural Economies &
Veterans Affairs**

Research, monitoring and assessment data classified.

HF1096-Mullery (DFL)**Finance**

Minneapolis; Victory Memorial Parkway funding provided.

HF1097-Hansen (DFL)**Public Safety Policy & Oversight**

Aircraft cockpits secured against lasers.

HF1098-Anzelc (DFL)**Commerce & Labor**

Compulsive gambling public awareness and education funding provided.

HF1099-Lanning (R)**Finance**

Perham; Northern Connections grant funding provided to implement and operate a workforce program.

HF1100-Thissen (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Minneapolis Employees Retirement Fund authorized to consolidate with the general employees retirement plan of the Public Employees Retirement Association, contribution requirements adjusted and conforming changes made.

HF1101-Dittrich (DFL)**K-12 Education Policy & Oversight**

High quality in public education provided through equitable and adequate funding, and constitutional amendment proposed.

HF1102-Paymar (DFL)**Public Safety Policy & Oversight**

Open alcohol container law expanded to include certain off-road recreational vehicles.

HF1103-Paymar (DFL)**Civil Justice**

Trespass with recreational motor vehicle presumption reversed outside metropolitan areas.

HF1104-Haws (DFL)**Finance**

Statewide youth job skills development grant funding provided.

HF1105-Swails (DFL)**Taxes**

Transit taxing district redefined and tax levy outside existing transit taxing district authorized.

HF1106-Hausman (DFL)**Finance**

St. Paul Port Authority provided an application fee credit toward a future bond sale.

HF1107-Thao (DFL)**Health Care & Human Services
Policy & Oversight**

Broker or coordinator use required for special transportation services and access transportation services on a statewide basis, and special transportation service criteria modified.

HF1108-Brod (R)**Taxes**

Corporate franchise tax phased out and long-term capital gains exclusion provided.

HF1109-Eken (DFL)**Finance**

White Earth; biofuel production facility funding provided.

HF1110-Thissen (DFL)**Health Care & Human Services
Policy & Oversight**

Persons with disabilities service programs and licensure provisions modified, report required.

HF1111-Murphy, M. (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Public pension plan provisions modified, uniformity in administrative provisions provided and definitions modified.

HF1112-Morgan (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Absentee voting without excuse authorized.

HF1113-Morgan (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Early voting authorized.

HF1114-Pelowski (DFL)**Health Care & Human Services
Policy & Oversight**

Adult foster home capacity requirement changed.

HF1115-Brynaert (DFL)**Higher Education & Workforce
Development Finance & Policy
Division**

Policy setting semester credit requirement waivers allowed.

HF1116-Davnie (DFL)**Commerce & Labor**

Unemployment benefit requirements waived for dislocated workers, Minnesota Investment Fund authorization expanded, unemployment provisions modified, appeals required to be filed online, collection fee provided, unemployment benefit filing regulated, terms defined and clarified.

HF1117-Falk (DFL)**Finance**

Ortonville; ISD 62 fund transfer authorized.

HF1118-Gardner (DFL)**Taxes**

Solid waste management tax revenue disposition modified.

HF1119-Kath (DFL)**Public Safety Policy & Oversight**

Bureau of Criminal Apprehension; statutes amended to reflect organizational changes.

HF1120-Kath (DFL)**Public Safety Policy & Oversight**

Comprehensive incident-based reporting system data use delineated.

HF1121-Cornish (R)**Finance**

FarmAmerica funding provided.

HF1122-Juhnke (DFL)**Finance**

Agriculture, Board of Animal Health, veterans and the military funding provided; agricultural and animal health requirements and programs changed, program established and sunset provision eliminated.

HF1123-Murphy, M. (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Teachers Retirement Association; Public Employees Retirement Association coverage; various provisions specified, authorized, expanded and revised.

HF1124-Murphy, M. (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Correctional state employees retirement plan membership modified.

HF1125-Eastlund (R)**Health Care & Human Services
Policy & Oversight**

Nursing home inspection permitted by nursing home personnel.

HF1126-Eastlund (R)**Public Safety Policy & Oversight**

Conditional release program for non-violent drug offenders modified and expanded, program's sunset extended and mandatory minimum sentence modified for repeat fifth-degree controlled substance offenders.

HF1127-Eastlund (R)**Agriculture, Rural Economies & Veterans Affairs**

National Guard and reserve member pay differential clarified for teachers.

HF1128-Hortman (DFL)**Environment Policy & Oversight**

Recyclable refund value required on recyclable beverage containers, refunds for containers returned provided and unclaimed recycling refunds payment required.

HF1129-Murphy, M. (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Volunteer firefighters' relief associations regulated, defined contribution relief association provisions regulated, general volunteer firefighters' relief association law recodified.

HF1130-Persell (DFL)**Finance**

Bemidji State University improvements funding provided.

HF1131-Bly (DFL)**Finance**

Energy use disclosure study and report required for residential building owners, purchasers and renters.

HF1132-Dill (DFL)**Environment Policy & Oversight**

Forest products scale cutting on state land eliminated.

HF1133-Champion (DFL)**Public Safety Policy & Oversight**

Uniform Child Abduction Prevention Act established.

HF1134-Kath (DFL)**Finance**

Owatonna; veterans home funding provided.

HF1135-Solberg (DFL)**Finance**

Medical assistance mileage reimbursement rate increased and indexed.

HF1136-Lenczewski (DFL)**Taxes**

Corporate income tax rate reduced, green job incentives provided, small business investment company credit and job growth investment credit established, political contribution refund eliminated and various other tax provisions provided.

HF1137-Hilty (DFL)**State & Local Government
Operations Reform, Technology & Elections**

Ballot validity and recount provisions modified, penalty imposed.

HF1138-Dill (DFL)**Environment Policy & Oversight**

All-terrain vehicle use expanded for the purposes of baiting bear; Boundary Waters Canoe Area winter trout season modified.

HF1139-Dill (DFL)**Finance**

Bois Forte Reservation; renewable energy biofuels demonstration facility authorized.

HF1140-Huntley (DFL)**Health Care & Human Services
Policy & Oversight**

Patient-centered decision-making process required before state employee health insurance program and medical assistance reimbursements.

HF1141-Huntley (DFL)
Health Care & Human Services
Policy & Oversight
Contact lens prescription expiration dates changed.

HF1142-Huntley (DFL)
Health Care & Human Services
Policy & Oversight
Smoking ban exception for patients in locked psychiatric units eliminated.

HF1143-McNamara (R)
Environment Policy & Oversight
Department of Natural Resources programs that duplicate market activities eliminated.

HF1144-Bigham (DFL)
Public Safety Policy & Oversight
Out-of-state juvenile placement reports repealed, Sentencing Guidelines Commission review of reports required.

HF1145-Bigham (DFL)
Public Safety Policy & Oversight
Investment and expert services for indigent defendants payment request applications modified.

HF1146-Hackbarth (R)
Environment Policy & Oversight
Public walk-in access program on private property established.

HF1147-Reinert (DFL)
Commerce & Labor
Payday lending regulated, penalties and remedies provided.

HF1148-Hilty (DFL)
Finance
Big Lake Area Sanitary District wastewater treatment system authorized.

HF1149-Juhnke (DFL)
Commerce & Labor
Telecommunications promotion activities provisions modified.

HF1150-Urdahl (R)
Finance
Special education aid through base year funding reinstated.

HF1151-Nelson (DFL)
State & Local Government
Operations Reform, Technology & Elections
Financial statements publication requirements modified.

HF1152-Kahn (DFL)
State & Local Government
Operations Reform, Technology & Elections
Elections; nomination vacancies provisions modified.

HF1153-Clark (DFL)
Finance
Metropolitan Economic Development Association funding provided.

HF1154-Hackbarth (R)
Commerce & Labor
Artisan distilleries authorized.

HF1155-Magnus (R)
Energy Finance & Policy Division
Wind-powered electric generation facility certificate of need exemption status modified.

HF1156-Paymar (DFL)
Civil Justice
Referees authorized to preside over conciliation courts.

HF1157-Dill (DFL)
Commerce & Labor
Franchise agreements between outdoor sport equipment dealers, manufacturers, and distributors regulated.

HF1158-Liebling (DFL)
State & Local Government
Operations Reform, Technology & Elections
Fusion candidacies permitted.

HF1159-Welti (DFL)
Transportation & Transit Policy & Oversight Division
Rochester to Twin Cities high-speed rail corridor analysis required.

HF1160-Slawik (DFL)
Finance
Parking privileges in van-accessible disability parking places modified.

HF1161-Dill (DFL)
State & Local Government
Operations Reform, Technology & Elections
County authorization to abate improvements expanded.

HF1162-Kath (DFL)
Public Safety Policy & Oversight
Correctional facilities authorized to forward surcharges from criminal and traffic offender wages to court or other entity.

HF1163-Smith (R)
Finance
Legal advocacy services provided to human trafficking victims.

HF1164-Liebling (DFL)
Public Safety Policy & Oversight
Drivers' license cumulative suspensions halted, penalty imposed for driving after suspension offenses.

HF1165-Seifert (R)
State & Local Government
Operations Reform, Technology & Elections
State settlements required to be paid to the General Fund.

HF1166-Johnson (DFL)
Commerce & Labor
Life insurance settlements regulated, enforcement provided, criminal penalties and civil remedies prescribed.

HF1167-Huntley (DFL)
Finance
Medical education and research funds transfer timing modified.

HF1168-Garofalo (R)
Transportation & Transit Policy & Oversight Division
Farmington; additional municipal deputy registrar of motor vehicles authorized.

HF1169-Rukavina (DFL)
Commerce & Labor
Public employer purchases and acquisitions of equipment and apparel regulated.

HF1170-Buesgens (R)
State & Local Government
Operations Reform, Technology & Elections
President and Congress memorialized to reduce the amount of proposed debt in the federal stimulus package.

HF1171-Jackson (DFL)
Civil Justice
Legislation containing erroneous, ambiguous and omitted text, and obsolete references corrected, redundant and conflicting provisions eliminated, technical corrections provided.

HF1172-Garofalo (R)
Finance
Early childhood and family, pre-kindergarten through grade 12 and adult education provided.

HF1173-Dean (R)
K-12 Education Policy & Oversight
Charter school students allowed to participate in extracurricular activities of their resident district.

HF1174-Kiffmeyer (R)
Finance
Local education agency defined for special education purposes.

HF1175-Peterson (DFL)
Finance
School programs offering alternative school year calendars encouraged and grants authorized.

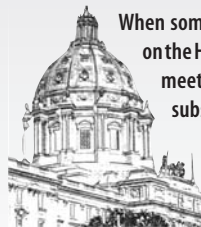
HF1176-Newton (DFL)
Finance
Health and safety education revenue program clarified.

HF1177-Garofalo (R)
Finance
Early graduation achievement scholarship program established.

HF1178-Peterson (DFL)
Finance
Student counseling services grant program established in high-need public high schools.

HF1179-Mariani (DFL)
K-12 Education Policy & Oversight
Pre-kindergarten through grade 12 education provided and technical corrections made.

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MINNESOTA INDEX

See you in court

Fiscal year 2008 budget for the judicial branch, in millions.....	\$300.44
Millions of that for district courts	\$246.08
Judicial branch funding shortage in the 2004-2005 biennium, in millions.....	\$29
Additional funding in the 2006-2007 biennium.....	0
Funding shortage in millions for the current biennium.....	\$19
Recommended 2010-2011 biennial cut by Gov. Tim Pawlenty, in millions.....	\$29.4
Estimated millions collected annually by courts for state and local governments	\$200
Of 51 case types, estimated number that court officials say could be stopped, such as property damage and shoplifting, if governor's budget recommendations are sustained	21
Judges in the state.....	314
Those in district courts, Court of Appeals, Supreme Court.....	288, 19, 7
Current judge vacancies	4
Judicial districts in the state	10
Number of judicial branch hearing facilities	98
Year the state's oldest courthouse in Stillwater was built	1869
Number of Minnesota courthouses on the National Register of Historic Places.....	62
Year the state Supreme Court was established by the Territorial Act.....	1849
Year Minnesota became a state	1858
Average number of cases heard annually by the Supreme Court since the Minnesota Court of Appeals began on Nov. 1, 1983	900
Average before that	1,800
Average number of opinions written annually by a Supreme Court judge.....	56
First year a case was heard in the Supreme Court chambers in the State Capitol	1905
Approximate number of cases annually filed with the Minnesota Court of Appeals ...	2,000
Estimated cases annually for a Court of Appeals judge.....	300
Estimated number of cases heard annually by district courts, in millions.....	2
Courtroom events statewide in 2007 that required the use of an interpreter	43,420
Increase over 2005.....	13,000
Different languages for which interpreters were needed in 2008	81
Fiscal year 2009 daily per diem for jury service, plus mileage	\$10
Per diem one year earlier.....	\$20
Number of people who took the state bar exam in July 2008	810
Percent who passed	89.14

Sources: Feb. 24 presentation by State Court Administrator Sue Dosal and two district court judges to the House Public Safety Finance Division; Minnesota Supreme Court and The Minnesota Court of Appeals, both Feb. 27, 2008, Court Information Office; Judicial Branch Web site (www.mncourts.gov), including 2007 Report to the Community; State Board of Law Examiners.

— M. COOK

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