

SESSION WEEKLY

A NONPARTISAN PUBLICATION

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 27, NUMBER 10 • APRIL 16, 2010



STUDENT AID COMES UP SHORT — PAGE 3
PLATES, PRIDE AND PROBLEMS — PAGE 14
TATTOOS AND DONORS — PAGE 13
STEPPING DOWN: SEIFERT, KALIN — PAGE 18-19
EARTH DAY STATISTICS — PAGE 24

HF3768 - HF3785

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.

To subscribe, contact:
Minnesota House of Representatives
Public Information Services
175 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1298
651-296-2146 or 800-657-3550 or the
Minnesota Relay service at 711 or
800-627-3529 (TTY)
www.house.mn/hinfo/subscribesw.asp

Director

Barry LaGrave

Editor/Assistant Director

Lee Ann Schutz

Assistant Editor

Mike Cook

Art & Production Coordinator

Paul Battaglia

Writers

Kris Berggren, Nick Busse, Susan Hegarty,
Patty Ostberg, Lauren Radomski

Chief Photographer

Tom Olmscheid

Photographers

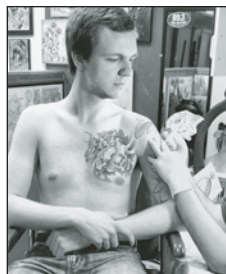
Kristin Schue, Andrew VonBank

Staff Assistants

Christy Novak, Susan Xiong

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at St. Paul, Minn., and additional offices. POSTMASTER: Send address changes to Session Weekly, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 30% post-consumer content.



Page 13



Page 5



Page 15

CONTENTS

HIGHLIGHTS

Budget • 5
Consumers • 6
Employment • 6
Energy • 6
Environment • 7

Health • 8
Higher Education • 9
Housing • 9
Human Services • 9
Law • 10

Local Government • 10
Safety • 10
State Government • 11
Taxes • 11
Transportation • 12

BILL INTRODUCTIONS (HF3768-HF3785) • 21-22

FEATURES

FIRST READING: College students may get less help from the state this fall • 3-4

AT ISSUE: State oversight of body arts could reduce donor deferrals • 13

AT ISSUE: Specialty license plates generate pride, funds and headaches • 14-15

AT ISSUE: State employee, teachers retirement accounts dip • 16

AT ISSUE: Program would pay private landowners for walk-in hunting access • 17

PEOPLE: Seifert closes out a 14-year House career • 18

PEOPLE: Kalin energized to take a different path • 19

RESOURCES: Governor's desk, tracking new laws and vetoes • 20-21

RESOURCES: Roster of constitutional officers and state agencies • 23

MINNESOTA INDEX: Earth, wind and fire • 24

On the cover: Jamie Taylor, left, a technology specialist with the Commission of Deaf, Deaf Blind, and Hard of Hearing Minnesotans, is signed the National Anthem by Lisa Sindt during the Minnesota STAR Program's "Awards for Excellence in Assistive Technology" ceremony April 13 in the Capitol Rotunda. The event honors individuals and groups for championing the removal of barriers to independence through the use of assistive technology.

— Photo by: Andrew VonBank

Coming up short

College students may get less help from the state this fall

By Nick Busse

Last fall, the state promised to help thousands of low-income students pay for their college education. What the students didn't know was that the state had made too many promises.

State officials didn't know it either, but Minnesota's largest college financial aid program, the state grant program, was about to be overwhelmed. Spurred by the slumping economy, college enrollment soared to record levels in 2009. Enrollment jumped 9 percent in the Minnesota State Colleges and Universities system and 4 percent at the University of Minnesota.

As laid-off workers flocked to college classrooms — and as the recession bumped parents into lower income brackets — far more students qualified for aid than anyone expected.

"We discovered in about November that

we were overextended," said Office of Higher Education Communications Director Barb Schlaefter.

The office, which administers the state's financial aid programs, was faced with a choice: renege on the promises they had already made to students, or push the problem into the second year and hope for some new money.

Arguing it would be fairer to the students, they chose the latter option.

"Colleges had made commitments to students as early as the previous March, saying, 'You can come here and here's what your state grant will be,'" Schlaefter said.

"So the decision was made to keep all those promises."

As a result, the program is projected to spend nearly two-thirds of its \$144 million biennial appropriation in the first year, leaving an estimated \$43 million shortfall in the second year. Unless more money is found, students who received an average of \$1,700 last year will see a roughly \$300 cut when they return to class this fall.

For students, it's another in a long line of blows handed down from the state. MnSCU and the university say their state funding has either been flat or declining for most of the last decade. This year, for the first time, students at public colleges and universities will be paying for a larger share of their education than the state.

"Right now, students are really getting hit from all sides," said Paul Strain, president of the Minnesota Student Association at the University of Minnesota.

Strain said declining state support for the university has led to tuition hikes in recent years, which will only grow worse next year when the university's share of one-time federal stimulus funding runs out. Strain himself is among the many students feeling the impact.

"I'm definitely concerned about my debt

First Reading continued on page 4



Students at North Hennepin Community College line up outside the financial aid office.

PHOTO BY TOM OLMSCHEID

load. At least a good half of my education is financed through loans,” Strain said.

In search of funding

For lawmakers, the troubles in the state grant program arrive at the worst possible time. A nearly \$1 billion state budget deficit left no extra cash to spare. As part of its overall budget fix, the Legislature slashed another \$47 million from the state’s higher education funding this year — that’s on top of last year’s \$63 million cut as well as Gov. Tim Pawlenty’s \$100 million unallotments.

Rep. Tom Rukavina (DFL-Virginia), who chairs the House division that funds higher education, fought successfully to protect the state grant program from any cuts. But he said it’s a moot point unless lawmakers do something about the \$43 million shortfall.

“We’re all ignoring this huge hole that’s sitting there,” Rukavina said. “Not to mention the fact that tuition is going up, not to mention the fact that the public institutions are being unallotted and cut.”

Legislators basically have two options to deal with the situation: they can find new revenues to boost the program’s funding, or they can tighten eligibility requirements to ease the burden on the program. In the House, plans are moving forward that would do both.

Rep. Bill Hilty (DFL-Finlayson) sponsors HF3757, which would raise \$23 million for the program by doubling a filing fee the state charges on mutual funds. On a \$10,000 mutual fund, Hilty said the fee might add a \$5 cost to investors — a modest price to pay, he argues, for contributing to something as important as higher education.

House Republicans oppose the plan, arguing it will hurt middle-class investors and make the state’s substantially large mutual fund industry less competitive. Rukavina, who co-sponsors the legislation, admits that it’s not his first choice for a funding source.

“I would rather have an honest approach to raising revenue based on income,” Rukavina said at an April 8 hearing, noting that he had proposed an income tax increase to

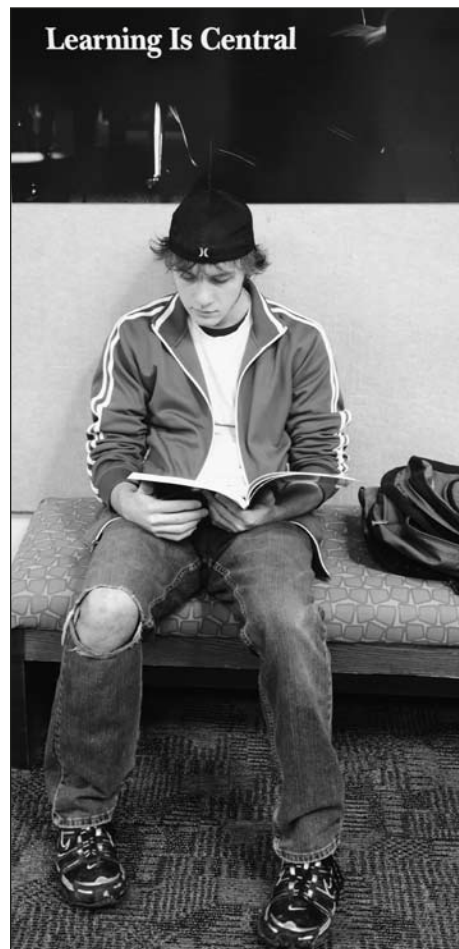


PHOTO BY TOM OLMSCHIED

A student at Century College reads in the commons.

funnel money to the program. That proposal, included in the original higher education finance bill, fell through under a gubernatorial veto threat. House DFLers hope Pawlenty will look more kindly on a fee increase than a tax increase.

Rep. Sarah Anderson (R-Plymouth) said that’s doubtful.

“I don’t know why we’re repeating history when we know what the end result is going to be,” Anderson said. She unsuccessfully offered her own funding proposal: an amendment to Hilty’s bill that would have authorized racino gambling and used some of the tax proceeds for state grant awards.

Other options

Even if the increased fee on mutual funds survives the governor’s veto pen, an estimated \$20 million shortfall would still exist in the program. To bridge the remaining gap, lawmakers are looking to change whom the program serves and how much they can get — basically, changing eligibility to match up with funding.

Some of these changes were already made in the supplemental budget bill signed into law April 1 by Pawlenty (HF1671*/SF3223/CH215). The law eliminated a ninth semester of state grant eligibility for students, which will free up about \$4 million. It also cut a second year of funding for the Achieve scholarship program, which had already used up all of its funding in the first year and would’ve had to borrow from state grant funds.

A more controversial proposal resides in HF3448, the omnibus higher education policy bill. Sponsored by Rukavina, the bill includes a provision to lower the cap on state grant awards for students at private, for-profit institutions.

Rukavina argues it’s fair to ask for-profit schools, which he said are profiting in part from the state grant program, to share the pain of public institutions. But some members, both DFL and Republican, argue that’s unfair to the students at the other schools.

“For some people, it’s going to be a double hit if we see state grant funds decreasing this year, and then see this policy change,” said Rep. Rob Eastlund (R-Isanti).

The change would not affect students at private nonprofit institutions like Hamline University or St. Olaf College.

Hilty’s bill awaits action by the House Finance Committee. A companion, SF3355, sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action by the Senate Higher Education Budget and Policy Division.

The omnibus higher education policy bill awaits action on the House floor. A companion, SF184, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the full Senate. 🗳️

Frequently called numbers

Area code 651

House Public Information Services

175 State Office Building 296-2146

Meeting Hotline, House

175 State Office Building 296-9283

Chief Clerk of the House

211 Capitol 296-2314

House Index

211 Capitol 296-6646

Senate Information

231 Capitol 296-0504

Secretary of the Senate

231 Capitol 296-2344

Voice mail/order bills 296-2343

Senate Index

110 Capitol 296-2887

Meeting Hotline, Senate

231 Capitol 296-8088

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

BUDGET

Cash flow update

Minnesota will not have to borrow money to pay its bills this spring, but cash flow shortfalls still loom for later this year, state budget officials told a legislative panel April 12.

Minnesota Management & Budget Deputy Commissioner Jim Schowalter said the state has averted a potential cash shortage in the General Fund by borrowing more than \$1 billion from other state accounts and by delaying \$416 million in payments — mostly to school districts.

Speaking to the Legislative Commission on Planning and Fiscal Policy's Balanced Budget Subcommittee, Schowalter said the state's cash balances "overall are healthier than we anticipated" earlier this year; however, the outlook changes dramatically in the next fiscal year, which begins July 1.

"Right now, (fiscal year 2011) has deep cash problems," Schowalter said.

Over the last year, underperforming tax revenues have drained the state's cash reserves. MMB officials have taken steps to prepare for possible short-term borrowing to cover the state's cash needs in the current biennium. Though they hope to avoid borrowing, Schowalter said it may be necessary — even if lawmakers balance the budget.

He said officials won't know for sure whether borrowing is necessary until they see the Legislature's total solution to a projected \$994 million budget gap for this biennium. A supplemental budget law, signed April 1 by Gov. Tim Pawlenty, solves

approximately \$312 million of that deficit.

MMB plans to continue using administrative actions to shore up the state's cash accounts. Schowalter said the state will use about \$500 million in total payment delays this spring, including \$422 million to school districts, \$52 million to the University of Minnesota and \$26 million in corporate and sales tax refund delays.

The delayed payments are scheduled to be repaid in June, when income tax receipts replenish the General Fund. Even so, the General Fund is at risk of being completely drained again by September, under MMB's current projections. Schowalter said the speed of the economic recovery and the timing of any budget cuts will both play a role in determining whether the state needs to use short-term borrowing in the next fiscal year.

— N. BUSSE

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

BIRTHDAY STORY



PHOTO BY TOM OLMSCHIED

Former Gov. Wendell Anderson, *center*, tells a light-hearted story about a dinner he and former House Speaker Martin Olav Sabo, *left*, had at the Lexington Restaurant in 1975 while the governor and the Legislature were negotiating details of a property tax credit. His comments came April 14 during a 35th birthday party for the property tax refund program. Former Senate President Alec Olson, *right*, and former House Taxes Committee Chairman Bill Kelly, who were influential in passing the refund program, also attended the birthday party that took place with the House Property and Local Sales Tax Division.

CONSUMERS

No Sunday liquor sales

The House passed an omnibus liquor bill April 8, but rejected a measure that would have allowed liquor stores to open on Sundays.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park), HF3186/SF2808* authorizes liquor sales at several venues and contains other mostly noncontroversial provisions. The House voted 114-13 to pass the bill, but overwhelmingly rejected an amendment that would have permitted Sunday liquor sales.

Rep. Phyllis Kahn (DFL-Mpls) offered the amendment, arguing that it would “move Minnesota into the current century and away from the blue laws of Prohibition.”

In the ensuing hour-long debate, supporters from both parties argued the amendment would benefit consumers, reaffirm free market principles and possibly even generate new tax revenue.

“This is about allowing Minnesota to recapture some of the commerce that we’re losing to other states,” said Rep. Steve Drazkowski (R-Mazeppa), noting that 36 other states allow Sunday liquor sales, including Wisconsin.

Opponents countered that it would be a burden on municipal liquor stores and small-business owners, many of whom would be forced to be open longer hours and take on more payroll costs to stay competitive.

“With our small businesses struggling in this state, I don’t think costing them more money is a good idea,” said Rep. Dean Urdahl (R-Grove City).

The amendment was defeated 110-20.

The bill would allow liquor licenses to be issued for several locations, including: the Museum of Russian Art in Minneapolis; the University of St. Thomas’ Minneapolis campus; the Bemidji Regional Event Center; and Bemidji State University.

The bill would also allow the Minnesota State Fair to issue licenses to concessionaires to sell beer. Previously, Ramsey County issued the licenses. Additionally, the bill specifies that the fair can issue licenses for vendors to sell wine by the glass at the fair as long as it is produced in Minnesota.

The Senate passed the bill 56-5 on April 13, and it now awaits action by the governor.

— N. BUSSE

Ensuring consumer choice

**Signed
by
the
governor**

Renters will be guaranteed the right to purchase cable or telephone services from a provider of their own choosing, under a new law signed April 15 by Gov. Tim Pawlenty.

Sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Kathy Sheran (DFL-Mankato), the law prevents landlords from forbidding or discriminating against tenants for choosing one telecommunications provider over another.

Effective April 16, 2010, the law prevents landlords from striking deals with telecommunications companies to give renters who purchase their cable or phone service exclusive rates, or from charging higher rent for tenants that opt for a different provider. A similar protection for renters existed in state law prior to 2004.

A separate provision in the law, effective Aug. 1, 2010, will make it easier for telephone companies to offer “triple-play” services — voice, video and Internet — by letting local governments grant cable franchises to companies that already provide phone services within a given area.

In essence, the law will allow cities to let existing telecommunications providers offer more services to their customers. Rep. Mike Beard (R-Shakopee), who sponsored the provision as a standalone bill, said state law was previously unclear on whether local franchise authorities could allow telephone companies to provide cable services to customers within their existing service area without running into certain legal roadblocks.

A provision effective April 16, 2010, makes it easier for telecommunications providers to disconnect resellers who are delinquent on their bills.

HF3097/SF2616*/CH247

— N. BUSSE

EMPLOYMENT

Firefighter definition amended

**Signed
by
the
governor**

For the purposes of the firefighter certification statute, the definition of a full-time firefighter has been modified.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ann Rest (DFL-New Hope), a new law clarifies that a full-time firefighter is charged with the prevention and suppression of fires. Previous law used “or” instead of “and.” A full-time firefighter is defined in law as someone “directly engaged in the hazards of firefighting or is in charge of a designated fire company

or companies that are directly engaged in the hazards of firefighting.”

A 2009 law required that full-time firefighters be licensed, but a technical change is needed to properly define a firefighter. Atkins said the law tries to clarify that fire personnel, such as those solely engaged in fire prevention, do not have to go through all the training required to obtain firefighter certification.

Signed April 10 by Gov. Tim Pawlenty, the law is effective April 11, 2010.

HF2701/SF2267*/CH229

— M. COOK

ENERGY

Biodiesel mandate exemption

**Signed
by
the
governor**

An exemption during the winter months on the state’s biodiesel content requirement will be extended to March 31, 2012.

That’s one of a handful of changes brought by a new law dealing with weights and measures. Rep. Greg Davids (R-Preston) and Sen. Debbie Johnson (R-Ham Lake) are the sponsors.

State law requires that diesel fuel contain a certain percentage of biodiesel. The law gives the Department of Commerce flexibility to lift that mandate between October and March. Davids said extremely low temperatures during those months sometimes cause biodiesel blends to “gel up.”

Among other various changes included in the law, tanks used to store gasoline and ethanol can now be marked with plastic tags instead of metal ones.

Signed April 10 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2010.

HF3363/SF2840*/CH228

— N. BUSSE

Solar rebate program proposed

Those interested in installing solar panels may be eligible for a new rebate if a bill continues to move forward.

Sponsored by Rep. Tom Rukavina (DFL-Virginia), HF3033 was approved by the House Energy Finance and Policy Division March 14.

A \$21 million appropriation from the Renewable Development Fund would pay for the rebate program. Xcel Energy pays into the fund annually and the money is redistributed in the form of renewable energy research and development grants. As the sole utility feeding the fund, Xcel Energy is required to pay based on the amount of nuclear waste it stores at its two power plants.

Division members debated whether the

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.

SOCIAL GATHERING



PHOTO BY ANDREW VONBANK

As part of April 12 Social Work Day at the Capitol, hundreds of professional social workers, educators and social work students gather in the Capitol Rotunda to rally for continued support of social programs.

rebates should be available statewide or only to Xcel Energy customers, since they are the ratepayers whose payments go into the fund. Rukavina is amenable either way, but, for now, the bill only applies to Xcel Energy territory. It also requires that the solar panels be manufactured in Minnesota.

Annual increments of \$2 million to \$5 million would be transferred into a special account in the Department of Commerce over the next five years. People or businesses who apply and qualify for the rebates would be paid from that account. Currently, the fund is disbursed through a competitive grant process, and Deputy Commerce Commissioner Bill Glahn said the rebate program would take the place of some of those grants. "By opening this door, we're closing some others," Glahn said.

As proposed, money in the account would be available until expended, some division members preferred to have any remaining funds returned to the RDF in 2015 at the conclusion of the program. An amendment is expected at the bill's next stop, the House Finance Committee.

A companion, SF2676, sponsored by Sen. David Tomassoni (DFL-Chisholm) was held over March 23 by the Senate Environment,

Energy and Natural Resources Budget Division for possible omnibus bill inclusion.

— S. HEGARTY

ENVIRONMENT

Safe disposal of leftover drugs

**Signed
by
the
governor**

The list of people allowed to handle prescription drugs for safe disposal will expand.

Sponsored by Rep. Paul Gardner (DFL-Shoreview) and Sen. John Doll (DFL-Burnsville), the new law was proposed as the "Minnesota Safe Drug Disposal Act," and included plans to collect discarded drugs from medical facilities, where state law required them to be flushed down the toilet. The product stewardship plan was removed in committee because it was considered an unfunded mandate on nursing homes. Instead, the law simply allows for the handling of drugs by employees in certain professions.

Signed April 10 by Gov. Tim Pawlenty, and effective April 11, 2010, the law defines who may legally possess leftover drugs, including their collection, storage, transport and destruction. The law includes prescription and non-prescription drugs categorized as legend

drugs. A provision for "reverse distribution" would enable drugs to be returned to their producers or distributors.

HF1217*/SF1568/CH223

— S. HEGARTY

Environment finance omnibus bill

The House Finance Committee approved the omnibus environment finance bill April 14 after adding bills regarding boat drain plugs, incinerator permits and fees paid by utilities.

Sponsored by Rep. Jean Wagenius (DFL-Mpls), HF3702 includes provisions in the Department of Natural Resources policy (HF3094) and forestry (HF2954) bills. For example, the price of ski trail passes would increase; more veterans would qualify for free day passes to state parks and the Blue Earth River would be added to the list of state water trails. Indian tribal governments would be exempted from registering or licensing watercraft, off-highway vehicles and snowmobiles. Subsurface sewage treatment system rules would be delayed to allow local governments to draft ordinances. In addition, ground and surface water monitoring equipment would be installed to measure and evaluate water quality, levels and where it flows.

Rep. Kate Knuth (DFL-New Brighton) successfully offered two amendments. One would place a moratorium on permits for hazardous waste incineration facilities until March 1, 2011. The moratorium is directed toward a Cottage Grove incineration facility. The other would adjust fees that utilities pay to cross over natural resources land. The fees were changed last year. Knuth called the \$4,500 supplemental application fee for a land crossing too high, and proposes lowering it to \$2,000. However, the supplemental application fee for a water crossing would increase from \$1,500 to \$2,000. The fees are intended to cover the cost of reviewing the applications and preparing the licenses.

Rep. Al Juhnke (DFL-Willmar) successfully amended the bill to require boaters to drain bait containers and other boating-related equipment that hold water before transporting watercraft on land. Marine toilets are excluded. The purpose is to prevent the spread of zebra mussels, an invasive species.

A section of the bill that would require horse passes for people riding on state

land was considered to have unintended consequences by Rep. Tom Rukavina (DFL-Virginia). Wagenius agreed to work on drafting additional or alternative language before the bill is heard at its next stop, the House Ways and Means Committee.

A companion, SF3275, sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the full Senate.

— S. HEGARTY

HEALTH

Health reform costs unclear

House Democrats are optimistic about a federal option to enroll more low-income Minnesotans in Medicaid, an idea that may not sit well with the governor.

Minnesota is one of 11 states that may expand participation in Medicaid to certain childless adults beginning this year, a provision that is included in the federal health care reform law. This so-called “early option” is available to certain states prior to 2014, when

Medicaid will cover adults with incomes up to 133 percent of federal poverty guidelines.

In response, Rep. Thomas Huntley (DFL-Duluth) sponsors HF3713, which would allow Minnesota to participate in the early option. Because the expanded version of Medicaid would apply to people enrolled in General Assistance Medical Care, Huntley’s bill would repeal the revised GAMC program signed into law by Gov. Tim Pawlenty less than a month ago.

At a press conference April 14, Huntley said his bill would result in health care providers being paid 20 percent more than they were under the original GAMC program. Also, the legislation would not add to the projected deficit in the Health Care Access Fund, which helps low-income workers purchase health insurance.

“The Medicaid expansion is a much more fruitful opportunity for the state,” said Rep. Erin Murphy (DFL-St. Paul). She and others working on the GAMC issue earlier in the session did so not knowing the outcome of the federal legislation.

BUSY SESSION



PHOTO BY KRISTIN SCHUE

Mara Peppin, 10, and Helena Peppin, 8, stay occupied in the House Chamber while their mother, Rep. Joyce Peppin, is busy during the session.

Participation in the early option would also come with a cost. Minnesota would need to match the \$1 billion in federal funds it would receive over the next three years. Pawlenty spokesperson Brian McClung said a preliminary fiscal note released by the Department of Human Services this week does not account for the full cost to the state.

"There's a significant math problem with this proposal," he said, adding the fiscal note still needs to be vetted by Minnesota Management & Budget.

McClung urged legislators to allow the revised GAMC program to play out; the major provisions in that law will not begin until June 1. Democrats countered that GAMC is flawed to the point where hospitals in Greater Minnesota probably won't participate.

The House Health Care and Human Services Finance Division was scheduled to discuss the bill's fiscal implications April 15.

— L. RADOMSKI

HIGHER EDUCATION

Student mental health emergencies

**Signed
by
the
governor**

Colleges and universities will be able to notify parents in cases where a student has a mental health emergency.

State law allows higher education institutions to disclose what would otherwise be private data when a student has a "safety emergency" that warrants contacting their parents. Effective Aug. 1, 2010, a new law will clarify that mental health emergencies, such as suicide attempts or psychotic episodes, qualify under the law. Gov. Tim Pawlenty signed it April 10.

Rep. Andy Welti (DFL-Plainview), who sponsors the law with Sen. Sharon Erickson Ropes (DFL-Winona), said the National Alliance on Mental Illness brought the proposal forward. He said if a student is injured in a car accident or receives a physical injury, colleges and universities can notify parents; however, some parents are concerned that mental health emergencies do not meet the current threshold.

The law does not involve disclosure of medical records — only the right to disclose that an emergency has taken place.

HF2766/SF2425*/CH230

— N. BUSSE

Higher education policy changes

A lower cap on state grant awards to students at private, for-profit colleges is among the provisions of an omnibus higher education policy bill on its way to the House floor.

Sponsored by Rep. Tom Rukavina (DFL-

Virginia), HF3448 was approved April 14 by the House Finance Committee. A companion, SF184, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the full Senate.

The bill would lower tuition and fee maximums used to calculate the amount students are eligible to receive from the state grant program when attending private, for-profit colleges. The provision is designed to help address a projected \$43 million state financial aid shortfall in the current biennium.

Rukavina said the provision is "an attempt to add some fairness" to potential reductions in students' grant awards; however, some members questioned whether it was fair to single out students at particular schools.

"I hope you don't hold the students responsible who are just trying to pay for the college they chose," said Rep. Joyce Peppin (R-Rogers).

The bill would also direct the Minnesota State Colleges and Universities system to implement a pilot project where it would deposit some of its cash reserves in local banks as a way to encourage lending to small businesses. A report back the Legislature would be required.

Other selected provisions include:

- reinstating \$1 million in funding for a new high-school-to-college developmental transition program, also known as the "summer bridge" program;
- requiring MnSCU to implement a plan to improve its system of transferring credits between schools;
- increasing the amount of revenue bonds MnSCU can issue for capital projects; and
- directing MnSCU to streamline its central office and reduce expenditures.

Rep. Karen Clark (DFL-Mpls) successfully amended the bill to include a provision requiring the University of Minnesota to report to the Legislature on ethical issues involved in nanotechnology research.

An amendment successfully offered by Rep. Thomas Huntley (DFL-Duluth) would require MnSCU to develop a surgical technologist training pilot project in conjunction with a local hospital. Huntley said the employment of technologists has been shown to reduce the rate of surgical errors.

— N. BUSSE

HOUSING

Foreclosure sale postponement

**Signed
by
the
governor**

A 2010 law tries to make a law from last year more inclusive.

The 2009 law gives a mortgagor or property owner permission to postpone a foreclosure sale

by five months, thereby giving an owner extra time to pay up the arrearages after the time a normal sheriff's sale would have been.

However, Rep. Joe Mullery (DFL-Mpls), who sponsors the law with Sen. Ken Kelash (DFL-Mpls), said certain mortgages had a little different redemption period, for example, if they were already paid down one-third of the principal or if they were on farmland over 40 acres. The law should put all mortgages on the same time frame.

Mullery said lenders like this because they don't get properties back; owners are happy because it gives them more time to get caught up on payments and not lose their home.

Signed April 15 by Gov. Tim Pawlenty, the law takes effect May 15, 2010, and applies to foreclosure sales scheduled to occur on or after that date.

HF2708/SF2559*/CH237

— M. COOK

HUMAN SERVICES

Child support regulation changes

**Signed
by
the
governor**

Recommendations from the Department of Human Services and county child support agencies related to child support collections and enforcement are now law.

Rep. Jeff Hayden (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley) sponsor the law, most of which takes effect Jan. 1, 2011. Gov. Tim Pawlenty signed the law April 15.

Information the public authority for child support can request from employers, utility companies, insurance companies, labor organizations and financial institutions in order to locate child support participants is expanded to include addresses, home and work telephone numbers, mobile telephone numbers and e-mail addresses. Currently, only a place of residence, employment status, wage and benefit information and a Social Security number have to be provided. The definition of utility companies is expanded to include mobile phone companies, satellite television companies and Internet service providers.

The child support public authority will be permitted to administratively reassign basic support, medical support and child care support under certain conditions:

- if the child resides with the relative caregiver who has applied for public assistance on behalf of the child;
- the child has been placed with a new caregiver by a voluntary placement agreement between the custodial parent and the caregiver that was approved and is being

monitored by county social service agencies; or

- the child has been placed in a new caregiver by the court and the child support issue was not addressed.

State law governing enforceability of judgments is changed to provide that child support judgments are enforceable 20 years after the entry of the judgment. This section applies retroactively to child support judgments that have not expired.

HF3299/SF2562*/CH238

— M. Cook

LAW

Civil immunity provided for helping

**Signed
by
the
governor**

The so-called “Good Samaritan” protection already in law is expanding.

Immunity from civil damages or administrative sanctions is provided for persons who help with a gubernatorial declared emergency or disaster, provided their actions are done in a good-faith manner.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Senate Minority Leader David Senjem (R-Rochester), the law will allow businesses, nonprofits and other entities to participate in that help and recovery during a disaster, also with the benefit of immunity.

The law also clarifies the definition of volunteer to a person helping “without compensation or the expectation of compensation.”

It is effective April 11, 2010, one day after it was signed by Gov. Tim Pawlenty.

HF2709*/SF2555/CH224

— M. Cook

Recording declarations

**Signed
by
the
governor**

A new law adds a supplemental declaration to parts of law that affect common interest community certificates and the formal recording of common interest community properties with the registrar of titles.

A supplemental declaration is required when a common interest community, such as a condominium owners’ association, seeks to bring more land within the community’s jurisdiction.

Current statute does not specifically permit supplemental condominium and planned community declarations to be recorded on common interest community certificates of title. The law permits the supplemental recording on a certificate of title.

Sponsored by Rep. Gail Kulick Jackson

(DFL-Milaca) and Sen. Linda Scheid (DFL-Brooklyn Park), the law is effective Aug. 1, 2010, except for the replacement of erroneous cross-references in a 2009 law with substantive definitions of certain terms related to filing a contract for deed. That section is effective April 16, 2010, the day after Gov. Tim Pawlenty signed the law.

HF2823*/SF2232/CH233

— M. Cook

Readable electronic documents

**Signed
by
the
governor**

It is hard for a public defender to do his or her job when they cannot access necessary documents.

While not a problem in most areas of the state, a new law gets at the few trouble spots.

Upon request from a district or state public defender, or an attorney working for a public defense corporation, the court, prosecutors and law enforcement must provide copies of any documents in their possession at no charge, including police reports, photos, grand jury transcripts, audiotapes and videotapes. Effective Aug. 1, 2010, “audio or video files on CD Rom or DVD Rom disc” will be added to the list. The law, signed April 15 by Gov. Tim Pawlenty, also specifies that the provider, upon request, shall include the software needed to open, view or play the electronic file.

Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Mee Moua (DFL-St. Paul), said the Public Defense Board brought forth the legislation because they have had some issues in getting files in formats they can open.

HF2991/SF2517*/CH239

— M. Cook

Transcribing DWI arrest not needed

**Signed
by
the
governor**

Action seen or heard on a tape should be able to speak for itself. But that is not always the case in some Minnesota courts.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Leo Foley (DFL-Coon Rapids), a new law will clarify that a pretrial filing of a written transcript from an audio or videotape in a law enforcement vehicle is not a prerequisite for admission of that recording evidence in a DWI criminal trial or license revocation hearing. Simon said some courts have been reading into the law a requirement that is not there.

The law, signed April 15 by Gov. Tim Pawlenty, takes effect July 1, 2010.

All state patrol vehicles and many police vehicles have dashboard cameras. Simon said there are about 40,000 DWI arrests annually,

and only about 500 of those go to trial; thereby potentially forcing agencies to make the time and cover the expense of producing an unneeded transcript in most cases. Other potential problems include transcriber error and inaudible statements by the accuser making it tough to certify the transcript. He also said the tape is the evidence, not the transcript.

HF212*/SF333/CH231

— M. Cook

LOCAL GOVERNMENT

More securities lending options

**Signed
by
the
governor**

Mergers and acquisitions in the financial industry in recent years have left cities and municipalities with only one securities lender option — U.S.

Bank — because of a state law requiring them to do business with a Minnesota-based lender.

A new law, signed April 15 by Gov. Tim Pawlenty, will expand the options to financial institutions that have an office located in the state. It takes effect Aug. 1, 2010.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Linda Scheid (DFL-Brooklyn Park), the updated law will save cities money and provide more options for investment decisions, according to Tom Grundhoefer, general counsel with the League of Minnesota Cities.

With the law, cities may do business with qualifying financial institutions that can both broker investments and hold them for safekeeping, instead of having to buy from one broker and incur new fees to transfer investments to a different institution for safekeeping.

The law also adds registration and insurance requirements.

HF3065*/SF2590/CH234

— K. BERGGREN

SAFETY

Domestic abuse bill gets House OK

A bill passed by the House contains a number of provisions that its supporters wish were not necessary.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul), HF2608/SF2437* is an omnibus domestic abuse bill.

The House language was amended onto the Senate bill by the House Finance Committee April 8, and was passed 132-0 by the House April 13. It now returns to the Senate for

concurrence, although Hilstrom said on the House floor a conference committee is expected. The original version received Senate approval 67-0 March 29.

Among the bills included in the omnibus bill are:

- HF2608, sponsored by Hilstrom, which expands the area for protection for a reasonable distance around a residence or dwelling of a person seeking an ex parte order for protection;
 - HF3090, sponsored by Hilstrom, which clarifies the crime of stalking by explicitly labeling the applicable statute “stalking,” refining the stalking definition and expanding the list of conduct that constitutes stalking;
 - HF2864, sponsored by Rep. Paul Gardner (DFL-Shoreview), which would permit a judicial district to conduct a pilot project to allow courts in the district to order, as a condition of release in domestic abuse cases, electronic monitoring of an offender to protect a victim’s safety;
 - HF3361, sponsored by Rep. Mary Liz Holberg (R-Lakeville), which exempts certain domestic abuse or sexual attack programs from data practice requirements;
 - HF3383, also sponsored by Holberg, which establishes data classification of private for vehicle information for OFP’s and no-contact orders;
 - HF1396, sponsored by Rep. Michael Paymar (DFL-St. Paul), which allows animals and companion animals to be included in protective orders; and
 - HF3089, sponsored by Paymar, which increases the maximum bail for non-felony domestic abuse offenses, expands the tampering with a witness crime and clarifies the requirement that the criminal justice data communications network includes OFP’s and no-contact orders.
- Hilstrom said the bill has no cost.

— M. COOK

Who can draw blood for DWI

**Signed
by
the
governor**

In an effort to expedite the process for police and the courts, a new law will allow medical personnel trained in a licensed hospital or educational institution to withdraw blood to determine the presence of alcohol, controlled substances or hazardous substances.

The current DWI statute limits who can draw blood for implied consent to a physician, medical technician, emergency medical technician-paramedic, registered nurse, medical technologist, medical laboratory technician, phlebotomist or laboratory assistant.

Law supporters want it made clear that anybody who is qualified to take blood for

DWI samples can do so. It eliminates cases where a person arrested for DWI is taken to a hospital, but there is not a person on duty who fits one of the titles in the DWI statute. In such cases, either law enforcement has to wait for a qualified technician to arrive, or if somebody medically draws blood and the sample is challenged, the test is thrown out and the DWI case is dismissed. The new law should save money for law enforcement and the courts by eliminating hearings based on technicalities.

Sponsored by Rep. Kory Kath (DFL-Owatonna) and Sen. Kevin Dahle (DFL-Northfield), the law was signed April 10 by Gov. Tim Pawlenty. The law takes effect July 1, 2010.

HF2881*/SF2817/CH225

— M. COOK

Presentence investigation optional

**Signed
by
the
governor**

An unfunded mandate to the courts will be eliminated.

Effective Aug. 1, 2010, a presentence investigation concerning felony violations of a controlled substance crime will be permitted to include a description of any adverse social or economic effects the offense has had on persons living in the neighborhood where the offense took place. This investigation is required under current law.

Rep. Sheldon Johnson (DFL-St. Paul), who sponsors the law with Sen. Ann Lynch (DFL-Rochester), said the change would give probation officers more discretion in situations where an investigation might not be warranted based on different factors, including caseload management or specifically defining a neighborhood.

The law was signed April 15 by Gov. Tim Pawlenty.

HF1457/SF987*/CH236

— M. COOK

STATE GOVERNMENT

Faster state complaint process

When a citizen files a data practices complaint against a state agency, it often takes months or years to resolve.

A bill to speed up the process was passed 130-0 April 8 by the House.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona), HF2899 would establish a new process through the Office of Administrative Hearings when filing a complaint under the Minnesota Government Data Practices Act.

Current law requires a district court to deal with complaints, which proponents of the bill

argue is more time consuming and costly.

Under the bill, a person would file a complaint with the office, along with a \$1,000 filing fee, within two years of the act or failure to act that is the subject of the complaint. If the government entity concealed information and the act wasn’t known about within the two-year period, the complaint must be filed within one year after the concealment is discovered.

If needed, a hearing would occur within 30 business days of the involved parties being notified. A complainant that “substantially” prevails would receive attorney fees up to \$5,000 and refunded the filing fee minus \$50.

Rep. Mark Buesgens (R-Jordan) unsuccessfully offered an amendment to give a prevailing complainant 100 percent of the filing fee. “We’re gonna charge somebody \$50 for proving that they were right. I think it’s egregious, it will turn off people from pursuing this remedy.”

Sandra Neren, a lobbyist for the Minnesota Newspaper Association, told a House committee that legislators approached the association for ideas on a better enforcement mechanism for data practices violations. The bill offers a similar approach to how the OAH handles campaign finance complaints with a “very fast, speedy and cheaper resolution,” she said.

The bill awaits action by the Senate Finance Committee. Sen. Don Betzold (DFL-Fridley) is the Senate sponsor.

— P. OSTBERG

TAXES

Taxing water used to fight fires

A city pays no sales tax on the purchase of a new fire truck used to fight a fire, but the same can’t be said for the water it uses to extinguish the flames.

The City of Freeport was unaware of the sales tax charge on water used for public safety purposes, and was recently hit with an \$8,217 bill for three year’s worth of back sales taxes on water it used for firefighting, hydrant flushing and cleaning of water towers.

Rep. Paul Anderson (R-Starbuck) told the House Taxes Committee April 12 there is some ambiguity in the law, with some cities unaware of the tax. He said Freeport learned about it because it recently underwent a sales tax audit by the Revenue Department. Under current law, residential use of water is not taxed.

“Out of common sense, the city shouldn’t pay sales tax for the water it uses (for public safety purposes),” he said. His bill, HF2905, would expand the sales tax exemption for certain goods and services to local governments to include water used for public

safety purposes. It would be retroactive to June 30, 2007; however, no refunds would be made for taxes paid before Jan. 30, 2010.

His "little bill," as Anderson called it, carries some tax policy questions, and it was laid over for possible inclusion in a committee omnibus bill.

Rep. Ann Lenczewski (DFL-Bloomington), the committee chairwoman, said some legislators question why local governments should be charged sales tax at all. Additionally, some think that all water use should be taxed as a conservation measure. The current water and sewer sales tax exemption carries a \$116 million price tag, Lenczewski said. "There is a policy question: Don't tax any water, or tax all water. ... There is cost to all of this."

A companion, SF3292, sponsored by Sen. Joe Gimse (R-Willmar), awaits action by the Senate Taxes Committee.

— L. SCHUTZ

Kahn said bicycles were included in a 2003 House bill allowing this provision for motorcyclists, but a conference committee removed the bicycle language.

The problem, Kahn said, is that bicycles, like motorcycles, are not heavy enough to trigger the signal sensor to turn the light from red to green.

Without the change, the possibility exists of bicyclists clogging intersections and inconveniencing other drivers behind them.

Dorian Grilley, executive director of the Bicycle Alliance of Minnesota, told a House committee that many times while in a left-turn lane, he has moved his bicycle into a crosswalk so a vehicle behind him could come up closer and trip the signal sensor so they could both turn on a green arrow. However, he said because of "Minnesota Nice" motorists don't always pull closer.

HF2616*/SF2453/CH232

— M. COOK

The bill would decrease the amount of money going into the trunk highway fund by \$400,000 to boost the Minnesota grade rail crossing safety account from \$600,000 to \$1 million.

"It's taking undedicated funds and putting them in a pot that already exists. It is a way to do it without shorting any other projects," Hortman said. "It's a revenue-neutral way to get funding for rural railroad crossings."

There is an approximate \$10 million need to improve at-grade railroad crossings around the state, she said, but only \$2.5 million was allocated in the 2010 capital investment law for that purpose.

The bill was approved by the division, and the House Ways and Means Committee April 12. It awaits action by the full House.

Holberg doesn't dispute the bill's intent, but is concerned with the "the cumulative effect" of the number of bills proposing to transfer money from the fund which is dedicated for road construction.

"There's leakage from the fund going to other areas besides roads," she said. "We all know there is no General Fund money, so these dedicated funds become very attractive for additional spending in various areas."

A companion, SF2548, sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action by the Senate Finance Committee.

— L. SCHUTZ

TRANSPORTATION

Land exchange passes House, Senate

**Signed
by
the
governor**

Effective April 11, 2010, the Department of Transportation is able to exchange land with the Upper Sioux Community tribal government for the rerouting of State Highway 274 near Granite Falls.

A new law adds American Indian tribal governments to a state law that allows for land exchanges. The road is being moved for safety reasons.

Rep. Lyle Koenen (DFL-Clara City) and Sen. Gary Kubly (DFL-Granite Falls) sponsor the law that was signed by Gov. Tim Pawlenty April 10.

HF2956*/SF2563/CH226

— S. HEGARTY

Bicyclists can turn on red

**Signed
by
the
governor**

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Jim Carlson (DFL-Eagan), a new law will allow a bicyclist to enter or cross an intersection against a red light under certain conditions, including if the light shows red for an unreasonable amount of time, the bicyclist is unable to trigger the signal to change to green and no other vehicle or person is approaching that could pose a hazard.

Signed April 15, by Gov. Tim Pawlenty, it takes effect April 16, 2010.

Funds from roads to rails

With the state budget in deficit, there is concern that funds dedicated for specific purposes may see revenue shifted to other areas.

Rep. Mary Liz Holberg (R-Lakeville) raised the issue March 18 during a House Transportation Finance and Policy Division hearing on HF2848, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park).

RACE TO THE TOP



PHOTO BY TOM OLMSCHIED

Following an April 13 meeting with the governor, House Majority Leader Tony Sertich and Senate Majority Leader Larry Pogemiller listen to House Speaker Margaret Anderson Keliher announce that the House and Senate education committees would hold a joint hearing next week on "Race to the Top" legislation.

Inking a deal for donors

State oversight of body arts could reduce donor deferrals

BY LAUREN RADOMSKI

Call it another example of Minnesota nice: the Land of 10,000 Lakes is also home to tens of thousands of blood donors.

Nearly 120,000 Minnesotans gave blood last year through the American Red Cross, which runs one of two blood banks serving the state. Among Minnesota donors, about 7 percent give at least once every two years, up from the national average of 5 percent. And when supplies run short in other parts of the country, Midwestern blood often comes to the rescue.

But while Minnesota's blood supply may be meeting today's need, blood banks are avidly working to attract and retain new donors to ensure future reserves are just as strong. They've got several factors working against them, including an aging population and more restrictions on donor eligibility.

Recent collaboration among state lawmakers, blood banks and tattoo artists could help widen the donor pool. Sponsored by Rep. Julie Bunn (DFL-Lake Elmo), HF677 would create state regulations for body art — specifically, tattooing and piercing services. This state oversight was requested by local blood banks, which must otherwise temporarily defer potential donors with recent tattoos or piercings. The bill is supported by some body artists who would like to ensure safe practices across their industry.

Donor dilemma

Minnesota tattoo and piercing establishments are currently regulated under

a fragmented system of county and municipal policies. The only statewide requirement is that a technician obtain written parental consent before providing tattoo or piercing services to a minor.

This lack of regulation ultimately works against blood banks, which follow donation standards set by the AABB, formerly the American Association of Blood Banks. Under these standards, anyone who undergoes "non-sterile skin penetration" must wait 12 months before he or she can donate blood. Someone whose body art was serviced by "a state-regulated entity with sterile needles and ink that has not been reused" is not subject to the 12-month deferral period.

Because none of Minnesota's body art establishments are state-regulated, thousands of potential donors are deferred each year due to recent tattoos or piercings. Experts say those deferrals can be detrimental in the long run.

"Once a donor is deferred, even temporarily, they are much less likely to return," said Dr. Jed Gorlin, medical director for Memorial Blood Centers. "This has particular impact when the donor is young."

Young donors, it turns out, are in high demand. The first generation of blood donors gave during World War II and continued to donate throughout their lives, said Nick Gehrig, communications manager for the North Central Blood Services Region of the Red Cross. With fewer donations from this demographic, blood banks are trying to instill a similar life-long commitment in younger generations — where body art happens to be more common.

Setting standards

Bunn's bill would provide the kind of assurance AABB needs to allow people with recent tattoos or piercings to donate blood immediately. Unlike a related bill that was voted down in committee last year, Bunn said her legislation avoids being "excessively regulatory" and sticks to "what is absolutely essential for health and safety."

Under the bill, all body art establishments would need to be licensed by the Department of Health beginning in 2011, with the exception of those already licensed through similar county or municipal ordinances. Artists



PHOTO BY TOM OLMSCHEID

Tattoo artist Dan Claessens works on a new tattoo on the shoulder and arm of Corwin Johnson during an April 13 session at Beloved Studios in St. Paul.

Donors continued on page 22

Bumper pride

Specialty license plates generate pride, funds and headaches

By Lee Ann Schutz

Want people to know you are a graduate of the College of St. Benedict? There's a license plate for that.

How about showing your love for Minnesota's habitat? There are plates for that.

What about displaying your purple pride? There's no plate for that yet, but the idea is being floated as part of a funding mix for a new Vikings stadium.

Depending on how you count them, there are about 74 types of special motor vehicle plates available displaying everything from college logos, the state flower to citizen-band radio call letters. In fiscal year 2009, 65,367 special plates were issued, and the total number of vehicles registered with special plates was 513,035.

It's a situation that the chairman of the House Transportation Finance and Policy Division thinks has gotten out of hand. Rep. Bernie Lieder (DFL-Crookston) is just as proud of his military service as the next veteran, but is a plate needed for every branch of service, nearly every medal or every war? He doesn't think so.

If he had his way, people would display their pride with bumper stickers, and the only vehicle plate available would be the generic Minnesota blue and white plate. This isn't about the personalized plates, as these have only letters and numbers, he said. It's the graphics on the specialty plates that are a problem.

"It's a safety issue," Lieder said. "The plates have so much on them that you can't read them." State statute requires that a plate can be read from a distance of 100 feet.

State Patrol Maj. Michele Tuchner agrees. "At a hit-and-run or with a gas drive-off you only get a moment to identify the plate, and sometimes it is hard to identify even the state because you could be distracted by the graphics on the plate." She said that years ago, most states had only one plate, and "you could tell right away which state (it was from)."

Lieder sponsors HF3524 that would spell out criteria for issuing special plates and provide a process for mothballing plates that have few takers. Ironically, it also expands the eligibility for the Combat Wounded license plate to a Purple Heart recipient who is still serving in the military, rather than just veterans. It awaits action on the House floor. The companion, SF3232, sponsored by Sen. Steve Murphy (DFL-Red Wing) awaits action by the Senate Transportation Committee.

Lieder's feelings about special plates are so well known around the Capitol that he said some members try to bypass his division with their plate requests and stick them in other omnibus bills. Even the governor has proposed special plates.

"I don't want to be a dictator, but there

is a process that should be followed," he said.

But how do you say no to special plate requests from the American Red Cross, Special Olympics, square dancers, junior golf, the Minnesota Twins and especially veterans groups?

It isn't easy, Lieder said. "It's an emotional issue for those involved with the group."

High profile fund-raiser

There's the matter of economics with special license plates.

Specialty license plates generate money for the organization or agency sponsoring the plate.

For instance, there are more than 128,000 critical habitat plates positioned on Minnesota vehicles. Each plate generates a \$30 annual contribution to a special Department of Natural Resources fund. Since 1996, the plates have generated approximately \$18 million.

Debuting in December 2005, the approximate 33,000 Support our Troops license plates have brought in about \$420,000 for a special military families and veterans fund.

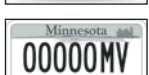
But there are other beneficiaries from plate

proceeds. For instance, the approximate 2,835 license plates issued for the various colleges require a minimum \$25 annual contribution to the college's scholarship fund from the purchaser.

While Lieder hasn't seen a specialty plate proposal as of yet from the Vikings, he speculates they are banking there are

"It's a safety issue. The plates have so much on them that you can't read them."

— Rep. Bernie Lieder
DFL-Crookston
House Transportation Finance
and Policy Division Chairman





For the past several years, Minnesota has used digital license plate technology to produce the Critical Habitat Loon and Support Our Troops license plates. In 2008, Minnesota began to transition passenger plates to DLP. Eventually, all license plates in Minnesota will be manufactured using the DLP system.

Source: Minnesota Department of Public Safety Driver and Vehicle Services Division.

enough fans out there willing to spend a little extra for a new stadium.

"The genie is out of the bottle," said Rep. Terry Morrow (DFL-St. Peter), who likes specialty plates and has three requests, including one to "Support Highway 14." The plate would draw attention to the upgrades needed on the road that runs through his district. Funds generated from the sale of the plate would go into a fund for the road's reconstruction. Morrow's bill, HF2573, awaits a hearing in Lieder's division. Its companion SF3077, sponsored by Sen. Kathy Sheran (DFL-Mankato), awaits action by the Senate Transportation Committee.

Morrow, however, understands Lieder's

frustration, but thinks there can be some middle ground on the issue. He says the public safety issue is valid, but that could be addressed with stricter criteria for the plates.

Who picks up the tab?

Another rub for Lieder is that the state doesn't recoup its administrative expenses for tracking and expending the money to the beneficiaries.

Manufactured by MINNCOR Industries, a prison inmate work program, the production, manufacturing and delivery cost of each set of plates is \$6.18, the same as a regular license plate, according the Lieder.



PHOTO BY TOM OLMSCHIED

Rep. Bernie Lieder, chairman of the House Transportation Finance and Policy Division, hopes to control what he calls the proliferation of special license plates. He sponsors a bill that would place stricter controls on production of the plates and force the retirement of plates that have few in service.

Special plate requests this biennium

- Silver and Bronze Star Medals
- Retired Firefighters
- Retired Emergency Medical Technicians
- Korean Defense Service Medal recipients
- Equine enthusiast
- "Choose Life"
- Armed Forces Expeditionary Medal
- Victims of Impaired Drivers
- Mississippi River
- American Red Cross
- Special Olympics
- Square Dancers
- Multiple Sclerosis
- Junior Golf
- Minnesota Twins
- Support Highway 14

Current law requires a plate request be submitted to the Department of Public Safety Driver and Vehicle Services Division along with a \$20,000 fee to cover the application review and plate development. However, Lieder said that there are ways around the process and the fee — that's through legislation. His bill would tighten the requirements and require a report to the Legislature about a new plate, if it is approved.

The bill also clarifies procedures for retiring plates, and Lieder plays no favorites. The plate benefiting the University of Minnesota, Crookston, located in his district, is an example of one that should be retired, he said, because there are only five plates in service.

The law allows the public safety commissioner to discontinue special plates with fewer than 1,000 sets registered, but Lieder said he's not aware of any that have been discontinued. It also clarifies that the discontinuance applies to future issuances of plates and duplicates, so that people already having a discontinued plate can keep it on their vehicle for the remaining normal length of time (typically seven years total).

Several plates besides the University of Minnesota Crookston have fewer than 10 in use. They include:

- Concordia University – 8
- Macalester College - 4
- College of St. Benedict; Saint Mary's University of Minnesota- each with 3;
- Medal of Honor -1



Images courtesy of the Minnesota Department of Public Safety Driver and Vehicle Services Division



Return on investments

State employee and teacher retirement accounts hurting

BY PATTY OSTBERG

State employee and teacher pensions have taken a major hit during the recession. The State Board of Investment says legislative intervention is needed to stabilize the accounts.

Sponsored by Rep. Mary Murphy (DFL-Hermantown), HF3281 and HF2952 set out adjustments to a myriad of retirement accounts including the Minnesota State Retirement System plan that covers more than 50,000 active employees, and currently pays monthly benefits to over 20,000 retirees, survivors and disabled employees.

Other plans include: General Employee Retirement Plan for the Public Employees Retirement Association, Teachers Retirement Association, Duluth Teacher's Retirement Fund Association, St. Paul Teacher's Retirement Fund Association, Minneapolis Employees Retirement Fund and the State Patrol Plan.

The bills would adjust the inflow and outflow of money by using various strategies including reducing cost of living adjustments, reducing interest on deferred benefits and eliminating interest on re-employed retiree accounts.

The bills were approved April 8 by the House State Government Finance Division and sent to the House Finance Committee.

Sen. Don Betzold (DFL-Fridley) sponsors the companion bills, SF2918 and SF2573. Both await action by the Senate Finance Committee.

Murphy, vice chairwoman of the Legislative Commission on Pensions and Retirement, said the changes are a result of a consolidation of about 24 separate pension bills.

Everyone shares in the fix

Mary Vanek, executive director of the Public Employees Retirement Association,

said the Legislature directs the plans to be 100 percent funded; however, most plans can operate comfortably at 90 to 95 percent. The bills lay out a path for the plans to achieve the funding targets.

Luther Thompson, assistant executive director for legal and legislative services for the Teachers Retirement Association said, "You have to look at public pensions as one of the positive things you've done for the state of Minnesota. They have been prefunded, they are not broke, but they have to be fixed."

While TRA is slowly seeing market increases, it is not enough to recover from its 59.8 percent funding level as of June 30, 2009. "It is absolutely an actuarial necessity to fix the fund now. There is no reasonable economic expectation that we can earn our way out of this," Thompson said.

Like many funds, TRA is looking to get all investors to share in the sacrifice. Under the bills, TRA member and employer contribution rates would increase 0.5 percent annually, phased in over a four-year period. Annual benefit adjustments would be suspended for 2011 and 2012, and the yearly increase would be lowered from 2.5 percent to 2 percent thereafter. The change would remain in place until the fund is 90 percent funded.

Jan Alswager, chief lobbyist for Education Minnesota, said the organization opposes the changes because it puts a heavier burden on active members. "We're asking the active members to pay a 2 percent increased contribution for a problem they had very little to do with," she said.

Some MSRS investors could see a slightly different approach.

Executive Director Dave Bergstrom said the board isn't looking at increasing contribution rates to solve the problem. "We felt very strongly that employees can't handle any higher contribution rates because they are getting zero percent raises, have been getting zero percent and likely not getting much into the future."

Instead, MSRS would reduce post-retirement adjustments from 2.5 percent to 2 percent, to be restored once the fund is 90 percent funded. Re-employed retiree account interest would be eliminated and new members would be vested after five years, instead of the current three years.


The State Patrol Plan and MERF would have the biggest impact on state agency budgets. Previously, about \$36.5 million annually was dedicated for MERF relief, but blank appropriations were amended to the bill in the government finance division.

Defined benefit vs. defined contribution

Rep. Steve Gottwalt (R-St. Cloud) asked why state plans don't consider moving toward a defined contribution approach, where an employer sets aside a fixed amount per year for the benefit of an employee. Many private sector businesses use this option, he noted.

Vanek said the plans firmly believe a defined benefit plan, which relies on a formula using salary history and years of employment to determine an individual's benefits, is a better approach for public employees. Studies show that if you target a certain benefit level, a defined benefit plan can achieve that benefit level at 46 percent of the cost of a defined contribution plan, she said. "Benefit plans, if managed properly, can get better bang for your buck."

Rep. Mary Kiffmeyer (R-Big Lake) said there were many years where previous retirees received double digit increases to the extent that it doubled their pensions. Pension directors told the Legislature that the increases "were too rich," yet lawmakers ignored their advice, she said.

"You are absolutely right, we took too long to put the caps on," Murphy said. The pension commission feels very strongly that the Legislature must act now, she added. "We can't wait another year to talk about it." 

Open fields

Pilot program would pay private landowners for walk-in hunting access

By SUE HEGARTY

Hunters who want to test their marksmanship on small game, waterfowl, deer and other Minnesota wildlife have access to more than 57,000 acres of public hunting grounds, but there are a few frustrations, say stakeholders.

Prime hunting areas for bagging small game such as prairie chickens, grouse and pheasants are mostly on private land in the southwest part of the state.

Neighboring states have programs that pay private landowners for public “walk-in” access.

Creating more public access in small game nesting areas is the goal of HF3722, which would establish a two-year pilot walk-in access program in Minnesota. Rep. Tom Hackbarth (R-Cedar) sponsors the bill, which was laid over April 12 for possible inclusion in the House Game, Fish and Forestry Division omnibus bill.

The House Environment and Natural Resources Finance Division held an information hearing April 13 on funding options. No action was taken.

The program comes with a \$2 million fiscal note, but Hackbarth proposes leveraging an appropriation from the game and fish fund with a federal Open Fields grant. Authorized by Congress in 2008, Open Fields provides \$50 million worth of competitive grants through 2013.

Revenue from the nearly 900,000 Minnesota hunting licenses sold each year is deposited into dedicated accounts in the game and fish fund. One funding option could include applying a surcharge to hunting license fees. Nonpartisan House Fiscal Analysis

estimates that all hunters would need to pay an additional \$2.33 to cover the full cost of the pilot program. However, that number would be higher if the surcharge was only levied against the 266,000 small game hunters. Obtaining an Open Fields grant would lower the costs.

The program could target public land already enrolled in existing easements, such as the federal Conservation Reserve Program, Wetlands Reserve Program or Reinvest in Minnesota. Private landowners who receive payments for these programs would be paid additionally for a walk-in hunting easement. Land enrolled in the pilot program would need to be a minimum of 40 contiguous acres and be available to the public during the small game season, September through February.

Stakeholders hope that 25,000 acres would be enrolled the first year and 50,000 the second year. It would take a minimum 5,000 acres to begin the walk-in program.

A study by the Department of Natural Resources found that other states pay private landowners between 45 cents and \$8.52 per acre. Fees are determined in a variety of ways: a flat fee, negotiated rates or payment based on the number of hunting days. Minnesota is basing its proposed walk-in program on South Dakota, which pays landowners \$1.74 per acre, according to the 2008 Access to Minnesota Outdoors study.

Eventually, Hackbarth hopes the program appropriations would come from the Outdoor Heritage Fund, but some legislators don’t believe that would be a legal use of the funds. Access to hunting is viewed as a secondary issue. Hackbarth, who was a sponsor of the constitutional amendment legislation to establish the fund, disagrees.


“Hunters and fisherman helped pass the amendment and they don’t get the benefit of it,” he said.

Besides funding issues, legislators must also address the landowner’s liability risk and concerns from adjacent landowners not enrolled in the program. Another concern is that half the agricultural land in the state is leased by absentee owners.

Proponents say with proper signage and enforcement, those details can be worked out. Besides meeting current demand for open hunting space, it’s important to introduce children to small game hunting as a retention method for hunting in the state. Although the number of hunting licenses sold has been stable, there is a fear that as the baby boomers age, those numbers will drop, along with revenues.

The Minnesota Deer Hunters Association supports the bill. Executive Director Mark Johnson said the No. 1 reason people say they stop hunting is because they feel they don’t have a place to go or because access is too far from home.

Tourism is another carrot that supporters can dangle. About 6,500 licensed small-game hunters are non-residents. The average hunter spends an estimated \$1,100 annually to engage in the sport, Johnson said.

A companion, SF3297, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), was recommended to pass for possible omnibus bill inclusion March 24 by the Senate Environment, Energy and Natural Resources Budget Division. 

Seifert concludes 14-year House career

He's strived to serve "conscience, constitution and constituents"

Editor's Note: As the 2010 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.

By Kris Berggren

Fourteen years ago, a 23-year-old high school teacher ran for public office to serve his rural southwestern district in the House of Representatives. Today, Rep. Marty Seifert (R-Marshall) is about to finish his seventh term in that office, including three years serving as House minority leader.

Seifert ran for the District 21A seat in 1996 hoping to repeal the Profile of Learning, a controversial set of K-12 education standards authorized in 1992.

"As a classroom teacher," recalled Seifert, "I felt there were people who had no idea how to teach telling teachers what to do," he said. "I felt the bureaucracy in St. Paul was telling teachers how to teach, farmers how to farm, small-business people how to run their businesses, parents how to raise their children."

"So what do you do? Run for office."

Despite his youth, Seifert wasn't intimidated the first time he entered the House chamber, but he was "very humbled, to walk in and realize I am here serving the people."

Within the year, he would become the first lawmaker to sponsor a bill to repeal the Profile. That 1997 bill didn't make it past the education committee; but six years later,

Seifert's goal was realized when Gov. Tim Pawlenty, who had also campaigned on a promise to get rid of the Profile, was in office, and the Senate was persuaded to support the repeal, as the House already had.

Seifert would still like to change the way things are done in St. Paul, so he's running for office again — the governor's office.

One might assume Seifert's gubernatorial aspirations preceded his decision not to run for an eighth term, but that's not the case.

"I was going to go back to Marshall and grow my property management business,"

Seifert said, a decision he made with his wife, Traci. "I assumed Gov. Pawlenty would run for re-election."

In some ways, Seifert said, campaigning for governor is easier than serving as minority leader, a position he held from 2007 until stepping down last June after deciding to seek the chief administrative office.

Serving as minority leader "is a very time consuming position. ... You have 134 candidates to recruit, traveling around the state, fundraising and a caucus full of members with issues to help resolve."

Seifert doesn't think the current House climate is any more or less partisan than when he first arrived, though he believes expectations of government have increased.

"The budget deficit is the biggest political dynamic that has changed," Seifert said. "When I came in, there was a lot of surplus."

Limiting state government's scope while honoring priorities has been a hallmark of Seifert's legislative career. He is proud of his 2005 role as chairman of the House State Government Finance Committee, when, despite a partial government shutdown that year, his finance bill came in on time and on budget, with overall savings to the state but a record increase for veterans and military spending.

He also sponsored a law to allow

Seifert continued on page 22



PHOTO BY TOM OLSCHIED

Finishing his seventh term as a House member — three serving as House minority leader — Rep. Marty Seifert is running for the governor's chair.

STEPPING DOWN

Rep. Marty Seifert
Republican
District 21A - Marshall
Terms: 7 (elected 1996)
Advice to successor:

"Be honest. Listen to your constituents. Blend the three "C's"— conscience, constitution and constituents — those are the best guideposts you can have in any office."

Energized to follow a different path

Bar exam, ski trip are in Kalin's immediate future

By SUE HEGARTY

In the span of a few years, a bachelor and would-be architect followed a very different path and instead became a law student, a husband and a state and national leader on energy issues.

Now Rep. Jeremy Kalin (DFL-North Branch) said it's time he took his wife on a long overdue ski vacation. Then, there's this test he'll take in July called the bar exam. Perhaps he'll study for that inside the mountain chalet.

Kalin's life took a sharp turn in 2007 when he began his first term as a legislator and was wed.

"My wife and I were married 11 days after the 35W bridge went down." The conversation went something like this: "Honey, you know that part-time job I have? Well it's actually full-time because my training in architecture means I can actually speak the language of engineers," Kalin said.

For the next two-and-a-half years, the couple has managed the very hectic life of a state representative and an ob-gyn physician who drives 45 miles to deliver babies in Minneapolis.

"We've decided to take a break from campaigns and elected office and enjoy our lives together, while we can still call ourselves newlyweds," Kalin said.

Through the end of his term he'll focus on the proposed Ratepayer Protection Act that would update utility rate structures.

"Our utility rates are really set based on having to expand. We haven't truly modernized the way that we set our utility rates. We've gotten much better at energy efficiency and energy conservation ... and yet we're still in this 1930s and 1940s mode."

In 2009, Kalin was selected by the White House to chair the national, bipartisan Coalition of Legislators

for Energy Action Now. Working with the Obama Administration and the U.S. Senate has been a highlight of his career.

In 2007, he helped craft the Demand Efficiency Act, an energy conservation standard. One year later, Kalin partnered with the Pentagon to pass the Military and Overseas Voting Act, resulting in a 450 percent increase in military and overseas ballots getting counted.

"To make sure our defenders of democracy have that core right to vote was an amazing privilege," Kalin said.

As a freshman legislator, the first bill he

introduced was on behalf of a constituent who returned from Iraq and was denied a deer hunting license because he didn't have a gun safety certificate. "Here's a guy we trusted with an M16 and other sidearms in battle, but we couldn't trust him with a rifle out in the woods." Kalin thought his bill to waive the gun safety requirement for veterans was non-controversial, but he faced opposition. A compromise was eventually reached.

"It taught me that no matter how common sense it sounds, things don't get done simply around here," he added.

He quickly learned not to take it personally. "While things around here can feel petty at times, some of it is just the result of either ourselves or the people we work with not being able to clearly articulate their passion for their subject," Kalin said.

He also played a key role in his district, securing funding to create Ojiketa Regional Park in Chicago City, to build the new North Branch bridge over Interstate 35 and to advance the Highway 8 project in downtown Lindstrom.

Kalin began working on the framework for a 2009 energy stimulus bill even before the federal recovery act passed. It was a "moment in history where the clean energy policies were lining up with the job opportunities," he said. "We were clearly in crisis and I wanted to do whatever I could to get people to work as soon as possible."

His successor will have his or her work cut out for them.

Kalin continued on page 22



PHOTO BY TOM OLMSCHIED

Rep. Jeremy Kalin, who will not seek re-election, hopes his Ratepayer Protection Act will be passed before he leaves office.

STEPPING DOWN

Rep. Jeremy Kalin
DFL
District 17B - North Branch
Terms: 2 (elected 2006)
Advice to successor: "Work as hard here as you worked getting here."

Tracking new laws, vetoes

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

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects.

The timing of these actions is as important as the actions themselves.

In the second year of the biennium, (even-numbered years) a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. (Sundays are not counted in the three-day time limit, but holidays are.)

The governor normally signs the bills and files them with the secretary of state, but his or her signature is not required. If a bill is passed during the last three days of session, the governor has a longer time to act. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die." If the governor does not sign a bill within this time frame, it will not become law — an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. With the exception of pocket vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the

timetable is three days after the governor receives the bill.

Policy items contained in appropriation bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

More information is available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link.

Key:

CH=Chapter; HF=House File; SF=Senate File

CH	HF	SF	Description	Signed	Vetoed
180	729	848*	Election judge provisions, mail balloting provisions, and town election provisions modified.	2/11/2010	
181	1074	740*	Anoka County; design-build process authorized to award contract for construction of intersection of U.S. Highway 10 and County State-Aid Highway 83.	2/11/2010	
182	2680	2168*	Mental health urgent care and consultation services established, general assistance medical care program modified, and money appropriated.		2/18/2010
183	927*	1004	Construction codes and licensing modified.	3/1/2010	
184	2552	2251*	State primary date changed, and certain primary-related dates and provisions changed.	3/3/2010	
185	2675	2373*	American Legion Day designated as September 16 of each year.	3/9/2010	
186	2713	2309*	Probationary period lengthened for newly hired peace officers in certain statutory cities.	3/9/2010	
187	2763	2352*	Income tax charitable deduction accelerated for relief of Haitian earthquake victims.	3/9/2010	
188	2485	2253*	Rock Island Bridge moratorium on demolition or removal repealed.	3/14/2010	
189	2700*	2360	Omnibus bonding bill; capital improvement funding provided, previous appropriations modified, bonds issued, and money appropriated.	3/14/2010	Line-item vetoed
190	2856*	2512	Continuing education requirements changed for real estate brokers and salespersons.	3/19/2010	
191	2706*	2252	Certified public accountant licensing requirements clarified.	3/24/2010	
192	2599	2439*	Live check solicitations prohibited.	3/24/2010	
193	2797	2259*	Indian tribes authorized to participate in joint powers agreement.	3/24/2010	
194	3111*	2622	Ballot board use required to process absentee ballots, absentee ballots permitted to be counted starting on the fourth day prior to election, and other absentee ballot processing procedures modified.	3/24/2010	
195	3468	3167*	Town meeting minutes provided.	3/26/2010	
196	2575	2183*	North Branch; Corporal Johnathan Benson Memorial Highway designated.	3/26/2010	
197	3321	2946*	Collection of fees allowed under the license reinstatement diversion pilot program to be extended for 18 months.	3/26/2010	
198	3116	2743*	Hospital construction moratorium modified.	3/26/2010	
199	2897	2596*	Psychologist licensure requirements modified.	3/26/2010	
200	802	460*	Mental health urgent care and psychiatric consultation required, hospital payment rates reduced, covered services changed, transfers allowed, general assistance medical care program created, coordinated care delivery systems required, temporary uncompensated care pool and prescription drug pool created, and money appropriated.	3/26/2010	
201	3108*	2388	Elections provisions modified.	4/1/2010	
202	1713	1494*	Radiological technology examination preparation practices prohibited, and penalties established.	4/1/2010	
203	2786*	2397	Duluth; membership rules provided for the Spirit Mountain Recreation Area Authority.	4/1/2010	

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

CH	HF	SF	Description	Signed	Vetoed
204	2561*	2182	North Branch; Veterans Memorial Bridge on marked Trunk Highway 95 designated.	3/30/2010	
205	2915*	2847	Bridge project ongoing prioritization provided.	4/1/2010	
206	3350*	2953	City employees prohibited from serving as mayor or on the city council.	3/30/2010	
207	2729*	2400	Richfield; firefighter limited response time residency requirements permitted.	4/1/2010	
208	2360*	2738	Minneapolis; Special School District No. 1; two member appointment provided on the Minneapolis redistricting commission, and standards established.	4/1/2010	
209	2918*	2632	Beverage production in basements authorized, and commissioner of agriculture directed to amend Minnesota Rules.	4/1/2010	
210	3259*	2875	Utility's requirement modified to post notice of impending disconnection of utility services to a rental building due to a landlord's failure to pay for service.	4/1/2010	
211	2828*	2231	Instrument requirements to secure debt clarified.	4/1/2010	
212	2949*	2925	Treatment works allocation and interceptors reserved capacity costs provisions modified.	4/1/2010	
213	3027*	2604	Mercury testing requirements amended for new incinerator units.	4/1/2010	
214	3139*	2952	Financial records release authority reinstated in response to a subpoena.	4/1/2010	
215	1671*	3223	Supplemental budget bill; state government funding provided for state agencies, departments, and commissions, and various other state government provisions modified, bonds issued, and money appropriated.	4/1/2010	
216	2695*	2568	Omnibus jobs bill.	4/1/2010	
217	1780*	1682	Revisor of statutes required to survey recipients of free state publications.	4/6/2010	
218	3067*	2843	Watershed plan provisions modified.	4/6/2010	
219	3336*	3031	Right of first refusal offers modified for property obtained with federal transit funding.	4/6/2010	
220	3187*	2328	Civil commitment oath or affirmation provided without notarization and the acceptability of electronic signatures and documents.	4/6/2010	
221	3172*	2797	Baseball field advertisements permitted.	4/6/2010	
222	2988*	2327	Minnesota Data Practices Act provision added on computer data, and state agency use of temporary session cookies on government Web sites clarified.	4/6/2010	
223	1217*	1568	Legend and nonprescription drug possession allowed by those disposing of them, and definitions modified.	4/10/2010	
224	2709*	2555	Volunteer protections during an emergency or disaster modified, and immunity specified for certain entities.	4/10/2010	
225	2881*	2817	Qualified persons with medical training or supervision authorized to take blood samples from DWI offenders, and legal immunity provided.	4/10/2010	
226	2956*	2563	Indian tribal government authorized conveyance of land no longer needed for trunk highway purposes.	4/10/2010	
227	3017*	2413	Municipalities authorized to permit certain solicitations by firefighters.	4/10/2010	
228	3363	2840*	Petroleum storage tank and capacity requirements modification; biodiesel minimum content requirement exemption for number 1 diesel fuel extension; biodiesel sale on a net volume basis regulation.	4/10/2010	
229	2701	2267*	Full-time firefighter definition expansion.	4/10/2010	
230	2766	2425*	Higher education private data disclosure provision modification.	4/10/2010	

BILL INTRODUCTIONS

APRIL 13 - 15, 2010
HOUSE FILES 3768 - 3785

Tuesday, April 13

HF3768-Hausman (DFL) **Transportation & Transit** **Policy & Oversight Division**

Metropolitan Council authorized to acquire certain property interests of the University of Minnesota by condemnation proceedings.

HF3769-Hausman (DFL) **Finance**

Higher education and state board and agency funding provided to acquire and better public land and buildings and other improvements of a capital nature with certain conditions, bonds issued, appropriations modified and money appropriated.

HF3770-Hausman (DFL) **Finance**

Natural resources, Board of Water and Soil Resources, transportation and Metropolitan Council funding provided, bonds issued, previous appropriation modified and money appropriated.

HF3771-Westrom (R) **K-12 Education Policy & Oversight**

School board meeting minutes online publication allowed.

HF3772-Falk (DFL) **Energy Finance & Policy Division**

Renewable energy standard modified.

HF3773-Liebling (DFL) **Taxes**

Rochester lodging and food and beverage taxes amended.

HF3774-Emmer (R) **State & Local Government Operations Reform,** **Technology & Elections**

Governor and legislator consecutive terms limited.

HF3775-Hoppe (R) **State & Local Government Operations Reform,** **Technology & Elections**

Metropolitan Council oversight transferred to the Legislature.

HF3776-Hoppe (R) **K-12 Education Policy & Oversight**

Charter schools authorized to borrow money and obligations created for debt repayment.

HF3777-Hausman (DFL) **Finance**

Education, and employment and economic development funding provided, bonds issued, previous appropriations modified and money appropriated.

HF3778-Kahn (DFL)

**Health Care & Human Services
Policy & Oversight**

Clinical trial health insurance coverage compliance with federal law required.

HF3779-Gardner (DFL)

Taxes

Metropolitan area transit and paratransit capital expenditure additional financing provided and certain obligation authorization issued.

HF3780-Norton (DFL)

Finance

Minnesota State Colleges and Universities system heating and cooling system conversion money reappropriated.

HF3781-Clark (DFL)

Finance

Nanotechnology report required from the University of Minnesota and the Minnesota State Colleges and Universities system.

HF3782-Ward (DFL)

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

Real property transfer authorized to American Indian tribes under certain conditions.

HF3783-Beard (R)

Taxes

Aircraft sales and use tax rate reduced.

HF3784-Otremba (DFL)

Commerce & Labor

Douglas County; Theatre L'Homme Dieu special liquor license allowed.

HF3785-Liebling (DFL)

Taxes

Tax Expenditure Advisory Commission created, and review and sunset provided for tax expenditures.

Donors continued from page 13


would be required to hold a tattoo technician license or a body piercing technician license; both would require the completion of at least 200 hours of supervised experience in the applicant's field and completion of coursework in areas including bloodborne pathogens and infection control. After upfront costs to the state government special revenue fund in fiscal years 2011 through 2013, licensing fees would fund the oversight and inspection of establishments.

The bill also sets health and safety standards for body art procedures, including requiring the use of single-use needles and ink. In a change from current law, technicians would be prohibited from providing tattoo services to anyone under age 18, regardless of parental consent. Bunn said the language is intended to ensure that people who choose to get tattoos have done so based on their own decision-making and autonomy, not due to direction from parents or others.

The subdivision addressing minors is one of several provisions specifically requested by members of the body art community, some of whom collaborated on the bill. Unlike other licensing areas, tattoo and piercing technicians have fewer professional organizations and are harder to work with collectively, Bunn said. The ones she's spoken with believe statewide regulations would add legitimacy and credibility to their profession.

"Most all of them already meet the standards in this bill and they want to make sure that everyone engaged in this work is doing it in a safe way," Bunn said.

"I really don't want that prejudice to return," said Tanika Nolan of ACME Tattoo Co., Inc., in St. Paul, referring to past discrimination against the body arts. "We fought very hard to be mainstream."

Bunn's bill was approved by the House Finance Committee April 9 and sent to the House Ways and Means Committee. A companion, SF525, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), was amended by the House Ways and Means Committee to insert the House language into the Senate file. It was approved April 14 and awaits action on the House floor. 

Seifert continued from page 18

non-violent offenders to pick up roadside trash, and another authorizing prisoners to receive two meals instead of three on weekends, which he estimates saved \$3 million. Opponents warned it would cause prison riots, said Seifert; instead, wardens have found that prisoners don't mind "brunch and supper" and the chance to sleep later.


He is also known for last year's Brandon's Law, which allows law enforcement to begin searching immediately for adults who have gone missing under dangerous circumstances. Seifert said it's considered a national model for missing adult laws and that he's been contacted by several states interested in passing similar legislation.

Seifert said he will most miss his colleagues and the "fantastic" staff. He values learning

from the diversity of perspective from lawmakers from all parts of the state, and the lifelong friendships he's made in his job.


However, perhaps his favorite part of politics is local. Seifert said he's proud of having been the top Republican vote-getter in his district of all candidates for any office in each of the seven elections he's been on the ballot, winning many votes cast by non-Republicans as well as his own party faithful.

He truly enjoys the personal ways he is present to the people of his home district, for example, by helping someone with a licensing problem, or attending an Eagle Scout ceremony or high school graduation.

"Those are fun and, I think, very honorable things to do," he said. 

Kalin continued from page 19

"The state's economic challenges are severe," Kalin said. "Not only are we dealing with what's been called the Great Recession, but we're also dealing with the leading edge of the retirement of the baby boomers. We really have to rethink the way we're doing things."

Come late May, Kalin and his wife will focus on packing their bags and waxing their skis. When the honeymoon is over and he passes the bar exam, expect Kalin to continue his work on clean energy initiatives. "I'm pretty sure I'll be in the energy area but we'll see what comes." 

Constitutional Officers

Governor

Tim Pawlenty (R)

Room 130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155
651-296-3391
800-657-3717
Fax: 651-296-2089
Web site: www.governor.state.mn.us
E-mail: tim.pawlenty@state.mn.us

Lieutenant Governor

Carol Molnau (R)

Room 130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55115
651-296-3391
Fax: 651-296-2089
E-mail: carol.molnau@state.mn.us

Secretary of State

Mark Ritchie (DFL)

Election Center
Room 180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
651-215-1440
877-600-8683 (VOTE)
Business Services
60 Empire Drive, Suite 100
St. Paul, MN 55103
651-296-2803
877-551-6767
Web site: www.sos.state.mn.us
E-mail: secretary.state@state.mn.us

Attorney General

Lori Swanson (DFL)

Executive Offices
Room 102
State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155
651-296-6196
800-657-3787
Web site: www.ag.state.mn.us
E-mail: attorney.general@state.mn.us
Consumer Division
1400 Bremer Tower
445 Minnesota St.
St. Paul, MN 55101
651-296-3353
800-657-3787
(TTY) 651-297-7206
(TTY) 800-366-4812

State Auditor

Rebecca Otto (DFL)

525 Park St.
Suite 500
St. Paul, MN 55103
651-296-2551
(TTY) 800-627-3529
Web site: www.osa.state.mn.us
E-mail: state.auditor@state.mn.us

Joint Legislative Services

(Area code 651 unless otherwise noted)

Legislative Reference Library

645 State Office Building
Circulation296-3398
Reference296-8338

Office of the Revisor of Statutes

700 State Office Building296-2868

Office of the Legislative Auditor

140 Centennial Office Building296-4708

Legislative Coordinating Commission

72 State Office Building296-9002

Regent Candidate Advisory Council

Trustee Candidate Advisory Council

Compensation Council

Salary and Budget Review Subcommittee

Subcommittee on Employee Relations

Foreign Delegations Liaison

Legislative Commission on Health Care Access

Legislative Commission on Metropolitan Government

Legislative Commission on Planning and Fiscal Policy

Joint House-Senate Subcommittee on Claims 296-1121

Administrative Rules Subcommittee 296-1121

Library Subcommittee 296-8310

Revisor Subcommittee 296-2778

Geographic Information Services

55 State Office Building296-0098

Electronic Real Estate Recording Commission

72 State Office Building296-1121

Fiscal Services Office

45 State Office Building296-8890

Office on the Economic Status of Women

85 State Office Building296-0711

Legislative Advisory Commission

Fourth Floor, Centennial Office Building 201-8010

Legislative Audit Commission

140 Centennial Office Building296-4708

Legislative-Citizen Commission on Minnesota Resources

65 State Office Building296-2406

Legislative Commission on Pensions and Retirement

55 State Office Building296-2750

Legislative Energy Commission

72 State Office Building296-9002

Lessard-Sams Outdoor Heritage Council

85 State Office Building 297-7141

Great Lakes Commission

585 State Office Building296-2228

Mississippi River Parkway Commission

72 State Office Building296-1121

Minnesota State Agencies

Administration.....	651-201-2555
Agriculture	651-201-6550
	800-967-2474
Commerce	651-296-4026
Corrections.....	651-361-7200
Education	651-582-8200
Employment and	
Economic Development	651-259-7114
	800-657-3858
Enterprise Technology.....	651-296-8888
Explore Minnesota Tourism	651-757-1845
	800-657-3535
Travel Info	888-868-7476
Health	651-201-5000
	888-345-0823
Higher Education Services	651-642-0567
	800-657-3866
Housing Finance Agency	651-296-7608
	800-657-3769
Human Rights	651-296-5663
	800-657-3704
Human Services.....	651-431-2000
Iron Range Resources	218-735-3000
	800-765-5043
Labor and Industry.....	651-284-5005
	800-342-5354
Management and Budget.....	651-201-8000
Mediation Services.....	651-649-5421
Metropolitan Council.....	651-602-1000
Military Affairs	651-268-8919
Natural Resources	651-296-6157
	888-646-6367
Pollution Control Agency	651-296-6300
	800-657-3864
Public Safety General Information	651-201-7000
State Patrol	651-201-7100
Revenue	
General Information.....	651-296-3403
Collections.....	651-556-3003
	800-657-3909
Sales and Use Tax Line	651-296-6181
	800-657-3777
Taxpayer Helpline.....	651-296-3781
	800-652-9094
Taxpayer self-service	651-296-4444
	800-657-3676
Withholding	651-282-9999
	800-657-3594
Transportation.....	651-296-3000
	800-657-3774
Veterans Affairs.....	651-296-2562

Minnesota State Legislature

House Public Information Services	651-296-2146
	800-657-3550
House Meeting Hotline	651-296-9283
Minnesota Relay service.....	711
	800-627-3529
Web site:	www.house.mn
Senate Bill Status.....	651-296-2887
toll-free.....	888-234-1112
(TTY)	651-296-0250/888-234-1216
Web site:.....	www.senate.mn
Legislative Information	www.leg.mn
State Information	www.state.mn.us

MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION SERVICES
175 STATE OFFICE BUILDING
100 REV. DR. MARTIN LUTHER KING JR. BLVD.
ST. PAUL, MN 55155-1298

SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER
MAJORITY LEADER: ANTHONY "TONY" SERTICH
MINORITY LEADER: KURT ZELLERS

MINNESOTA INDEX

Earth, wind and fire

Date of Earth Day.....	April 22
Anniversary of first Earth Day.....	40
Number of 2009 volunteers for Minneapolis Earth Day Watershed cleanup	3,000
Pounds of trash removed by volunteers.....	30,000
Cumulative number of St. Paul Earth Day celebration attendees (three years)	4,500
Total pounds of trash generated by those attendees.....	24
Minnesota ranking for wind energy production	4
Texas, California, Iowa rankings, respectively	1, 2, 3
State energy production goal from wind by the year 2025, as percent	25
Number of wind energy-related jobs in southwestern Minnesota	125
Average annual salary of wind energy technicians and mechanics.....	\$35,360
Two megawatt wind turbine price tag, installed, in millions.....	\$3.5
Number of average American households served by one turbine	600
Height of a two megawatt wind turbine, in stories.....	30
Megawatts of total energy produced by Minnesota Community-Based Energy	
Development since its inception.....	131.4
Amount produced up until March 2008.....	3.8
Number of utility providers involved in Minnesota C-BED production	9
Millions of dollars Xcel Energy paid into the Minnesota Renewable Development	
Fund in 2000.....	6
Millions of dollars paid in 2003.....	9
Millions of dollars paid annually from 2004-2007	16
Millions of dollars paid annually from 2008-2009.....	19.5
Millions of dollars owed in 2013.....	23
Number of research and development projects funded from the renewable	
development fund in 2001	17
In 2005	23
In 2008	22
Percent District Energy reduced its reliance on coal by converting wood into	
biomass energy.....	70
Percent District Energy reduced its particulate emissions	50
Amount District Energy reduced its greenhouse gas emissions, in tons.....	280,000

— S. HEGARTY

Sources: Avian monitoring study at Buffalo Ridge Wind Resource Area; National Wind, LLC; Minnesota Office of Energy Security; Southwest Minnesota Careers; Windustry® & Great Plains Windustry Project; City of Minneapolis Web site; City of St. Paul Web site.

FOR MORE INFORMATION

For general information, call House Public Information Services at 651-296-2146 or 800-657-3550.

To have a copy of Session Weekly mailed to you, subscribe online at: www.house.mn/hinfo/subscribesw.asp or call: 651-296-2146 or 800-657-3550.

If you enjoy Session Weekly, please consider helping to defray production and mailing costs with a voluntary donation for the 2010 session.

Make your check payable to Minnesota House of Representatives, and mail it to: House Public Information Services
175 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1298

Session Weekly online is available at: www.house.mn/sessionweekly

Subscribe to Session Daily e-mail alerts at: www.house.mn/list/join.asp?listname=sessiondaily.

Check your local listings to watch television coverage of House committees, floor sessions and select press conferences.

To obtain a copy of a bill, call the Chief Clerk's Office at 651-296-2314.

To learn about bill introductions or the status of a specific bill, call the House Index Office at 651-296-6646.

The House of Representatives can be found on the Web at: www.house.mn.

People who are deaf and hard of hearing may ask questions or leave messages by calling the Minnesota Relay service at 711 or 800-627-3529 (TTY).