

SESSION WEEKLY



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HF3786 - HF3794

SESSION WEEKLY

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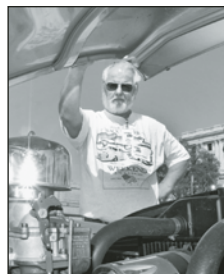
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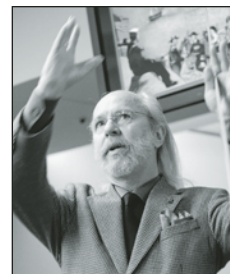
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On the cover: Rep. Mindy Greiling, chairwoman of the House K-12 Education Finance Division, reacts at an impromptu April 19 news conference outside the office of Gov. Tim Pawlenty after the governor announced the introduction of a Race to the Top education reform proposal.

— Photo by: Tom Olmscheid

Resuscitating Race to the Top bid

New bid could hinge on proposals to boost teacher effectiveness

By KRIS BERGGREN

Minnesota tripped in the first leg of Race to the Top, a competitive federal education grant, but now policy makers are dusting themselves off and preparing for a second bid.

Education officials learned last month that their application earned 375 out of 500 possible points, coming in at 20 of 41 states applying.

Missing out on federal money to stimulate education reform and turn around chronically low-performing schools was a blow, but it's also a reality check — giving the state a second chance not only to make a bolder application but to have a fuller discussion about reform, say lawmakers.

Gov. Tim Pawlenty said he won't sign a

second Race to the Top application unless the Legislature passes reforms that will satisfy grant criteria. He's pushing Minnesota to keep up with the Joneses — or rather, the Tennessees and Delawares — the only two of 16 applicants making the first cut to win a combined \$600 million.

"Other states across the country are literally racing to pass these education reforms," said Rep. Pat Garofalo (R-Farmington) at an April 19 press conference. "Places like Delaware and Tennessee are getting in their Maseratis or

their Corvettes," while "some establishment figures in Minnesota are arguing about who's going to drive our '78 Pinto."

Rep. Mindy Greiling (DFL-Roseville), chairwoman of the House K-12 Education Finance Division, is "optimistic" a second application can succeed if all players collaborate this time. Minnesota would be eligible for between \$60 million and \$175 million over four years.

Lawmakers moved further down the reform highway at a joint House and Senate education committee meeting April 20 attended by Education Commissioner Alice Seagren and Education Minnesota President Tom Doohar. The governor's reform proposals were presented, and experts discussed key topics the Legislature has been working on, including alternative teacher licensure, use of data to evaluate teachers and the role of "highly effective" teachers in student success.

"The main way to win, no matter what, is if



PHOTO BY TOM OLMSCHIED

Members of House and Senate education committees listen to Misty Sato, an assistant professor of teacher development and science education at the University of Minnesota, discuss using a value-added growth model as a measure of teacher effectiveness during an informational meeting April 20 to hear about Race to the Top issues.

we come together on behalf of what is really good for our students ... and use research and not just whims of whatever anyone is asking us to do, including the federal government," Greiling said.

To recap the first round: Evaluators who reviewed Minnesota's 250-page application awarded high marks for strong charter school laws, high academic standards and high-quality assessments and a commitment to funding education, but they deducted points for lack of teacher union support. Only 12 percent of union locals endorsed the application. Reviewers liked certain ideas such as expanding Q Comp, the state's voluntary teacher evaluation and merit pay plan, and creating an Office of Turnaround Schools, but said the state didn't have a solid plan to carry them out.

Greiling, House K-12 Education Policy and Oversight Committee Chairman Carlos Mariani (DFL-St. Paul), Senate members, Dooher and Seagren met April 21 with representatives from the federal education department and Tennessee and Delaware officials.

Afterward, Greiling felt hopeful about a second application, and was advised to stick to what the state is already doing, but simplify the application and add a clear timeline for carrying plans out. One thing the winners had in common was that their governors personally worked with union leaders on the proposal, she said, so the unions supported

new accountability measures, similar to Pawlenty's, because "it's not done to them but rather with them."

Seagren would have to submit a letter of intent to apply by May 4.

Effective teachers key to reform

How to recruit, train and retain high-quality teachers — and dismiss those who don't measure up — could not only help win the grant, but help close the achievement gap between white students and students of color in performance on standardized tests.

"The heart and soul of this is putting the most effective teacher in the classroom," Seagren said. The governor has offered a proposal for alternative teacher licensure pathways for nontraditional candidates; defining an "effective" teacher; counting test scores in teacher evaluations and tenure decisions; and has a five-year tenure renewal requirement.

Alternative licensure helps fill high-need licensure areas such as bilingual education, said Pat Pratt-Cook, Minneapolis Public Schools head of accountability and human resources.

"Most studies nationally show little connection between teacher effectiveness and their route to certification," Pratt-Cook said.

However, Education Minnesota, the teacher's union, traditionally resists such accountability measures, which could change the standard of lifetime tenure most teachers have. But research indicates that students who

New rule about who sits at the table

Every seat at the committee table was taken during a standing-room-only joint meeting of House and Senate education committees April 20 to discuss a second Race to the Top application for a federal grant.

Some committee members were unable to find seats at the table, while Education Minnesota President Tom Dooher and Education Commissioner Alice Seagren were seated alongside House K-12 Education Finance Division Chairwoman Mindy Greiling (DFL-Roseville) and Senate Education Committee Chairman LeRoy Stumpf (DFL-Plummer).

This seating arrangement at the committee table drew criticism and resulted in a new House rule after the issue was brought up on the House floor April 21.

Republican members said Dooher, head of the state teachers union, didn't belong there, and that it sent the wrong message about the integrity of the legislative process.

"To have a member of the lobbying community at the table, I think was inappropriate," Rep. Randy Demmer (R-Hayfield) said, "especially when elected officials don't have a place at the table."

"What happened yesterday was an embarrassment to the body," added Rep. Mark Buesgens (R-Jordan). "I hope there is an apology from the other side of the aisle."

Although Greiling had introduced the meeting as "unofficial," Buesgens said it had all the appearance of an official hearing.

Greiling said having the commissioner and union president at the table symbolized that all parties are working "figuratively and literally shoulder to shoulder" on a new application.

Buesgens and Demmer serve on the education finance division, and Demmer is also a member of the House K-12 Education Policy and Oversight Committee.

The controversy culminated in a new permanent House rule proposed by Rep. Marty Seifert (R-Marshall) to prohibit representatives from registered lobbying groups from sitting at committee tables during official committee proceedings. It incorporated an oral amendment by Rep. Jim Davnie (DFL-Mpls) to also prohibit members or staff of the executive branch from being seated. It was approved 128-2.

— K. BERGGREN



PHOTO BY TOM OLMSCHIED

Education Minnesota President Tom Dooher listens as Education Commissioner Alice Seagren explains Gov. Tim Pawlenty's Race to the Top reform proposal during an informational meeting of the House K-12 Education Finance Division and the Senate E-12 Education Budget and Policy Division April 20.

have effective teachers progress three times faster than those with less effective teachers, according to Bush Foundation Vice President and Educational Achievement Team Leader Susan Heegaard.

"We have a historic opportunity before us," Heegaard said, to deliver as many as 25,000 highly effective teachers to replace that many who will retire within the next decade. The foundation has committed \$40 million over 10 years to strengthen teacher training and ongoing support for new teachers, in partnership with 14 higher education

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held April 15-22. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

AGRICULTURE

Recognizing county fairs

The year 2011 would be recognized as the "Year of the County Fair," under a resolution approved by the House Agriculture, Rural Economies and Veterans Affairs Committee April 15.

Sponsored by Rep. Al Juhnke (DFL-Willmar), HR9 recognizes county fairs as among one of the "longest continuously running events of their kind."

The resolution says Minnesota fairs are one of the "largest social gatherings, bringing people together in harmony and building family and social capacity." It encourages every citizen to attend county fairs in 2011 in recognition of the value of the fairs. The first county fair was held in 1811.

The resolution now goes to the House floor. There is no Senate companion.

"Hopefully this will jumpstart a large discussion of getting people out to the county fairs," Juhnke said.

— P. OSTBERG

BUSINESS

Help for entrepreneurs

Entrepreneurs in Minnesota would have a web-based "one-stop shop" to find help starting and growing their businesses, if a bill sponsored by Rep. Julie Bunn (DFL-Lake Elmo) becomes law.

Bunn sponsors HF2839/SF2758*, which would establish a Minnesota Entrepreneur Resource Virtual Network. The goal is to help business startups by providing them with access to technical assistance, grants and other support services available from both public and private sources.

The bill would build on an existing collaboration between the Department of Employment and Economic Development and the Minnesota Chamber of Commerce. Bunn said the current program, known as BusinessConnect, doesn't go far enough in providing information relevant to starting a

business. She envisions a website where people can not only find information on how to start a business, but also access the necessary forms and paperwork, find information on capital resources, and find organizations that can assist them in their goals.

"There's tremendously different kinds of resources available in our state," Bunn said — everything from technical assistance on accounting and legal issues to help with marketing and business plans.

Users for the site would range from someone with only a vague notion of starting their own company to an established employer looking for help with issues that are unique to their particular industry.

"There's a number of regional nonprofits in the rural and outstate areas that do work in small business development — community development organizations, foundations, our technical colleges," she said.

To keep the project from impacting the state's current budget woes, the bill would ask DEED to seek private funding for the project. It also includes language that would require DEED to report back to the Legislature by Sept. 30, 2010, on progress made toward establishing the network.

The House Finance Committee approved the bill April 20 and sent it to the House floor. The Senate unanimously passed a slightly different version March 29. Sen. Terri Bonoff (DFL-Minnetonka) is the Senate sponsor.

— N. BUSSE

CONSUMERS

Directory scams banned

**Signed
by
the
governor**

Out-of-state companies that pretend to be homegrown Minnesota businesses will be guilty of deceptive business practices, under a new law.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Sandy Pappas (DFL-St. Paul), the law makes it illegal for companies to misrepresent their location in phone directories, print ads and on the Internet.

The law is intended to address a kind of scam in which out-of-state companies take out ads pretending to be Minnesota-based companies. The companies overcharge customers who place orders, transfer the orders to actual Minnesota companies and then keep the difference as profit. Practitioners have targeted the floral and locksmith industries in particular.

The law generally states that a business

misrepresents its geographic location if: they represent themselves to be at a location where there is not at least one owner or employee regularly performing services; and set up a local phone number that routinely routes calls to out-of-state call centers.

Signed April 15 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2010.

HF3277*/SF3102/CH235

— N. BUSSE

Changes to liquor laws

**Signed
by
the
governor**

Those attending the Minnesota State Fair this year can enjoy a glass of Minnesota-produced wine if they want, thanks to this year's omnibus liquor law.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park), the law also authorizes liquor licenses at several locations. Unless otherwise noted, it takes effect April 23, 2010, one day after it was signed by Gov. Tim Pawlenty.

Under the changes, the state fair may issue beer licenses directly to concessionaires; previously, Ramsey County was responsible for issuing the licenses. For the first time, the fair will also be allowed to issue licenses for selling wine by the glass, provided that the wine is produced by a Minnesota winery. In addition, the law allows the fair, and not Ramsey County, to authorize the sale of tobacco on the fairgrounds.

The law includes changes that will allow liquor stores to conduct beer- or liquor-tasting events in addition to the already-allowed wine tastings. The law specifies that the event must be no longer than four hours in duration, and sets a number of ground rules for how tastings must be conducted.

Liquor licenses are authorized for several locations under the law, including:

- the Museum of Russian Art in Minneapolis (pending authorization by the city);
- the University of St. Thomas' Minneapolis campus;
- the Bemidji Regional Event Center; and
- Bemidji State University, for certain events only.

Insurance requirements for liquor retailers are clarified in the law. The changes incorporate a recent Minnesota Supreme Court decision, *Brua v. Minnesota Joint Underwriting Association*. An exemption from the requirements is provided for wholesalers who donate wine to an organization for a wine tasting.

HF3186/SF2808*/CH255

— N. BUSSE

Business screening services

Signed
by
the
governor

Ensuring that records disseminated by business screening services are accurate is the goal of a new law.

Such services are private entities that collect, assemble, evaluate or disseminate criminal records on individuals for a fee.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Don Betzold (DFL-Fridley), the law clarifies that a business screening service can only share “a criminal record that reflects the complete and accurate record provided by the source of the data.” The record has to have been updated within 30 days of receipt of information or has to have been verified as current by the data source within the previous 90 days. When disseminating a criminal record, the service must include the date the record was collected by the service.

The law also spells out that in an investigation as to the completeness of the record, a service must determine whether the record accurately reflects the content of the official government record: “If the disputed record is found to be sealed, expunged, or the subject of a pardon, the business screening service shall promptly delete the record.”

Signed April 15 by Gov. Tim Pawlenty, the law takes effect July 1, 2010.

HF3023/SF2322*/CH240

— M. COOK

ENERGY

Energy policy debate laid over

When crafting a new energy ratemaking model for Minnesota, should stakeholders work off a clean slate or from a decades-old model focused on capital gain and amended dozens of times to include renewable energy and conservation policies that push reduction rather than production?

That’s the policy question facing the House Energy Finance and Policy Division, which laid HF3415 over April 20 for further discussion. Sponsored by Rep. Jeremy Kalin (DFL-North Branch), the bill is referred to as the Ratepayer Protection Act.

The bill tweaks policy language and would provide for a two-year study to determine if utility regulations can be brought in line with the state’s energy policies. Public utilities would be assessed up to \$1 million for the cost of the study.

Division members on both sides of the aisle agreed that a comprehensive discussion about how to meet the state’s future energy needs has to happen, but the scope of the conversation is



PHOTO BY ANDREW VONBANK

Bill Glahn, director of the Office of Energy Security, right, shares his concerns April 20 with the House Energy Finance and Policy Division about a bill that would require Public Utilities Commission decisions to further goals of state energy efficiency and renewable energy, and modify showings in the certificate of need process. Rep. Jeremy Kalin, left, sponsors the bill.

not yet defined. Rep. Mike Beard (R-Shakopee) called the bill a “catalyst” for laying all the options on the table, including lifting the ban on nuclear power plants.

Referencing a 2005 legislative audit report that assessed the cost effectiveness of the Energy Conservation Improvement Program, Kalin said the proposed study should consider the lowest long-term options for producing energy; the reliability of each type of energy source; and what a sustainable business model should look like.

A companion, SF3182, sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

— S. HEGARTY

ENVIRONMENT

Battery recycling fee increased

Signed
by
the
governor

Consumers who fail to recycle their old vehicle batteries will have to pay a larger fee than what’s currently in law.

Sponsored by Rep. Paul Gardner (DFL-Shoreview) and Sen. Ken Kelash (DFL-Mpls), and signed April 22 by Gov. Tim Pawlenty, the law modifies a

20-year-old statute requiring consumers who purchase new, lead acid batteries to either recycle their old batteries or pay a \$5 fee.

Currently, when you buy a new battery for your vehicle, you can recycle the old one free-of-charge. If you don’t bring in the old battery, you’re charged a \$5 fee.

The fee, which serves as an incentive for people to recycle their old batteries, is ultimately paid by the retailer to the battery manufacturer; however, since manufacturers often charge \$10 or more to retailers, the retailers have essentially been getting shorted by \$5.

Beginning Aug. 1, 2010, the fee that retailers charge to consumers at the point-of-sale will increase to “at least \$10,” so that retailers recover the full cost of the fee they’re charged by the manufacturers. As is the case with current law, consumers who bring in a battery for recycling within 30 days of purchasing a new battery will be able to get their fee refunded.

Gardner has said the law will serve the dual purpose of further encouraging consumers to recycle and also helping retailers’ bottom lines.

HF2402/SF2152*/CH258

— N. BUSSE

Petroleum spillage rules clarified

Signed
by
the
governor

Rules regarding the cleanup of spilled petroleum are part of a technical Department of Commerce law signed by Gov. Tim Pawlenty April 15.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Kevin Dahle (DFL-Northfield), the law clarifies that the Petrofund may be used to cover cleanup costs from tanker truck spills and how much can be spent on a site. Effective April 16, 2010, the law also allows the department to file an environmental impact lien on a Petrofund site, similar to the current authority of the Department of Agriculture and Pollution Control Agency.

HF3362*/SF2841/CH241

— S. HEGARTY

GOVERNMENT

Service contracts changed

Technical changes will be made to state law as it relates to organizations that employ people with severe disabilities and contract with the state for services.

Under current law, more than 19 percent of the value of state janitorial contracts must be awarded to rehabilitation programs and extended employment providers.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Ann Rest (DFL-New Hope), the law extends that requirement to document imaging and shredding, mailing, collating and sorting services. It also permits contracts awarded under this section to exceed the estimated fair market price for the same goods and services by up to 6 percent.

Signed April 22 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2010.

HF3096*/SF2735/CH266

— P. OSTBERG

HEALTH

Licensure requirements modified

**Signed
by
the
governor**

Continuing education requirements for licensed professional counselors are modified, under a new law signed by Gov. Tim Pawlenty April 15.

The law was prompted by conflicting language in current statute that left some counselors confused about postgraduate and continuing education requirements needed to maintain their licenses. Under the law, a counselor whose license was terminated prior to Aug. 1, 2010, does not need to complete certain continuing education activities, including those for re-licensure, if the person has completed a specific number of postgraduate semester credit hours. The provision does not apply to an individual whose license has been cancelled.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Ron Latz (DFL-St. Louis Park), the law takes effect Aug. 1, 2010.

HF3212/SF2877*/CH248

— L. RADOMSKI

After-death care modified

**Signed
by
the
governor**

Family members will have more options in providing after-death care to their loved ones, under a new law signed by Gov. Tim Pawlenty April 22.

Sponsored by Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. Sandy Pappas (DFL-St. Paul), the law modifies restrictions on who may control a dead body, how a body may be transported and how it must be preserved. Under the law, next of kin have the right to control a dead body, including removing the body from place of death with authorization from the Department of Health. A requirement in current statute that a body be embalmed before it is transported is removed.

Effective Aug. 1, 2010, the law also permits a body to be packed in dry ice instead of embalmed

in preparation for private viewing. With permission of the funeral home, family and friends of the deceased may assist with the washing and dressing of the body someplace other than the funeral home's preparation room.

Laine said the law reflects a growing desire for after-death procedures that are more natural and less reliant on toxic chemicals.

HF3151*/SF2903/CH262

— L. RADOMSKI

Health information procedures

**Signed
by
the
governor**

Billing services and other entities that standardize health information are the subject of a new law designed to simplify and add transparency to claims, billing and payment procedures.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. Tony Lourey (DFL-Kerrick), the law addresses health care clearinghouses, which process data from one format into a standard billing format. The law includes the following provisions:

- requires all health care providers, clearinghouses and group purchasers to provide an electronic acknowledgement when receiving health care claims or similar information;
- beginning in 2012, clearinghouses must provide clear and understandable information and instructions for responding to questions from providers and group purchasers;
- requires clearinghouses to provide electronic connections with other clearinghouses and trading partners when requested; and
- allows the Department of Health to require electronic publishing of clearinghouse contact information and other information useful to clients.

The bill was signed by Gov. Tim Pawlenty April 15 and takes effect Aug. 1, 2010.

HF2927/SF2852*/CH243

— L. RADOMSKI

Licensing home care providers

**Signed
by
the
governor**

Home care providers can expect a handful of new or modified licensing regulations, under a new law signed by Gov. Tim Pawlenty April 15.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Sharon Erickson Ropes (DFL-Winona), the law broadens the enforcement powers of the Department of Health related to home care licensing. The law, effective Aug. 1, 2010, allows the department to impose a conditional license on a provider for certain infractions and allows license suspension to include

requirements that must be met before the suspension is lifted. It also sets procedures for transferring clients after a license has been suspended or revoked and expands sanctions against home care management.

Other provisions in the law modify requirements for licensure applicants and remove a time limit on licensure exemptions.

HF3196/SF2923*/CH246

— L. RADOMSKI

HOUSING

Updating an interest ownership act

**Signed
by
the
governor**

Rep. Gail Kulick Jackson (DFL-Milaca) said a new law is not an overhaul of the Minnesota Common Interest Ownership Act; rather, it is "a 50,000-mile tune-up."

The act governs condominiums, cooperatives and planned communities, including townhomes. It also mandates certain warranties and disclosure for the benefit of buyers.

The new law, signed April 22 by Gov. Tim Pawlenty, is the culmination of two years of work by the real estate section of the Minnesota State Bar Association, owners, realtors, lenders, county surveyors and developers. It takes effect Aug. 1, 2010.

It clarifies some things and makes changes to address unforeseen situations that came about because of the recent real estate market crisis.

Among its provisions:

- a clearer mandate for the developer to responsibly operate the owners' association;
- stronger requirements for funding association replacement reserves;
- increased requirement for disclosures to prospective buyers with respect to developer obligations;
- a penalty increase from \$1,000 to \$5,000 for developers who fail to deliver a disclosure statement to the buyer prior to the closing of a unit;
- removal of the obligation of a developer to turn over to an association the plans, records and warranties that are not under the developer's control or that will prevent a developer from enforcing the warranties against third parties;
- authorizes declarants to universally license garage stalls and storage lockers to unit owners when units are sold; and
- an owners' association can obtain lenders' consent to amendments to the association's governing documents in a manner consistent with current Fannie Mae and

Freddie Mac regulations.

Jackson, who sponsors the law with Sen. Ron Latz (DFL-St. Louis Park), said there have been some problems getting consent of lenders that hold mortgages because they receive the amendment but never respond. Under the law, the lender's consent will be automatic if no response is given within 60 days.

HF3393*/SF2985/CH267

— M. COOK

HUMAN SERVICES

Appealing disability decisions

**Signed
by
the
governor**

New requirements for the State Medical Review Team are intended to ensure Minnesotans who appeal disability decisions receive timely feedback from the Department of Human

Services.

Rep. Kent Eken (DFL-Twin Valley) and Sen. Linda Berglin (DFL-Mpls) sponsor a

new law related to the state officials who make disability determinations. Under the law, someone who appeals his or her disability determination must receive a decision on the appeal within 90 days; otherwise the appeal must immediately be reviewed by the chief appeals referee. The law also requires the department to annually report to the Legislature how long it took to issue a written decision on each disability appeal.

Signed by Gov. Tim Pawlenty April 22, the law takes effect Aug. 1, 2010.

HF3405*/SF3199/CH261

— L. RADOMSKI

Foster care extended

**Signed
by
the
governor**

Young adults will be able to receive foster care services past age 18 beginning this summer.

Sponsored by Rep. Jeff Hayden (DFL-Mpls) and Sen. Patricia Torres Ray (DFL-Mpls), a new law will allow young adults to stay in foster care until

age 21, provided they are working, pursuing an educational program or unable to do either due to a medical condition. Youth who left foster care while under state guardianship as dependent or neglected may return anytime between the ages of 18 and 21.

Effective Aug. 1, 2010, the law also addresses other provisions related to child custody hearings, foster care and permanent placement:

- clarifies the right of a child and guardians to attend custody proceedings;
- modifies the definition of "parent" as it relates to presumption of paternity;
- modifies the information the Department of Human Services must provide to county or private agencies conducting a background check on a prospective adoptive parent;
- modifies what income and resources belonging to young adults over age 18 who continue to receive care or treatment through a county may be used to reimburse the county; and
- clarifies the responsibilities of social service

HERO



PHOTO BY ANDREW VONBANK

Gunnar Fridtjof Thurmman Sønsteby is recognized on the House floor April 21. He was commended for his heroic actions as part of the Norwegian resistance movement during the German occupation of Norway in World War II.

agencies in contacting presumed fathers when a petition for protection or services is filed on behalf of a child.

The law was signed by Gov. Tim Pawlenty April 22.

HF3039/SF2690*/CH269

— L. RADOMSKI

New sexual conduct changes

Signed
by
the
governor

An employee of, or volunteer at, a secure residential treatment facility who has sexual contact with a resident of the facility will have committed third- or fourth-degree criminal sexual conduct, even if the contact is consensual.

The new law, signed April 22 by Gov. Tim Pawlenty, takes effect Aug. 1, 2010.

Rep. Terry Morrow (DFL-St. Peter), who sponsors the law with Sen. Kathy Sheran (DFL-Mankato), said the law should have no fiscal cost. He said the employee union supports the law.

Program officials said this is “a low-frequency event,” but there are serious ramifications for staff, public safety and the rest of the institution when it does occur.

By statute, a secure treatment facility includes the Minnesota Security Hospital in St. Peter and the Minnesota Sex Offender Program facility at Moose Lake.

HF3191/SF2717*/CH270

— M. COOK

LAW

Corporate law changes

Signed
by
the
governor

Corporate lawyers take note: a new law signed April 15 by Gov. Tim Pawlenty makes a number of changes to state laws dealing with business organizations.

Sponsored by Rep. Dave Olin (DFL-Thief River Falls) and Sen. Ron Latz (DFL-St. Louis Park), the law is the result of changes proposed by the Minnesota State Bar Association and the Office of the Secretary of State’s business service division.

Among the most significant changes in the law, corporate boards of directors will no longer be required to appoint or remove all corporate officers. Instead, chief executive officers can appoint or remove officers — other than the chief financial officer — if it’s allowed by the corporate articles or bylaws, or if such authority is granted by the board.

Also under the law, publicly held corporations can eliminate or modify cumulative voting by a simple majority vote instead of a supermajority

vote. Supermajorities would still be required for privately held corporations.

The law includes a number of provisions relating to corporations, nonprofits and limited liability companies. Selected changes include:

- allowing boards of directors to make certain amendments to articles of incorporation in regard to share dividends;
- allowing boards of directors flexibility to maintain corporate records at locations other than the principal executive office;
- various provisions clarifying the process of approving amendments to bylaws and articles of incorporation for nonprofits; and
- modifications to requirements for filing documents with the Office of the Secretary of State.

Most of the law takes effect Aug. 1, 2010.

HF3025/SF2705*/CH250

— N. BUSSE

Health care directive clarification

Signed
by
the
governor

A new law clarifies 2009 legislation relating to health care directives for wards and protected persons.

It provides that only a court, rather than a guardian, may declare a person’s health care directive unenforceable. The court would be required to find “by clear and convincing evidence that the health care directive was executed under coercion of fraudulent inducement ... or if it finds that the health care directive is not legally sufficient.” A guardian could previously replace a health care agent under certain circumstances specified in law.

Brought forth by groups working on elder law and vulnerable adult issues, the law also:

- establishes that a ward or protected person may outline their health wishes in a health care directive when a guardian does not have the authority to make a medical decision;
- ensures that the wishes of a ward or protected person nominated for a guardian are honored and respected; and
- modifies and streamlines certain informational reports that must be submitted to the court by a guardian or conservator.

Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul) are the sponsors.

The law is effective April 16, 2010, one day after signed by Gov. Tim Pawlenty. Certain modified filing and documentation requirements apply to petitions filed and protective orders issued or renewed beginning Aug. 1, 2010, or earlier if directed by the court.

HF3128*/SF2796/CH254

— M. COOK

Rate exemptions for governments

Signed
by
the
governor

Interest rates will be lowered in certain judgment cases.

Effective April 16, 2010, a new law undoes an inadvertent 2009 increase in the interest rate when money is owed to state or

local governments or vice versa for things like tax appeals and eminent domain judgments. Gov. Tim Pawlenty signed it April 15.

Last year’s omnibus public safety finance law increased the interest rate on any award or judgment greater than \$50,000 from the simple interest per annum based on the secondary market yield of a one-year U.S. Treasury bill (roughly 4 percent) to 10 percent.

Rep. Paul Marquart (DFL-Dilworth), who sponsors the law with Sen. Rod Skoe (DFL-Clearbrook), said the law was intended to just apply to large insurance companies. He said in some cases insurance companies that had to pay a claim were instead holding onto the money and putting it into an account with an interest rate greater than 4 percent. Therefore, the companies were making money before paying the claim.

The new law provides that judgments greater than \$50,000 for or against the state or a political subdivision, including cities, counties and school districts, revert back to simple interest plus annum law. The interest continues to be computed as simple interest per annum for all judgments of \$50,000 or less.

HF3085/SF2722*/CH249

— M. COOK

Updating a 1955 arbitration act

Signed
by
the
governor

Revision of a five-decade old act is now in law.

Signed April 22 by Gov. Tim Pawlenty, the law makes changes to the Uniform Arbitration Act of 1955, which was adopted by 49 states, including Minnesota in 1957. The act provides procedures and standards for arbitration proceedings in certain disputes.

The Uniform Law Conference has revised the act to reflect changes in arbitration over the years. Twelve other states and the District of Columbia have adopted the updated act.

Provisions in the law include:

- additional remedies so the status quo can be maintained during the arbitration process;
- some consolidation of proceedings if they have similar issues of law;
- permitting an arbitrator to conduct the arbitration in such a manner he or she considers appropriate “so as to aid in the fair and expeditious disposition of the proceeding”;

- allowing a court to order provisional remedies during arbitration before an arbitrator is selected;
- requiring arbitrators to disclose any potential financial or other conflict;
- allowing an award to be vacated because of an arbitrator's partiality;
- arbitrators will have immunity from civil liability to the same extent as a Minnesota judge acting in a judicial capacity; and
- arbitrators can award punitive damages or other relief if an award is authorized by law in civil action involving the same claim.

Rep. Terry Morrow (DFL-St. Peter) and Sen. Mary Olson (DFL-Bemidji) sponsor the law, which takes effect Aug. 1, 2011. Morrow said the Minnesota State Bar Association and other lawyer and attorney groups support the changes.

HF1692*/SF891/CH264

— M. COOK

Enforcing foreign country judgments

**Signed
by
the
governor**

The last time Minnesota passed an update to the Uniform Foreign-Country Money Judgments Recognition Act was 1985.

The act establishes clear and uniform standards under which state courts will enforce foreign-country money judgments that come within its scope.

Based on recommendations from the National Conference of Commissioners on Uniform State Laws, a new law, signed April 22 by Gov. Tim Pawlenty, will provide five primary changes from current law:

- clarify the relationship between the act and the Enforcement of Foreign Judgments Act because getting recognition for jurisdiction under the law is a different procedure from collecting on a judgment that has already been ordered in a foreign court;
- expressly provide that a party seeking recognition of a foreign judgment has a burden to prove that the judgment is subject to the act;
- impose the burden of proof for establishing the specific ground of non-recognition upon the party raising it;
- address the specific procedure for seeking enforcement; and
- a statute of limitations is provided to recognize a foreign-country judgment.

Rep. John Lesch (DFL-St. Paul), who sponsors the law with Sen. Ron Latz (DFL-St. Louis Park), said the update is "a critical step" towards updating state laws for the 21st century, which has changed because of the global economy. The law takes effect Aug. 1, 2010.

HF776*/SF612/CH263

— M. COOK

LOCAL GOVERNMENT

Impact note requests

The chairs and ranking minority members of the House Finance and Ways and Means committees could be added to the list of people who can request local fiscal impact notes for proposed legislation.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park), HF3748 was approved April 20 by the House State Government Finance Division and sent to the House Finance Committee.

Currently, the chair and ranking minority members of the House Taxes Committee have the ability to request fiscal notes. Simon said it's not only tax bills that cost money and have impact on local communities.

Minnesota Management & Budget coordinates the development of fiscal notes and calculates the impact on each type of political subdivision that would result from the proposed legislation.

A companion, SF3325, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the full Senate.

— P. OSTBERG

MILITARY

Veterans of Foreign Wars Day

**Signed
by
the
governor**

A new law designates May 28 as Veterans of Foreign Wars Day in Minnesota.

Sponsored by Rep. Jerry Newton (DFL-Coon Rapids) and Sen. Lisa Fobbe (DFL-

Zimmerman), the law recognizes May 28 because it is the same day the Veterans of Foreign Wars was founded in 1899. The group was federally chartered by Congress on May 28, 1936.

Signed April 15 by Gov. Tim Pawlenty, the law takes effect July 1, 2010.

HF2674/SF2475*/CH244

— P. OSTBERG

SAFETY

Ice arena air bill revised

A revised proposal on how to ensure safe air quality in Minnesota's indoor ice arenas is gaining little headway with arena managers.

Rep. Rick Hansen (DFL-South St. Paul) sponsors HF3512, which would set new licensing, equipment and air monitoring standards for arenas and their operators. Hansen introduced the bill after one of his constituents, a longtime figure skater, was diagnosed with chronic carbon monoxide poisoning, a condition she attributed to

emissions from ice maintenance equipment.

Under the bill, arenas would need to be licensed by the Department of Health beginning in 2011, with lower licensing fees for arenas using electric ice maintenance equipment. A certified arena operator would need to be on the premises whenever an arena is open, and non-electric equipment without a three-way catalytic converter or equivalent device would be prohibited. By 2015, arenas would need to exclusively use electric equipment, contain a continuous air monitoring device or meet criteria for an exemption from the department.

The issue has been marked by high emotions on all sides, similar to past debates on pool and bleacher safety, Hansen told the House Cultural and Outdoor Resources Finance Division April 21.

"They're all new things that people didn't think about and we just took for granted, but ... we did come to some ways of dealing with things differently," he said.

The Minnesota Amateur Sports Commission would prefer the department finish its rulemaking on air quality standards before lawmakers take action of the topic, said Joel Carlson, a member of the MASC board. The department began reviewing its 1977 standard before Hansen's bill was introduced.

Division members did not take any action on the bill, but may revisit it next week. A companion, SF3175, sponsored by Sen. Ellen Anderson (DFL-St. Paul), was laid over by the Senate Health and Human Services Budget Division April 13.

— L. RADOMSKI

Getting a post-sentence DNA sample

**Signed
by
the
governor**

A judge will be given permission to order an offender who did not submit a required DNA sample to provide one even if the offender's sentence has expired.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law is designed to correct a technical glitch that sometimes occurs when an offender convicted of a felony is supposed to provide a DNA sample. Signed April 22 by Gov. Tim Pawlenty, it takes effect Aug. 1, 2010.

Since 2005, all convicted adult felons, adjudicated juvenile felons and felon offenders transferred into Minnesota from another state must provide a DNA sample for testing. If the court doesn't order it, the probation department is supposed to collect a sample. However, if no one makes the order, there is no current remedy to get a sample.

David Brown, an assistant Hennepin

HISTORIC CONSERVATION



PHOTO BY ANDREW VONBANK

Thomas Braun, objects conservator with the Minnesota Historical Society, uses a solution of sodium lauryl sulfate April 20 to remove years of corrosion from an historic bronze flag case in the Capitol Rotunda. He is working on a battle flag conservation project and new flag exhibit.

County attorney, told a House division that an estimated 10 percent to 20 percent of offenders do not provide the required sample. Bigham said Wisconsin does this, and it has led to the solving of some cold cases.

The order to show cause shall direct the offender to appear before the court within 30 days, unless a specimen is provided. Upon the offender's appearance, the court may issue an order directing the offender to provide the specimen. If an offender fails to provide

a specimen or appear in court, an order requiring the offender to submit a specimen within 30 days at a designated location can be issued, and a peace officer would be authorized to detain and bring the offender before the court to show cause why the specimen should not be produced.

The sample will be provided through a painless cheek swab.

HF3447/SF3116*/CH256

— M. COOK

Medical exam record conformity

**Signed
by
the
governor**

In order to align state statute to federal motor carrier safety laws, a new law regulates commercial drivers and their medical exam requirements.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Rick Olseen (DFL-Harris), and signed by Gov. Tim Pawlenty April 15, the law will allow the Department of Public Safety to issue commercial class driver's licenses on behalf of the federal government for interstate commerce. License applicants subject to a federal requirement for a medical exam will be expected to submit medical certificates or medical waivers to the department, which will retain the records for three years.

Most of the law takes effect Aug. 1, 2011.

HF3420/SF3091*/CH242

— S. HEGARTY

Firefighter background checks

**Signed
by
the
governor**

Fire departments will be permitted to run criminal background checks on current employees no more than once per year.

A new law, effective Aug. 1, 2010, aims to ensure that, in addition to being properly trained, responding emergency personnel are upstanding citizens. It was signed April 22 by Gov. Tim Pawlenty.

Rep. John Lesch (DFL-St. Paul), who sponsors the law with Sen. Don Betzold (DFL-Fridley), said the law was brought to him by a fire chief who, upon discovery that one of his employees had been indicted for arson, found out he couldn't do a criminal background check on his employees. Now, background checks can only be run on applicants.

The information would be considered private data, and handled as any other such data.

HF3130/SF2363*/CH259

— M. COOK

Tougher penalty for guns at school

**Signed
by
the
governor**

Judges will have more options in sentencing someone who brings a firearm to a place of learning.

Sponsored by Rep. Sandra Peterson (DFL-New Hope) and Sen. Ann Rest (DFL-New Hope), a new law will increase the maximum penalty for knowingly possessing, storing or keeping a firearm on school grounds from two years imprisonment and a \$5,000 fine to five years imprisonment and a \$10,000 fine. Peterson noted the current maximum penalty for bringing a gun to a courthouse or library is

already five years behind bars.

Signed April 22 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2010.

It also decreases to a gross misdemeanor the penalty if someone “uses or brandishes a replica firearm or a BB gun while knowingly on school property,” and decreases the penalty for possessing, storing or keeping a replica firearm or BB gun on school property from a gross misdemeanor to a misdemeanor.

Opponents expressed concern that a student who inadvertently leaves a gun or hunting knife in their trunk could face these penalties.

This law just allows for tougher sentences, Peterson said, rather than “a slap on the wrist” for students with intent to do bodily harm.

HF3423/SF2339*/CH268

— M. Cook

Predatory offender registration

**Signed
by
the
governor**

Two changes have been made to the state’s predatory offender registration law.

Effective July 1, 2010, predatory offenders will be prohibited from listing homeless shelters as their primary or secondary address. This will prevent homeless predatory offenders from avoiding registration requirements placed on those who do not have a primary or secondary address. Under current law, if an offender registers as homeless, they are required to check in weekly with local law enforcement; however, by using the shelter as a primary or secondary residence, the offender does not need to check in weekly, even if they are not staying at the shelter.

Effective April 16, 2010, the law clarifies that an offender’s duty to register is reactivated when the person returns to the state after having lived outside Minnesota if the offender’s registration period has not expired. This came as a request of the Bureau of Criminal Apprehension to reinforce current law that the state suspends, not terminates, registration requirements if an offender begins living in another state.

There are no additional costs to adopt the changes.

Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsor the law.

HF3174*/SF2862/CH251

— M. Cook

Social host liability held over

Knowingly letting a minor consume alcohol could be more costly.

Under current law, it is a misdemeanor for a person at least age 21 to knowingly furnish or permit alcoholic beverage consumption

that results in the intoxication of an underage person.

“I used in this bill existing statute language,” said Rep. Dean Urdahl (R-Grove City), the sponsor of HF3637. “The only change is that it goes from a misdemeanor to a gross misdemeanor.” A gross misdemeanor carries a maximum penalty of one year’s imprisonment and a \$3,000 fine.

The House Public Safety Policy and Oversight Committee laid the bill over April 15, although Rep. Debra Hilstrom (DFL-Brooklyn Center), the committee chairwoman, acknowledged that Urdahl would try to amend it onto a different bill on the House floor.

A companion, SF2965, sponsored by Sen. Amy Koch (R-Buffero), awaits action by the Senate Judiciary Committee.

Urdahl said that law enforcement believes a larger penalty is a deterrent.

“We do have laws that establish penalties for underage drinking, but with the advent of the problem continuing to increase, they don’t seem to be having the desired effect,” he said.

Rep. Karla Bigham (DFL-Cottage Grove) said a number of local ordinances already exist, and wondered if the issue is best addressed at that level.

“I don’t discourage local ordinances, but it then becomes a patchwork, and I think this should be a standard across the state,” Urdahl countered.

Although, he “basically supports” the bill’s intent, Rep. Michael Paymar (DFL-St. Paul) said the Legislature has not done a very good job of reviewing the collateral consequences of what a gross misdemeanor means on someone’s record, as has been done with felonies. “I’ve heard stories of people being denied employment for a gross misdemeanor, when I always thought it was felony convictions,” said Paymar, chairman of the House Public Safety Finance Division, and who acknowledged he has supported increasing some criminal penalties to gross misdemeanors. “At some point I hope one of our committees examines that.”

— M. Cook

STATE GOVERNMENT

Collaborative governance council

A council to increase collaboration between all levels of government would be created under a bill passed 108-22 by the House April 21.

Sponsored by Rep. Marsha Swails (DFL-Woodbury), HF2840/SF2511* would create a 14-member council to develop

recommendations to increase governmental collaboration by:

- reviewing laws and rules that slow collaboration efforts;
- using technology to connect entities and share information;
- modernizing financial transactions and facilitating credit and debit card transactions, electronic funds, transfers and electronic data interchanges; and
- creating model forms for joint power agreements.

Swails said she traveled the state with Rep. Carol McFarlane (R-White Bear Lake) and met with several service cooperatives that work with school districts in Greater Minnesota. They also visited with superintendents, counties, city and township officials and asked, “What are the obstacles that keep schools, counties, cities and towns from shared services or collaborating?”

Rep. Greg Davids (R-Preston) said he hopes the council will understand its mission because many commissions fail in this regard.

Because the House language was amended to the Senate file, the bill returns to the Senate where Sen. Ann Rest (DFL-New Hope) is the sponsor. The Senate passed its version 62-2 April 12.

— P. OSTBERG

Juneteenth recognition

**Signed
by
the
governor**

The third Saturday in June is designated as Juneteenth in recognition of the historical pronouncement of the abolition of slavery on June 19, 1865.

Sponsored by Rep. Bobby Joe Champion (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), the new law “creates an opportunity for the governor to issue a proclamation,” Champion said.

Juneteenth marks the day the Emancipation Proclamation was read for the first time publicly in Texas. The announcement came two and a half years after President Lincoln’s Emancipation Proclamation and two months after Gen. Robert E. Lee’s surrender in April 1865.

Under the law, the governor’s proclamation can include “honoring this observance and recognizing the important contributions African-Americans have made in Minnesota’s communities, culture, and economy.”

Signed April 15 by Gov. Tim Pawlenty, the law is effective April 16, 2010.

HF2928/SF2580*/CH245

— P. OSTBERG

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

TAXES

Income reciprocity study sought

Beginning in 1967, Minnesotans and Wisconsin residents crossing the border for work had the convenience of filing their tax return in only one state. That changed in September 2009 when Minnesota failed to reach an agreement with Wisconsin to accelerate the timelines of compensatory payments.

Sponsored by Rep. Roger Reinert (DFL-Duluth), HF3370 calls for a study by the Minnesota and Wisconsin revenue departments to determine how many residents of each state earn income in the other state.

"This would be the first step at restoring reciprocity between the states," Reinert told the House Taxes Committee, which held the bill over April 19 for possible omnibus bill inclusion. He said it's a "big issue" for border communities with nearly 80,000 people crossing the borders for work.

Among the issues creating the ill will between the states are:

- a nearly 23 month lag-time between Wisconsin reimbursing Minnesota for the state's tax loss;
- the interest rate Minnesota was charging Wisconsin for the delay; and
- the need for a benchmark study to determine the number of workers crossing the borders and who owed money to whom.

"You can imagine that Wisconsin was the net gainer in the reciprocity agreement because we have all the population centers on the Minnesota side of the border, and Wisconsin residents come over," Reinert said.

The study would also determine the amount of tax revenue that would be foregone by each state if a reciprocity arrangement were resumed and taxpayers were required to pay taxes on the income only in their state of residence.

Information would mostly be garnered from each state's income tax returns for tax year 2010. A report would be due to the governor and Legislature by March 1, 2011.

Similar legislation regarding reinstituting reciprocity is moving through the Wisconsin legislature.

Besides Wisconsin, Minnesota has reciprocity agreements with Michigan and North Dakota. However, Revenue Commissioner Ward Einess said the issue is greater with Wisconsin because of the number of people involved.

A companion, SF3017, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), was laid over March 11 by the Senate Taxes Committee for possible omnibus bill inclusion.

— L. SCHUTZ



PHOTO BY TOM OLMSCHIED

During an April 19 House Taxes Committee meeting, Revenue Commissioner Ward Einess, left, and Rep. Roger Reinert listen to Rep. Laura Brod ask a question about requiring the Department of Revenue to conduct a study on income tax reciprocity with Wisconsin.

TOURISM

Explore Minnesota changes

Signed
by
the
governor

Technical changes to the Explore Minnesota Tourism Council are made under a new law signed April 15 by Gov. Tim Pawlenty.

Sponsored by Rep. Bud Nornes (R-Fergus Falls) and Sen. Mary Olson (DFL-Bemidji), the law removes the reference of "four" from the tourism marketing regions of the state that have representatives on the council.

John Edman, director of Explore Minnesota Tourism, said the change is merely a housekeeping bill. When the council was created it had four regions, now it's expanded to five regions, he said.

The law takes effect Aug. 1, 2010.

HF3143*/SF3013/CH252

— P. OSTBERG

TRANSPORTATION

Complete streets proposal passes

Imagine streets that take into account the needs of motorists, cyclists, pedestrians and even people with special needs. Rep. Mike Obermueller (DFL-Eagan) sponsors HF2801 that would put the "Complete Streets" concept into first gear. However, some members are concerned the idea may evolve into a state mandate on local governments.

The bill, passed 92-37 by the House

April 21, would move the state toward a policy that would, during the design phase of any state-aid funded road project, take into consideration the impact the roadway would have on the people who use it, and the impact on the areas that it passes through.

"This is good policy, and it means that local governments will have greater say" in the design of their roads, Obermueller said. "There is a real problem where state government gets in the way of local decisions."

The bill calls for the Department of Transportation to develop and implement a policy of a system that takes into consideration all modes of transportation.

"There are a lot of different people who interact with our roads. Certainly there's cars ... we have transit issues, and we have a lot of people who interact with our roads in terms of riding a bike, trying to cross a road if you are senior, or a kid," Obermueller said. He stressed that this would not be a mandate for local governments, but it would be for MnDOT.

However, several Republicans disagreed.

"We need to be honest about the funding for this program," said Rep. Steve Gottwalt (R-St. Cloud). "It's voluntary now, it's maybe mandatory later. The only place the money is coming from is the motor vehicle taxes. There is no way to fund the added infrastructure that may be required through the bill. Local communities can decide for themselves how to make their communities more bicycle and pedestrian friendly."

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

— L. SCHUTZ

SPRING CLEANING



PHOTO BY TOM OLMSCHIED

Conservator Rob Jensen applies gold leaf to a wheel of "The Progress of the State" during his annual restoration of the Quadriga April 16. Created by sculptor Daniel Chester French, the artwork, also known as the "Golden Horses," has been over the main entry to the Capitol since 1906, except when it was restored in 1994-95.

Fee bumps could help highway fund

Some proposed fee changes could net the state's trunk highway fund \$22,120.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Rod Skoe (DFL-Clearbrook), HF3029/SF2846* would make technical changes to the transportation statutes as they relate to vehicle weights and measures. Some fee structures would change accordingly.

Approved 67-0 by the Senate March 29; the House Ways and Means Committee incorporated the House language before approving the bill April 13. The full House approved the amended bill 130-3 April 19, but the Senate refused to concur with the House changes. A conference committee has been requested to work out the differences.

Under the amended bill, the current annual permit fee of \$24 for implements of husbandry would be eliminated and would instead be subject to the oversize annual permit fee of \$1,120. According to the Revenue Department, 245 permits were issued in 2009.

The current \$850 annual permit fee for

special two-unit vehicles would decrease to \$300 for up to 90,000-pound vehicle combinations and \$500 for up to 97,000-pound vehicle combinations.

— L. SCHUTZ

Funds from roads to rails

More money could be available to improve the state's rail crossings.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park), HF2848 would decrease the amount of funding going into the trunk highway fund by \$400,000 to boost the Minnesota grade rail crossing safety account from \$600,000 to \$1 million during each fiscal year.

The money comes from a portion of fines collected from people apprehended or arrested by the State Patrol and forfeited bail money.

"It's a revenue-neutral way to get funding for rural railroad crossings," Hortman said.

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.

Passed 131-0 by the House April 21, the bill now goes to the Senate, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor.

— L. SCHUTZ

Fleet redefined to conform to IRP

**Signed
by
the
governor**

To conform to the International Registration Plan for commercial motor vehicles, a new law redefines a "fleet" as one or more vehicles.

The law pertains to a reciprocity registration agreement between states and Canadian provinces and will reduce duplication of paperwork, according to Rep. Frank Hornstein (DFL-Mpls), who sponsors the law with Sen. Rick Olseen (DFL-Harris).

Gov. Tim Pawlenty signed the law April 15. It takes effect Aug. 1, 2010.

HF3460*/SF3090/CH253

— S. HEGARTY

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Call House Public Information Services
at 651-296-2146 or 800-657-3550

UNDER THE HOOD



PHOTO BY TOM OLMSCHEID

Butch Pream shows off a pair of Stromberg 97 carburetors with chrome air filters that sit atop the V8 engine of his 1953 Ford Sedan Delivery. His restored hot rod was part of the annual Minnesota Street Rod Association Run to the Hill April 20.

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Corrections..... 651-361-7200
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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
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Military Affairs 651-268-8919
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Public Safety 651-201-7000
Revenue..... 651-296-3403
Transportation..... 651-296-3000
800-657-3774
Veterans Affairs..... 651-296-2562

A lesson through art

Murals provide historical look at role of military branches

By PATTY OSTBERG

When veterans are laid to rest at the Minnesota State Veterans Cemetery in Little Falls their caskets pass through the committal hall

As a tribute and honor, the Minnesota State Veterans Cemetery Memorial Association initiated a project that will create five military themed 8 foot by 10 foot oil canvases for display in the hall. Each canvas will depict a military branch's history on a mural: Army, Navy, Air Force, Marine Corps and the Coast Guard. Merchant Marines will also be honored for their services during World War II.

Charles Gilbert Kapsner, the designer and painter for the Veterans Educational Historic Project, presented the proposed murals to the House Agriculture, Rural Economies and Veterans Affairs Committee April 15.

Kapsner said he was approached by former Rep. Gordon Gerling to create a fresco

painting for the hall. But a fresco would have required reconstruction of the walls and use of certain building materials to accommodate the environment needed to maintain a fresco. Instead, Kapsner suggested individual murals — and so the project began.

As Kapsner spent time at the cemetery, he began to envision the intertwining of each branch and the history of the United States, he said. Visitors will see the branches having had more influence at certain times and how man's history and his influence can be a part of what we're doing today. Each mural will represent the past, present and future and depict one person looking out into the audience.

The goal is to "pay tribute to the men and

women of the military who have served throughout our long history, but also to talk about history," Kapsner said.

Gerling, said the memorial would serve as an "educational tool to help further generations understand our history and the vital role our military has played in the creation and preservation of our democracy."

He plans to develop graphite drawings to be projected onto a canvas to begin the painting process. Live models pose in replica military uniforms to help him bring life to the canvas, he said.

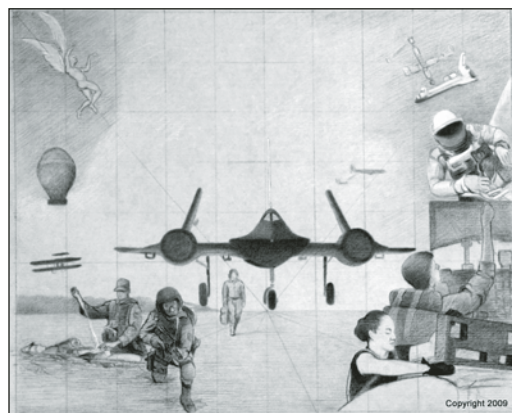
Those interested can visit www.buonfresco.com to view the graphite drawings as they move through the creative process and watch the scenes develop.

"This memorial will be unique. Not only will the magnificent paintings by renowned artist Charles Kapsner honor each of our military services, but they will serve as an inspiration to all Americans of the sacrifices paid by all who have served our country in the military in sustaining our freedom and democracy."

— Retired Rear Adm.
Henry C. McKinney
former president,
United States Navy
Memorial Foundation



The Army tribute includes figures depicting scenes from the War of 1812, Mexican-American War and the Civil War. The figure sitting in the bottom left corner represents current veterans and how some have struggled with alcohol and drug abuse. Kapsner asked, "Is he turning his back on us, or have we turned our back on him?"



The Air Force tribute is motivated by man's intrigue by flight, Kapsner said.



Depicted in the Coast Guard mural is the story of Minnesota's Split Rock Lighthouse and soldiers protecting the coast.

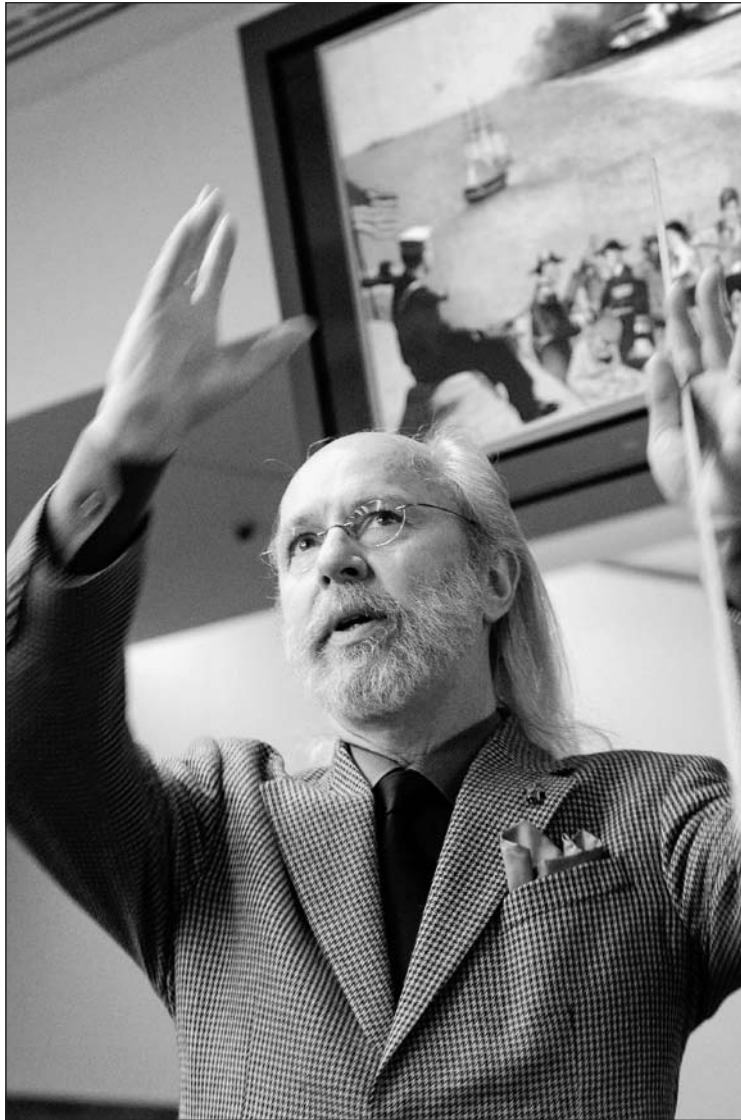


PHOTO BY ANDREW VONBANK

Little Falls artist Charles Kapsner shows the House Agriculture, Rural Economies and Veterans Affairs Committee April 15 his sketches for a mural depicting the history of the Army, Navy, Air Force, Marine Corps and Coast Guard to be created at the Minnesota State Veterans Cemetery in Little Falls.

Gerling, art committee chairman for the association, said they are looking to veteran's organizations, corporations, foundations and individuals to help fund the \$485,000 project.

There are two veteran cemeteries in Minnesota, Fort Snelling National Cemetery in Minneapolis and the Little Falls cemetery, which is considered a state veterans cemetery. David Swantek, director of the Little Falls cemetery, said that the Department of Veterans Affairs has considered adding three cemetery locations: near Duluth, Redwood County and Fillmore County.

The federal government helps states fund new cemeteries by providing 100 percent of the construction costs, plus the initial basic equipment for operations. The state is responsible for purchasing the land and the long-term annual operational costs. Swantek said the department has evaluated donated land, but has been unsuccessful in finding sufficient geology for a cemetery. For instance, one parcel of land in southern Minnesota was too close to a water table and irrigation canal, making the soil insufficient for burials.

The National Cemetery Administration uses a 75-mile radius to determine an area with the most need. For example, placing a cemetery in Redwood Falls would serve 14 counties and 22,798 veterans.

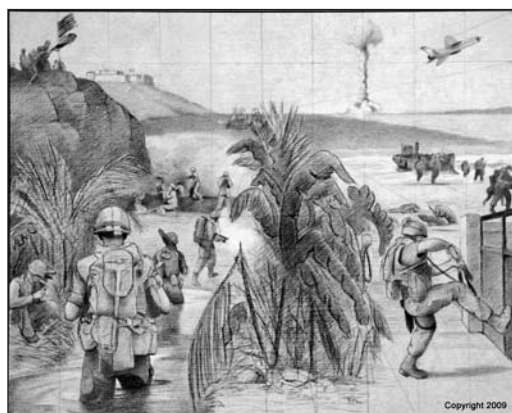
Sponsored by Rep. Al Juhnke (DFL-Willmar), HF2678 would instruct the Department of Veterans Affairs to determine three sites suitable for new veteran's cemeteries. The cemeteries would be located in southwestern Minnesota, northeastern Minnesota and one at Fort Ridgely State Park near Fairfax. It awaits action by the full House.

A companion, sponsored by Sen. Dan Skogen (DFL-Hewitt), which does not include the cemetery language, was passed 66-0 by the Senate April 19.

Photos courtesy of Charles Kapsner



ward tribute are sketches
k Lighthouse, Alexander
ctecting the coast.



The Marine Corps started out working with the Navy, Kapsner said.



Kapsner's starting point in depicting the Navy of Midway. In the bottom right a soldier is shown returning home to his daughter.

Revisiting GAMC

Program participation questionable, hospitals favor earlier federal reform

BY LAUREN RADOMSKI

Less than a month after legislators and the governor agreed on a new way to provide medical services to Minnesota's poor, the state is faced with yet another major health care dilemma: implement a version of General Assistance Medical Care that some hospitals are rejecting, or scrap the hard-wrought compromise in favor of a federal solution that carries a \$1 billion cost.

Hanging in the balance are tens of thousands of low-income Minnesotans, many of whom struggle with mental illness, homelessness or both. As a group, they can't manage the premiums and paperwork required of most state health care programs, and they make costly emergency room visits their first point of care.

The state's decision also has implications for other patients, who could see their costs rise as hospitals choose to forgo state funding that has strings attached. Hospital officials from around the state say they will not participate in the revised GAMC program that requires significant service and administrative changes to treat an unknown number of patients for low reimbursement.

They favor an alternate solution made possible by the federal health care law: enrolling GAMC participants and other low-income adults in the state's Medicaid program. This so-called "early option" is essentially a jump on what will happen in 2014, when the GAMC population will be covered under a federal expansion of Medicaid. If state officials decide to pursue the early option, more Minnesotans would be served under Medicaid over the next three years at an estimated cost of \$2 billion, half of which would need to come from the state.

The prospect of a federal solution to the GAMC issue was an unknown as legislators began to meet on the topic last year. "We did...the best job that we could under the circumstances, trying to solve a problem that the Legislature in Minnesota believed we should solve," said Rep. Erin Murphy (DFL-St. Paul), who sponsored the GAMC law.

Under the law, low-income, childless adults will continue to receive access to basic medical services through partnerships of hospitals and clinics — dubbed "coordinated care delivery systems" — reimbursed at reduced rates. The 17 hospitals serving 80 percent of the GAMC population may implement this model as soon as June, while hospitals with smaller numbers of GAMC patients may receive temporary funding as they decide whether to form similar delivery systems.

Legislators acknowledged the law was imperfect at the time of its passage, but what they didn't expect was that several major hospitals statewide would choose not

to participate in the new service model. At a meeting of the House Health Care and Human Services Finance Division April 15, some hospital officials said they would rather draw from the temporary funding pool than use larger but insufficient payments to operate under the new GAMC program.

"In essence, we're asked to function as an insurance company," said Jerome Crest, chief administrative officer at Immanuel St. Joseph's Hospital in Mankato. Under the new program, hospitals are asked to take on the total risk of providing care for any GAMC patients assigned to their facilities, Crest said. Those assignments, determined by the Department of Human Services, will not be available until after the April 30 deadline for hospitals to opt in or out.

"As I raised my children, when they had to know right now, the answer was 'no,'" said James Davis, vice president of operations for CentraCare Health System, which runs St. Cloud Hospital. CentraCare officials said the St. Cloud facility would be responsible for treating all GAMC patients in central Minnesota, what Davis called "unlimited liability for unlimited and undefined numbers."

In the Twin Cities metropolitan area, officials from Hennepin County Medical Center announced that their facility will not take part in the new program. Neither will Mercy, United or Abbott Northwestern hospitals, though Dr. Penny Wheeler,

chief clinical officer with Allina Hospitals and Clinics, said leadership will continue to evaluate how the coordinated care model could work in the future.

The Department of Human Services has not released the names of the hospitals that are still considering participation in the new program.

"We did ... the best job that we could under the circumstances, trying to solve a problem that the Legislature in Minnesota believed we should solve."

Rep. Erin Murphy
(DFL-St. Paul)





PHOTO BY ANDREW VONBANK

It was standing room only during an April 6 joint meeting of the House Commerce and Labor Committee, House Health Care and Human Services Policy and Oversight Committee and House Health Care and Human Services Finance Division. Officials from the departments of health, human services and commerce were on-hand to explain when provisions in the federal health care reform law will take effect.

Hospital officials reiterated that their facilities will continue to treat everyone who shows up needing care. But in the long term, Crest predicts hospitals will either reach the same dire financial straits facing some nursing homes or shift costs on to patients.

The feedback left some division members frustrated. Rep. Jim Abeler (R-Anoka) said he was hoping to hear specific suggestions on how the GAMC law could be better.

"There are gaps in the law. It happened quick and when those kinds of things happen, you've got to make tweaks," he said, adding he hopes the Legislature could make several "tweaks" to the law before the end of session.

Defining reform

Division Chairman Rep. Thomas Huntley (DFL-Duluth) favors a different solution: take up the early federal option so that members of the GAMC population are covered by Medicaid.

He sponsors HF3713, which would expand eligibility for Medical Assistance, the state's Medicaid program, to certain poor, childless adults beginning next year. Huntley proposes to pay for the \$1 billion state match by using the

money that otherwise would have gone toward caring for the GAMC population, as well as drawing down the Health Care Access Fund, which helps low-income workers purchase insurance. Under Huntley's bill, transfers from the General Fund would keep the projected deficit in the HCAF from growing beyond the \$409 million expected in fiscal year 2013 under current law. The bill would also repeal parts of the GAMC law so that the program would cease to exist.

Critics are skeptical of the state's ability to pony-up \$1 billion and wary of a federal effort they claim lacks sustainability and cost containment. Some are also protective of opportunities for Minnesota to implement reforms of its own, including components of the new GAMC program.

"It's just a little bit unfortunate that because

of the lure of federal dollars out there that we're seeing a sudden retreat away from what I think would be a very good Minnesota-centered solution," said Rep. Matt Dean (R-Dellwood).

Rep. Steve Gottwalt (R-St. Cloud) echoed similar sentiments.

"It's just a little bit unfortunate that because of the lure of federal dollars out there that we're seeing a sudden retreat away from what I think would be a very good Minnesota-centered solution."

— Rep. Matt Dean
(R-Dellwood)



"We have got to start finding different ways of delivering care to people who need it, in this state and across this country, and simply moving people on to Medical Assistance doesn't get it done," he said.

A companion, SF3310, sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the Senate Health and Human Services Budget Division.

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A distress call for SOS?

State Operated Services plans programmatic redesign, amidst criticism

By LAUREN RADOMSKI

Faced with a \$17 million budget deficit, officials with the Department of Human Services are proposing major changes to programs for people with disabilities and mental health concerns. A handful of lawmakers are hoping to stop them.

State Operated Services is the DHS division that runs campus and community-based programs serving Minnesotans with mental illness, developmental disabilities, chemical dependency and traumatic brain injury, as well as people who pose a risk to society. Last year, the Legislature directed SOS to redesign operations at the Anoka-Metro Regional Treatment Center and the Cambridge-based Minnesota Extended Treatment Options program. A caveat: No layoffs could occur as a result of the restructuring.

In a report released last month, SOS officials took their instructions several steps further and recommended significant changes throughout the division. These include closing or transforming current treatment facilities, opening new psychiatric care centers and eliminating upwards of 200 staff positions.

"We are presenting a report and a plan here that says, 'This is how we're solving a \$17 million budget deficit,' yet there's also a visioning and a redesign process occurring," said Dr. L. Read Sulik, assistant commissioner for the department's Chemical and Mental Health Services.

Calling the proposal "a clear indication the DHS is side-stepping the state Legislature," Rep. Paul Thissen (DFL-Mpls) said he will offer an amendment to the forthcoming omnibus health and human services budget bill that would prohibit the SOS redesign from proceeding without legislative approval. Sen. Linda Berglin (DFL-Mpls), who chairs the

Senate Health and Human Services Budget Division, has said she will include funding in her budget bill to stop or delay some of the proposed closures.

New service models

According to the SOS report, changes under the redesign would take place in three phases, with the first phase occurring over the next 15 months. During that time, SOS would close a psychiatric crisis center in Mankato and five dental clinics serving people with developmental disabilities. An adult mental health center in Eveleth would also close, to be replaced with an adult transitional foster care facility at an unspecified location in northeastern Minnesota. Other facilities, including community behavioral health hospitals in Wadena and Willmar and the Anoka-Metro Regional Treatment Center, would also see their services modified.

Over the long term, SOS plans to partner with community-based hospitals, clinics and mental health centers to create regional psychiatric care centers. Some of these new facilities would serve Minnesotans with immediate mental health needs, while others would provide care at a lower urgency level.

According to the report, the redesign reflects not only budget pressures, but findings that SOS inpatient beds were being "inappropriately utilized or underutilized because of a lack of appropriate placement

alternatives," resulting in some people staying in SOS facilities longer than medically necessary.

"We believe, after this entire process, that we can spend less money and improve the care, but it is going to ... take a totally different way of doing things," Sulik said.

Providers and mental health advocates who testified before the House Health Care and Human Services Policy and Oversight Committee in March said they were troubled by the lack of detail in the SOS proposal. The plan hinges on an unprecedented level of collaboration with non-state services, which is described only generally in the redesign's second and third phases.

Furthermore, the lack of funding facing county and community-based services "leaves a moon-like landscape on which to land this initiative," said Mark McAfee, who represents AFSCME Council 5. "Partners need money to collaborate and that will not be easy to come by."

Some critics also accuse SOS of ignoring input from employees and other stakeholders, despite a series of regional meetings on the topic last fall and early this year. Rep. John Ward (DFL-Brainerd) said none of the concerns he heard at a meeting in his district are represented in the proposal. Ed Eide, director of the Mental Health Association of Minnesota, echoed similar sentiments.

"Throughout the state, people feel like their ideas were not listened to and decisions had already been made concerning cuts to services," he said.

Changes for patients

Providers say they are most concerned about what the changes could mean for patients. Linda Rossow is a psychiatric nurse in Mankato, where the South Central Crisis Center helps divert patients from the local hospital. She is critical of SOS's proposal to close the crisis center and send patients to a community behavioral health hospital

Human Services continued on page 23

Time for a change

Bigham takes a break from the House, but not from public service

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 Nick Busse

Some lawmakers decide not to run for re-election because they just know, for them, it is the right time to step aside. That's the case with Rep. Karla Bigham (DFL-Cottage Grove), who announced early in session that she would not be running again.

"It's just a good time in my life to make some changes," she said.

Bigham, 31, started early in politics, winning a seat on the Cottage Grove City Council at the age of 25. Two years later she made a successful run for state representative, ultimately winning two terms. She has also chaired the Cottage Grove Public Safety, Health, and Welfare Commission.

Having spent the majority of her post-college life in elected office, Bigham is proud of her service, but said she's missed out on a few things because of it.

"You put some things on hold that the average person who's not running for office would probably have gone through," she said.

Bigham, who is leaving behind a legacy of public safety legislation, works as a paralegal in the property crimes division of the Hennepin County Attorney's office. She plans to pursue a law degree, and is in the process of applying to several law schools.

In 2009, she successfully sponsored a measure that banned sexual predators from using online services like Facebook and MySpace, and from using mobile phones and

other devices to sexually solicit children. A year earlier, she was able to get legislation enacted that required background checks for coaches at K-12 schools.

Bigham points to her work on protecting children from sexual predators as among her most important accomplishments.

"A lot of the public safety initiatives I've been proud, over the last four years here, to be part of," she said.

If all goes according to plan, she will cap off her career at the House with passage of a bill that would require convicted drunken drivers to install ignition interlock devices in

their vehicles that prevent them from driving while intoxicated.

"That, I think, will be a major step in the right direction to keep our streets safe from drunk drivers," she said.

Bigham, who arrived with the 2006 electoral wave that restored DFLers to power in the House, said she and her colleagues have passed a lot of other important legislation, especially in the area of clean energy.

"We've done a lot of energy and environmental policy that is nation-leading that I'm very proud of," she said.

Bigham said she remains committed to her community. She has deep roots in Cottage Grove, having been born and raised there, and plans keep active in local organizations.

"You don't have to be an elected official to make a difference, and I plan on continuing to stay involved, especially at a local level," she said.

Bigham said she'll miss the ability to respond to her constituents' needs, whether it's helping someone apply for MinnesotaCare or unemployment benefits, or being an advocate for local projects like the Wakota Bridge construction.

Asked whether she would consider running again someday for elected office, Bigham said she is open to the possibility.

"I would never close the door on it," she said. "I'm 31 years old, and who knows what the future brings." 🍷



PHOTO BY ANDREW VONBANK

Rep. Karla Bigham points to her work on protecting children from sexual predators as among her most important accomplishments.

STEPPING DOWN

Rep. Karla Bigham
DFL

District 57A - Cottage Grove
Terms: 2 (elected 2006)

Advice to successor: "Keep an open mind and an open door. It's important to have as many conversations with as many people as possible ... hearing from all angles and all aspects of the community to make an accurate decision."

Leaving before his self-imposed limit

Severson looks to continue work on election reform as secretary of state

By LAUREN RADOMSKI

From the day he took office, Rep. Dan Severson (R-Sauk Rapids) knew his tenure in the Legislature would last no more than 10 years, a time limit he'd set for himself.

"I don't believe in professional politicians," he said. "I think it's public service."

But what Severson didn't expect was that an interest in election reform would prompt him to step down earlier than expected in pursuit of another office: secretary of state.

Following the 2008 election, Severson was contacted by a constituent who had multiple complaints about the conduct of officials at her polling place. Dissatisfied with the response from city and county officials, Severson took the issue to the Minnesota Supreme Court, where he was told his complaint did not come through the appropriate channels to be heard.

The experience left the fourth-term lawmaker wondering how everyday Minnesotans are supposed to get their grievances heard.

"If we as public officials don't take a stand for what's right, (the) quality of the freedoms we enjoy is on a clock," he said.

These freedoms have always been important to him. A St. Cloud native, and a resident of Sauk Rapids, Severson joined the Navy after college, spending 21 years as a fighter pilot. His naval experience included positions in Washington, D.C., where he worked on officer retention, policy enforcement and other issues within the Navy Reserve.

Severson and his family had been back in Minnesota for about a year when someone in church asked whether he had ever considered running for office. Severson, whose political experience was limited to working on other people's campaigns, saw it as an opportunity to serve in a different way than he had previously.

"It was an eye-opener and a totally new experience, but a place to make a difference," he said.

Since his election in 2002, Severson has put much of his energy into veterans issues, sponsoring legislation to help returning soldiers reintegrate into life at home. Many of Severson's bills have been designed to help veterans access educational and business benefits, tax breaks and familial supports. A member of the House Veterans Affairs Division, Severson is also part of the Military Action Group, a bipartisan coalition organized by the Department of Human Rights that works on veteran-friendly legislation.

Severson's passion for veterans issues has ties to his work on election reform. He's concerned about military votes from overseas going

uncounted and troubled by the number of votes in general that he says go unverified. This session, Severson sponsored a bill that would change recount procedures and implement new voter and ballot verification standards. Also an advocate for judicial reform, Severson sponsored legislation in 2009 to ask this year's voters whether a constitutional amendment should allow judicial vacancies to stay open until filled at election time.

Throughout the process, Severson says he has tried to keep an open mind, make decisions based on facts and take action on topics he cares about.

"If you see a need then you're probably the person to take it forward," he said.

Severson has also worked to stay close to constituents, particularly those who may not agree with him. He recalls door knocking around his district with the intent of visiting everyone — not just the "friendly doors."

Severson is proud of having secured funding for a Sauk Rapids bridge several years ago that was in dire need of repair. A proponent of conservative family values, he also notes having carried a constitutional amendment that would define marriage as between a man and a woman.

In the future, Severson hopes to see less "wholesaling" of legislation in the form of massive omnibus bills, which he says leads to corrections later on. Along similar lines, he believes the Legislature needs to "throttle back" the number of issues it tries to address each session — either that or re-evaluate how much legislators are paid so that more Minnesotans, particularly from Greater Minnesota, can afford to serve.



PHOTO BY ANDREW VONBANK

Rep. Dan Severson has sponsored many bills to help veterans reintegrate into life at home.

STEPPING DOWN

Rep. Dan Severson
Republican
District 14A – Sauk Rapids
Terms: 4 (elected 2002)
Advice: "Have an open mind and an open heart and stay close to the people."

First Reading continued from page 4

institutions in Minnesota, North Dakota and South Dakota that will guarantee their graduates are effective.

"Our goal is to improve student readiness for college and close the achievement gap," Heegaard said.

Mariani said the original application didn't adequately address Minnesota's "disgraceful achievement gap," which Greiling said is second-worst in the nation only above the District of Columbia.

Evaluators awarded just 15 of 30 points for showing "significant progress in raising achievement and closing gaps," and 10 of 25 points for "improving student outcomes."

Two emerging "turnaround" strategies proving effective could strengthen the application, suggested Scott Croonquist, executive director of the Association of Metropolitan School Districts. One is extended time programs, such as summer school, which he said has worked well in Baltimore schools.

Another is "community schools," which

partner with other organizations to offer wraparound services such as health care, enrichment programs and social services within a school building.


Brooklyn Center leases space in its school building to Community Action Partnership of Suburban Hennepin which provides health and social service resources to students and families. That's helping to engage parents and alleviate health problems that distract students, according to Superintendent Keith Lester. He said graduation rates are now over 80 percent from a low around 40 percent and attendance is up.

"Our partnerships are saving us money. They needed our space and we needed their services," he added.

Other advocates want to make sure any reforms adopted are right for Minnesota.

For example, the grant requires states to adopt common core standards in math and language, said Mary Cecconi, president of Parents United for Public Schools. She said that the standards are still in draft form and

are widely considered to be less rigorous than Minnesota's, so it would be premature to approve them.

Bills moving through the legislative process may boost a second application. Mariani sponsors HF3163 that would strengthen teacher preparation programs and use longitudinal data to track teacher performance, and HF3093 that would create pathways to licensure for non-traditional teacher candidates. The former awaits action by the House K-12 Education Finance Division; the latter was passed 79-47 by the House April 12 and awaits Senate action. The proposals are also in SF2757, sponsored by Sen. Terri Bonoff (DFL-Minnetonka). It awaits action by the Senate E-12 Education Budget and Policy Division. 

[Link to state applications, scores and comments:

<http://www2.ed.gov/programs/racetothetop/phase1-applications/index.html>]

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in St. Peter, which Rossow said does not have the space, staffing or access to public transportation needed to accommodate new arrivals.


"The bottom line is that the patients are the ones who will pay the price," she said.

Meanwhile, dental care providers are upset about the decision to close state clinics for people with developmental disabilities. These

patients often have increased dental problems because of their behaviors, said Sue Fields, a dental assistant at Health Source Dental Clinic in Cambridge. They can also be challenging to treat. Fields has been vomited on and spit on by patients; she's also cleaned body excrement from the floor of the clinic.

"There is no way that a private dental office can see the patients that we see," said Sandy

Johnson, a dental assistant at the clinic in Fergus Falls. She finds it difficult to comfort the caregivers of her patients, like the father who brought his 24-year-old in for a recent visit.

"He said, 'Where am I going to take my daughter? The doors are closed to her,'" Johnson recalled. "What am I supposed to say to these people? I don't know." 

BILL INTRODUCTIONS

APRIL 19, 2010

HOUSE FILES 3786 - 3794

Monday, April 19

HF3786-Jackson (DFL)

Finance

Private transfer fees prohibited.

HF3787-Jackson (DFL)

Rules & Legislative Administration

Legislative miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors corrected.

HF3788-Morgan (DFL)

Taxes

Construction exemption provided for an aerospace defense manufacturing facility.

HF3789-Beard (R)

Commerce & Labor

Sales representative termination amended.

HF3790-Murphy, M. (DFL)

Finance

Funding provided from constitutionally dedicated funds and expenditure provided for expenditure accountability, administration and governance of outdoor heritage, clean water, parks and trails, and arts and cultural heritage purposes; grants, programs, fees and accounts modified and established, and money appropriated.

HF3791-Persell (DFL)

Taxes

Public safety radio equipment taxation exemption expanded.

HF3792-Knuth (DFL)

Transportation & Transit Policy & Oversight Division

Statutory speed limits amended.

HF3793-Drazkowski (R)

State & Local Government Operations Reform, Technology & Elections

Political subdivisions authorized to publish proceedings, official notes and summaries on their websites in lieu of newspaper publications.

HF3794-Knuth (DFL)

Transportation & Transit Policy & Oversight Division

Arden Hills; speed limit established on segment of marked Trunk Highway 51.

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MINORITY LEADER: KURT ZELLERS

MINNESOTA INDEX

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Cases reported in 2008.....	17,649
Cases reported in 2007.....	17,057

— M. Cook

Sources: 2009 Minnesota Health Access Survey, February 2010 Fact Sheet, Department of Health and University of Minnesota School of Public Health; 2008 Minnesota Health Statistics Annual Summary, January 2010, Center for Health Statistics, Department of Health; STD Surveillance Report – 2009, Department of Health.

FOR MORE INFORMATION

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