

# SESSION WEEKLY



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**UNALLOTMENT UPHEAVAL — PAGE 3**

**GAMC- NEXT STOP THE GOV'S DESK — PAGE 11**

**MOVE THAT SNOW — PAGE 13**

**BUDGET BATTLE BEGINS — PAGE 16**

HF2918 - HF3081

## SESSION WEEKLY

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

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Page 10



Page 16



Page 8

## CONTENTS

### HIGHLIGHTS

Bonding • 5  
Consumers • 5  
Education • 6  
Elections • 6  
Employment • 7  
Family • 7  
Gambling • 8

Game & Fish • 9  
Government • 9  
Health • 9  
Higher Education • 10  
Housing • 10  
Human Services • 11

Humanities • 12  
Local Government • 12  
Military • 13  
Safety • 13  
Technology • 14  
Transportation • 14

### BILL INTRODUCTIONS (HF2918-HF3081) • 20

### FEATURES

**FIRST READING:** Unallotment powers prompt committee action • 3-5

**AT ISSUE:** DFL lawmakers say governor's budget plan is incomplete • 16-17

**RESOURCES:** How a bill becomes law • 18-19

**MINNESOTA INDEX:** The state budget • 24

On the cover: Charles Rice of St. Peter applauds and Michael Winterringer of Hibbing waves his sign that reads, "There's Pa-lenty to Go Around" as Rep. Larry Hosch speaks during the Feb. 16 Mental Health Day at the Capitol rally.

— Photo by: Tom Olmscheid



# Unallotment upheaval

Potential modifications to governor's power gets House committee approval

By PATTY OSTBERG

**W**hile nearly every state has some sort of constitutional law regarding unallotment, Minnesota is one of a dozen states that gives unchecked gubernatorial power to eliminate expenditures to prevent an anticipated budget deficit.

It is a process that some say gives too much power to the governor and not enough to the Legislature in making budgetary decisions.

Rep. Lyndon Carlson, Sr. (DFL-Crystal) believes the unallotment statute needs to be modernized to bring a budgetary balance of power to the three branches of government. Current law "provides more power than a good governor should want or bad governor should have," he said.

He sponsors HF2866 that would limit the expenditure amounts the governor can eliminate to no more than 2 percent of General Fund appropriations in a biennium. Also, unallotments could not go beyond 10 percent of any appropriation, and would be limited to any portion of a projected deficit that was not known at the completion of the legislative session.

The governor also could not change eligibility requirements or modify formulas

for programs, under the bill. Temporary suspension of payments or deferrals beyond the biennium would also be considered as part of the total sum of unallotment.

Also, the Legislative Commission on Planning and Fiscal Policy would replace the Legislative Advisory Commission as the group the executive branch must consult with before making unallotment reductions.

Carlson said the change is needed because the LCPFP is made up of both majority and minority parties, unlike the LAC which is comprised of the majority party.

"We would also have a larger membership as a result of that, and also both caucuses would be represented," he said.

The bill would take effect the day following enactment, so as not to interfere with the current Supreme Court case challenging one of Gov. Tim Pawlenty's 2009 unallotments, Carlson added.

The House State and Local Government Operations Reform, Technology and Elections Committee approved the bill Feb. 17 and sent it to the House Finance Committee, which Carlson chairs. A companion, SF2566, sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action by the Senate Finance Committee.

## Who has the power?

David Schultz, a professor in the Hamline University School of Business, said there are several problems with how unallotment is currently structured.

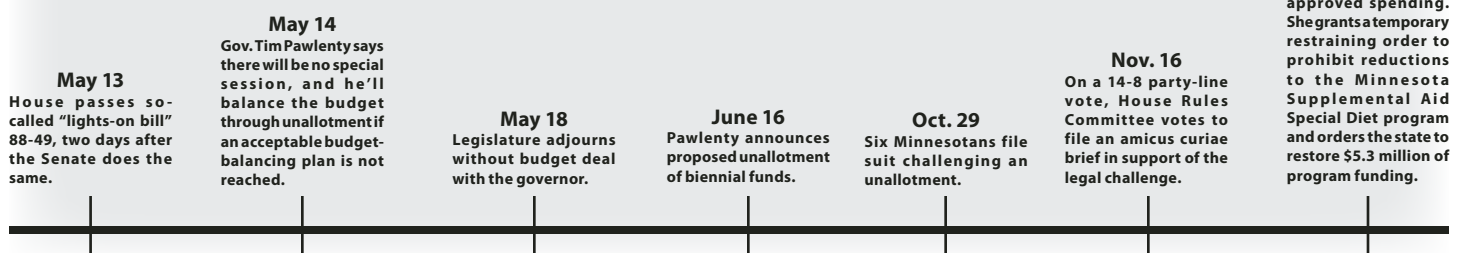
Consider this scenario: the Legislature decides to fund a program, the governor vetoes it, and the Legislature overrides the veto. The governor could still use unallotment to eliminate the program. Essentially, the current process allows for a second veto by a governor, Schultz said.

Unallotment could also arguably violate the separation of powers clause of the Minnesota Constitution in terms of taking away budgetary powers from the Legislature that it ought to have, while giving wide-open discretion to the governor on what, how and when he wants to unallot, Schultz explained.

"The Legislature needs to take back, and to

**First Reading continued on page 4**

## Timeline of unallotment action 2009



have for itself, its constitutionally enumerated or delegated powers to be able to assume its responsibilities over the budget,” Schultz said.

Rep. Mark Buesgens (R-Jordan) said that while the current statute may be a matter of philosophical differences, allowing only fixed percentages could possibly force a governor to call a special session if the amount unallotted would not solve the budget deficit. The Minnesota Constitution only allows a governor to call a special session, and forcing a governor to call one to fix a budget deficit would shift the constitutional balance. “It’s unconstitutional in nature,” he said.

Schultz said the Legislature could set limits on when the governor could unallot — such as only when the Legislature is able to convene — or give the Legislature ample opportunity when it does reconvene to override the governor’s unallotment.

### ‘Special’ power to the people

Carlson also sponsors HF2577 that, upon approval of a constitutional amendment by state voters, would give legislators the authority to call a time-limited special session. Supporters say the change could reduce the gridlock when governing bodies cannot agree because the governor could not use a special session as a bargaining chip as in years past, Carlson said. Only 18 other states have special sessions called by their governor, he noted.

Buesgens called the bill a “knee-jerk reaction” to the continued frustration of legislators over the ending of last session that resulted in Gov. Tim Pawlenty’s controversial unallotments. “The balance of power we have now has worked very, very well for over 150 years,” he said.

The bill was approved by the government operations committee Feb. 18, and sent to the House Finance Committee. A companion,



PHOTO BY TOM OLMSCHIED

**Floodwood Mayor Jeff Kletscher tells the House Local Government Division Feb. 15 the effect additional cuts to local government aid will have on services to his city’s 530 residents. Minneapolis City Council Member Elizabeth Glidden, right, also spoke of the potential consequences to the state’s largest city.**

SF2260, sponsored by Cohen, awaits action by the Senate State and Local Government Operations and Oversight Committee.

Carlson noted other legislators have suggested a total repeal of the governor’s unallotment power, but bond houses actually look more favorably on states that allow for it because it helps guarantee, in a time of fiscal crisis, that adjustments can be made to a budget.


Another suggestion was requiring legislative approval for unallotment, but he said that could constitutionally violate the separation of powers.

“This does not fix the situation,” said Rep. Steve Gottwalt (R-St. Cloud). “It doesn’t get us on a path towards figuring out our systemic and continuing budget deficit that is largely the

result of too much spending and not enough commitment to right-sizing government.”

Rep. Frank Hornstein (DFL-Mpls) responded, “This is about the responsibility of the executive branch and the legislative branch. We’re gonna have Democratic and Republican governors and maybe third-party governors well into the future, and that’s what this is about.”

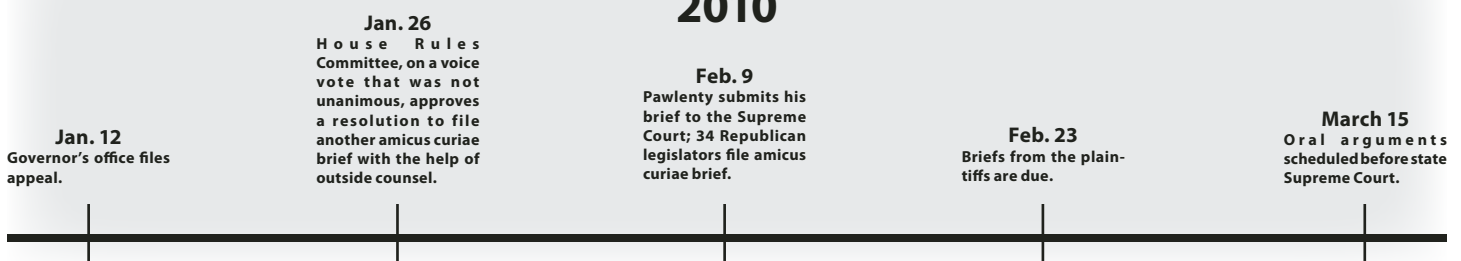
The 1939 Legislature first gave unallotment power to the governor, and it has been used a handful of times since.

According to the Legislative Reference Library, “Over the past thirty years, the unallotment procedure has been used by three governors: Al Quie in 1980 (\$195 million) and in 1981 (local government aid payments were unallotted in November and December 1981 and were reallocated and paid by February 26, 1982), Rudy Perpich in 1986 (\$109 million), and Tim Pawlenty in 2003 (\$281 million), 2008 (\$269 million), and 2009 (\$2.68 billion).” 

*After meeting at a time prescribed by law, the legislature may adjourn to another time. Legislative day shall be defined by law. A special session of the legislature may be called by the governor on extraordinary occasions.*

— Article 4, Section 12  
Minnesota State Constitution

## Timeline of unallotment action 2010



**Editor's note:** The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 11-18. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and \*- the bill version considered by the House or the bill language signed by the governor.

## BONDING

### House bonding bill tops \$1 billion

A capital investment bill to help stimulate the state's economy has gotten more expensive en route to a conference committee.

Sponsored by Rep. Alice Hausman (DFL-St. Paul), HF2700 was amended to increase general obligation spending in the bill to nearly \$1.09 billion, and passed 92-37 by the House Feb. 15 after more than four and a half hours of debate.

The Senate, which passed its \$999.96 million general obligation bonding bill one week earlier, refused to concur with the House proposal. A conference committee is expected to work out the differences.

Hausman said the House bill focuses on higher education investments, transportation and transit improvements, and clean water infrastructure and environmental protection.

The major change made on the House floor is an additional \$89.07 million to construct 400 more beds at the state's sex offender facility at Moose Lake. Gov. Tim Pawlenty has threatened to veto the entire bill if this project is not included. Technically offered by Hausman, she said Rep. Larry Howes (R-Walker), the lead Republican on the House Capital Investment Finance Division, had also signed off on the amendment.

"What we want to show ... is that we are respecting the governor's role in these negotiations, and his strong desire for this project, and want to be clear that on a bipartisan basis we are bringing this issue into the conference committee," Hausman said.

To offset the added cost, Rep. Steve Smith (R-Mound) unsuccessfully tried to remove funding for convention center projects in Mankato, Rochester and St. Cloud, along with funds for Orchestra Hall and Ordway Center renovations, a cultural center in St. Paul and for design of the Headwaters Science Center in Bemidji.

Rep. Mark Buesgens (R-Jordan) unsuccessfully offered a motion to send the bill back to the House Finance Committee so

the public could have a say in the matter.

House Majority Leader Tony Sertich (DFL-Chisholm) said the motion was a "tactic to delay passage and actually get jobs on the ground in the state." He earlier indicated the bill would create 21,000 jobs.

— M. Cook

## CONSUMERS

### No body shops for auto insurers

A bill that would ban automobile insurance companies from owning auto body repair shops is headed to the House floor — again.

Sponsored by Rep. Leon Lillie (DFL-North St. Paul), HF978 would make it unlawful for any company that sells auto insurance to acquire ownership interest in a business that repairs the "nonmechanical" exterior or interior parts of automobiles.

The bill was awaiting action on the House floor last year when session ended, forcing it back to the House Commerce and Labor Committee. The committee re-approved the bill Feb. 16 and sent it back to the floor.

According to Lillie, the bill is intended to prevent insurance companies from directing consumers to get their cars fixed at the insurers' own repair shops. He said the concern is that they might have an unfair advantage over independently owned shops.

Although no insurers currently own repair

businesses in Minnesota, Lillie said it's becoming common in other states.

Joanne LaMettry, co-owner of LaMettry's Collision, raised another concern: that insurance companies might look to cut costs by having their repair shops do inferior work.

"There have been instances where insurers, even in the current market, have pressured independent repair shops to do repairs that do not meet standard guaranteed repair minimums," LaMettry said.

Douglas Franzen, a lobbyist representing Allstate Insurance, denied that insurance companies would have an incentive to do shoddy work, noting that the civil liability for doing so would be "astronomical." Instead, he suggested bill supporters have ulterior motives.

"Quite bluntly, (the bill) fences out competition. It says certain people can't compete in this market."

Franzen said the bill would hurt consumers. He argued more competition for independent auto body repair shops would lead to lower prices and better deals. He noted that Minnesota law already forbids "steering" of consumers by insurance companies.

A companion, SF842, sponsored by Sen. Mary Olson (DFL-Bemidji), awaits action by the Senate Commerce and Consumer Protection Committee.

— N. Busse

## WATCHING THE SHOW



PHOTO BY ANDREW VONBANK

**From left, Maddie Austin, Katie Lutz and Linnea Akesson, fourth graders at the International School of Minnesota and Girl Scouts from Troop 12560 in Prairie Star, watch the Feb. 15 House floor session from the House Gallery. The girls were at the Capitol to earn their civics badge.**



## EDUCATION

### Mental health education proposed

Prompted by a young constituent, Rep. Andy Welti (DFL-Plainview) sponsors a bill that would incorporate mental health education into school districts' existing physical education and health programs for students in grades seven through 12.

HF664 would direct the Education Department to develop age-appropriate model curriculum on the subject, but not mandate its use by schools.

"Half of all lifetime cases of mental illness begin by age 14, three-fourths by age 24. Mental health education needs to be addressed in our K-12 school system," Welti told the House K-12 Education Policy and Oversight Committee Feb. 17. The bill was approved by the committee and sent to the House K-12 Education Finance Division.

Welti's constituent, Kayla Murphy, a Marquette University student, testified via YouTube that she has suffered from anorexia nervosa, an illness that claimed her aunt's life. She said she hoped no other family would have to suffer because they didn't know how to talk about mental illness with a loved one.

Lisa Hanson, a teacher at Red Wing High School, described having to tell her class that one of their classmates had killed himself. His family paid for her to attend a Johns Hopkins University training in adolescent depression, with the hope of preventing more adolescent suicides. "After teaching health for so many years I knew so little," Hanson said. "Five percent of all teens are experiencing depression. That's one out of 20. We need to destigmatize depression, we need to stigmatize suicide. We have to deal with this."

Rep. Randy Demmer (R-Hayfield) said he understands the importance of the issue but doesn't want to place more expectations on the Education Department while Gov. Tim Pawlenty has proposed cuts to its budget. Demmer, a proponent of local control, also wants to avoid "creating a dependence in the teaching community on the department to develop these sorts of things."

A companion, SF1531, sponsored by Sen. Patricia Torres Ray (DFL-Mpls), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

### Student transition plan OK'd

College- and career-readiness is a topic frequently discussed by educators, business people and lawmakers interested in how well the state is preparing students for life after high school. With the support of the

Governor's Workforce Development Council, Rep. Sandra Peterson (DFL-New Hope) sponsors HF2705 that would require school districts to implement programs to help every high school student make a transition plan for postsecondary education or employment.

Bryan Lindsley, executive director of the council, told the House K-12 Education Policy and Oversight Committee Feb. 17 that the council's education action committee, which includes Education Commissioner Alice Seagren, approved the recommendation to establish such a plan in 2008.

"This recommendation is to give students the opportunity to really explore the amazing world that is before them and to think about opportunities and their future," Lindsley said. "It is not involuntary career tracking."

Some lawmakers expressed reluctance to mandate a new program for schools.

"Who can argue with the idea of helping kids plan their aspirations and align that to what they're doing in high school?" said Rep. Keith Downey (R-Edina). "But I think we have to ask ourselves really hard questions here in the Legislature. Every time there is a good idea do we as a Legislature have to mandate it?"

Rep. Jerry Newton (DFL-Coon Rapids) opposes imposing an unfunded mandate because he believes it would be a drain on scarce school resources. "Our counselors are already overworked," Newton said, noting the Anoka-Hennepin School District has one counselor per 650 students.

The bill was approved and now goes to the House K-12 Education Finance Division.

A companion, SF2446, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

### Board authority shift sought

Rulemaking regarding teacher licensing is the purview of the Board of Teaching, which does not require legislative approval to adopt or significantly amend rules about how teachers are prepared to take charge of their classrooms.

Such rulemaking affects 650 licensure and credential programs offered by many of the state's higher education institutions, said Karen Balmer, the board's executive director.

The state's Race to the Top application for a share of federal education grants includes a proposal to adopt a three-tier licensure system that could significantly shift current teacher licensure policies. That proposal is an example of substantive education policy decisions that should involve elected officials, said Rep. Mindy Greiling (DFL-Roseville). She sponsors

HF2703 that would make the board's authority to adopt new licensure rules or amend rules subject to legislative direction, as is the case with the Department of Education.

The House K-12 Education Policy and Oversight Committee approved the bill Feb. 18 and sent it to the House State and Local Government Operations Reform, Technology and Elections Committee. Its companion, SF2482, sponsored by Sen. Chuck Wiger (DFL-Maplewood), awaits action by the Senate Education Committee.

Balmer supports the bill's purpose to maintain transparency and communication between lawmakers and the board, but said there are practical and philosophical questions about the proposed change. For example, the session timetable could hold up rulemaking processes.

Greiling said she is open to grandfathering in rulemaking already in progress, which she's discussed with Balmer, and that her intent isn't to bog the Legislature down with minor rule changes or technical clarifications, but to promote discussion on oft-controversial issues such as teacher licensure and alternative teacher compensation criteria. Limiting such discussion to a state agency, Greiling said, is "not full involvement of all elected officials, which I think comes out with the best policy. It may not always be pretty, but in the end I think common sense is more apt to prevail when you have more viewpoints involved."

— K. BERGGREN

## ELECTIONS

### Campaign finance reform

The House State and Local Government Operations Reform, Technology and Elections Committee approved administrative changes to laws governing the Campaign Finance and Public Disclosure Board Feb. 17.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Ann Rest (DFL-New Hope), HF1206/SF80\* would: remove election laws that have since been ruled unconstitutional; no longer require necessary food utensils and supplies to be reported as campaign expenditures; set a value of \$5 or less on informational material given to an official in connection to legislation; permit the board to exempt the requirement of an e-mail address being provided; and set contribution limits for judicial candidates — something that does not currently exist.

The bill would allow a candidate to accept up to \$2,000 in an election year from any individual, political committee or political fund and up to \$500 in other years. These limits are the same as candidates running for



PHOTO BY ANDREW VONBANK

**Gary Goldsmith, executive director of the Campaign Finance and Public Disclosure Board, testifies Feb. 16 before the House State and Local Government Operations Reform, Technology and Elections Committee in support of a bill that would change campaign finance and reporting requirements and contribution limits provided for judicial candidates.**

governor, Simon noted.

He said the changes were included in a larger election bill vetoed last year by Gov. Tim Pawlenty.

Gary Goldsmith, the board's executive director, said, "This is really an administrative bill that makes it possible for the board to move further into the 21st century to leverage the technological resources that have been developing."

The bill takes into consideration the continuing budget decreases to the board and focuses on the use of technology with fewer staff, he added.

The bill, passed 65-2 by the Senate last May, now goes to the House Finance Committee.

— P. OSTBERG

### Election changes signed into law

**Signed  
by  
the  
governor**

A new law will allow major political parties to submit an electronic list to the Office of the Secretary of State with names of eligible voters who can serve as election judges in each election precinct. Previous law didn't specify the ability to do so electronically.

Signed by Gov. Tim Pawlenty Feb. 11, the

law takes effect Aug. 1, 2010. Rep. Jeanne Poppe (DFL-Austin) and Sen. Tony Lourey (DFL-Kerrick) are its sponsors.

Under the law, "stepchild" and "stepsibling" are added to the list of individuals not qualified to be election judges, if related to any candidate at the election. However, individuals related to one another can serve as election judges in the same precinct if they serve on separate shifts that do not run concurrently.

Additionally, the law authorizes a town that has adopted a November election date to return to the second Tuesday in March as the date of the town general election, and it allows a town with a November general election to adopt a plan providing for a six-year term for town supervisors.

HF729/SF848\*/CH180

— P. OSTBERG

## EMPLOYMENT

### DEED programs need some work

State workforce programs help Minnesotans find jobs, but are plagued by problems with accountability and coordination, members of a House division learned.

A new report from the Office of the Legislative Auditor highlights administrative problems within the Department of Employment and Economic Development. Legislative Auditor James Nobles presented the report and its findings to the House Bioscience and Workforce Development Policy and Oversight Division on Feb. 17. No action was taken.

The report finds that unemployed Minnesotans who utilize the state's workforce centers are generally more likely to find employment than those who don't; however, the complex web of workforce programs in the state is difficult to accurately monitor for performance.

"These are programs that are always very important to people who are looking for work or looking to change jobs," Nobles said, adding that workforce programs "need to be effective," especially at a time of high unemployment.

Key findings in the report include:

- accountability within DEED is diffuse due to fragmented authority and funding;
- workforce programs are only partially integrated with related programs like unemployment insurance and adult basic education;
- funding for program providers bypasses a competitive selection process; and
- DEED's monitoring of program providers is inconsistent and not well funded.

Jody Hauer, OLA program evaluator manager, said another problem is that workforce program funding is tied to flawed federal performance standards. This gives workforce program providers an incentive to work with people who are most likely to succeed in finding jobs, rather than those who need the most help.

"The workforce program receives no additional credit when a person who has limited schooling gets a job, than when a skilled tradesperson comes in with an AA degree and gets a job," Hauer said.

Among other problems, Hauer also said DEED does an inadequate job of providing face-to-face help for people who want to apply for unemployment insurance benefits, directing them instead to a central phone service or to DEED's Web site.

Rep. Tim Mahoney (DFL-St. Paul), the division chairman, said the system is "bent in ways that it shouldn't have been bent," but "it's not broken." He said additional hearings are planned on the topic, possibly as early as Feb. 23.

— N. BUSSE

## FAMILY

### Child care rating inches forward

Rep. Keith Downey (R-Edina) questioned House Early Childhood Finance and Policy Division Chairwoman Rep. Nora Slawik (DFL-Maplewood) Feb. 16 about whether a statewide rollout of a quality rating and improvement system (QRIS) for child care centers and family child care providers is inevitable.

Not necessarily, and especially not in the current funding climate and projected \$1.2 billion state deficit, Slawik said. However, a bill she sponsors, HF2760, would direct \$500,000 in available federal funds toward training and support for providers interested in participating in a quality rating system. It was held over for possible inclusion in an omnibus bill.

A pilot program sponsored by the Minnesota Early Learning Foundation (MELF), Parent Aware, is in its third year of operation.

Among Downey's concerns is that Parent Aware has not yet been evaluated to see if it prepares children for kindergarten or helps parents choose a child care setting, the two primary purposes for which it was created. A final evaluation is expected next fall.

"I still have questions as to whether we've substantiated through the MELF pilot whether there is any real direct correlation between the QRIS and actual improvements in readiness, and also whether there are



alternative strategies besides just a statewide, publicly run program for that,” Downey said.

Rep. Sandra Peterson (DFL-New Hope) reminded the division that the Legislature approved such a system last year, without specifying which system to use or how it will be funded.

The bill would direct funds already allocated to Minnesota to grants available to help providers prepare for a rating system. For example, grants could help providers improve their facilities, receive coaching from other providers or buy an educational curriculum. Funds would be administered through the 16 regional agencies of the nonprofit Child Care Resource and Referral Network, said its executive director Ann McCully. She said 250 early responses from member providers in 57 counties to a statewide survey indicate that many, though not all, providers indicate they are interested in participating in a quality rating system.

A companion bill, SF2505, sponsored by Sen. Terri Bonoff (DFL-Minnetonka), awaits action by the Senate Finance Committee.

— K. BERGGREN

## GAMBLING

### Righting a wrong for veterans

It would be a small change to the state’s gambling laws, but it would mean a lot for veterans at Stillwater’s American Legion post and elsewhere.

Robert Hart, post adjutant for American Legion Post 48 in Stillwater, said a recent change to a gambling statute prohibited the legion from renting out a pair of apartments it owns. Essentially, the law said they could no longer rent the apartments, which they used as transitional housing for veterans, because the legion uses charitable gambling proceeds to pay for their building’s costs.

Hart said the change deprives the legion of between \$1,350 and \$1,400 a month in revenue.

“We’ve been struggling to get by in the absence of that ever since that change in the law was made,” he said.

Rep. Julie Bunn (DFL-Lake Elmo) sponsors a bill that would rectify the situation.

HF2422 would change the wording of the law so that veteran or fraternal organizations don’t have to stop renting out portions of their property just because they’re using charitable gambling proceeds to pay for utilities and other building expenses.

The House Commerce and Labor Committee approved the bill Feb. 11. It now awaits action by the full House.

## HISTORY MATTERS



PHOTO BY ANDREW VONBANK

**Holding a Civil War-era rifle, First Regiment of Minnesota Volunteer Infantry re-enactor Martin Goff educates Capitol visitors Feb. 15 during History Matters Day. Sponsored by the Minnesota Historical Society, the event is designed to promote and raise awareness about Minnesota’s history and cultural heritage.**

“This affects not only this legion, but also a number of others around the state,” Bunn said, adding, “It has become a hardship for them.”

Tom Barrett, Minnesota Gambling Control Board executive director, said the situation amounted to a “glitch” in the law, and that the board supports Bunn’s bill.

Sen. Kathy Saltzman (DFL-Woodbury) sponsors the companion, SF2476, which awaits action by the Senate State and Local

Government Operations and Oversight Committee.

— N. BUSSE

### Tax break for charitable gambling

Charitable gambling organizations could get a temporary tax break if they contribute some of their proceeds to local governments.

The House Commerce and Labor Committee approved HF2818, sponsored by Rep. Al Doty (DFL-Royalton) Feb. 16. The bill



would reduce taxes paid by charitable gaming operations by the amount they contribute to local government projects and programs.

Doty said public assets in his district ranging from sidewalks to fire trucks to baseball fields have been funded with charitable gambling proceeds.

"Here's the simple idea: if the charitable gaming funds are being used for something that would otherwise be a function of local government, then we are going to give them their taxes back," Doty said.

Gambling organizations that qualify for the credit could apply for a quarterly refund from the Department of Revenue. The tax exemption would be effective July 1, 2010, and expire June 30, 2013.

King Wilson, executive director of Allied Charities of Minnesota, called the plan "a brilliant idea."

"A large portion of money raised by charitable gambling goes to the local city, goes to the local high school. ... Anything we can do that would allow organizations to have more money to spend on these local projects would be beneficial," he said.

Committee members had bipartisan support for the proposal — though some expressed concern about its impact on the state's projected budget deficit. Doty said the bill would cost \$8.3 million in lost tax revenues.

"This has great merit; I just don't know how you pay for it," said Rep. Tom Anzelc (DFL-Balsam Township).

The bill now goes to the House Taxes Committee, where Doty acknowledged it faces potential opposition because of its state budget implications.

"I know what the tax committee is going to say," he said, adding, "If this bill doesn't happen today, then I think very shortly after we find \$8.3 million would be the right time, because I think it's a good idea."

A companion, SF2523, sponsored by Sen. Paul Koering (R-Fort Ripley), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— N. BUSSE

## GAME & FISH

### Trappers group requests changes

Trappers hope to see state regulations fine-tuned governing the sport that attracts about 6,000 participants.

Minnesota Trappers Association leaders asked the House Game, Fish and Forestry Division Feb. 15 to address four key issues this session:

- allowing concurrent beaver, otter and muskrat trapping seasons;

- opening raccoon and fox seasons earlier in forested zones;
- broadening access to conservation officer contact information; and
- adding more trapping information to the Department of Natural Resources' hunting and trapping handbook.

No action was taken.

Beaver, otter and muskrat trapping season begins in October. Beaver season ends in May, while the other furbearers' trapping season ends in February. Setting concurrent beaver, otter and muskrat seasons would alleviate the waste of off-season muskrats and otters caught accidentally in beaver traps, said Shawn Johnson, association president.

Similarly, raccoons and fox get caught in coyote traps. When this happens, trappers are required to contact a conservation officer to explain the mishap to avoid fines, Johnson added. MTA members want officer phone numbers published in local newspapers, on industry maps and on Web sites. They also want the DNR to publish an independent trapping handbook.

Muskrats or their pelts may have a market value between \$2 and \$20. Contrast that to the \$150 fines for taking the animals.

"There certainly isn't a financial incentive to be a good steward of the resource," said Rep. David Dill (DFL-Crane Lake), the division chairman. He asked both sides to continue working to resolve issues prior to any formal bill introduction.

Seasonal climate differences between northern and southern Minnesota also present unique challenges for trappers in District 1, which includes the Arrowhead Region, Johnson said. Raccoon and fox trappers can be prevented from trapping at all if snow and ice appear early in the fall season; therefore, the MTA is calling for an earlier season in the district.

— S. HEGARTY

## GOVERNMENT

### Keeping the lieutenant governor

A bill to abolish the position of lieutenant governor failed on a 9-7 vote in the House State and Local Government Operations Reform, Technology and Elections Committee Feb. 18.

Rep. Phyllis Kahn (DFL-Mpls), who sponsors HF296, said the bill would save money by eliminating the position. The bill would make the secretary of state the governor if a vacancy occurred.

Additionally, past governors have tried to find a place for the lieutenant governor that they might not be qualified to do, such as a

commissioner position, she said.

"I think this is an easy choice ... to eliminate compared to the very hard choices that we're going to have to make," she said.

The yearly statutory salary of the lieutenant governor is \$78,196.

David Schultz, a professor at the Hamline University School of Business, said 42 states have lieutenant governors. "There seems to be no discernable pattern that states without a lieutenant governor are better or worse governed than those with lieutenant governors," he said. By the very nature that governors were trying to find a position for their lieutenant governors, then "perhaps this is a position we just don't need," he added.

Rep. Steve Gottwalt (R-St. Cloud) said the positions of secretary of state and lieutenant governor are separate, and voters elect them based on different reasons.

Rep. Paul Marquart (DFL-Dilworth) said when voters go to the polls, they are voting for a political philosophy. There should be a continuation of the voters' intentions and it shouldn't be changed unless through an election, he said.

A companion, SF98, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate State and Local Government Operations and Oversight Committee.

— P. OSTBERG

## HEALTH

### Gift ban expansion, clarification

Relationships between physicians and pharmaceutical companies are coming under greater scrutiny.

HF1641 would expand and clarify a current ban on gifts from pharmaceutical manufacturers and drug distributors to physicians. Sponsored by Rep. Tina Liebling (DFL-Rochester), the legislation would continue to allow physicians to work with companies on drug and technology research, but would set new rules for reporting financial relationships.

Liebling, who successfully amended the bill to exclude medical device manufacturers from the ban, said the legislation would "add a layer of transparency" to interaction between physicians and pharmaceuticals.

The House Health Care and Human Services Policy and Oversight Committee heard the bill Feb. 16. It was held over for possible inclusion in an omnibus bill.

Committee members heard from Kim Witzak, whose 37-year-old husband, Timothy "Woody" Witzak, committed suicide in 2003 after five weeks on the anti-depressant Zoloft. Woody went to his physician for help

treating insomnia, an off-label use of Zoloft, and received a sample pack of the drug that doubled the dosage after one week of use, Witczak said. She claimed Woody was not informed of the need to be closely monitored when starting the drug.

"I believe this influence, which includes gifts, played a role in Woody being prescribed Zoloft off-label, which ultimately led to his death," said Witczak, who has spent the past several years researching on her own the influence of pharmaceuticals on physicians.

Under Liebling's bill, companies would need to report financial relationships with physicians to the Department of Health. For their part, physicians would need to tell a patient about a relationship with a particular company before prescribing the company's product.

Opponents claim Minnesota already has one of the strictest gift bans in the country. Don Gerhardt, CEO and president of the trade association LifeScience Alley, said companies would prefer one set of federal guidelines on the topic, instead of different regulations among states.

"Do not throw an additional hoop for these organizations to jump through," he said, adding that federal regulations are part of stalled health care reform efforts.

A companion, SF1237, sponsored by Sen. John Marty (DFL-Roseville), awaits action by the Senate Business, Industry and Jobs Committee.

— L. RADOMSKI

### Lyme disease treatment alternative

The Rev. Art Stenberg was bitten by a tick in Brainerd in 1983, but wasn't officially diagnosed with Lyme disease until he visited a New York physician in the early 1990s.

"This disease has cost us our life's savings and taken an even worse toll on (the) time and energy that I've been able to spend with my family," Stenberg said. "They lost their energetic and vibrant father a long time ago."

Yet the medical community has not reached a consensus on the effectiveness of a long-term antibiotic treatment. The approach has been successful for some patients, but deadly for others, prompting many Minnesota physicians to avoid offering it altogether.

Sponsored by Rep. John Ward (DFL-Brainerd), HF2597 would prohibit the Board of Medical Practice from disciplining a physician solely for administering that form of treatment.

"A patient and his or her doctor should have the right to come up with a treatment plan which will best meet the needs of that individual patient," Ward told the House Health Care and Human Services Policy and



PHOTO BY ANDREW VONBANK

**The Rev. Art Stenberg, who contracted Lyme disease, testifies Feb. 17 before the House Health Care and Human Services Policy and Oversight Committee in support of a bill that would limit the Board of Medical Practice from bringing a disciplinary action against a physician for prescribing, administering or dispensing long-term antibiotic therapy for chronic Lyme disease.**

Oversight Committee Feb. 17. The committee tabled the bill in hopes of Ward and the board reaching a compromise.

Chronic Lyme disease is associated with symptoms like headaches, vision changes and neurological disorders that persist after typical treatment of Lyme disease is completed. The disease itself is disputed, with some experts attributing symptoms to "post-Lyme syndrome."

"Scientific studies have not found a long-term benefit to multiple and prolonged use of antibiotics," said State Epidemiologist Dr. Ruth Lynfield. While isolated success stories are good to hear, they are not sufficient ground to support a therapeutic approach, she said.

"I'm just amazed that our smartest people are unopen to new and novel things and have opinions like that," said Rep. Jim Abeler (R-Anoka). Rep. Maria Ruud (DFL-Minnetonka) later apologized for what she called Abeler's "disparaging" comment.

A companion, SF1631, sponsored by Sen. John Marty (DFL-Roseville), awaits action on the Senate floor.

— L. RADOMSKI

## HIGHER EDUCATION

### Financial aid likely to be cut

College students will likely have to get by with less financial aid from the state when they begin their fall semester.

The state grant program — the need-based financial aid awards available to Minnesota college students — faces a \$41.6 million deficit for the current biennium. To fix it, beginning next fall, students who receive state grant money will see a \$300 average reduction in their total award, said Meredith Fergus, policy analyst for the Office of Higher Education.

According to Fergus, actual grant reductions will probably range from \$150 to \$1,000 per year, depending on the students' individual financial circumstances. She said the reductions are needed to fix the program's deficit, which has been caused largely by enrollment increases driven by increased unemployment in the state.

"We're seeing higher enrollment across the board," she said, adding, "It certainly caught us off guard."

Fergus and other OHE officials discussed the situation with members of the House Higher Education and Workforce Development Finance and Policy Division Feb. 18. No action was taken.

Mark Misukanis, director of fiscal policy and research for OHE, said the office could've reduced the deficit by making reductions earlier in the biennium, but decided it would be fairer to students to fulfill the grant amount they had already been promised.

"The downside is that now we have to take a two-year problem and fix it in one year," Misukanis said.

Compounding the situation, another financial aid program, the Achieve Scholarship, had to borrow money from the state grant program to pay for an unexpected increase in demand for scholarship funds. Additionally, Gov. Tim Pawlenty's supplemental budget proposal includes a \$2.3 million cut to the state grant program.

Roughly one in three college undergraduates in Minnesota receive financial aid through the program.

— N. BUSSE

## HOUSING

### Electronic foreclosure help forms

An update is on the table to a 2008 law that assists people whose home is being foreclosed.

A party entitled to foreclose on a property must now provide notice to the mortgagor of



the opportunity to see foreclosure prevention counseling. The notice must be provided to an authorized foreclosure prevention agency within one week after notice is sent to the mortgagor.

"This got counselors out right away to work with the people and let them know what rights they had, and how they could work out things with the lenders," said Rep. Joe Mullery (DFL-Mpls).

More than 60 percent of individuals who work with a foreclosure prevention counselor are able to avert foreclosure, said Kristin Beckmann, government relations director at Twin Cities Habitat for Humanity.

Mullery is sponsoring HF2615 to specify the form and content of the notice requirement to the foreclosure prevention agency.

Approved Feb. 15 by the House Civil Justice Committee, it awaits action by the full House. A companion, SF2501, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Commerce and Consumer Protection Committee.

It would require that information be sent to the appropriate foreclosure prevention agency in a non-proprietary database or spreadsheet, when available. If possible, electronic transmittal of the database would occur by secure, encrypted e-mail.

The notice would also have to include contact information for an agent of the mortgagee who is authorized to negotiate a resolution with the mortgager, and contact information for the mortgagee's loss mitigation manager.

"In the third quarter of 2009, 18,000 pre-foreclosure notifications were sent back and forth between lenders, servicers, attorneys and counselors," Beckmann said. "Our hope on the counselor side, in both working particularly in Minneapolis but with the home ownership center network for the counselors across the state, is that we can get rid of the paper form and have all the information on the paper form move to the first transmittal of data, and have that first transmittal be electronic."

She said 80 percent of correspondence is now electronic, but there is no standard form or security guarantee.

— M. Cook

### Nuisance property notification

Dan Vieths and his wife had to file bankruptcy after a property deal went south.

Vieths and Rep. Mike Obermueller (DFL-Eagan) are working to make sure nobody else suffers the same fate.

Sponsored by Obermueller, HF2176 would require a seller of real property to disclose if it has been identified as a nuisance property.

"I call this the seller disclosure statement bill," he said. "Unless there's out-and-out fraud, you're unable to protect against things you're not informed of."

Heard Feb. 15 by the House Civil Justice Committee, it was held over so all sides could work together to reach consensus. It has no Senate companion.

Vieths purchased a Minneapolis apartment building in 2004. "Prior to closing, many calls were made to the city, utility companies and so forth. No work orders or special labels showed up in any research done by us or our realtor," he said.

After taking possession, he was informed by the city's Problem Property Task Force that the city was two weeks away from taking the building from its previous owners because it was labeled as one of the city's worst in terms of drugs, prostitution and other criminal activity. Additionally, a \$5,000 unfilled work order was now his responsibility.

"After consulting with multiple attorneys, we were given the same reply by each: that we had no recourse," Vieths said.

It took 18 months to purge the building of the criminal element, but the cost to do so wiped out the Vieths' finances.

Christine Berger, vice president of governmental relations for the Minnesota Association of Realtors, spoke against the bill.

Among her concerns, if a nuisance is a material fact it is already covered by current law, a two-year statute of limitations now exists and the bill's definition of nuisance is quite broad.

"The new disclosure this bill is suggesting would be precedent setting in that it creates a new list in statute of what is a material fact," she added. "Right now it just says all material facts have to be disclosed. ... When you start a list, where do you stop the list?"

— M. Cook

## HUMAN SERVICES

### GAMC gets bipartisan approval

A plan to create a temporary, scaled-back version of General Assistance Medical Care (GAMC) is on its way to the governor's desk.

The House passed an amended version of HF2680/SF2168\* in a 125-9 vote Feb. 18. Passed by the Senate on Feb. 11, it quickly repassed the bill 47-16 when it was returned from the House.

Sponsored by Rep. Erin Murphy (DFL-St. Paul) and Sen. Linda Berglin (DFL-Mpls), the bill would create a 16-month GAMC program providing continued coverage of basic medical services to eligible low-income Minnesotans.

The program would be funded by reduced reimbursement to health care providers, cuts to county social services grants and the draw-down of federal dollars. A controversial surcharge on hospitals and HMOs was eliminated in committee.

The legislation also proposes reforms in mental health care delivery and allows counties to serve GAMC enrollees through a coordinated care delivery option. The temporary program would begin March 1, 2010, a month before the current program is expected to run out of funding.

On the House floor, lawmakers debated whether reform measures proposed by Rep. Matt Dean (R-Dellwood) and Rep. Steve Gottwalt (R-St. Cloud) should be included in the bill. One provision would create health savings accounts for up to 1,000 enrollees in MinnesotaCare, the state health program designed for working families. The state would make capped contributions to the accounts, which enrollees would draw from to pay for private services.

"We believe that these reform pieces are necessary," Dean said. "We believe GAMC cannot continue into the next biennium. We need to reform that."

Dean successfully amended the bill to include establishment of a county-based group home program for childless adults. The second part of his amendment, which included the health savings accounts, failed.

Several legislators said they supported GAMC reform efforts, but believed the proposals needed further discussion in committee.

Gov. Tim Pawlenty has proposed transitioning GAMC participants into MinnesotaCare. Critics of the governor's proposal say GAMC enrollees, many of whom have a chronic mental illness, would not be able to pay the premiums and follow the re-enrollment procedures required under MinnesotaCare.

— L. RADOMSKI

### Food Support eligibility plan on hold

More Minnesotans would be eligible for the federal Food Support program, under a bill laid over for possible inclusion in an omnibus bill.

Rep. Patti Fritz (DFL-Faribault) sponsors HF453, which would eliminate a \$7,000 asset limit on households eligible for the program, formerly known as food stamps. Under the bill, households would need to make less than about \$30,000 annually to receive benefits; their assets would not count against their eligibility. While Food Support is a federally-funded program, states have the ability to restrict access.



PHOTO BY ANDREW VONBANK

**Alexandra Fitzsimmons, policy director for the Minnesota Catholic Conference, testifies before the House Health Care and Human Services Finance Division Feb. 16 in support of a bill that would modify MFIP and food stamp provisions.**

Speaking to the House Health Care and Human Services Finance Division Feb. 16, Fritz said the bill is targeted, in part, toward out-of-work, middle-class Minnesotans who need assistance as they try to get back on their feet. Only 60 percent of state residents who are eligible for the program are actually enrolled, she said, in part because of the stigma associated with public assistance.

Asset limits for Food Support are inconsistent with the Minnesota values of hard work and self-reliance, said Alexandra Fitzsimmons, policy director for the Minnesota Catholic Conference. Those limits punish families trying to maintain or achieve economic independence by building up their savings.

"Forcing individuals to spend down long-term savings to qualify for short-term assistance leaves individuals and families more vulnerable in the future," Fitzsimmons said.

Some division members said they were concerned about the lack of any asset limit, prompting a heated discussion on how to ensure benefits go to people who need them most. Rep. Laura Brod (R-New Prague) questioned whether dropping asset limits indefinitely would be sustainable.

"It is not compassionate to make promises

that a government knows it can't keep," Brod said.

"The point is we all care about people in need," said Rep. Steve Gottwalt (R-St. Cloud). "The question here is, 'What are we doing with a government program?'"

A companion, SF481, sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the Senate Finance Committee.

— L. RADOMSKI

## HUMANITIES

### Minority councils get grim news

Although they receive only a sliver of the state's biennial budget, that amount keeps four state minority councils operating. However, proposed cuts call into question their abilities to keep focused on 14 percent of the state's population.

Along with most state agencies, the governor's supplemental budget proposes a 3 percent cut of unspent funds during this fiscal year to the Council on Black Minnesotans, Chicano Latino Affairs Council, Council on Asian-Pacific Minnesotans and the St. Paul office of the Indian Affairs Council. The groups are also expected to absorb a 6 percent to 9 percent cut in each of the ensuing three fiscal years.

This was part of what Rep. Mary Murphy (DFL-Hermantown) called the "grim news" for the House Cultural and Outdoor Resources Finance Division Feb. 17 as members reviewed budget cuts proposed for areas under their jurisdiction. No action was taken.

The 2009 Legislature asked for a study on whether it would make financial sense for the councils to collocate, and the impacts that collocation would have on each council's operations. The report, prepared by the Management Analysis Division of Minnesota Management & Budget, shows little savings would occur by collocating. Additionally the councils noted that client service and privacy, as well as council identity and autonomy are operational concerns.

Murphy, the division chairwoman, said results of a study could be a moot point.

"I wonder if the councils are going to be wondering if they could stay where they are at all because the knight was not kind," Murphy said. "The report, although very well done, doesn't help us much."

The governor's proposal acknowledges that council cuts, if enacted, would result in a reduction of staff hours and reductions to other operating expenses.

— L. SCHUTZ

## LOCAL GOVERNMENT

### Cuts cause city, county concerns

Gov. Tim Pawlenty's supplemental budget proposes \$250 million in state aid cuts to cities and counties. Local government representatives told the House Local Government Division Feb. 15, the day of the budget's release, they're still reeling from the cumulative effects of prior year cuts.

Mankato City Manager Pat Hentges said the city rolled back its 2010 budget to 2007 spending levels; eliminated most of its "livability" initiatives, such as arts funding, and "secondary" services, such as a recreational program at a nature center and a police school liaison; and eliminated about 10 percent of its workforce. The proposed new cuts, Hentges said, would require Mankato to eliminate another \$1.7 million, the equivalent of its snowplow, library and street lighting budgets. To compensate with property tax revenue would require an increase between 20 percent and 25 percent, he said.

Many small cities don't have much left to cut, said Floodwood Mayor Jeff Kletscher, first vice president of the Minnesota Association of Small Cities, nor do they have much of a tax base to tap. They're deferring maintenance, such as sidewalk, roof and road repairs, and energy-saving updates like insulation and new windows. "Cities across the state are being set up for major catastrophes as time goes on as we put off this maintenance," he said.

Minneapolis would lose the equivalent of more than one-third of the city's 2010 police budget of \$133 million, according to City Council Member Elizabeth Glidden. She said the proposed \$50.3 million in state aid cuts "really has the potential to change public service as we know it." She said Minneapolis, which has seen \$43 million in state aid cuts since 2008, recently laid off 60 civilian police workers.

The timing of recent cuts can also wreak havoc on the local budget process, according to Keith Carlson, executive director of the Minnesota Inter-County Association. Because local governments operate on a calendar year, decisions made late in the year can't be accommodated by local levy decisions, which might otherwise help compensate for state aid cuts.

Local governments are often exhorted to do "more with less," Carlson said. "I'm here to tell you we're doing less with less."

— K. BERGGREN

Watch for House Public Information Services  
updates at  
[www.twitter.com/MNHouseInfo](http://www.twitter.com/MNHouseInfo)



## MILITARY

### Designating American Legion Day

Heading to the House floor is a bill that would designate Sept. 16 as American Legion Day.

Sponsored by Rep. John Ward (DFL-Brainerd), HF2538 would "recognize the millions of American Legion veterans who have dedicated and continue to dedicate themselves to service of community, state and nation."

By designating a day for American Legion veterans, it's another way to "take a day to say thank you for your service," Ward said. His grandfather and father were both past commanders of American Legion posts, he said.

Sept. 16 commemorates the date in 1919 that Congress chartered the American Legion. Roger Ball, legislative chairman for Minnesota's fourth district of the American Legion, said, "In towns small and large, the American Legion is there to help veterans, their families and the children and youth of the community. It's not just what we do, it's who we are."

The House Agriculture, Rural Economies and Veterans Affairs Committee approved the bill Feb. 15. A companion, SF2528, sponsored by Sen. Paul Koering (R-Fort Ripley), awaits action by the Senate Agriculture and Veterans Committee.

— P. OSTBERG

If you have Internet access, visit the Legislature's Web page at: [www.leg.mn](http://www.leg.mn)

### Getting soldiers their extra pay

Thousands of the Minnesota's National Guard 34th Red Bull Infantry Division are still waiting for the extra pay they were promised by the federal government in October 2009.

In response, Rep. Phil Sterner (DFL-Rosemount) sponsors HF2908 that urges President Obama to order the secretary of defense and other responsible federal government officials to promptly issue their claim. The resolution states many soldiers are especially in need due to "the current economic and employment situation facing all veterans returning to the United States."

The House Agriculture, Rural Economies and Veterans Affairs Committee approved the resolution Feb. 15. It now goes to the House floor.

Col. Eric Ahlness, director of government relations for the Minnesota National Guard, said the resolution's intent is to bring the issue to the attention of federal leadership overseeing the payment of benefits in hopes it will expedite the process.

Congress enacted legislation in October 2009 authorizing implementation of the leave benefit pay. It was only recently that military leadership issued guidance on how to implement the process to pay soldiers for the months served between January and August of 2007, Ahlness said. Approximately 2,500 Minnesota soldiers qualify for the \$200 per day for an extra four months of military service.

Rep. Bob Dettmer (R-Forest Lake) said in a previous committee, "We need to send a message back to Washington that they need to clear this up as soon as possible."

A companion, SF2600, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), awaits action by the Senate Agriculture and Veterans Committee.

— P. OSTBERG

### Veterans' small business preference

Military veterans who own small businesses would be given preference in bidding for state contracts for goods and services, under a bill approved by the House Agriculture, Rural Economies and Veterans Affairs Committee Feb. 15.

Sponsored by Rep. Dan Severson (R-Sauk Rapids), HF2809 would expand the preference from women, minorities, the disabled and those that served in active service since Sept. 11 to include all military veterans. The bill caps the total number of veterans' preference contracts at 6 percent.

A similarly focused bill passed last year, but was revised to only include those who became veterans after Sept. 11, Severson said. "We have received correspondence from some Vietnam veterans, some Desert Storm, Gulf War veterans who say, 'Why are you discriminating against us?'" he said.

Opponents may say there isn't enough room for both veteran's companies and those already considered, but current businesses only comprise about 2.5 percent of contracts awarded, Severson said. "I think there is plenty for everyone."

"It's not giving them a job, it's just letting them be able to bid on the job," said Jerry Kyser, vice chairman of the United Veterans Legislative Council of Minnesota. While current law allows younger veterans to take advantage of the preference, many of those younger veterans don't own a business capable of handling a state contract, he said.

The bill now goes to the House Finance Committee. There is no Senate companion.

— P. OSTBERG



PHOTO BY ANDREW VONBANK

Rep. Phil Sterner, whose district includes the Rosemount National Guard Armory and Community Center, recognizes the command staff of the 34th Red Bull Infantry Division Feb. 12 on the House floor. The division is based at the Rosemount facility. Red Bulls in attendance are, from left: Maj. Gen. Richard Nash, Brig. Gen. David Elicerio, Command Sgt. Maj. Doug Julin, Col. Neal Loidolt, Col. Dirk Kloss, Lt. Col. Stefanie Horvat and Lt. Col. John Morris.

## SAFETY

### Keeping everyone plowed out

Insolvent developers or those facing foreclosure who let snow accumulate in their uncompleted subdivisions leave those first few residents on the street vulnerable.

Unmaintained roads jeopardize public access to school buses and emergency vehicles, said Rep. Mike Nelson (DFL-Brooklyn Park). He sponsors HF2231 that would transfer snow removal duties to local road authorities if developers refuse to clear streets under their purview. The House Transportation and Transit Policy and Oversight Division approved the bill Feb. 17 and referred it to

the House Civil Justice Committee.

The bill would let local authorities begin snow removal in delinquent subdivisions where there are at least five lots. Cities or counties could charge the properties within the subdivision a reasonable fee for the service. A lien may be placed upon the properties if the snow removal charges remain unpaid. The bill applies only to insolvent developers or those facing foreclosure that have not yet turned the road over to the local authorities.

Sen. Ken Kelash (DFL-Mpls) sponsors a companion bill, SF2004, which awaits action by the Senate Transportation Committee.

— S. HEGARTY

### Don't darken the window too much

Anyone who tries to sell or apply window glazes to motor vehicles that do not comply with Minnesota law could face misdemeanor charges, according to a bill approved Feb. 17 by the House Transportation and Transit Policy and Oversight Division.

Sponsored by Rep. Carlos Mariani (DFL-St. Paul), HF2914 was referred to the House Commerce and Labor Committee. Sen. Sandy Pappas (DFL-St. Paul) sponsors a companion, SF2370, which awaits action by the Senate Transportation Committee.

Mariani said the issue arose from a constituent who said her son paid a company to apply the darkest tint available even though state law prohibits darker tints. Subsequently, he was stopped and ticketed by St. Paul police. Upon further study, the parent discovered that it is not illegal for tint companies to "install" the darker glazes.

States differ in the degree of tinting allowed on vehicle windows. The proposed legislation would prohibit applying darker tints regardless of where the vehicle is licensed or primarily driven. Current law prohibits tinting which results in a light transmittance of less than 50 percent or a reflectance of more than 20 percent.

Car dealers are already prohibited from selling vehicles with non-conforming window tints.

— S. HEGARTY

## TECHNOLOGY

### High-speed Internet for all

A recommendation to provide high-speed Internet access to every Minnesotan by 2015 is on track to becoming an official state goal.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul), HF2907 calls for Minnesota to transform itself into a national and international leader in providing broadband access. The House Telecommunications

Regulation and Infrastructure Division approved the bill Feb. 12, and sent it to the House Commerce and Labor Committee.

The bill calls for a boost in speed: no less than 10 megabits per second for downloads and five megabits per second for uploads for every user in the state. In addition, it states that Minnesota should rank among the top five U.S. states for both speed and access to broadband Internet, and rank comparatively to the top 15 nations globally for broadband access.

Johnson said the bill is based on the recommendations contained in the Minnesota Ultra High-Speed Broadband Task Force final report. Rick King, former chairman of the task force and chief technology officer for Thomson Reuters North American Legal, said Minnesota currently ranks about 24th in the nation in providing high-speed Internet access.

"High-speed broadband has the potential to unlock enormous economic growth in the state," King said. He added that 80 percent of the state's economy is tied to "knowledge and service industries" that would benefit from better Internet connectivity.

King said the bill's stated goals for download and upload speeds represent the "minimum support" for transmission of two-way, high-definition video — something he said will enable health care providers to improve their services.

Under the bill's provisions, the Commerce Department would be required to submit annual reports to the Legislature on progress made toward reaching the goals. Additionally, the bill would establish a 15-member Broadband Goal Advisory Group to advise the department and the Legislature on broadband issues.

A companion, SF2254, sponsored by Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Energy, Utilities, Technology and Communications Committee.

— N. BUSSE

### A 'crisis of competitiveness?'

Minnesota faces a "crisis of competitiveness" in attracting high-tech industries, and needs a comprehensive science and technology initiative to remedy the problem.

That was the message from members of an advisory group at a hearing of the House Bioscience and Workforce Development Policy and Oversight Division on Feb. 16. No action was taken.

"Minnesota once led, but by now we are losing our prominence in science and technology innovation," said Dan Mallin, co-chair of the Minnesota Science and Technology Economic Development Project.

Mallin said Minnesota is "far behind" other states in establishing policies and programs that promote growth in high-tech business. He recommends the state establish and fund a permanent organization to facilitate that growth, and provide incentives like tax credits for angel investment, research and development and similar activities.

"Minnesota must have a plan and a strategy, and to do this requires a permanent structure to guide the effort," Mallin said.

Some division members questioned the feasibility of funding a new economic development initiative at a time when the state is struggling to fund its current programs. Rep. Bill Hilty (DFL-Finlayson) commented that Mallin's message amounted to asking the state to reduce its revenues and increase spending at the same time.

Rep. Ryan Winkler (DFL-Golden Valley) questioned whether there is enough evidence that programs like angel investment tax credits actually work to justify the cost.

"Before we engage in this effort of creating a new institution, of investing in tax credits, I think more evidence needs to be brought to the table to support that," he said.

The Minnesota Science and Technology Economic Development Project was a joint public-private effort commissioned by the Legislature in 2009. It released a report Jan. 15 on how to boost science and technology-based business growth in the state. The report is available on the Department of Employment and Economic Development Web site.

— N. BUSSE

## TRANSPORTATION

### Complete streets idea incomplete

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.

The bill would push 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.

The bill calls for the Department of Transportation to develop and implement a policy with a goal of developing a balanced transportation system, Obermueller told the House Transportation Finance and Policy Division Feb. 16.

"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.

Division members had plenty of questions about potential costs, the practicality of the policy’s implementation and if there was an implied mandate for local governments because many times state aid is used when improving the trunk highway system.

Rep. Michael Beard (R-Shakopee) said use of trunk highway funds for wider streets, more sidewalks or bike trails would create an added cost for the state.

“It strikes me as if this is another little hole punched in the bucket called the trunk highway fund,” which, he said, is constitutionally dedicated for road construction.

Because a fiscal note was not available at the hearing, Rep. Bernie Lieder (DFL-Crookston), the division chairman, laid the bill over for further consideration. A companion, SF2461, sponsored by Sen. Tony Lourey (DFL-Kerrick), awaits action by the Senate Transportation Committee.

— L. SCHUTZ

### Intersection reconstruction gets OK

**Signed  
by  
the  
governor**

A pilot project using a comprehensive method for taking road projects from design to completion made it to law after a nine-month delay.

Passed as amended by the House last year on the session’s final day, time

ran out before the Senate could concur with the changes. It did so Feb. 8. The bill was signed by the governor Feb. 11, and took effect the next day.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Michael Jungbauer (R-East Bethel), the law allows for reconstruction of the Trunk Highway 10 and Anoka County State-Aid Highway 83 intersection in Anoka County using the design-build construction process. The law is similar to previous statutory authorization for Hennepin County.

Under the law, the county must employ at least one architect, mechanical engineer, civil engineer and a full-time project manager with at least five years of construction management experience; adopt implementation procedures to establish an advisory panel; and define standards for a request for proposals, for proposal evaluation and for the award and execution of the design-build project.

HF1074/SF740\*/ CH181

— L. SCHUTZ

### Grants sought for rail safety

The state could improve its railways by grants offered through the Federal Railroad Safety Enhancement Act of 2008.

Rep. Mike Nelson (DFL-Brooklyn Park) sponsors HF1467 that would direct the Department of Transportation to apply for grants, when available, by soliciting and prioritizing requests from eligible railroads for installation of switch indicator signals where posted speeds are greater than 20 mph.

Approved by the House Finance Committee Feb. 15, the bill awaits action by the House Ways and Means Committee.

Minnesota has 1,200 miles of non-signalized track in 40-50 mph zones, and this bill would enhance rail safety, Phillip Qualy, state legislative director for the United Transportation Union, told the committee in 2009.

Participating railroads would be required to provide the 20 percent nonfederal match; provide the commissioner with technical documentation; and install the rail safety technology.

The bill was included in last year’s omnibus transportation policy bill that was vetoed by the governor.

A companion, SF1674, sponsored by Sen. Ken Kelash (DFL-Mpls), awaits action in the Senate Finance Committee.

— L. SCHUTZ

### Where to find information

#### House Public Information Services

175 State Office Building  
651-296-2146 or 800-657-3550

House Public Information Services is a nonpartisan office that provides committee meeting schedules; legislator information; and publications, including Session Weekly newsmagazine, educational brochures, and member directories.

## MODEL CITIZENS



PHOTO BY TOM OLMSCHIED

Junior Girl Scouts from Troop 11541 in St. Michael use the railing on the second floor of the Rotunda to spread out a search for art and architecture of the Capitol during a scavenger hunt to acquire their model citizen badge.

# Budget battle begins

DFL lawmakers say governor's budget plan is incomplete, call for 'Plan B'

By Nick Busse

**I**f the conflict over how to solve the state's projected \$1.2 billion deficit amounts to a kind of political chess match, Gov. Tim Pawlenty just made the first move — but DFL leaders say he's cheating.

On Feb. 15, Pawlenty outlined his vision for a biennial budget fix. The governor's supplemental budget proposal calls for deep cuts to some state programs, a package of tax cuts for businesses and some help from the federal government.

"Minnesota has experienced a multi-billion dollar drop in revenues as a result of the economy," Pawlenty said at a press conference. "Spending expectations and requirements need to be aligned with the revenue that's currently available."

Under the plan, K-12 education, public

safety and veterans services would be largely spared from the governor's budget ax. Instead, Pawlenty calls for cuts in four key areas:

- \$347 million to health and human services programs;
- \$250 million to county and city aid;
- \$181 million to state agencies; and
- \$47 million to higher education.

Pawlenty's plan also calls for a 20 percent corporate tax cut, a 20 percent reduction in small business taxes and several other tax incentives designed to encourage economic growth.

The final part of the governor's plan — the part that has rankled members of the House's DFL majority — is a plan to accept \$387 million in expanded federal funding for Medicaid. The problem, Democrats say, is that the funding hasn't actually been approved yet by Congress.

"At any time in history, has any other governor proposed a budget that relies on hypothetical federal funding?" asked Rep. Thomas Huntley (DFL-Duluth).

At a joint meeting of the House Finance and Ways and Means committees Feb. 16, Huntley and other DFLers vented their frustrations with the governor's budget plan to senior Minnesota Management & Budget staff.

Rep. Lyndon Carlson, Sr. (DFL-Crystal), finance committee chairman, asked MMB Commissioner Tom Hanson what the governor would do if the federal Medicaid extension doesn't become law.

"What we're really interested in ... is what



PHOTO BY TOM OLMSCHEID

Gov. Tim Pawlenty releases his supplemental budget proposal at a Feb. 15 news conference.





PHOTO BY TOM OLMSCHIED

**Prior to a Feb. 16 hearing of the LCPFP Subcommittee on a Balanced Budget, House Finance Committee Chairman Rep. Lyndon Carlson, Sr., center, listens as he and Senate Majority Leader Larry Pogemiller, right, question Minnesota Management & Budget Commissioner Tom Hanson on the use of federal funds to balance Gov. Tim Pawlenty's supplemental budget proposal.**

I called this morning 'Plan B' — what you would do if the \$387 (million) is not there," Carlson said.

Hanson replied that there is no "Plan B." If the Medicaid extension falls through, the governor will propose additional cuts — but there are no plans currently to specify what those cuts might be.

House Republicans defended the governor's plan. Rep. Mary Liz Holberg (R-Lakeville) reminded Democrats that they too had proposed a state budget based on speculative funding sources — namely, on tax increases the governor had promised to veto.

"It is a matter of perspective," Holberg said. "They've chosen to include (the federal funding) in their budget. Last spring, the Democrats decided to include tax increases in balancing their budget, even though every indication was that it would never become law."

To that point, Rep. Alice Hausman (DFL-St. Paul) argued that Pawlenty's numerous vetoes of DFL proposals made it all the more important to know what his budget plan will be if the federal money falls through.

"We don't have a lot of time here, and when (the governor) has such strong feelings, and anything counter is met with a veto threat, then we do keep seeking information," Hausman said.

### Looking for common ground

DFL leaders said they will release their own budget plan sometime after the release of the February budget forecast, scheduled for March 2. For now, Pawlenty's proposal has given them plenty to chew on.

"It looks to me that the governor is cutting some important areas," House Majority Leader Tony Sertich (DFL-Chisholm) said at a Feb. 15 press conference.

Sertich indicated a couple of likely points

of contention in future budget negotiations between legislative leaders and the governor. He singled out the local government aid cuts as being particularly harmful, potentially forcing cities and counties to cut essential services like police and fire. Also, noting that the governor's own estimate is that 40,000 Minnesotans would be impacted by the

health and human services cuts, he said that is another likely source of disagreement.

House Speaker Margaret Anderson Kelliher (DFL-Mpls) indicated that filling the state's budget gap might involve several steps, and that DFL leaders may look to enact some spending reductions relatively early on in the session.

"We're going to do some work here early, before the February forecast comes out," she said. "We're going to try to make that problem be a smaller problem after we get that forecast, and then we'll go from there."

Senate Majority Leader Larry Pogemiller (DFL-Mpls) gave some clues as to where DFLers might find common ground with the governor at a Feb. 16 hearing. Speaking to his fellow members of the Legislative Commission on Planning and Fiscal Policy's Subcommittee on a Balanced Budget, Pogemiller said the governor's proposed cuts to higher education, state agencies and health and human services were all on the table — from the Senate's perspective, at least.

Whatever ultimately happens, all parties seem to be in agreement about one basic fact: it is not a fun situation to be in.

"The list of options to resolve a \$1.2 billion deficit after years of declining revenue is incredibly imperfect," Hanson said. 🐼

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***"The list of options to resolve a \$1.2 billion deficit after years of declining revenue is incredibly imperfect,"***

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— Tom Hanson  
Management & Budget Commissioner

# How a Bill Becomes

## Idea

**1** A bill is an idea for a new law or an idea to change an old law. Anyone can suggest an idea for a bill — an individual, consumer group, professional association, government agency or the governor. Most often, however, ideas come from legislators, the only ones who can begin to move an idea through the process. There are 134 House members and 67 senators.

## Legal form

**2** The Office of the Revisor of Statutes and staff from other legislative offices work with legislators in putting the idea for a new law into proper legal form. The revisor's office is responsible for assuring that the proposal's form complies with the rules of both bodies before the bill is introduced into the Minnesota House of Representatives and the Minnesota Senate.

## Sponsors

**3** Each bill must have a legislator to sponsor and introduce it in the Legislature. That legislator's name appears on the bill along with the bill's file number to identify it as it moves through the legislative process. There may be up to 34 co-sponsors from the House and four from the Senate. Their names also appear on the bill.

## General Register

**7** In the House, the General Register serves as a parking lot where bills await action by the full body. Bills chosen to appear on the Consent Calendar, Calendar for the Day or the Fiscal Calendar are drawn from the General Register.

In the Senate, a different procedure is used. Bills are listed on the General Orders agenda. Senate members, acting as the "committee of the whole," have a chance to debate the issue and offer amendments on the bill. Afterwards, they vote to recommend: passage of the bill, progress (delay action) or further committee action. And sometimes they recommend that a bill not pass. From here, the bill is placed on the Calendar.

## Calendar for the Day

**8** In the House, the Calendar for the Day is a list of bills the House Rules and Legislative Administration Committee has designated for the full House to vote on. Members can vote to amend the bill, and after amendments are dispensed with, the bill is given its *third reading* before the vote of the full body is taken. The House also has a Fiscal Calendar, on which the chair of the House Ways and Means Committee or House Taxes Committee can call up for consideration any tax or finance bill that has had a second reading. The bills are debated, amended and passed in one day.

In the Senate, bills approved by the "committee of the whole" are placed on the Calendar. At this point, the bill has its *third reading*, after which time the bill cannot be amended unless the entire body agrees to it. Toward the end of the session, the Senate Committee on Rules and Administration designates bills from the General Orders calendar to receive priority consideration. These Special Orders bills are debated, amended and passed in one day.

A bill needs 68 votes to pass the House and 34 votes to pass the Senate. If the House and Senate each pass the same version of the bill, it goes to the governor for a signature.





# a Law in Minnesota

## Introduction

**4** The chief House sponsor of the bill introduces it in the House; the chief Senate sponsor introduces it in the Senate. Identical bills introduced in each body are called *companion* bills. The bill introduction is called the *first reading*. The presiding officer of the House then refers it to an appropriate House committee for discussion; the same thing happens in the Senate.

## Committee

**5** The bill is discussed in one or more committees depending upon the subject matter. After discussion, committee members recommend action — approval or disapproval — to the full House and full Senate. The House committee then sends a report to the House about its action on the bill; the Senate committee does likewise in the Senate.

## Floor

**6** After the full House or Senate accepts the committee report, the bill has its *second reading* and is placed on the House agenda called the General Register or the Senate agenda called General Orders. (A committee can recommend that non-controversial bills bypass the General Register or General Orders and go onto the Consent Calendar, where bills usually pass without debate.) After this point, House and Senate procedures differ slightly.

## Conference

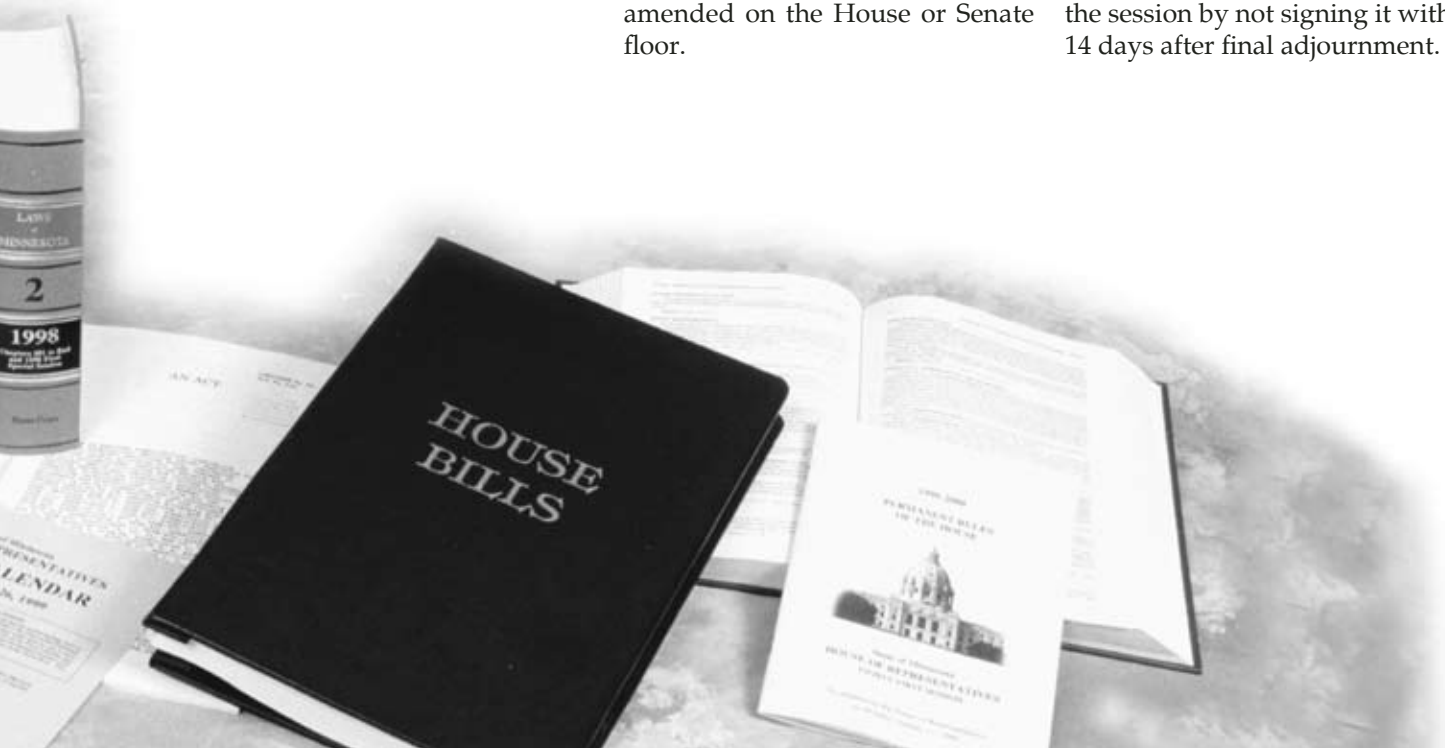
**9** If the House and Senate versions of the bill are different, they go to a conference committee. In the House, the speaker appoints three or five representatives, and in the Senate, the Subcommittee on Committees of the Committee on Rules and Administration selects the same number of senators to form the committee. The committee meets to work out differences in the two bills and to reach a compromise.

## Floor

**10** The conference committee's compromise bill then goes back to the House and the Senate for another vote. If both bodies pass the bill in this form, it is sent to the governor for approval or disapproval. (If one or both bodies reject the report, it goes back to the conference committee for further consideration.) A conference committee report cannot be amended on the House or Senate floor.

## Governor

**11** Once the governor has the bill, he or she may: sign it, and the bill becomes law; veto it within three days; or allow it to become law by not signing it. During session, the House and Senate can override a governor's veto. This requires a two-thirds vote in the House (90 votes) and Senate (45 votes). The governor also may "line-item veto" parts of a money bill, or "pocket veto" a bill passed during the last three days of the session by not signing it within 14 days after final adjournment. ▼



## Friday, Feb. 12

### **HF2918-Greiling (DFL)** **Commerce & Labor**

Beverage production in basements authorized, and commissioner of agriculture directed to amend Minnesota rules.

### **HF2919-Anderson, S. (R)** **Finance**

Balanced budget required prior to passage of other legislation.

### **HF2920-Welti (DFL)** **Transportation & Transit Policy & Oversight Division**

Motor vehicle definition clarified.

### **HF2921-Hornstein (DFL)** **Transportation & Transit Policy & Oversight Division**

Moratorium imposed on electronic advertising devices.

### **HF2922-Thissen (DFL)** **State & Local Government Operations Reform, Technology & Elections**

Minneapolis Employees Retirement Fund; administrative functions transferred to the Public Employees Retirement Association and consolidation account created within the Public Employees Retirement Association.

### **HF2923-Johnson (DFL)** **Finance**

Ramsey County; mothers first program funding provided.

### **HF2924-Hayden (DFL)** **Finance**

Matching funds restored for county financial workers.

### **HF2925-Kath (DFL)** **Finance**

Certain public facilities programs amended and technical changes made.

### **HF2926-Hosch (DFL)** **Health Care & Human Services Policy & Oversight**

Mental health policy provisions for children amended and community health worker technical changes made.

### **HF2927-Thissen (DFL)** **Health Care & Human Services Policy & Oversight**

Health care clearinghouse added for health care provider transactions.

### **HF2928-Champion (DFL)** **State & Local Government Operations Reform, Technology & Elections**

Juneteenth observance governing provisions modified.

### **HF2929-Kelly (R)** **Finance**

Red Wing; Red Wing River Way Trail funding provided.

### **HF2930-Hamilton (R)** **Finance**

Korean Defense Service Medal recipients special license plate created.

### **HF2931-Eastlund (R)** **Finance**

Cambridge; municipal bridge replacement funding provided.

### **HF2932-Jackson (DFL)** **Finance**

Aquatic and wildlife management areas and critical habitat funding provided.

### **HF2933-Hansen (DFL)** **State & Local Government Operations Reform, Technology & Elections**

Overseas absentee ballot waiver application required.

### **HF2934-Slocum (DFL)** **Finance**

Hennepin County; Fort Snelling Upper Bluff emergency building stabilization funding provided.

### **HF2935-Demmer (R)** **Environment Policy & Oversight**

Conveyance of certain surplus state land authorized.

### **HF2936-Morrow (DFL)** **Public Safety Policy & Oversight**

Careless driving resulting in death penalty provided.

### **HF2937-Hortman (DFL)** **Finance**

Passenger rail project annual report to Legislature required.

### **HF2938-Thissen (DFL)** **Health Care & Human Services Policy & Oversight**

Persons with disabilities licensure programs and provisions modified.

### **HF2939-Hosch (DFL)** **Public Safety Policy & Oversight**

Protective agents authorized to use flashing lights in certain traffic situations.

### **HF2940-Loeffler (DFL)** **Finance**

Prohibition repealed on using a broker to coordinate Medical Assistance-covered transportation services.

### **HF2941-Anzelc (DFL)** **Health Care & Human Services Policy & Oversight**

Dental insurance provider agreements regulated.

### **HF2942-Atkins (DFL)** **Commerce & Labor**

Various licenses and other entities regulated; informational requirements modified; education and notice requirements continued; various housekeeping, technical, and clarifying changes made; various provisions reorganized relating to real estate brokers, salespersons and closing agents; and real estate appraiser advisory board membership requirements and appointment authority modified.

### **HF2943-Sterner (DFL)** **Finance**

Army National Guard members funding provided for payments to satisfy federal obligations.

### **HF2944-Greiling (DFL)** **Finance**

School finance system modified, new education funding framework created, and income tax schedule changes made.

### **HF2945-Mahoney (DFL)** **State & Local Government Operations Reform, Technology & Elections**

State Building Code municipal enforcement provisions modified.

## Monday, Feb. 15

### **HF2946-Kalin (DFL)** **Higher Education & Workforce Development Finance & Policy Division**

Public infrastructure for bioscience businesses expanded to include clean energy businesses.

### **HF2947-Beard (R)** **Finance**

Certain carryforward authority provided to the Office of the Legislative Auditor.

### **HF2948-Koenen (DFL)** **K-12 Education Policy & Oversight**

Contract deadline exception created to the contract deadline penalty for certain school districts.

### **HF2949-Gardner (DFL)** **State & Local Government Operations Reform, Technology & Elections**

Treatment works allocation and interceptors reserved capacity costs provisions modified.

### **HF2950-Atkins (DFL)** **Public Safety Policy & Oversight**

Deceptive practices prohibited in the sale of event tickets.

### **HF2951-Kahn (DFL)** **State & Local Government Operations Reform, Technology & Elections**

Teachers retirement funds, contribution rates, state aid amounts, annuity formulas and fiduciary responsibilities regulated and adjusted.

### **HF2952-Murphy, M. (DFL)** **State & Local Government Operations Reform, Technology & Elections**

State employees retirement plan contribution rates increased, interest rates on refunds and certain benefit accrual rates reduced, vesting requirements and early retirement reduction rates increased and certain amortization periods extended.

### **HF2953-Murphy, M. (DFL)** **State & Local Government Operations Reform, Technology & Elections**

Teachers Retirement Association member and employer contribution rates increased, postretirement adjustment amounts suspended and temporarily reduced, and interest on refunds reduced.

### **HF2954-Dill (DFL)** **Environment Policy & Oversight**

General burning permits provided, forestry service fees establishment authority modified, timber sales provisions modified and certain pilot projects and reports eliminated.

### **HF2955-Dill (DFL)** **Environment Policy & Oversight**

Deer killed by a motor vehicle permitted to be kept by the driver.

### **HF2956-Koenen (DFL)** **Transportation & Transit Policy & Oversight Division**

Indian tribal government authorized conveyance of land no longer needed for trunk highway purposes.

### **HF2957-Koenen (DFL)** **Environment Policy & Oversight**

Indian tribal governments exempted from registering or licensing watercraft, off-highway vehicles and snowmobiles.



**HF2958-Pelowski (DFL)**  
**State & Local Government**  
**Operations Reform, Technology**  
**& Elections**  
Open Meeting Law changed.

**HF2959-Lesch (DFL)**  
**Health Care & Human Services**  
**Policy & Oversight**  
Sick leave for certain workers standards established, civil penalties provided and rulemaking required.

**HF2960-Paymar (DFL)**  
**Public Safety Policy & Oversight**  
Background check required for transfer of a firearm at a gun show and penalty provided.

**HF2961-Fritz (DFL)**  
**Finance**  
Steele County; Stagecoach Trail acquisition funding provided.

**HF2962-Fritz (DFL)**  
**K-12 Education Policy & Oversight**  
Minnesota Academy for the Deaf and Minnesota Academy for the Blind provided trial placement.

**HF2963-Fritz (DFL)**  
**Transportation & Transit Policy**  
**& Oversight Division**  
Steele County; speed limit set on portion of County Highway 19.

**HF2964-Fritz (DFL)**  
**State & Local Government**  
**Operations Reform, Technology**  
**& Elections**  
United States Mission to the United Nations urged to create the position of youth delegate.

**HF2965-Paymar (DFL)**  
**Public Safety Policy & Oversight**  
Gang and drug task forces certification process established, criminal gang investigative data systems creation authority established, certain entities dissolved and forfeiture reporting requirements amended.

**HF2966-Norton (DFL)**  
**K-12 Education Policy & Oversight**  
School calendar restrictions amended.

**HF2967-Scalze (DFL)**  
**Civil Justice**  
Augmented estate composition modified.

**HF2968-Peterson (DFL)**  
**Environment Policy & Oversight**  
Environmentally sensitive cleaning products required to be used in public buildings, and guidelines and a task force established.

**HF2969-Ruud (DFL)**  
**Health Care & Human Services**  
**Policy & Oversight**  
Licensing provisions made technical changes.

**HF2970-Jackson (DFL)**  
**Civil Justice**  
Revisor's bill correcting erroneous, ambiguous and omitted text and obsolete references; eliminating redundant, conflicting and superseded provisions; and making miscellaneous technical corrections to laws and statutes.

**HF2971-Lenczewski (DFL)**  
**Taxes**  
Tax provisions changed and modified relating to individual income, corporate franchise, estate, sales and use, gross receipts, cigarette, tobacco, insurance, property, credits, payments, minerals, local government aid, job opportunity building zones, emergency debt certificates and various taxes and tax-related provisions.

**HF2972-Lenczewski (DFL)**  
**Taxes**  
Taxation; policy, technical, administrative and clarifying changes made relating to individual income, corporate franchise, sale and use, property, petroleum, cigarette, tobacco, insurance, local taxes, and other taxes and tax-related provisions.

**HF2973-Murphy, E. (DFL)**  
**Commerce & Labor**  
University of St. Thomas on-sale liquor license authorized.

**HF2974-Atkins (DFL)**  
**Commerce & Labor**  
State fair allowed to issue liquor licenses.

**HF2975-Lanning (R)**  
**Public Safety Policy & Oversight**  
Salvia divinorum sale and possession crime established, and penalty provided.

**HF2976-Sertich (DFL)**  
**Taxes**  
Apprenticeship training facilities exemption modified relating to property taxation.

**HF2977-Thissen (DFL)**  
**Finance**  
Home rule charter and statutory cities authorized to make loans to property owners who install energy efficient or renewable energy improvements; repayment authorized through a special assessment collected through the property tax; revenue bonds authorized to fund the program.

**HF2978-Rosenthal (DFL)**  
**Public Safety Policy & Oversight**  
First-degree driving while impaired crime amended to include prior felony convictions from other states.

**HF2979-Rosenthal (DFL)**  
**Public Safety Policy & Oversight**  
Alcohol concentration lowered from 0.20 percent to 0.16 percent for an aggravating factor under DWI law.

**HF2980-Drazkowski (R)**  
**Finance**  
Lake Zumbro and Schmidt Lake restoration funding provided.

**HF2981-Bly (DFL)**  
**K-12 Education Policy & Oversight**  
MNovate Commission established to assist the governor, Legislature, the commissioner of education and learning communities of Minnesota.

**HF2982-Reinert (DFL)**  
**Commerce & Labor**  
Off-sale intoxicating liquor sales modified.

**HF2983-Eastlund (R)**  
**Taxes**  
Green Acres program and agricultural classifications made in 2008 and 2009 changes repealed.

**HF2984-Kahn (DFL)**  
**Commerce & Labor**  
State Lottery authorized to offer games involving sports wagering and sports wagering pools, sports bookmaking authorized under licenses issued by the lottery director, and tax imposed on licensed sports bookmaking.

**HF2985-Clark (DFL)**  
**Civil Justice**  
Imposition of a late fee prohibited except in specified circumstances, receipt required for certain rent payments, tenant permitted to make emergency repairs and other laws modified related to a rental agreement.

**HF2986-Hornstein (DFL)**  
**Health Care & Human Services**  
**Policy & Oversight**  
Responsible family life and sexuality education program created.

**HF2987-Paymar (DFL)**  
**Public Safety Policy & Oversight**  
Open alcohol container law expanded to apply to off-road recreational vehicles.

**HF2988-Pelowski (DFL)**  
**Civil Justice**  
Minnesota Data Practices Act provision added on computer data, and state agency use of temporary session cookies on government Web sites clarified.

**HF2989-Liebling (DFL)**  
**Public Safety Policy & Oversight**  
Forfeiture provisions recodified and consolidated while making numerous substantive and technical changes.

## Tuesday, Feb. 16

**HF2990-Hilstrom (DFL)**  
**Civil Justice**  
State guardian ad litem board established.

**HF2991-Hilstrom (DFL)**  
**Public Safety Policy & Oversight**  
Court authorized to furnish any electronic copies of documents to public defender at no charge.

**HF2992-Champion (DFL)**  
**Public Safety Policy & Oversight**  
Human Rights Act made technical amendments.

**HF2993-Winkler (DFL)**  
**State & Local Government**  
**Operations Reform, Technology**  
**& Elections**  
Public debt provided to be incurred for public information technology systems, licenses and infrastructure; constitutional amendment proposed.

**HF2994-Nelson (DFL)**  
**Finance**  
School districts allowed to use health and safety levy for costs associated with preparing for seasonal virus prevention.

**HF2995-Tillberry (DFL)**  
**Health Care & Human Services**  
**Policy & Oversight**  
Diagnosis qualifications of attention deficit disorder or attention deficit hyperactivity disorder expanded.

**HF2996-Mullery (DFL)**  
**Civil Justice**  
Notice and other actions required before a civil action or arbitration proceeding may be commenced to collect a purchased debt, default judgments regulated and criminal penalties provided.

**HF2997-Kahn (DFL)**  
**Agriculture, Rural Economies & Veterans Affairs**  
Regulated production provided of medical marijuana for export and rulemaking authorized.

**HF2998-Jackson (DFL)**  
**Public Safety Policy & Oversight**  
Area for protection extended to a reasonable area around residence or dwelling in ex parte order for protection.

**HF2999-Murphy, M. (DFL)**  
**State & Local Government Operations Reform, Technology & Elections**  
Public Employees Retirement Association plan provisions amended, terms defined, contribution and interest rates adjusted; vesting requirements modified; postretirement adjustments provided; and privatized hospital employee election eliminated.

**HF3000-Howes (R)**  
**K-12 Education Policy & Oversight**  
Pre-Labor Day start date prohibited for flexible learning year programs.

**HF3001-Downey (R)**  
**K-12 Education Policy & Oversight**  
Binding arbitration agreement required before teacher strike.

**HF3002-Gottwalt (R)**  
**Commerce & Labor**  
Licensure created for wine educators.

**HF3003-Buesgens (R)**  
**Finance**  
Number of public school pupils covered by the permanent school fund endowment apportionment expanded.

**HF3004-Buesgens (R)**  
**K-12 Education Policy & Oversight**  
Election provided to determine whether to detach land from an existing school district for a new independent school district.

**HF3005-Thao (DFL)**  
**Environment Policy & Oversight**  
Drum use allowed while baiting bear.

**HF3006-Davids (R)**  
**Finance**  
Fillmore County; veteran's cemeteries appropriation modified.

**HF3007-Dittrich (DFL)**  
**Taxes**  
Coon Rapids; tax increment financing extension.

**HF3008-Anzelc (DFL)**  
**Transportation & Transit Policy & Oversight Division**  
Type III vehicle drivers requirements amended.

**HF3009-Hilty (DFL)**  
**Energy Finance & Policy Division**  
Utility report filings, hydrogen energy projects, weatherization programs, public utility commission assessments and utility metering for supportive housing made technical changes; individuals and entities authorized to take certain easements in agricultural land.

**HF3010-Bigham (DFL)**  
**Health Care & Human Services Policy & Oversight**  
Firefighters and volunteer ambulance attendants allowed to purchase MinnesotaCare at full cost.

**HF3011-Downey (R)**  
**State & Local Government Operations Reform, Technology & Elections**  
Commission on Service Innovation established.

**HF3012-Emmer (R)**  
**State & Local Government Operations Reform, Technology & Elections**  
State consideration of federal mandates process established.

**HF3013-Hosch (DFL)**  
**Health Care & Human Services Policy & Oversight**  
Mental health diagnostic assessment payments changed into a three-tier budget-neutral rate structure for Medical Assistance reimbursement.

**HF3014-Downey (R)**  
**Finance**  
State budget documents required to include federal insolvency contingency planning.

**HF3015-Hansen (DFL)**  
**Finance**  
Certain film production cost reimbursement provided.

**HF3016-Hosch (DFL)**  
**Transportation & Transit Policy & Oversight Division**  
Vehicle impoundment notice time clarified.

**HF3017-Atkins (DFL)**  
**State & Local Government Operations Reform, Technology & Elections**  
Municipalities authorized to permit certain solicitations.

**HF3018-Paymar (DFL)**  
**Public Safety Policy & Oversight**  
Prostitution law provisions clarified and recodified and certain definitions modified.

**HF3019-Hayden (DFL)**  
**Health Care & Human Services Policy & Oversight**  
Protecting Children and Strengthening Families Act created and report required.

**HF3020-Nelson (DFL)**  
**State & Local Government Operations Reform, Technology & Elections**  
Metropolitan Council authorized to participate in state paid insurance and benefits.

**HF3021-Faust (DFL)**  
**Finance**  
Variable rate fertilizer application equipment grant program established.

**HF3022-Tillberry (DFL)**  
**Finance**  
Legislative intent clarified, and language added to the collaborative urban educator appropriation.

**HF3023-Holberg (R)**  
**Commerce & Labor**  
Business screening services regulated, and correction and deletion of certain criminal records provided.

**HF3024-Murdock (R)**  
**Commerce & Labor**  
Manufactured Home Building Code requirements modified.

**HF3025-Olin (DFL)**  
**Commerce & Labor**  
Organization and operation of business corporations, nonprofit corporations and limited liability companies regulated; consistent law provided relating to registered agents and offices of business entities; and prohibition repealed against certain business names.

**HF3026-Olin (DFL)**  
**Commerce & Labor**  
Responsible licensed individual requirements modified for electricians.

**HF3027-Eken (DFL)**  
**Environment Policy & Oversight**  
Mercury testing requirements amended for new incinerator units.

**HF3028-Dill (DFL)**  
**Finance**  
Cook County Higher Education Board funding provided.

**HF3029-Hortman (DFL)**  
**Finance**  
Large vehicle movement on public streets and highways governing provisions modified.

## Thursday, Feb. 18

**HF3030-Kalin (DFL)**  
**State & Local Government Operations Reform, Technology & Elections**  
State Board of Investment required to consider venture capital investments in businesses located in Minnesota.

**HF3031-Davids (R)**  
**State & Local Government Operations Reform, Technology & Elections**  
Resignation of certain elected public officials required.

**HF3032-Dill (DFL)**  
**Transportation & Transit Policy & Oversight Division**  
Veteran designation modified to allow identification of disability.

**HF3033-Rukavina (DFL)**  
**Finance**  
Rebate program established for solar photovoltaic modules.

**HF3034-Emmer (R)**  
**K-12 Education Policy & Oversight**  
Teachers charged with felonies suspension without pay authorized.

**HF3035-Davnie (DFL)**  
**Health Care & Human Services Policy & Oversight**  
Minnesota Comprehensive Health Association; preexisting condition limitation exception for children provided and technical update made.

**HF3036-Gottwalt (R)**  
**Health Care & Human Services Policy & Oversight**  
MinnesotaCare defined contribution program established.

**HF3037-Rukavina (DFL)**  
**Finance**  
Manufacturing equipment loan program established for manufacturing businesses in the state and revenue bonds issued.

**HF3038-Olin (DFL)**  
**Public Safety Policy & Oversight**  
Inmate payment of room and board modified to include any time credited for time served.

**HF3039-Hayden (DFL)**  
**Civil Justice**  
Driver's license requirements modified for foster children, in-court reviews required and definition of parent expanded for child protection proceedings.

**HF3040-Rukavina (DFL)**  
**Civil Justice**  
Noncustodial parent allowed to provide child care and deviation from child support guidelines permitted.

**HF3041-Seifert (R)**  
**Finance**  
H1N1 flu prevention activities made eligible for health and safety revenue.

**HF3042-Murphy, E. (DFL)**  
**Health Care & Human Services Policy & Oversight**  
Participating provider agreements regulated between health plan companies and health care providers.



**HF3043-Kalin (DFL)**

**K-12 Education Policy & Oversight**  
Computer-adaptive assessments provided for general education students.

**HF3044-Hornstein (DFL)****Taxes**

Preferences for foreign source income eliminated, subtraction for foreign royalties repealed, definition of domestic corporations expanded to include certain foreign corporations incorporated in or doing business in tax havens and foreign operating corporations repealed.

**HF3045-Anzelc (DFL)****Health Care & Human Services Policy & Oversight**

Human services licensure requirements modified.

**HF3046-Ruud (DFL)****Health Care & Human Services Policy & Oversight**

Birthing centers licensure established.

**HF3047-Huntley (DFL)****Health Care & Human Services Policy & Oversight**

Office of Health Care Inspector General created and commissioner of human services duties modified.

**HF3048-Norton (DFL)****Commerce & Labor**

Construction codes and licensing provisions modified, certain notice provisions modified and criminal penalties imposed.

**HF3049-Norton (DFL)****Health Care & Human Services Policy & Oversight**

Dental benefit plan requirements established for prior authorizations and provider audits.

**HF3050-Hilstrom (DFL)****Public Safety Policy & Oversight**

Attorney defined for consultation with persons in custody, and calls included to attorney cellular telephones from persons in custody.

**HF3051-Dill (DFL)****Environment Policy & Oversight**

State park and state forest boundary designation provided, historic property exemption provided, state forest acquisition provisions modified, acquisition of Lake Vermilion State Park provided, state parks and state forests added to and deleted from, and public and private sales, conveyances, and exchanges for certain state land authorized.

**HF3052-Abeler (R)****Commerce & Labor**

Nonrecourse civil litigation funding transactions regulated.

**HF3053-Atkins (DFL)****Commerce & Labor**

Electronic bingo provided, rates and collection of lawful gambling taxes adjusted and modified.

**HF3054-Lanning (R)****Finance**

Red River flood damage reduction project mitigation funding provided.

**HF3055-Thissen (DFL)****Health Care & Human Services Policy & Oversight**

State-County Results, Accountability, and Service Delivery Redesign Act changes made.

**HF3056-Norton (DFL)****Health Care & Human Services Policy & Oversight**

Quality improvement program for physician clinics and hospitals established.

**HF3057-Davids (R)****Finance**

Fillmore County; veterans cemetery funding provided.

**HF3058-Hortman (DFL)****Environment Policy & Oversight**

Coon Rapids; dam commission created.

**HF3059-Ruud (DFL)****Health Care & Human Services Policy & Oversight**

Pregnant women mandatory reporting requirements modified.

**HF3060-Hornstein (DFL)****Energy Finance & Policy Division**

Burned mixed municipal solid waste and refuse-derived fuel and production of landfill gas deleted from list of technologies that fulfill utility's requirement to generate portion of electricity from renewable energy sources.

**HF3061-Hornstein (DFL)****Environment Policy & Oversight**

Minnesota's waste management hierarchy amended.

**HF3062-Anzelc (DFL)****Finance**

Itasca County; steel plant appropriations modified.

**HF3063-Newton (DFL)****Finance**

School district authorized to renew an expiring referendum by action of the school board.

**HF3064-Swails (DFL)****Finance**

Allowable capital levies expanded.

**HF3065-Simon (DFL)****State & Local Government****Operations Reform, Technology & Elections**

Securities lending agreements and holding of municipal funds provided.

**HF3066-Thissen (DFL)****Health Care & Human Services Policy & Oversight**

Administrative expense data reporting required, the Advisory Group on Administrative Expenses established.

**HF3067-Hansen (DFL)****Environment Policy & Oversight**

Watershed plan provisions modified.

**HF3068-Eken (DFL)****Taxes**

Disabled veteran's market valuation exclusion continuation provided.

**HF3069-Kath (DFL)****K-12 Education Policy & Oversight**

Board of Teaching directed to incorporate professional reflection and growth in best teaching practices into its renewal requirements for a continuing teaching license.

**HF3070-Kath (DFL)****Health Care & Human Services Policy & Oversight**

Ethics training required from home health aides, and commissioner of health instructed to amend rules.

**HF3071-Hayden (DFL)****Health Care & Human Services Policy & Oversight**

Exemptions from MFIP and general assistance asset limitations created.

**HF3072-Bigham (DFL)****Transportation & Transit Policy & Oversight Division**

Lane into which left turns must be made specified.

**HF3073-Carlson (DFL)****Finance**

Amount of agency deposit receipts made technical changes, and use of fees clarified in the combined charities campaign.

**HF3074-Slocum (DFL)****K-12 Education Policy & Oversight**

Board of Teaching allowed to approve innovative, research-based teacher and preparation and licensure programs.

**HF3075-Severson (R)****Transportation & Transit Policy & Oversight Division**

Relinquished land owned by the Department of Transportation governing requirements established.

**HF3076-Juhnke (DFL)****Commerce & Labor**

Elevator provisions modified.

**HF3077-McNamara (R)****Finance**

Afton; flood hazard mitigation funding provided.

**HF3078-Brown (DFL)****Commerce & Labor**

State lottery operation restriction removed.

**HF3079-Hortman (DFL)****Environment Policy & Oversight**

Permitting efficiency provided and environmental review provisions modified.

**HF3080-Hortman (DFL)****Transportation & Transit Policy & Oversight Division**

Child passenger restraint requirements exempted for certain school buses.

**HF3081-Hilstrom (DFL)****Public Safety Policy & Oversight**

Criminal sexual conduct in the first degree penalty increased.

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## MINNESOTA INDEX

### The state budget

|  |        |
|--|--------|
| In billions, total projected General Fund spending in the 2010-11 biennium.....  | \$31.3 |
| Percent spent on K-12 education .....  | 37.1   |
| Percent spent on health and human services .....   | 29.3   |
| Percent spent on property tax aids and credits.....  | 9.9    |
| Percent spent on higher education.....   | 9.1    |
| Percent spent on public safety .....   | 5.8    |
| Percent spent on debt service.....   | 3.2    |
| Percent spent on state government.....   | 2.0    |
| Percent spent on environment, energy and natural resources.....  | 1.2    |
| Percent spent on agriculture and veterans.....   | 0.8    |
| Percent spent on transportation .....  | 0.6    |
| In billions, General Fund spending in the 2000-01 biennium.....  | \$24.2 |
| In the 1990-91 biennium.....   | \$13.6 |
| In the 1980-81 biennium.....   | \$7.2  |
| In billions, projected state tax revenues in the 2010-11 biennium.....   | \$30.4 |
| Percent from individual income tax .....   | 47.0   |
| Percent from sales tax.....  | 28.4   |
| Percent from statewide property tax.....   | 5.1    |
| Percent from corporate tax.....  | 4.2    |
| Percent from gross earnings taxes .....  | 1.9    |
| Percent from liquor/tobacco taxes .....  | 1.8    |
| Other tax revenues.....  | 4.2    |
| All other revenues.....  | 7.4    |
| "Price of government," or percentage of personal income taken up by<br>state and local government spending, in fiscal year 2009..... | 15.1   |
| In fiscal year 2006 .....  | 16.2   |
| In fiscal year 2003 .....  | 15.0   |
| In fiscal year 2000.....   | 16.2   |
| In fiscal year 1997 .....  | 17.5   |
| In fiscal year 1994.....   | 17.9   |
| In fiscal year 1991 .....  | 16.4   |
| In billions, Minnesota's total fiscal years 2010-11 biennial budget, including all funds.....  | \$60.1 |
| In fiscal years 2000-01 .....  | \$37.0 |
| In fiscal years 1990-91 .....  | \$20.6 |
| In fiscal years 1980-81 .....  | \$10.4 |

— N. BUSSE

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