

SESSION WEEKLY



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SESSION WEEKLY

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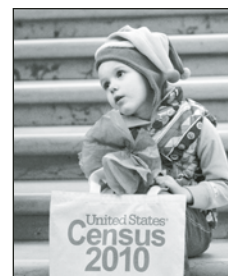
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On the cover: Supporters of GAMC held a battery-operated candlelight vigil in the Capitol Rotunda March 1 as the House prepared to attempt an override of Gov. Tim Pawlenty's veto that would stop funding for the program.

— Photo by: Tom Olmscheid



A cloudy forecast

State's new economic projection shows more trouble on the horizon

PHOTO BY TOM OLMSCHIED

At the March 2 release of the February 2010 Economic Forecast, Minnesota Management & Budget Commissioner Tom Hanson announces the state received \$209 million in additional revenue to lower the current biennial budget shortfall to \$994 million.

By Nick Busse

Depending on whom you ask, the state's February economic forecast is either good news, bad news or no news.

One thing is certain: the nearly \$1 billion deficit it predicts merely scratches the surface of the state's fiscal problems.

Released March 2 by Minnesota Management & Budget, the February 2010 Economic Forecast predicts a \$994 million deficit for the current biennium. As large as it is, it represents a \$209 million improvement over the state's last economic forecast in November.

MMB Commissioner Tom Hanson called it "good news," and said the forecast proves the so-called Great Recession is at an end.

"I think this is continued evidence that our economy has bottomed out, and we are in the long, slow road to recovery," Hanson said.

But the forecast also projects a \$5.8 billion deficit in the next biennium, which is

\$363 million worse than November's prediction. Moreover, Hanson said the smaller short-term deficit is due mostly to spending reductions and help from the federal government — not to an improving economy.

State Economist Tom Stinson said the February forecast shows no real change from November. He said the real measure of economic recovery will be how quickly the state's employment numbers grow.

"Even under the optimistic scenario, it's going to take until mid-2012 for employment to reach its prior (pre-recession) levels," Stinson said.

DFL leaders are also skeptical that the forecast shows real improvement. They're especially concerned about the 2012-13 biennial deficit.

"This forecast once again shows us that we have a very long-term problem in this state," said House Speaker Margaret Anderson Kelliher (DFL-Mpls).

Depending on how it's calculated, the \$5.8 billion budget gap lawmakers face could actually be more like \$8.5 billion — a figure that includes inflation, as well as the cost of restoring programs eliminated last year by Gov. Tim Pawlenty.

In all, between 15 percent and 20 percent of the state budget may be in jeopardy when the Legislature convenes next year. Kelliher blames much of that shortfall on Pawlenty, arguing that his budget policies, which have included the use of accounting shifts and other one-time solutions, have pushed the state's financial problems off into the future.

"It's a continued story of his governorship," Kelliher said. "His legacy is a legacy of 'kick the

First Reading continued on page 4

can down the road and ignore the underlying problems the state faces.”

The governor’s supplemental budget plan would solve the current \$994 million biennial deficit through budget cuts and by using federal aid. It would leave at least a \$2.8 billion budget hole in the 2012-13 biennium. DFLers argue that a more “balanced approach” — that is, one that includes some tax increases — is more realistic, and would help reduce future deficits.

Meanwhile, responding to Kelliher’s comments during a press conference, Pawlenty defended his record on the budget. He said his budget plan would make the 2012-13 deficit “manageable,” and argued that he has had to govern during “challenging times.” Moreover, he said the real problem is out-of-control state spending.

“Most of the deficit in the upcoming biennium isn’t anything other than double-digit spending increases at a time when the revenues aren’t going to grow that fast,” Pawlenty said.

That sentiment was echoed by Republican



PHOTO BY TOM OLMSCHIED

At a March 2 news conference, Gov. Tim Pawlenty said that additional revenues should be used to bolster the state’s cash flow account in order to help avoid short-term borrowing as the Legislature works to balance the \$994 million biennial budget deficit.



PHOTO BY TOM OLMSCHIED

House Majority Leader Tony Sertich, center, holds a letter from Gov. Tim Pawlenty during a March 2 news conference. Sertich wants real budget-balancing negotiations to begin between the Legislature and governor’s office, not just letters. Senate Majority Leader Larry Pogemiller, left, and House Speaker Margaret Anderson Kelliher also spoke at the news conference.

leaders, who argued a revenue shortfall is not the issue. House Minority Leader Kurt Zellers (R-Maple Grove) said many state programs are on “autopilot,” set to increase automatically at unsustainable rates.

“We have a spending problem, not a revenue problem,” Zellers said, adding that government “should do like a lot of families across the state of Minnesota” and learn to live within its means.

Lawmakers and the governor have until May 17 to reach agreement on a budget solution. Senate Majority Leader Larry Pogemiller (DFL-Mpls) said legislative leaders plan to push their own budget proposals in a series of installments. He said the first would likely contain cuts to state agencies that will match cuts proposed by Pawlenty. The second bill would focus on health and human services funding, while the third would cover local government aid and K-12 education funding.

“We are doing this in pieces, but they are complete pieces for those budget areas,” Pogemiller said, adding that some of the pieces may include options to raise new revenues.

For his part, Pawlenty said he would accept DFLers’ plan to pass the budget in sections; however, he argued that doing so was merely a way for the DFL to push off “the hard stuff” until the end of session.

“We’ll take budget cuts any way they want to deliver them up,” Pawlenty said. “I just hope that they actually get to the third installment, or even the second installment.”

The ‘fiscal trap’

The debate over whether to increase revenues or curb spending will become more pronounced in the coming decades, as the mass retirement of Baby Boomers creates profound demographic and economic changes in Minnesota.

According to State Economist Tom Stinson, the state’s aging population will create more demand for government spending, particularly in the area of health and human services. At the same time, it will shift more of the tax burden to younger generations, which will slow the revenue growth needed to pay for spending increases.

Stinson says the situation puts Minnesota at risk of a kind of economic downward spiral. He calls it the “fiscal trap.”

Here’s the dilemma: in order to raise the tax revenues the state will need to pay for health and human services programs, the state needs to make strategic investments in areas like education and public infrastructure — things that will help increase productivity. However, the new burden of health and human services spending will consume much of the money needed to make those investments, creating a kind of “Catch-22.”

According to Stinson, the only solution will be to fundamentally change the way the state does business. In that case, the current debates over taxes and spending may soon look comparatively tame.

— N. BUSSE

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 25-March 4. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

AGRICULTURE

Ensuring livestock will be fed

A farmer beginning the process of foreclosure mediation would still be supplied food for their livestock, under a bill held over March 3 by the House Agriculture, Rural Economies and Veterans Affairs Finance Division for possible omnibus bill inclusion.

Sponsored by Committee Chairman Rep. Al Juhnke (DFL-Willmar), HF2889 would require banks to extend credit to feed mills at the beginning of the mediation process.

"We've come to some situations where banks have been reluctant once someone files for mediation," and farmers worry about continuing to feed their livestock for a 30- to 40-day period before mediation actually begins, Juhnke said.

Representing the Minnesota Pork Producers, Jerry Schoenfeld said there has been at least four instances in the last year where banks have refused to continue to provide feed. Only after the head of a pork organization threatened to send media to the bank for an explanation were the animals given feed, he said.

"There is no incentive to keep feeding the livestock unless there is some form of security that allows the feed mill to get paid for providing feed to keep these animals alive," said Laura Lemke, member services representative for the Minnesota Grain and Feed Association. Many feed mills are now forced to write off unpaid transactions, she said.

The bill allows a feeder to take a superior position above the lender in getting paid.

A companion, SF2465, sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action by the Senate Judiciary Committee.

— P. OSTBERG

BONDING

Working group presents offer

A second capital investment bill could be on the House and Senate floors within a week; and maybe this one will make it to the governor's desk.

CHILD ADVOCATE

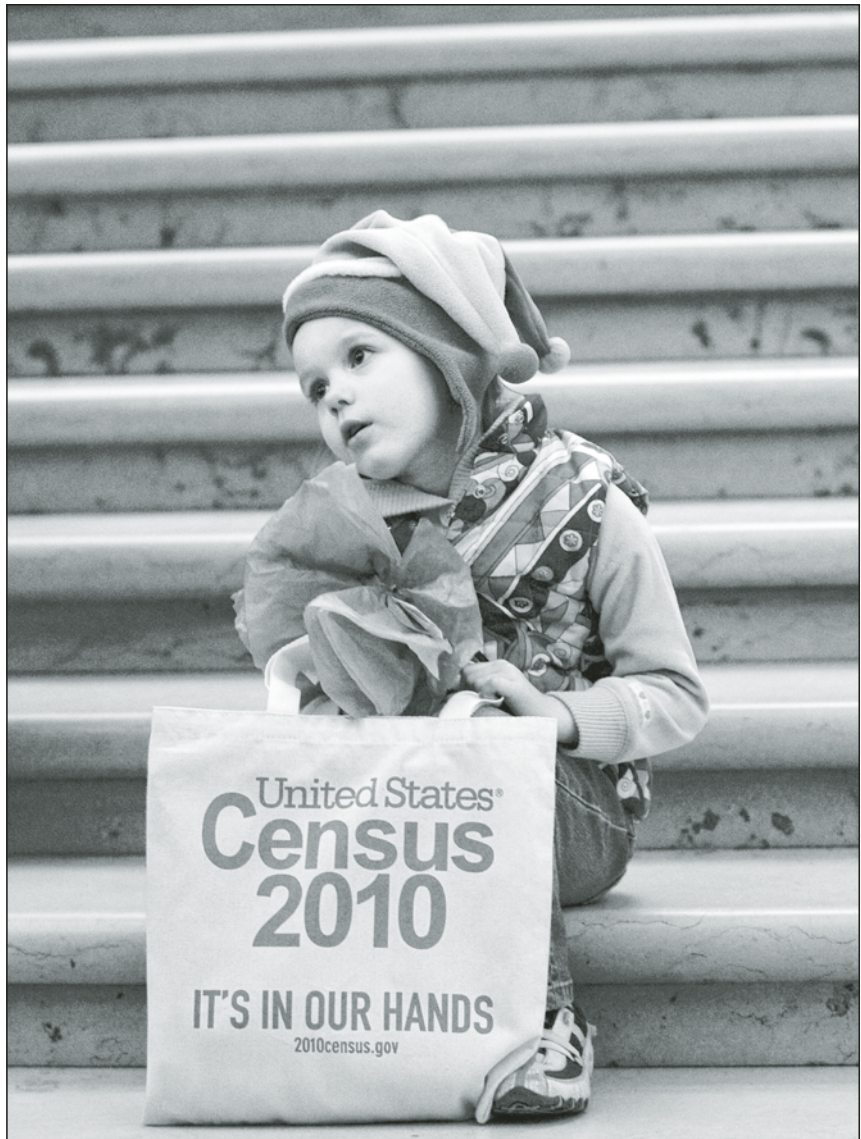


PHOTO BY ANDREW VONBANK

Four-year-old Emmalee Altepeter sits on the grand staircase in the Capitol Rotunda during the March 1 Voices for Children Advocacy Day.

A capital investment working group approved an offer March 4 that brings the bill total down slightly from before and contains the six core projects identified by the governor. However, the overall cost of the bill does not meet his desired amount.

The working group report calls for nearly \$986.43 million in general obligation bonding, a decrease of about \$13.5 million from the amount in HF2700*/SF2360.

Among contents of the offer, which must first be approved by a reconstituted conference committee, includes is \$9.45 million for renovations at the Minneapolis Veterans Home and language to lift a cap on the

purchase price of land for the proposed Lake Vermilion State Park.

Additionally there is \$36 million to expand the sex offender treatment facility at Moose Lake. Gov. Tim Pawlenty requested \$89.07 million, and conferees were told \$61 million would provide the needed infrastructure. The original conference committee report had no money for the expansion.

Included in the cuts proffered by the working group are \$44 million from the Minnesota State Colleges and Universities system for projects that aren't shovel ready, and a combined \$10 million from civic

center projects in Mankato, Rochester and St. Cloud.

"None of this gives us much pleasure," said Rep. Alice Hausman (DFL-St. Paul). She sponsors the bill with Sen. Keith Langseth (DFL-Glyndon).

Approved by the House and Senate Feb. 22, the governor said he would have vetoed the first bill because of its size and priorities. Instead, legislative leaders kept the bill in the Senate, rather than sending it to the governor's desk.

Pawlenty repeatedly warned legislators he would not sign a bill larger than \$725 million, and it had to contain some of his core projects.

Supporters continue to say now is the time for a larger bill because construction bids are coming in low, interest rates are favorable and it would create more than 20,000 new jobs.

Will Pawlenty sign it?

"It's hard to know what to expect from the governor," Langseth said.

— M. COOK

BUDGET

Looking for fund transparency

Some fees collected for specific purposes land in the state's General Fund before being appropriated for their dedicated uses.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids), HF2037 would change the deposit of some fees that now go to the General Fund to an account in the special revenue fund or another specified fund before the money is disbursed from Minnesota Management & Budget to its intended target.

This is a better accounting practice and would provide greater transparency, Solberg told the House Finance Committee March 1. "Right now, these appropriations are hidden in the General Fund."

Some examples are:

- gifts and grants to the Board of Water and Soil Resources;
- federal reimbursements for Camp Ripley maintenance;
- fees received by the Department of Natural Resources for underground storage; and
- net proceeds of the sale of surplus property by state agencies.

Being able to adequately track the funds has merit, said Rep. Mary Kiffmeyer (R-Big Lake). She wanted to know the Legislature's ability to tap into the special funds to help balance the budget.

"The Legislature, the governor can always propose to take money out of the special revenue funds and put it into the General Fund," Solberg said, citing the governor's

supplemental budget plan that includes transferring \$20 million from special revenue funds to the General Fund.

The bill was approved as amended and sent to the House Ways and Means Committee, which Solberg chairs. A companion, SF1556, sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action by the Senate Finance Committee.

— L. SCHUTZ

CONSUMERS

Preventing 'live check' scams

If you receive a check in the mail from a company you don't recognize or for reasons you don't understand, cashing it may get you more than you bargained for.

"Live checks" are checks that obligate consumers to purchase goods and services they don't necessarily want and may not even be aware of. They're often mailed to people who purchased something with their credit card and then — unbeknownst to them — had their credit card information sold to a third party. The third party then tries to fool the consumer into purchasing other goods or services, and uses their credit card information to bill them automatically.

Rep. Andrew Falk (DFL-Murdock) argues live check solicitations amount to fraud, and he sponsors a bill that would protect consumers from them.

"By cashing that live check, you're actually buying some service which you had no intention of purchasing in the first place," Falk said.

HF2599 would make live check solicitation a "deceptive practice" under the state's consumer protection statutes, giving the Office of the Attorney General authority to enforce penalties against offenders. The House Commerce and Labor Committee approved the bill March 2. It now awaits action by the full House.

Live checks typically contain fine print informing consumers that they're obligated to purchase something, but consumers often don't see it. Moreover, the checks are often disguised as a form of rebate connected with the original product the consumer purchased.

Within about a month after cashing a live check, a consumer will typically see charges appear on their credit card bill for purchases they didn't know they were making, said Assistant Attorney General Kermit Fruechte.

He added that three states — Alaska, Nebraska and Utah — have passed similar legislation.

Sen. Kathy Saltzman (DFL-Woodbury)

Committee deadlines approved

The House Rules and Legislative Administration Committee approved a concurrent resolution (HC3) setting committee deadlines for the 2010 session.

It now awaits action by the full House.

The deadlines would be:

- March 12 at 11:59 p.m., committees act favorably on bills in the house of origin;
- March 19 at 11:59 p.m., committees act favorably on bills, or companion of bills, that met the first deadline in the other body; and
- March 29 at 5 p.m., divisions of House and Senate finance committees act favorably on omnibus appropriation bills.

The first and second deadlines do not apply to the House Finance, Ways and Means, Taxes or Rules and Legislative Administration committees, or the Senate Capital Investment, Finance, Taxes, or Rules and Administration committees.

— L. SCHUTZ

sponsors the companion, SF2439, which awaits action by the full Senate.

— N. BUSSE

CRIME

Clarifying pay to stay law

Current law permits a sheriff to charge an inmate to stay in a local jail; however, a Supreme Court decision last December ruled that the pay to stay provision does not extend to days spent in jail pre-conviction because statute used the term "offender," rather than "person."

"Persons were getting something like a 90-day sentence and they'd already sat in county jail 60 days before that, and they were getting credit for time served," said Rep. Dave Olin (DFL-Thief River Falls). "That 60 days was never subject to the pay to stay."

Sponsored by Olin, HF3038 would clarify the intent of the law that was passed in 2002.

"This just takes care of a glitch to make it consistent so all the time they do in a county jail on any sentence is subject to the pay to stay if it's a situation they can make the payments," he said.

Rick Hodsdon, legal counsel for the Minnesota Sheriffs' Association, said some counties don't require inmates to pay for staying; rather they want the offender's money to go toward other things like child support or restitution.

"This is property tax relief that doesn't cost a dime of state money," he said, adding the bill would have about a \$1 million annual impact on local governments.

Approved Feb. 25 by the House Public Safety Policy and Oversight Committee, it awaits action by the full House. A companion,

SF2709, sponsored by Rep. Pat Pariseau (R-Farmington), was scheduled to be heard March 4 by the Senate Judiciary Committee.

— M. COOK

EDUCATION

Nonpublics, charters could pay to ride

School districts must bus students to charter and nonpublic schools. However, the state funding formula does not cover the total cost, so districts have to cut elsewhere to pay for it.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF2910 would allow school districts to bill charter or nonpublic schools for the unreimbursed portion of the actual cost.

Keith Paulson, transportation director for Anoka-Hennepin schools, said his district covers 172 square miles and has 13 nonpublic schools. He estimates the unreimbursed cost to the district is \$221 per pupil more than what it receives in state aid for the purpose, which amounts to \$630,000 taken from its general revenue.

Charlie Kyte, executive director of the Minnesota Association of School Administrators, said examples of what other districts are paying in excess annual transportation costs include Rochester, paying \$540,000, or \$277 per pupil; Fairmont, \$131,000 or \$318 per pupil; Centennial, \$73,000 or \$225 more per pupil; and Fergus Falls, \$52,000 or \$220 per pupil.

Rep. John Ward (DFL-Brainerd) said the issue presents a \$13 million problem for districts, but could cost the state \$20 million if even a small fraction of non-district students were to enroll in district schools if their parents had to pay for transportation.

The bill was laid over by the House K-12 Education Finance Division Feb. 26 for possible inclusion in its omnibus bill. A companion, SF2770, sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Charters could gain PSF funding

A proposal to require that charter schools receive investment income from the state's Permanent School Fund, as do school districts, raises a constitutional question.

The state constitution designates that fund proceeds are for the use of schools, but specifies they are to be distributed to the different school districts.

"For all practical purposes right now a charter school is treated as a school district," said Rep. Mark Buesgens (R-Jordan). He

CANADA DAY



PHOTO BY ANDREW VONBANK

Senate President James Metzen and House Speaker Margaret Anderson Kelliher listen to an address by Canadian Consul General Martin Loken during a March 1 joint meeting of the House and Senate.

sponsors HF3003, which would include charter schools in the statutory definition of "school district," and change PSF revenue distribution to be based on pupils served, instead of resident pupils.

Established by a grant of federal land to the state in the 19th century, fund revenue comes from land management activities, such as timber harvesting, mineral activities and lease revenue. Starting in fiscal year 2010, school districts are to receive a share of fund interest earnings directly. Previously, that revenue has been offset against districts' general education aid.

Under the bill, some school districts would lose a portion of their PSF funding. Buesgens told the House K-12 Education Finance Division Feb. 25.

Grace Keliher, director of government relations for the Minnesota School Boards Association, said a 2008 legal opinion found "the Legislature does not have the constitutional authority to appropriate [PSF] revenue to entities other than school districts."

Rep. Denise Dittrich (DFL-Champlin) said the law clearly states that funding is to school districts, and that understanding has been the standard in discussions about the fund.

Buesgens cited a 1959 statute, "written far after the constitution," defining school districts as "common, independent or special" as evidence the Legislature does "understand that we have the power to define a school district."

The division held the bill over for possible inclusion in an omnibus bill. Sen. David Hann (R-Eden Prairie) sponsors a companion,

SF2649, which awaits action by the Senate E-12 Education Budget and Policy Division.

— K. BERGGREN

Phy. Ed. bill moves ahead

Rep. Kim Norton (DFL-Rochester) has moved closer to her longtime goal of getting school children to be more physically active.

The House K-12 Education Policy and Oversight Committee approved HF3115 March 2. The bill Norton sponsors would require the state to adopt academic standards for physical education by July 1, 2010. Minnesota is one of three states without statewide physical education standards.

The committee sent the bill to the House Finance Committee, with a recommended re-referral to the House K-12 Education Finance Division.

Norton said the bill is based on evidence that physical education supports academic achievement. It has no fiscal impact on school districts and does not make physical education a graduation requirement. It also encourages the Education Department to develop guidelines for school districts that promote quality recess activities.

Although 87 percent of Minnesota's school districts have a physical education requirement, Norton said, the lack of statewide standards means lost opportunities for schools to receive federal funding for physical education equipment and programs.

Rep. Bob Dettmer (R-Forest Lake) said that since state physical education standards were eliminated in 2003, the state received no federal funds in 2006 or 2009, but that

in 2008, North Dakota received \$1 million; South Dakota, \$500,000; and Wisconsin, \$3.6 million.

Sen. Terri Bonoff (DFL-Minnetonka) sponsors a companion, SF2753, which was scheduled to be heard March 3 by the Senate Education Committee.

— K. BERGGREN

ELECTIONS

Absentee ballot board creation

Cities, municipalities and school districts would be required to establish a board to examine absentee ballots, under a bill approved March 2 by the House State and Local Government Operations Reform, Technology and Elections Committee.

Rep. Ryan Winkler (DFL-Golden Valley), who sponsors HF3111, said it would “ensure that absentee ballots and applications are treated equally across the state.”

A board would be required to accept or reject absentee ballots based on several factors including: the voter’s name and address on the return envelope match information provided on the application; the voter signed the certification on the envelope; the voter’s driver’s license, state identification number or the last four digits of their Social Security number match that provided on the application; and the voter has not already voted in that election.

The Office of the Secretary of State would report to the Legislature every two years statistics related to the state’s absentee ballots, such as the number of ballots sent and received by voters, and the number rejected and reasons why.

In the 2008 election 12,000 absentee ballots were rejected and two of those improperly, Winkler said. The U.S. Senate recount highlighted the state’s need to create a process that accepts and rejects absentee ballots, Winkler added.

Rep. Mary Kiffmeyer (R-Big Lake) said the bill gives accuracy and transparency in the processing of ballots.

The bill now goes to the House floor. A companion, SF2622, sponsored by Sen. Katie Sieben (DFL-Newport), awaits action by the full Senate.

— P. OSTBERG

State primary moves to August

Minnesota’s traditional September primary is no more.

A new law, signed March 3 by Gov. Tim Pawlenty, moves the primary to the second Tuesday

**Signed
by
the
governor**



PHOTO BY TOM OLMSCHIED

Jamie Wittnerber, a sergeant in the 34th Combat Aviation Brigade, and other members of the Minnesota National Guard thanked the governor, secretary of state and legislators for a new law that moves Minnesota’s primary election to the second Tuesday in August. The law aims to help ensure that military and overseas voters will have adequate time to receive and return absentee ballots for the general election in November.

in August to meet a federal mandate.

Passed in October 2009, the federal Military and Overseas Voter Empowerment Act requires at least a 45-day period for absentee ballots to be returned and counted for primaries and elections. Previous law was 30 days.

Ten states and the District of Columbia will also have to change primary dates to meet the new law.

Sponsored by Rep. Steve Simon (DFL- St. Louis Park) and Sen. Terri Bonoff (DFL-Minnetonka), the law is effective March 4, 2010.

HF2552/SF2251*/CH184

— P. OSTBERG

ENVIRONMENT

Incinerator mercury tests

Olmsted County expects to double the amount of solid waste it converts to energy through its incinerator expansion, and it hopes to save a little money in the process through relaxed state mercury testing requirements.

Awaiting approval by the full House is HF3027, which would reduce the frequency that the county would have to conduct mercury testing at its new incinerator, provided previous testing results at its facility fell well below state and federal emission levels. The relaxed mandate is expected to save the county \$40,000 annually by reducing independent testing staff it hires to perform mercury sampling, according to John Helmers, the county’s solid waste manager. Helmers said the county removes 98 percent

of mercury and emits less than 4 percent of what’s allowed under their permit.

Sponsored by Rep. Kent Eken (DFL-Twin Valley), the bill was approved by the House Environment Policy and Oversight Committee Feb. 25.

A companion, SF2604 sponsored by Sen. Dan Skogen (DFL-Hewitt), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

Syringe stewardship program

Used syringes are one step closer to being kept out of the waste stream, where they have the potential to poke and infect hospitality and waste management workers.

The House Environment Policy and Oversight Committee approved HF1372/SF1323* Feb. 25 and referred it to the House Health Care and Human Services Policy and Oversight Committee.

Rep. Paul Gardner (DFL-Shoreview), who sponsors the bill with Sen. Kathy Sheran (DFL-Mankato), said the state does a good job of protecting its public employees by placing containers for syringe disposal in public buildings, but that lawmakers can do a better job of protecting hospitality and waste management workers.

An estimated 30 million syringes are sold annually in Minnesota. The bill would require manufacturers to share in the efforts and educational costs of collection by offering containers where syringes are sold. The bill stops short of requiring what people should

do with the containers once they are filled.

The bill was passed 65-1 by the Senate last session.

— S. HEGARTY

Outdoor funds for easements

There is bipartisan support for using outdoor heritage funds to pay private landowners for public access easements. The funds are derived from a dedicated tax that is distributed based on Lessard-Sams Outdoor Heritage Council recommendations.

HF1146, sponsored by Rep. Tom Hackbarth (R-Cedar), would allow the Board of Water and Soil Resources to purchase easements so that the public could walk onto private land to hunt, trap, fish and engage in other outdoor recreation. The bill was laid over by the House Game, Fish and Forestry Division March 1 for possible inclusion in a division omnibus bill.

Easements would be paid from a \$10 million appropriation in fiscal year 2011 from the outdoor heritage fund. A walk-in access program, similar to neighboring states, would enable the state to leverage federal dollars, Hackbarth said.

Rep. David Dill (DFL-Crane Lake), division chairman, said private cornfields and wheat fields in some areas could enhance wildlife hunting opportunities, but he added, "I'm not saying we use Lessard money to pay for that."

However, Rep. Denny McNamara (R-Hastings) said the bill meets the council's goal to "restore, protect, and enhance Minnesota's wetlands, prairies, forests, and habitat for fish, game, and wildlife." He added, "A lot of us can't necessarily afford our own little hunting spot."

Rep. Rick Hansen (DFL-South St. Paul), an appointed member of the council, was surprised there was no opposition to the bill. "I was waiting patiently for the conservation groups or the agencies to provide comment on this. I'm waiting for the righteous indignation for raiding the funds. This is the first bill getting a hearing that takes the outdoor heritage funds, and not a peep," Hansen said.

A companion, SF2033, sponsored by Sen. Pat Pariseau (R-Farmington), awaits action by the Senate Environment and Natural Resources Committee.

— S. HEGARTY

FAMILY

Including pets in protection orders

A civil order for protection can keep an offender away from a victim's home and workplace. Fido and Fluffy could also get included in the order.

Rep. Michael Paymar (DFL-St. Paul) sponsors HF1396 that would permit a court to include provisions for the care, possession or control of a pet or companion animal in a protective order.

Approved March 3 by the House Civil Justice Committee on a 6-5 vote, the bill was sent to the House Public Safety Policy and Oversight Committee.

Six DFLers voted yes, and Rep. Dave Olin (DFL-Thief River Falls) joined four Republicans in voting no. Olin said, in 32 years as a prosecutor, he's never dealt with this issue and doesn't know if this is "an earth-shaking matter" that justifies being in statute.

"You've heard these cases, not just in the metropolitan area, but all through the state where a batterer has thrown a dog or a puppy against a wall, or thrown an animal off a porch," Paymar said. "It's not just out of anger that they're doing this; they're trying to reach deep into that battered woman's psyche and saying, 'If you don't stay, if you don't stop what you're doing this is what's going to happen to you, or this is what's going to happen to the kids or the pets.'"

Sarah Gorman, a deputy with the Scott County Sheriff's Office, said a battered family's safety should not rely on a pet's status. "Several studies have shown that as many as 71 percent of women who have fled violent relationships report actual or threatened violence to their pets; 54 percent report actual violence or death of the animal; and 60 percent report a worry for their pet as affecting their decision to leave a relationship."

Rep. Torrey Westrom (R-Elbow Lake) wondered what would stop a filer from adding a pet to the protection order purely out of nastiness.

"I'm not saying that can never happen," Paymar said. "There are 13 or 14 other reliefs. Checking a box for a lot of those reliefs could add spite. ... Does that happen? I think so, but in very few cases."

A companion, SF838, sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the full Senate.

— M. COOK

Informing parents of maltreatment

Lora and Shawn Herman's lives changed in May of 2006 — but they wouldn't realize it for months. Their son Kyle, a 6 year old with Down syndrome, had started kindergarten the previous fall.

Kyle, who was uncommunicative, had behavior problems at home and at school that were not resolved despite the family's efforts to seek medical and therapeutic help.

Not until April 2007 did the Hermans learn Kyle's teacher had been put on leave

for suspected maltreatment of their son. The school confirmed in December 2007 that abuse had occurred but because the case was in arbitration could not release details.

In May 2008, the Hermans got a redacted copy of the arbitration report from the Education Department. It indicated Kyle's teacher had struck and yelled at him, threatened to tie him up, held a beanbag chair against him while he was face down on a mat, taunted him in front of others, pulled his hair and dragged him across the room by his wrists.

"In total, [he experienced] seven months of abuse and it took 18 months for us to learn what happened," said Lora Herman. "One of the things Kyle did learn in kindergarten was what his teacher taught him, to hit."

Sponsored by Rep. Tim Mahoney (DFL-St. Paul), HF3157, The Kyle Herman Bill, would require the education commissioner to report a maltreatment investigation or assessment of an allegation to a parent or legal guardian of a student within 10 days.

Approved March 3 by the House K-12 Education Policy and Oversight Committee, it next goes to the House Health Care and Human Services Policy and Oversight Committee. It has no Senate companion.

Although teachers are mandated to report suspected child abuse, a National Child Protection Training Center survey indicates that only 11 percent surveyed said they were willing to report colleagues they suspect of abuse, said Connie Skillingstad, executive director of Prevent Child Abuse Minnesota. A paraprofessional reported Kyle's abuse to school administration.

— K. BERGGREN

GAME & FISH

Guides seek licensing revisions

Fishing guides are asking legislators to support a resolution for more targeted licensing requirements by the U.S. Coast Guard.

Proponents told the House Game, Fish and Forestry Division March 1 that current federal licensing for operating six-passenger boats on inland lakes is the same, as costly and lengthy of training as for larger sea-worthy vessels.

The division approved HF3162, a resolution to Congress, sponsored by Rep. David Dill (DFL-Crane Lake), and referred it to the House Environment Policy and Oversight Committee.

The Coast Guard requires captains of uninspected boats with up to six paying passengers to have operated their boat for 360 days. At least 90 of those days must have been within the past three years and on border waters.

Tom Neustrom, a Grand Rapids professional fishing guide, said Coast Guard licensing requirements are too rigorous for some of the state's 500 guides, many of whom may only lead 20 or 30 inland boat trips a year. Because the courses may not be available locally, training and testing expenses can exceed \$2,500. For a small resort owner or an independent fishing guide who carries liability insurance, the expense of obtaining the necessary licensing can cause financial hardship, Neustrom said.

John Edman, director of Explore Minnesota Tourism, said guides provide a great service to the state's \$11.2 billion leisure and hospitality industry, which supports the resolution. Ideally, guides would like new Coast Guard regulations in place before the governor's fishing opener weekend, scheduled to begin May 14 on Lake Kabetogama in Voyageurs National Park.

U. S. Rep. James Oberstar is scheduled to meet with a Minnesota delegation March 10 to discuss the issue.

Sen. Mary Olson (DFL-Bemidji) sponsors the companion, SF2780, which awaits action by the Senate Rules and Administration Committee.

— S. HEGARTY

GOVERNMENT

Faster complaint process

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

A bill to speed up the process was approved March 2 by the House State and Local Government Operations Reform, Technology and Elections Committee.

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

Under the bill, a person would file a complaint with the office, along with a \$1,000 filing fee. A hearing, if needed, would have to occur within 30 business days of the involved parties being notified. A complainant that "substantially prevails" would be awarded attorney fees up to \$5,000 and refunded the \$1,000 filing fee minus \$50.

Current law requires a district court to deal with complaints, which proponents of the bill argue is more time consuming and costly.

Sandra Neren, a lobbyist for the Minnesota Newspaper Association, said the association was approached by legislators for ideas on a better enforcement mechanism for data practices violations. The bill offers a similar approach to how campaign finance complaints

are handled by OAH with a "very fast, speedy and cheaper resolution," she said.

Rep. Mark Buesgens (R-Jordan) unsuccessfully offered an amendment to give a prevailing complainant 100 percent of the filing fee.

Pelowski said there is still a cost to the courts for processing a complaint.

Don Gemberling, a board member for the Minnesota Coalition on Government Information, said under the terms of the bill, an argument could be made that an average citizen is harassing the government. "Some of us think that's part of what the United States is about as long as you don't get violent," he said.

The bill exempts educational information maintained by institutions and school districts. Neren said a broader bill would be ideal, but this session is too short to include all parties needed to be involved if subjects like educational information are included. If the bill is being misused, that can be addressed next session, she added.

The bill now goes to the House Civil Justice Committee. A companion bill, SF2354, sponsored by Sen. Don Betzold (DFL-Fridley), awaits action by the Senate Judiciary Committee.

— P. OSTBERG

HEALTH

No GAMC veto override

House Democrats unsuccessfully attempted to override the governor's veto of controversial health care legislation before tabling the subject March 1.

A motion to override Gov. Tim Pawlenty's veto of HF2680/SF2168* failed 87-46 following more than two hours of floor debate. The legislation would create a 16-month version of General Assistance Medical Care, the state health care program serving 30,000 to 35,000 low-income Minnesotans monthly. Pawlenty vetoed the legislation Feb. 18 in favor of transitioning GAMC enrollees into MinnesotaCare, a process scheduled to begin in early March. GAMC coverage would end March 31.

Rep. Erin Murphy (DFL-St. Paul), who sponsors the legislation with Sen. Linda Berglin (DFL-Mpls), said weekend discussions involving House leadership and the governor's staff resulted in a "good conceptual conversation," but little give from Pawlenty officials. She made a motion to override the governor's veto, saying the House needed to take immediate action to keep Pawlenty's auto-enrollment proposal from becoming the final policy.

Murphy said the GAMC legislation would cover more people at a lower cost than the governor's proposal. She estimates that only 3,300 of the current GAMC enrollees will be able to pay the MinnesotaCare premiums and manage the paperwork past their first renewal period.

Republicans accused Democrats of jeopardizing further negotiations with the governor by attempting the override.

"Instead of taking the time to do this right, we've decided that today is an emergency, which it's not," said Rep. Steve Gottwalt (R-St. Cloud). "...We have time to do this right."

Some of the 38 Republicans who voted for the legislation Feb. 18 said they believed a conference committee would address some of the provisions they didn't like before the bill arrived on the governor's desk. That didn't happen.

Following the vote, Murphy said legislators were not considering legal action as a way of continuing GAMC or halting the auto-enrollment process, though outside organizations may. Pawlenty met with House Republicans to thank them for their support and invited key legislators from both parties to a meeting March 2. A Pawlenty spokesperson said the governor's staff was working with Rep. Matt Dean (R-Dellwood) and the Department of Human Services to come up with a compromise.

— L. RADOMSKI

Birth center licensure approved

Minnesota could be among the growing number of states requiring licensure for birth centers, the non-hospital facilities performing low-risk deliveries.

"Birth centers are here in Minnesota — it's not a debate," Amy Johnson Grass, a certified professional midwife, told the House Health Care and Human Services Policy and Oversight Committee March 2. "Right now we're looking for licensure to ensure that safety and that standard."

The committee approved HF3046, which would require Minnesota birth centers to be accredited by the national Commission for the Accreditation of Birth Centers and obtain a license from the Department of Health. Sponsored by Rep. Maria Ruud (DFL-Minnetonka), the bill was referred to the House Health Care and Human Services Finance Division. A companion, SF2702, sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the Senate Finance Committee.

Three Minnesota birth centers are in the process of accreditation, Ruud said.

The bill defines a low-risk pregnancy as a normal, uncomplicated prenatal course that's

expected to result in a normal, uncomplicated labor and birth. The legislation would limit a birth center's surgical procedures and use of anesthesia, and prohibit centers from performing abortions. Another provision would result in Medical Assistance reimbursement for birth centers' facility and professional fees.

Dr. Andrea Flom, president of the American Congress of Obstetricians and Gynecologists, said her organization supports the bill, but would like to ensure birth centers have appropriate emergency plans in case a mother or infant requires immediate hospital care.

— L. RADOMSKI

Drug notification approved

In the more than 30 years since Laurie Olmon's epilepsy diagnosis, her seizures have interrupted her life. They've happened in a women's bathroom at the Metrodome, over spaghetti with a date and at home with her young son.

"This I do not have control over," Olmon told the House Health Care and Human Services Policy and Oversight Committee Feb. 25. "What I should have control over is what I'm putting in my body."

The committee approved HF1320, which would require pharmacists to notify patients and their doctors when a prescription for an anti-epilepsy drug has been switched from a brand name to a generic or from one manufacturer to another. The bill, which was sent to the House Finance Committee and referred to the House Health Care and Human Services Finance Division, is sponsored by Rep. Marsha Swails (DFL-Woodbury), a high school English teacher whose student had a seizure in her class in December. A companion, SF1137, sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Health and Human Services Budget Division.

Bill supporters said slight differences in concentrations of anti-epilepsy drugs can cause seizures and other toxic effects in epileptics. A person who has been seizure-free for years under a certain drug may never regain seizure control if switched to a different prescription.

Opponents referenced existing U.S. Food and Drug Administration rules that require generics to achieve the same drug absorption levels as corresponding brand names. Vern Rowen, vice president of state government affairs for Express Scripts, a national pharmacy benefit manager, said that while individual anecdotes may suggest otherwise, "...there does not seem to be scientific evidence yet that suggests there is a relationship between switching from brand to generic or generic to generic and the causation of seizures in epileptics."

Dr. Ilo Leppik, an epileptologist with MINCEP Epilepsy Care, said he supports the science but not the belief that hard and fast rules apply to everyone.

"The science may say this will work, but there are probably 5 or 10 or 15 percent of people for whom the science doesn't apply," he said.

— L. RADOMSKI

Same-sex couple rights approved

Partners in same-sex relationships could have a say in each other's health care under a bill receiving committee approval.

Rep. Paul Thissen (DFL-Mpls) sponsors HF3086, which would include domestic partners in provisions governing health care rights. Under the bill, someone in a committed same-sex relationship would be able to request access to their partner's medical records, provide informed consent for their partner's medical procedure, consent to an autopsy and authorize organ donation – actions currently restricted to heterosexual spouses and next of kin.

The bill was approved March 2 by the House Health Care and Human Services Policy and Oversight Committee and sent to the House Civil Justice Committee. A companion, SF2763, sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Health, Housing and Family Security Committee.

Thissen's bill defines domestic partners as two same-sex adults who live together on a permanent basis and have assumed responsibility for each other's financial obligations and general well-being. According to the bill, domestic partners have a "committed interdependent relationship" with each other and no one else.

Tom Prichard, president of the Minnesota Family Council, said that definition "injects confusion and ambiguity into the law" and could cause conflict among family members. Prichard said the legislation attempts to set a precedent by giving same-sex couples the same kind of "legal obligations" reserved only for married couples.

"I would imagine many people that would like this bill to pass would love to have those legal obligations to each other but can't," Thissen replied. He said the provisions in the bill are common sense, as domestic partnerships are already recognized in many ways across the state.

— L. RADOMSKI

Therapist licensure proposed

Lawmakers are revisiting a controversial proposal to register massage therapists with the Minnesota Board of Nursing.

Rep. Jim Abeler (R-Anoka) sponsors HF1503, which would create a statewide system for registering massage therapists

GAMC RALLY



PHOTO BY TOM OLMSCHIED

Adalberto Morillo holds a candle and a photo of a homeless man that doesn't stay in shelters and would be difficult to enroll in MinnesotaCare if Gov. Tim Pawlenty's plan to eliminate GAMC funding takes effect on April 1. Several groups in support of GAMC gathered in the Capitol Rotunda March 1 to encourage House members to join their Senate counterparts in overriding a gubernatorial veto of program funding.

and administering disciplinary action in the case of misconduct. Registration would be optional, and therapists who choose to register would be exempt from the fees cities charge to practice within their boundaries.

Speaking to the House Licensing Division Feb. 25, Abeler said the bill would empower massage therapists by giving them a state credential. It would also give consumers more information about practitioners they choose to visit.

The division approved Abeler's bill and sent it to the House Health Care and Human Services Policy and Oversight Committee, which gave its approval March 2. The legislation was sent to the House Commerce and Labor Committee. A companion, SF1233, sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action by the Senate Health, Housing and Family Security Committee.

Minnesota is one of seven states without some form of statewide registration or licensure for massage therapists, said Charles Sawyer, senior vice president of Northwestern Health Sciences University. His institution supports the bill "not because it's the ideal or perfect bill or that the public is at grave risk without it, but because it is a needed, logical and evolutionary step for a rapidly growing health profession."

Opponents said massage therapists are already governed by legislation passed in 1999.

"This committee and this Legislature are not

charged with recognition or acknowledgement of professions," said Gregory Schmidt, president of the Minnesota Natural Health Legal Reform Project. "...This proposal is a solution looking for a problem. There is no issue of need."

Nancy Hone, president of the Natural Health Practitioners of Minnesota, is concerned voluntary registration could lead to mandated licensure. She foresees cities passing ordinances to allow only registered therapists to practice in their communities.

— L. RADOMSKI

Health reform heard

Gov. Tim Pawlenty's proposal to allow Minnesotans to purchase health insurance across state lines is part of a bill heard by a House committee.

Known as the Health Insurance Choice Act, HF2901 would implement a series of health care reform measures, including allowing the sale of out-of-state health plans and flexible benefit plans. Another provision would establish the MinnesotaCare modern benefit plan, a voluntary program in which the state would make contributions to enrollee health savings accounts and provide premium discounts.

"The ultimate goal is to get as many people insured as we possibly can," bill sponsor Rep. Laura Brod (R-New Prague) told the House Health Care and Human Services Policy and Oversight Committee March 3.

The committee voted 12-5 to send the bill to the House Commerce and Labor Committee without a recommendation. A companion, SF2504, sponsored by Sen. Julie Rosen (R-Fairmont), awaits action by the Senate Health, Housing and Family Security Committee.

Many companies selling commercial health insurance around the country are not selling in Minnesota, said Bob Johnson, president of the Insurance Federation of Minnesota. The hope is that allowing more companies to sell in-state would increase competition and drive down prices, he said, though the policy is not a cure-all for rising health care costs.

While the governor's proposal includes provisions to create a level playing field between in-state and so-called "foreign" companies, some people feel the legislation does not go far enough.

Dannette Coleman, vice president of public policy and government relations for Medica, said the bill would exempt out-of-state companies from certain statutes governing Minnesota groups. For example, one Minnesota rule limits how far back companies can look to identify pre-existing conditions. Outside companies would need to abide by rules in their home states, many of which have less stringent pre-existing condition policies.

— L. RADOMSKI

SURGICAL THEATER



PHOTO BY TOM OLMSCHIED

The Great Hall of the Capitol was turned into a surgical theater Feb. 25 by members of the Minnesota State Assembly of the Association of Surgical Technologists. The mock surgery was to demonstrate a total knee replacement surgical procedure. The assembly is pursuing legislation that would make graduation from an accredited program in surgical technology and holding and maintaining a Certified Surgical Technologist Credential a prerequisite to employment in Minnesota.

HIGHER EDUCATION

Higher education cuts loom

Leaders of the state's public colleges and universities are telling lawmakers that another round of budget cuts to higher education would be a bad move for Minnesota.

University of Minnesota President Robert Bruininks said cuts proposed by Gov. Tim Pawlenty, when piled on top of other reductions made since 2003, would essentially roll back state support for the university by 10 years. He said the end result would be higher tuition, cuts to academic programs and reductions to staff and faculty.

"I think we have weathered these cuts creatively," Bruininks said. "I just want to tell you I think we have reached our limit."

Bruininks joined James McCormick, chancellor of the Minnesota State Colleges and Universities system, in arguing against the governor's plan. Bruininks spoke Feb. 25 to members of the House Higher Education and Workforce Development Finance and Policy Division, and McCormick spoke March 2.

Both argued higher education has historically been a key factor in Minnesota's economic success, and said more investment in state colleges and universities — not less — is needed to continue that legacy.

"I would argue very strongly that a state budget that does not make higher education at least a priority ... is a deliberate decision to compromise our future," Bruininks said.

McCormick said the new cuts proposed by the governor come at the worst possible time, as the sour economy has pushed laid-off workers back to college to search for new career paths.

"This fall semester, our enrollment grew by 7 percent, by more than 12,600 new students — the largest head count increase ever," McCormick said, adding that spring semester enrollment at the system's 34 colleges and universities is expected to be a record high.

Bruininks said that this year, for the first time ever, student tuition will account for a greater share of the university's funding than state support. He called on lawmakers to exercise "the wisdom and the vision" of their predecessors, who committed in the 1950s and 1960s to significant funding for higher education.

— N. BUSSE



PHOTO BY TOM OLMSCHIED

Student leaders listen Feb. 25 as University of Minnesota President Robert Bruininks tells the House Higher Education and Workforce Development Finance and Policy Division that he would like to see the university's proposed budget cut reduced by one-third to \$24 million.

INDUSTRY

New law adds license requirements

**Signed
by
the
governor**

Effective Aug. 1, 2010, a new law will add training and licensure requirements for school boiler operators and certain types of contractors.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Linda Scheid (DFL-Brooklyn Park), the law will clarify statutes relating to the licensing of various construction trades. Selected provisions include:

- requiring eight hours of annual training for school boiler operators;
- forbidding contractors from advertising services for which they are not licensed;
- establishing licensure requirements for those who install and maintain medical gas systems;
- requiring licensure for anyone who installs water conditioning systems; and
- allowing cities to establish rules that require exterior work on buildings to be completed within a certain time frame following issuance of a building permit.

Mahoney described the legislation as a "housekeeping bill" for the Department of Labor and Industry.

HF927*/SF1004/CH183

— N. BUSSE

LOCAL GOVERNMENT

Green revenue bond issuance

If you want to install solar panels, energy-efficient windows or other energy-saving improvements in your home or business, but don't have a lot of cash or home equity, a third way could become available.

HF3109, sponsored by Rep. Jeremy Kalin (DFL-North Branch), would allow cities or counties to sell green revenue bonds and offer financing for property owners of qualifying property to make energy improvements. The funds would be repaid by a special assessment that would stay with the property if sold.

The financing program would be voluntary for individual property owners, with no municipality able to establish a special energy assessment district and then require an owner to participate.

Rep. Rob Eastlund (R-Isanti), citing the foreclosure crisis, told the House Local Government Division March 1 he is concerned that such a program could inadvertently allow some homeowners to take on more repayment obligation than they can afford.

"Typically with a government agency, the ability to repay is assessed more generously," Eastlund said. He also thinks the proposed maximum 20-year loan payback is too long, and that a shorter term could prevent long-term liability for faulty products or installation.

Kalin said there are built-in safeguards that include the bonds being taxable and that a limit on the loan amount would be the lesser of 10 percent of the appraised property value or the actual cost of the improvement.

The division approved the bill and sent it to the House State and Local Government Operations Reform, Technology and Elections Committee. Sen. John Doll (DFL-Burnsville) sponsors a companion, SF2720, which awaits action by the Senate State and Local Government Operations and Oversight Committee.

— K. BERGGREN

Bridge plans swing forward

A bridge built in 1895, closed in 1999 and ordered removed by the U.S. Coast Guard in 2001, may get a reprieve from the scrap heap.

The Rock Island Swing Bridge, owned by the City of Inver Grove Heights, was the last operating toll bridge in the Twin

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Cities metropolitan area. It was also the last operating swing bridge for auto traffic with a design that had cars use the bottom deck, while trains used the top deck. The city hopes to convert the bridge into a recreational pier.

Just days before the bridge was scheduled for demolition last year, a law was enacted giving the bridge a two-year reprieve so planners would have enough time for fund raising.

It took less than a year to raise the money, Rep. Joe Atkins (DFL-Inver Grove Heights) told the House Finance Committee March 1. "We're prepared to have the moratorium removed, so the preservation and restoration efforts can move forward."

According to the city's Web site, the plan includes refurbishing the existing spans, and the construction of two new spans to connect the pier to shore. A park on adjacent land is also planned.

The committee approved HF2485/SF2253*, sponsored by Atkins and Senate President James Metzen (DFL-South St. Paul), to eliminate the two-year moratorium. It now awaits action by the full House.

The bill was passed 64-0 by the Senate Feb. 22.

— L. SCHUTZ

MILITARY

Veterans of Foreign Wars Day

A Veterans of Foreign Wars Day would be established in Minnesota, under a bill approved by the House Agriculture, Rural Economies and Veterans Affairs Committee March 1.

Sponsored by Rep. Jerry Newton (DFL-Coon Rapids) and Sen. Lisa Fobbe (DFL-Zimmerman), HF2674/SF2475* would recognize May 28 because it is the same day the Veterans of Foreign Wars was established by Congress in 1899.

Although no opposition was raised, Rep. Bob Dettmer (R-Forest Lake) said in a previous committee that another bill has been approved that would designate a state American Legion Day, and a similar day was designated for veterans last year. Noting that Minnesota has many chartered veterans groups, he asked, "To what point do we start closing the door?"

Newton said the American Legion and Veterans of Foreign Wars are two of the state's largest serving organizations. "Anytime we can honor our veterans for their service it's a good thing."

The bill, passed 64-0 by the Senate Feb. 22, now goes to the House Finance Committee.

— P. OSTBERG

Disabled veteran transit assurance

Removing one word should ensure that all disabled veterans can use public transportation at no cost.

A bill to clarify that all disabled veterans are qualified was approved by the House Agriculture, Rural Economies and Veterans Affairs Committee March 1.

Rep. Jerry Newton (DFL-Coon Rapids), who sponsors HF2672 said, "(It) simply clarifies for the veterans that they don't have to be 100 percent disabled in order to ride." Some veterans were confused because a law passed last session says, "permanent service-connected disability." The bill removes the word "permanent."

There was no opposition to the bill, which now goes to the House floor.

A companion, SF2429, sponsored by Sen. Sharon Erickson Ropes (DFL-Winona), awaits action by the Senate Transportation Committee.

— P. OSTBERG

RECREATION

Cross-country ski fee hike sought

Avid cross-country skiers who voluntarily groom state ski trails are asking lawmakers to increase trail use fees so they can recover their material costs.

The House Environment Policy and Oversight Committee approved a bill March 2 that would increase the annual fee from \$14 to \$19; a three-year pass from \$39 to \$54; and daily passes from \$4 to \$5. Fees pertain to persons age 16 and older.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids), HF3207 awaits action by the House Environment and Natural Resources Finance Division.

Another provision would exempt students, teachers and chaperones from paying a trail use fee during school-sanctioned and non-profit youth organization activities.

Darby Nelson, president of Conservation Minnesota and a former legislator who sponsored the original ski pass bill 25 years ago, said ski clubs recognize there's no money in state government to pay for trail maintenance. The clubs are willing to continue voluntarily grooming trails; they simply want to recover their costs of purchasing grooming materials.

Sen. Tom Saxhaug (DFL-Grand Rapids) sponsors a companion, SF2863, which awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

— S. HEGARTY

Land purchase for park questioned

Lured by the potential economic impact of 400,000 tourists annually to his district, Rep. David Dill (DFL-Crane Lake) said he agreed to sponsor a capital investment bill that would authorize an \$18 million purchase price for new state parkland.

On the same day Minnesota's projected state budget deficit improved to \$994 million for the current biennium, Dill told the House Environment Policy and Oversight Committee March 2 that the request puts him in an "awkward situation."

Gov. Tim Pawlenty proposed Lake Vermilion State Park in 2008, and the Legislature authorized up to \$20 million in bonds to purchase the land. However, the law capped the price at no more than 12 percent above the land's appraised value. U.S. Steel had the land appraised at \$20.3 million. State appraisals were much less, but since the appraisal is "private data," lawmakers can only assume the negotiated \$18 million sale price was above the cap, prompting the need for HF2838, sponsored by Dill.

A May 31 deadline looms to close on the property or U.S. Steel may move ahead with other plans for the 2,500-acre site, according to the Parks & Trails Council of Minnesota. Dill said his bill would "trump" the 12 percent cap statute and allow the sale to go through. But Rep. Al Juhnke (DFL-Willmar) said legislators would be "setting a very dangerous precedent to lift and go above the cap."

Juhnke also questioned whether the bill would require the same two-thirds majority floor vote necessary to pass bonding bills. After Juhnke requested legal advice about the required votes, the bill was approved and referred to the House Environment and Natural Resources Finance Division.

A companion, SF2533, sponsored by Sen. Tom Bakk (DFL-Cook), awaits action by the Senate Environment, Energy and Natural Resources Budget Division.

The location on Lake Vermilion would be the first major state park built in 30 years.

— S. HEGARTY

SAFETY

No lowering of aggravated DWI

Penalties will not change for those whose blood-alcohol concentration level is double the state limit. A bill, HF2979, that would lower the threshold for an enhanced penalty was defeated by the House Public Safety Policy and Oversight Committee on a split-voice vote March 2.

Sponsored by Rep. Paul Rosenthal (DFL-Edina), the bill would have lowered the

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Web page at: www.leg.mn

BAC from 0.20 percent to 0.16 percent as an aggravating factor under DWI law. It has no Senate companion.

"When we lowered the limit from .10 to .08, we didn't correspondingly lower the aggravating number," Rosenthal said. "We're just making the statement that we think it should be double as it originally was."

Current law establishes a number of increased penalties for an aggravated DWI, including double applicable license revocation periods and plate impoundment.

"The average alcohol concentration of somebody arrested for a DWI is .16," said Steve Simon, a professor at the University of Minnesota Law School. "People at a .16 have been doing a lot of drinking on a regular basis. ... That lowered number accurately reflects people who have a serious problem, not with the responsible use, but the abuse of alcohol."

An estimated 7,500 drivers now charged with misdemeanor DWI would be charged with the more serious gross misdemeanor.

Rep. Paul Kohls (R-Victoria), a self-described "very reluctant supporter" of moving to 0.08 percent, suspects increased county costs for more jail time.

"There's a huge expense both to the state with doing this and there's collateral consequences to a lot of individuals who maybe made a really bad decision once," Kohls said. "Unless I can be convinced that we're going to dramatically increase public safety by making this change, I'm not sure it's something that I'm ready to support."

— M. Cook

Other felony DWIs count here

Someone who gets their first DWI in Minnesota could have a similar infraction in another state count against them here.

Sponsored by Rep. Paul Rosenthal (DFL-Edina), HF2978 would amend Minnesota's first-degree DWI crime to include felony DWI convictions in another state.

Approved March 2 by the House Public Safety Policy and Oversight Committee, the bill was sent to the House Finance Committee with a recommended re-referral to the House Public Safety Finance Division. It has no Senate companion.

Currently, a person is guilty of a first-degree DWI if they commit the violation within 10 years of the first of three or more DWI violations; they have previously been convicted of felony DWI; or they have been convicted of felony criminal vehicular operation.

Under current law, only second DWIs and beyond are considered felonies in Minnesota; however, for them to count, the offenses had to occur in this state, said Steve Simon, a professor at the University of Minnesota Law

School. Prosecutors want to be able to charge a first-time offender in Minnesota with a felony if, for example, they have multiple felony DWIs in Wisconsin.

"The limitation of the law is that other state laws have to be in conformity with ours," Simon said. "That's a protection so that somebody is not swept in for something that wouldn't basically be a felony in Minnesota. ... It's only a small number of people, but it's a justice type of issue."

— M. Cook

Firefighter background checks

A person dialing 911 assumes that responding emergency personnel are properly trained and are upstanding citizens.

Sponsored by Rep. John Lesch (DFL-St. Paul), HF3130 would authorize fire departments to run criminal background checks on current employees no more than once per year. Now, checks can only be run on applicants.

Jerry Streich, chief of the Centennial Fire District, said that when he took over in 2008, he did not know the personnel, and later found out about one employee's criminal history.

"I was concerned that that individual was not meeting, or was not fitting, the core values or mission of the district in which I serve," he said. "I tried to collect that data, and I was unable to because the data requires consent of the individual."

After several months of working on the issue, the employee ended up murdering his wife before committing suicide.

"This would not have halted this incident from occurring, but it would have allowed me, in the interest of public safety, to look at this individual and see if that's the type of individual I want responding to Mrs. Citizen with the sore arm or Mr. Citizen who's calling us to respond to protect their property and life," Streich said.

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

Lesch noted that some larger departments are represented by unions, so a background check timeline would have to be negotiated.

Approved Feb. 26 by the House Crime Victims/Criminal Records Division, the bill awaits action by the House Public Safety Policy and Oversight Committee. A companion, SF2363, sponsored by Sen. Don Betzold (DFL-Fridley), awaits action by the Senate Judiciary Committee.

— M. Cook

Keep firefighter training funding

Minnesota homeowners pay into a special revenue account designed to help protect their well-being.

Gov. Tim Pawlenty wants to take \$9.9 million from the Fire Safety Account, which helps pay for firefighter training, to help balance the state's budget shortfall.

Rep. Steve Smith (R-Mound) doesn't think that is right.

Held over by the House Public Safety Finance Division Feb. 25 for possible omnibus bill inclusion, HF2844, sponsored by Smith, would appropriate \$4.4 million from the account in the current biennium for fire safety training. A companion, SF2502, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Public Safety Budget Division.

This is a supplemental budget appropriation to support account purposes, Smith said. "The money has been available in the account since the end of the fiscal year on June 30, 2009. ... These are unappropriated funds that have been collected for a specific purpose."

Fund revenue comes from a 0.65 percent surcharge on homeowner and commercial insurance properties, about \$5.20 per year on an average home.

Because budget documents show that the dedicated fund, created in 2006, has a structural surplus of almost \$4 million per year, the governor seeks to transfer the current balance and \$3 million of the anticipated \$4 million structural surplus in fiscal years 2010 and 2011. It is estimated that \$1.5 million would remain in the account in the current fiscal year and \$2.7 million the next.

The first year the fund was available, there were \$2 million in requests and \$1 million was given to the firefighter training board, and in the second year there was \$2.5 million in requests and \$1.4 million was given to the training board, said Tim Leslie, assistant commissioner with the Department of Public Safety. "With all the other requirements of the account — fire marshal's office, regional response team funding — we weren't able to meet all those needs as requested by the fire departments."

— M. Cook

TAXES

CARZ proposal revs up

CARZ, the governor's proposed incentive to help keep the St. Paul Ford plant in operation, was held over by the House Taxes Committee March 3 for possible inclusion in its omnibus bill.

Ford has threatened to close the plant in recent years, but the facility received a reprieve until at least the end of 2011 as sales of the Ranger truck it produces have increased.

Sponsored by Rep. Michael Paymar (DFL-St. Paul), HF2329, the Create Automotive

Recovery Zone proposal, focuses on creating a series of state and local tax exemptions to help make the site viable to Ford or another vehicle manufacturer.

Under the bill, a special tax zone would be created around the plant and exist for 12 years. To be eligible for tax incentives, guidelines call for a business with a minimum of 750 full-time positions, plus an additional incentive of \$3,500 would be offered for every new, permanent job above the minimum. There would be no incentives for contracted employees.

St. Paul Mayor Chris Coleman said the proposal is about retaining and growing jobs, calling the facility a significant asset to his city. He called the CARZ proposal a sign to other employers that the state is serious about keeping and attracting businesses. "Unless we as a state get more aggressive to target these jobs, we won't have these jobs," he said.

Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) said that, as with any other tax credit proposal, there is a price tag, and questioned how it would be funded.

Rep. Keith Downey (R-Edina) said that the governor's supplemental budget pays for the credit through cuts.

"We hear that we have a bad tax climate, but we don't account for the jobs that are losing because of cuts," countered Rep. Tina Lieblich (DFL-Rochester).

The bill's companion, SF1232, sponsored by Sen. Ellen Anderson (DFL-St. Paul), was laid over by the Senate Taxes Committee for possible inclusion in an omnibus bill.

— L. SCHUTZ

Tax relief for Haitian help

People donating financially to organizations providing earthquake relief in Haiti can choose to claim the charitable contribution on their 2009 itemized federal tax return, rather than the 2010 return.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Tom Bakk (DFL-Cook), HF2763/SF2352* would allow the same accelerated deduction on state income tax returns.

The bill was passed 56-0 by the Senate Feb. 18; however, an effective date was inadvertently left off the bill. Amended to an effective date for taxable years beginning after Dec. 31, 2008, the bill was passed 131-0 by the House March 1. It took a short detour back to the Senate and was passed 59-0 on March 4. It now awaits action by the governor.

Lenczewski said the expected net cost to the state is \$10,000.

The federal special tax relief provision was enacted Jan. 22, to make deductible monetary contributions to qualifying charitable organizations that are assisting with relief efforts in Haiti following the Jan. 12 earthquake.

Only cash contributions made to qualifying charities between Jan. 12, 2010, and Feb. 28, 2010, are eligible for the federal deduction, according to Internal Revenue Service regulations. This includes contributions made by text message, check, credit card or debit card.

— L. SCHUTZ

TRANSPORTATION

Non-highway motor fuel use study

Members of one House division were deluged with e-mails regarding a proposed study about non-highway motor fuel use. Their concern? That potential findings may end up closing plants that manufacture all-terrain vehicles, more restrictions on ATV use on public right-of-ways and higher user fees.

"Unfortunately who ever sent the e-mails, sent out a lot of erroneous things, things that are not in the bill, and it really created a problem," Rep. Bernie Lieder (DFL-Crookston) told the House Transportation Finance and Policy Division March 2.

Lieder, the division chairman, sponsors

HF3148, which would authorize a \$250,000 study on fuel use for non-highway purposes. This includes motorboats, snowmobiles, ATVs and off-highway motorcycles.

Gas tax proceeds are used not only for roads but also for non-highway uses that the Department of Natural Resources oversees. The last time a study was commissioned on the subject, it was conducted by the DNR, Lieder said. "That's like putting the fox in the hen house. That's their money."

This study, conducted by the University of Minnesota Center for Transportation Studies, would hope to:

- develop a methodology that objectively and accurately provides estimates of motor fuel use for each non-highway purpose;
- develop estimates of motor fuel use for each non-highway purpose;
- evaluate the costs incurred for each public locale due to use by non-highway purposes; and
- provide, based on the study results, policy options for any changes to the attribution of motor fuel use. A report would be due to the Legislature by Feb. 1, 2011.

Because there is so much concern on both sides of the issue, Lieder tabled the bill and said it would receive a full hearing at a later date.

There is no Senate companion.

— L. SCHUTZ

VIDEO HEARING



PHOTO BY TOM OLSCHIED

Members of the House and Senate transportation committees listen to a video message from U.S. Transportation Secretary Ray LaHood during a March 3 informational hearing on distracted driving.

Red River Basin: 'Here we go again'

Flood-prone communities look to keep their heads above water

By SUE HEGARTY

Alden Gjevre and his wife, Patricia, moved to Rivershore Drive in Moorhead in 1968. The following spring, a ravine behind their home and the Red River across the street threatened to flood the house.

Then during the 1997 flood, sandbags couldn't keep 8 inches of sewage from backing up in the couple's finished basement, costing \$11,765 to cleanup. Gjevre, 77, had automatic valves installed to prevent future backups and didn't remodel, which would have carried a \$40,000 price tag.

When the Red River of the North flooded last year, the Gjevres' home dodged major damage because of an earthen dike built where his former neighbor's house once stood and was removed thanks to flood mitigation funds.

This week, Moorhead volunteers began filling 300,000 sandbags in preparation for another round of spring flooding. Gjevre said he hopes state grants will be available so the city can purchase his house, one of 50 remaining on the city's acquisition list.

In St. Paul, legislators have begun prioritizing limited funds for long-term mitigation and crises management.

After the 550-mile Red River exceeded its banks last spring, the state appropriated \$53 million in bond proceeds to pay for flood mitigation.

Last summer, the City of Moorhead matched an \$8 million state appropriation with \$8.2 million in local resources. The funds were allocated toward short-term infrastructure needs until a permanent flood protection project can be constructed. A portion of the local share was assessed to benefitting properties, and stormwater fees were increased citywide to pay the local share. About 25 flood mitigation projects are now underway in Moorhead and another

35 are being designed, such as the installation of gated storm sewers, pumping stations, flood walls and an earthen levee.

The Red River flows north between the Minnesota-North Dakota border from Breckenridge, Minn. to Lake Winnipeg in Manitoba, Canada. Gjevre recently maximized his flood insurance to \$250,000 "in case the house ends up in Winnipeg."

Rural watershed managers fear recent Fargo-Moorhead flood relief projects will create extreme flooding conditions for communities downstream.

Ice jams caused water to back up 28 miles downstream last year and "through extreme sandbagging efforts, we were able to save the town," said Hendrum Mayor Curt Johannsen. Water levels through Hendrum could be 6-8 inches higher this year because of what's happening upstream, Johannsen said. "We need this money now more than ever because of the proposed Fargo-Moorhead diversion," he said.

Rep. Morrie Lanning (R-Moorhead) empathized. "I know my colleagues back in Moorhead and Clay County share that concern. We want that problem solved."

Up to this point, strategies have focused on diverting the water, but Charlie Anderson, a civil engineer and member of the Red River Watershed Management Board, said holding the water on land longer should be part of the solution. Wetlands, culverts and impoundment lots could produce lasting

The Red River of the North flows north between the Minnesota-North Dakota border from Breckenridge, Minn. to Lake Winnipeg in Manitoba, Canada.



benefits for wildlife and create short-term jobs in the region, as well as alleviating the downstream affects. Local authorities support holding more water on the land, but those alternatives wouldn't qualify for federal cost sharing.

Working with the cities on a feasibility study, the U.S. Army Corps of Engineers determined that a 25-mile diversion channel on the Minnesota side of the Red River is the most cost-effective way to reduce water flow on the river. The levee would start near Rustad, going east and north across Interstate 94 to a rail-yard in Dilworth, turning toward Kragnes, ending back at the Red River north of County Road 96. The estimated cost is between \$871 million and \$1.1 billion. The federal cost share would be about \$570 million, with the remainder presumably coming from local and state government.

Flooding continued on page 23

Money for the Vikings — and more

Racino proposal tops a slew of gaming expansion plans

By Nick Busse

It was gambling night for the House Commerce and Labor Committee Feb. 25, as committee members took testimony, but no action, on four separate proposals that would expand gaming in Minnesota.

Topping the agenda was the controversial Vikings-racino plan. Sponsored by Rep. Tom Hackbarth (R-Cedar), HF2578 would ask voters to approve a constitutional amendment to authorize casinos at horse tracks, thus establishing so-called “racinos.” Taxes on the resulting profits would help pay for a new stadium, with whatever’s left over going into the state’s General Fund.

Hackbarth said the proposal represents a

reasonable compromise that would keep the Vikings in Minnesota as well as help close the state’s budget gap.

“We need income into the state of Minnesota to help balance this budget, and it also saves the Minnesota Vikings. ... As you know, their contract runs out at the Metrodome after the 2011 season,” Hackbarth said.

Minnesota currently allows betting at two horse racing tracks — Canterbury

Park in Shakopee and Running Aces Harness Park in Columbus. Hackbarth cited research indicating that allowing these two tracks to operate slot machines would generate up to \$125 million annually in new tax revenue.

Cory Merrifield, founder of SavetheVikes.org, called the racino plan “a stadium and deficit solution that nearly pays for itself.”

“Some legislative leaders have said that Minnesota is not looking to expand gambling,” Merrifield said. “But the truth is, gambling is here, and it’s not going to go away.”

Not everyone agreed with his assessment.

Tom Prichard, president of the Minnesota Family Council, said social costs associated with gambling far outweigh the benefits of any new tax revenues. He said an expansion of gambling would lead to increased gambling addiction, crime, bankruptcies and divorce.

“We believe this is a bad way to raise taxes. It targets the poor and those who can least afford it,” Prichard said.

Several testifiers representing American Indian communities argued that it would compete with tribal gaming operations.

“Revenues generated at our tribal government gaming operation provide critical funding for education, health care and public safety services,” said Victoria Winfrey, president of the Prairie Island Indian Community.

Meanwhile, Dan O’Gara, representing the Minnesota Licensed Beverage Association, said bar and restaurant owners also oppose the racino plan because they fear it could lure customers away from their own pull-tab gambling.

A companion, SF2810, sponsored by Sen. Debbie Johnson (R-Ham Lake), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Pull-tabs, slots and sports betting

Three other gambling bills got their first hearing from the committee — albeit with less debate.

Rep. Robin Brown (DFL-Moscow Township) sponsors HF2034, which would authorize electronic pull-tab games. Pull-tabs provide charitable gaming revenues to various community service and veterans organizations. Brown said allowing the electronic version of pull tabs would make running the games more cost-effective for those groups.

“It’s a form of gambling that’s already legal. It’s already regulated. People understand it here in Minnesota,” Brown said, adding that the electronic version of pull-tabs functions exactly the same way as the paper version.

Brown estimated that an additional \$650 million per year in charitable gaming revenues would be generated by allowing electronic pull-tabs. That translates into an extra \$17 million a year in state tax revenues, she said.

Gambling continued on page 23



PHOTO BY TOM OLMSCHIED

Representing the Tavern League of Minnesota, Dan Campo demonstrates a video pull-tab machine during a hearing of the House Commerce and Labor Committee Feb 25.

Monday, March 1

HF3210-Davids (R) **Commerce & Labor**

Minnesota Comprehensive Health Association provisions modified.

HF3211-Thissen (DFL) **Health Care & Human Services** **Policy & Oversight**

Community paramedics added to the list of community health workers.

HF3212-Simon (DFL) **Health Care & Human Services** **Policy & Oversight**

Continuing education requirements exception provided for licensed professional counselors.

HF3213-Bigham (DFL) **Public Safety Policy & Oversight**

Controlled substances schedule amended by adding tramadol to schedule IV.

HF3214-Newton (DFL) **Finance**

Referendum equalizing factor increased and second tier of referendum equalization eliminated.

HF3215-Newton (DFL) **K-12 Education Policy & Oversight**

Equal treatment required of students eligible for free or reduced priced meals and certain collection activities prohibited.

HF3216-Masin (DFL) **Higher Education & Workforce** **Development Finance & Policy** **Division**

Report required on at-risk businesses and a fast-action economic response team created.

HF3217-Ruud (DFL) **Health Care & Human Services** **Policy & Oversight**

Excessive enrollee cost-sharing limited on biologic prescription drugs.

HF3218-Hornstein (DFL) **Taxes**

Transit improvement districts authorized.

HF3219-Demmer (R) **Finance**

Independent School District No. 203, Hayfield, fund transfer permitted.

HF3220-Jackson (DFL) **Early Childhood Finance &** **Policy Division**

Child care assistance program modified.

HF3221-Holberg (R) **Transportation & Transit Policy** **& Oversight Division**

Town road extinguishment nullification procedures amended.

HF3222-Jackson (DFL)

Taxes

State-paid refund provided of certain property tax increases on agricultural property, and percentage temporarily reduced of rent constituting property taxes.

HF3223-Newton (DFL) **Environment Policy & Oversight**

Wetland notification required prior to sale of real property.

HF3224-Beard (R) **Finance**

Transportation projects provisions modified.

HF3225-Slawik (DFL) **Early Childhood Finance** **& Policy Division**

Child care assistance provider rates modified.

HF3226-Newton (DFL) **Finance**

Independent School District No. 11, Anoka-Hennepin, fund transfer authorized.

HF3227-Persell (DFL) **Environment Policy & Oversight**

Cass Lake spearing rulemaking required.

HF3228-Rukavina (DFL) **Finance**

Renewable energy source conversion grant program created for municipal utilities and cooperative electric associations.

HF3229-Abeler (R) **Health Care & Human Services** **Policy & Oversight**

Family child care background checks required by state.

HF3230-Dill (DFL) **Environment Policy & Oversight**

Public access acquisition moratorium established for public waters without a public access.

HF3231-Dill (DFL) **Environment Policy & Oversight**

Boundary Waters Canoe Area Wilderness riparian land exchange permitted.

HF3232-Atkins (DFL) **Finance**

Minnesota Nuclear Waste Storage Commission created, Minnesota ratepayer fees required for permanent storage of high-level radioactive waste to be remitted to the commissioner of homeland security and emergency management, nuclear waste escrow account modified and money appropriated.

HF3233-Dill (DFL) **Taxes**

Motor vehicle repair parts and supplies sales tax imposed.

HF3234-Hosch (DFL) **Health Care & Human Services** **Policy & Oversight**

Continuing care policy and technical provisions changed.

HF3235-Persell (DFL) **Commerce & Labor**

Bemidji Regional Event Center intoxicating liquor license issued.

HF3236-Huntley (DFL) **Finance**

Commissioners of health and human services required to provide fiscal and actuarial analysis.

HF3237-Huntley (DFL) **Health Care & Human Services** **Policy & Oversight**

Health care eligibility provisions changed relating to individualized education plan requirements, state health access program, children's health insurance reauthorization act, long-term care, asset transfers, clinics, dental benefits, prior authorization, drug formulary and administrative uniformity committees, preferred drugs, multisource drugs, health plans and claims against the state.

HF3238-Huntley (DFL) **Commerce & Labor**

Private-sector health insurance required to cover private duty nursing services when an inpatient hospital stay would otherwise be required.

HF3239-Abeler (R) **Health Care & Human Services** **Policy & Oversight**

Licensing provisions changed, and background study requirements, disqualifications and data classification modified.

HF3240-Jackson (DFL) **Transportation & Transit Policy** **& Oversight Division**

Sliding scale cargo insurance requirement provided for household goods carriers based on gross vehicle weight.

HF3241-Koenen (DFL) **Taxes**

Marshall authorized to impose local sales and use, local lodging and local food and beverage taxes.

HF3242-Falk (DFL) **State & Local Government** **Operations Reform, Technology** **& Elections**

Referendum by petition provided in an orderly annexation proceeding.

HF3243-Koenen (DFL) **Health Care & Human Services** **Policy & Oversight**

MinnesotaCare program income definition modified.

HF3244-Falk (DFL) **State & Local Government** **Operations Reform, Technology** **& Elections**

Annexation procedures limited.

HF3245-Atkins (DFL) **Health Care & Human Services** **Policy & Oversight**

Interstate health insurance choice created.

HF3246-Liebling (DFL) **Health Care & Human Services** **Policy & Oversight**

Chemical dependency treatment pilot projects created.

HF3247-Anderson, P. (R) **Finance**

Retired emergency medical technician license plates issuance authorized.

HF3248-McFarlane (R) **K-12 Education Policy & Oversight**

Jan. 15 deadline repealed by which school districts must reach a collective bargaining agreement or face a state aid penalty.

HF3249-McNamara (R) **Environment Policy & Oversight**

Wild rice provisions modified.

HF3250-Thissen (DFL) **Health Care & Human Services** **Policy & Oversight**

PACE programs authorization modified.

HF3251-Lillie (DFL) **Commerce & Labor**

Portable electronics insurance sale and termination regulated.

HF3252-Hosch (DFL) **Health Care & Human Services** **Policy & Oversight**

Medical Assistance asset limits modified and notice required regarding asset requirements in certain circumstances.

HF3253-Persell (DFL) **Finance**

Water quality enhancement pilot program funding provided.

HF3254-Kelly (R) **Energy Finance & Policy Division**

Siting wind energy conversion systems provisions modified and county authority modified to enact siting standards for wind energy conversion systems.

HF3255-Beard (R) **Energy Finance & Policy Division**

Prohibition repealed on constructing coal plants or importing electricity generated from coal unless a state-wide plan to reduce greenhouse gas emissions from electricity generation is enacted.

HF3256-Anderson, P. (R)
Finance
Retired firefighter license plates issuance authorized.

HF3257-Hansen (DFL)
Finance
Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties; use of the clean water legacy account authorized to support local inflow and infiltration reduction programs.

HF3258-Beard (R)
Finance
Funds established in the constitution provided to pay for audit costs incurred by the legislative auditor.

HF3259-Beard (R)
Energy Finance & Policy Division
Utility's requirement modified to post notice of impending disconnection of utility services to a rental building due to a landlord's failure to pay for service.

HF3260-Sterner (DFL)
Finance
Dakota County; Dakota Future funding provided.

HF3261-Sailer (DFL)
Finance
Micro-energy loan program modified.

HF3262-Olin (DFL)
Agriculture, Rural Economies & Veterans Affairs
Compensation program modified for livestock crippled or destroyed by a gray wolf.

HF3263-Hortman (DFL)
Transportation & Transit Policy & Oversight Division
Speed limits in highway work zones governing provisions modified.

HF3264-Hosch (DFL)
Health Care & Human Services Policy & Oversight
Personal care assistant services modified.

HF3265-Drazkowski (R)
Environment Policy & Oversight
Extension provided for temporary closure status on underground storage tanks.

HF3266-Murphy, E. (DFL)
Finance
Pharmacy reimbursement rates adjusted.

HF3267-Newton (DFL)
K-12 Education Policy & Oversight
Advisory task force established on school desegregation and integration.

HF3268-Otremba (DFL)
Commerce & Labor
Video lottery terminals established, tax imposed and provided for video lottery revenue, lawful gambling taxes and conduct of electric bingo modified, and Gambling Control Board authorized to establish video pull-tab games.

HF3269-Bunn (DFL)
Health Care & Human Services Policy & Oversight
Medical Assistance dental coverage modified, eligibility criteria modified for the critical access dental programs and criteria set for designating and terminating critical access dental providers.

HF3270-Mullery (DFL)
Taxes
Research credit extended to individual income tax and portion of credit made refundable.

HF3271-Rosenthal (DFL)
Taxes
Research credit extended to individual income tax.

HF3272-Ruud (DFL)
Health Care & Human Services Policy & Oversight
Genetic counselors licensed.

HF3273-Falk (DFL)
Environment Policy & Oversight
Portable deer stands allowed to be erected and left unattended on public lands during deer season.

HF3274-Obermueller (DFL)
Higher Education & Workforce Development Finance & Policy Division
Benefit account requirements modified for unemployment benefits.

HF3275-Faust (DFL)
Transportation & Transit Policy & Oversight Division
Anhydrous ammonia transport vehicles and tanks inspections provided.

HF3276-Hilstrom (DFL)
Public Safety Policy & Oversight
Criminal abuse of a vulnerable adult crime made a registrable offense under the predatory offender registration law.

HF3277-Simon (DFL)
Commerce & Labor
Advertising of deceptive local telephone numbers for floral and locksmith businesses specified as a deceptive trade practice.

HF3278-Garofalo (R)
Finance
Supplemental appropriations made to comply with unallotment actions commencing in July 2009, appropriation reductions and policy changes made to agriculture, higher education, energy finance, transportation, economic development, state government, environment and natural re-

sources, public safety, education, state aid, credits, payments and refunds, and health and human services.

HF3279-Huntley (DFL)
Health Care & Human Services Policy & Oversight
Electronic health record technology provisions amended and administrative penalties provided.

HF3280-Murphy, M. (DFL)
State & Local Government Operations Reform, Technology & Elections
Amortization requirement calculation modified for lump sum volunteer firefighter relief associations.

HF3281-Murphy, M. (DFL)
State & Local Government Operations Reform, Technology & Elections
Volunteer fire relief associations technical corrections made, break-in-service return revised, Minnesota deferred compensation plan service pension transfers authorized, payout defaults revised in survivor benefits and corrections of certain special fund deposits authorized.

HF3282-Lenczewski (DFL)
State & Local Government Operations Reform, Technology & Elections
24-hour waiting period required before consideration of certain conference committee reports.

HF3283-Kahn (DFL)
State & Local Government Operations Reform, Technology & Elections
Legislator timing for payment of compensation changed and payments authorized for additional travel during special sessions.

HF3284-Kahn (DFL)
State & Local Government Operations Reform, Technology & Elections
Governor's line-item veto authority eliminated; constitutional amendment proposed.

HF3285-Thissen (DFL)
Commerce & Labor
Interior designer certification changed to licensing requirements.

HF3286-Hornstein (DFL)
Transportation & Transit Policy & Oversight Division
Metropolitan Council best value contracts and procurement authorized for transit vehicles.

HF3287-Haws (DFL)
State & Local Government Operations Reform, Technology & Elections
State employees, constitutional officers and members of the Legislature prohibited from using public funds to pay for the use of lodging, training and meeting facilities that make pornographic images available to their patrons.

HF3288-Gardner (DFL)
Environment Policy & Oversight
Clean water legacy account authorized to support Metropolitan Council water supply planning activities, Metropolitan Area Water Supply Advisory Committee sunset date eliminated and money appropriated from constitutionally dedicated funds.

HF3289-Gardner (DFL)
Environment Policy & Oversight
Urban storm water retention pond buffers required.

HF3290-Thissen (DFL)
Taxes
Income tax credits provided to encourage beginning farmers, beginning farmer program administered by the Rural Finance Authority modified and money appropriated for beginning farmer individual development accounts.

HF3291-Sailer (DFL)
Finance
Supplemental application fee waived for utility crossings of public lands and waters under certain conditions.

HF3292-Davnie (DFL)
State & Local Government Operations Reform, Technology & Elections
Hennepin County; business entity participation authorized for certain energy-related purposes.

HF3293-Clark (DFL)
Commerce & Labor
State Building Code amended and licensing requirements modified.

HF3294-Peppin (R)
State & Local Government Operations Reform, Technology & Elections
Sunset Advisory Commission created and state agency sunset and review provided.

HF3295-Faust (DFL)
Agriculture, Rural Economies & Veterans Affairs
Pesticide control provisions changed, waiver of fee authorized, bovine tuberculosis control provided, native grasses and wildflower seed production and incentive program eliminated, ownership of agricultural land authorized by certain nonprofit corporations.

HF3296-Wagenius (DFL)
Taxes
Alcohol use health and safety impact fund established, impact fee imposed and inter-fund transfers provided.

HF3297-Thao (DFL)
Commerce & Labor
Ethnicity of certain injured, sick or deceased employee records required.

**HF3298-Koenen (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Discharge provided of a portion of an easement acquired by condemnation.

**HF3299-Hayden (DFL)
Civil Justice**

Child support enforcement provisions updated on access to information and actions by a public authority.

**HF3300-Morrow (DFL)
Civil Justice**

Judicial holds in commitment cases amended.

**HF3301-Peppin (R)
Finance**

Department of Revenue required to issue a request for proposals for a tax analytics and business intelligence contract.

**HF3302-Brod (R)
Taxes**

Job creation encouraged, investment credits provided, various income tax provisions changed, level of budgeted spending limited to the amount collected in the prior biennium, interlocutory appeal provided, governing merchant actions modified, private remedies modified, environmental permitting and review provisions modified and reports required.

**HF3303-Garofalo (R)
Finance**

General education aid reduction restored for certain taconite distributions.

Thursday, March 4

**HF3304-Urdahl (R)
Agriculture, Rural Economies
& Veterans Affairs**

Congress memorialized to amend the charter for the American Legion to authorize all veterans to join the legion.

**HF3305-Abeler (R)
Health Care & Human Services
Policy & Oversight**

Surgical technologist employment qualification required.

**HF3306-Downey (R)
Taxes**

Taxes and tax-related provisions changes made; changes made to conform to the Internal Revenue Code, angel investment credit and Minnesota business investment company credit provided and TECHZ business program established.

**HF3307-Holberg (R)
State & Local Government
Operations Reform, Technology
& Elections**

Legislature size reduced and legislative districts and congressional districts coordinated.

**HF3308-Newton (DFL)
Finance**

Capital expenditure health and safety revenue program simplified.

**HF3309-Kalin (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Minnesota's Living Treasures designation provided.

**HF3310-Hilstrom (DFL)
Finance**

State Patrol tax compliance and vehicle crimes investigations funding provided.

**HF3311-Hilstrom (DFL)
Finance**

Independent School District No. 286, Brooklyn Center, and Independent School District No. 624, White Bear Lake, innovation grant created and community school pilot project established.

**HF3312-Greiling (DFL)
Public Safety Policy & Oversight**

Criminal penalty provided for intentionally rendering a service animal unable to perform its duties, offenders convicted of harming service animals required to pay restitution and civil remedies are not precluded by the criminal penalty for harming service animals.

**HF3313-Atkins (DFL)
Energy Finance & Policy Division**

Long-term storage costs provided of spent nuclear waste.

**HF3314-Huntley (DFL)
Health Care & Human Services
Policy & Oversight**

Congress memorialized to enact the Federal Medical Assistance Percentage increase extension.

**HF3315-Bigham (DFL)
Environment Policy & Oversight**

Criminal penalty provisions modified, participation in comprehensive incident-based reporting system provided and silencers for wildlife control use extended.

**HF3316-Drazkowski (R)
Taxes**

St. Charles; sales tax exemption provided for construction materials for new and expanding businesses, and tax increment financing district creation authorized.

**HF3317-Mullery (DFL)
Civil Justice**

Collection, dissemination, disclosure and use of data regulated; temporary classification provisions amended; and changes made.

**HF3318-Hortman (DFL)
Civil Justice**

Uniform Unsworn Foreign Declarations Act enacting proposed for adoption by the National Conference of Commissioners on Uniform State Laws, and penalties provided.

**HF3319-Zellers (R)
Taxes**

Cigar tax limited.

**HF3320-Solberg (DFL)
Taxes**

Cohasset; tax increments use authorized to repay Cohasset for certain payments.

**HF3321-Lesch (DFL)
Finance**

Collection of fees allowed under the license reinstatement diversion pilot program to be extended for 18 months.

**HF3322-Clark (DFL)
Taxes**

Disposable bags excise tax imposed.

**HF3323-Clark (DFL)
Transportation & Transit Policy
& Oversight Division**

Towing of vehicles prohibited with disability plate or certificate.

**HF3324-Brynaert (DFL)
Finance**

Minnesota investment fund expanded and construction mitigation pilot program grants restriction removed.

**HF3325-Dill (DFL)
Environment Policy & Oversight**

Bear hunting license drawing provisions modified.

**HF3326-Demmer (R)
Commerce & Labor**

Mechanics lien timeline modified.

**HF3327-Koenen (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Employees of city- or county-owned hospital exempt from certain reporting requirements.

**HF3328-Davids (R)
Finance**

Harmony; veterans facility funding provided.

**HF3329-Greiling (DFL)
Finance**

Retired employee health benefits levy calculation clarified.

**HF3330-Greiling (DFL)
Finance**

Revenue definitions clarified for school districts and charter schools.

**HF3331-Greiling (DFL)
Finance**

Obsolete language removed.

**HF3332-Jackson (DFL)
Agriculture, Rural Economies
& Veterans Affairs**

Attorney fees and costs provided for prevailing parties seeking the enforcement of certain veteran's preference laws.

**HF3333-Hilstrom (DFL)
Public Safety Policy & Oversight**
Criminal penalty increased for assaulting a vulnerable adult; criminal penalties provided.

**HF3334-Juhnke (DFL)
Transportation & Transit Policy
& Oversight Division**

Trunk highway project bidding procedures amended, and use of alternative bidding required for competing paving materials.

**HF3335-Poppe (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Mower County; process provided for making office of county recorder appointive.

**HF3336-Simon (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Right of first refusal offers modified for property obtained with federal transit funding.

**HF3337-Greiling (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Unicameral Legislature provided, and constitutional amendment proposed.

**HF3338-Kalin (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Conflict of interest standards modified.

**HF3339-Champion (DFL)
Commerce & Labor**

Cadmium jewelry banned.

**HF3340-Hayden (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Postretirement option governing eligibility provisions modified.

**HF3341-Demmer (R)
Transportation & Transit Policy
& Oversight Division**
Olmsted County; Trunk Highway 52 specific service sign required.

**HF3342-Simon (DFL)
Finance**

School districts authorized to use operating capital for certain costs associated with closing a school.

**HF3343-Hansen (DFL)
State & Local Government
Operations Reform, Technology
& Elections**

Classified civil service appointments forbidden and report required on certain appointments.

**HF3344-Lesch (DFL)
Taxes**

Homeless prevention and food shelf programs income tax check-off authorized.

HF3345-Winkler (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Subdivision development contracts regulated.

HF3346-Demmer (R)
Finance
Southeastern Minnesota veterans cemetery funding provided.

HF3347-Urdahl (R)
Health Care & Human Services
Policy & Oversight
School concession stands established as a specific category of food and beverage service establishments.

HF3348-Magnus (R)
Finance
Propane and anhydrous ammonia terminal capacity study required.

HF3349-Falk (DFL)
Environment Policy & Oversight
Deer quartering requirements modified.

HF3350-Smith (R)
State & Local Government
Operations Reform, Technology
& Elections
City employees prohibited from serving on the city council.

HF3351-Thao (DFL)
Environment Policy & Oversight
Scopes allowed on muzzleloaders.

HF3352-Lesch (DFL)
Public Safety Policy & Oversight
Fire safety provisions modified to require state fire marshal to coordinate investigation of fatal fires, and obsolete, redundant or unnecessary language clarified.

HF3353-Lesch (DFL)
Public Safety Policy & Oversight
Machine gun and short-barreled shotgun possession included on list of crimes against a person for registration under the Predatory Offender Registration Law.

HF3354-Nornes (R)
Finance
Grant eligibility modified, loan limits and terms modified, private institution fees increased, high school-to-college developmental transition program, terms defined, funds transferred and appropriations modified and reduced.

HF3355-Bigham (DFL)
Environment Policy & Oversight
Water drainage from watercraft required before transportation on public roads, and civil penalties modified.

HF3356-Ruud (DFL)
Health Care & Human Services
Policy & Oversight
Dentistry practice definition modified.

HF3357-Slawik (DFL)
Taxes
Oakdale; tax increment financing duration extended.

HF3358-Poppe (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Mower County; public business allowed to go to four-day week for five years.

HF3359-Nelson (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Hennepin County; energy purchase authorized under forward pricing mechanisms.

HF3360-Nelson (DFL)
Commerce & Labor
Contractor continuing education requirements modified.

HF3361-Holberg (R)
Civil Justice
Domestic abuse or sexual attack programs exempted from data practice requirements, and data classified.

HF3362-Davids (R)
Environment Policy & Oversight
Petroleum tank release provisions modified.

HF3363-Davids (R)
Commerce & Labor
Petroleum storage tank requirements modified.

HF3364-Jackson (DFL)
Health Care & Human Services
Policy & Oversight
Estate recovery provision amendment effective date delayed.

HF3365-Swails (DFL)
Taxes
Landfall Village; five-year rule extended for a district.

HF3366-Demmer (R)
Finance
Trunk highway bonds issued for interchange construction.

HF3367-Bunn (DFL)
Environment Policy & Oversight
Solid waste disposal facility requirements modified.

HF3368-Winkler (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Campaign finance additional disclosure required in certain circumstances, disclaimer required on certain campaign materials, contribution and expenditure limits and amount increased to be designated by certain taxpayers for payment to the state elections campaign fund, and allotment restored for political contribution refunds.

HF3369-Bunn (DFL)
Environment Policy & Oversight
Disclosure of contaminated wells and special well construction areas required, and perfluorochemical testing required of new wells in certain areas.

HF3370-Reinert (DFL)
Taxes
Department of Revenue required to conduct a study on income tax reciprocity with Wisconsin.

HF3371-Olin (DFL)
Environment Policy & Oversight
Private sale authorized of certain tax-forfeited land.

HF3372-Olin (DFL)
Taxes
Agricultural properties market value growth limited and property tax targeting fund reduced.

HF3373-Eastlund (R)
Taxes
Green acres program remaining property deadline extended without additional taxes.

HF3374-Eastlund (R)
Taxes
Agricultural property market value growth limited and one-time credit established for certain agricultural properties.

HF3375-Falk (DFL)
Public Safety Policy & Oversight
Minnesota Correctional Facility-Moose Lake; control transferred, transferred portion required to house civilly committed sex offenders, incarceration of offenders required, renovation appropriation to be used to house civilly committed sex offenders, money appropriated for costs incurred by the Department of Corrections to incarcerate the offenders.

HF3376-Falk (DFL)
Agriculture, Rural Economies
& Veterans Affairs
Limited liability partnerships prohibited from owning or farming agricultural land, and certain exemptions provided.

HF3377-Rukavina (DFL)
Taxes
Biwabik; imposition of local taxes authorized.

HF3378-Falk (DFL)
Finance
Public safety-related purposes funding provided.

HF3379-Gottwalt (R)
State & Local Government
Operations Reform, Technology
& Elections
Legislature membership number reduced, and Senate district division prevented in the formation of a congressional district.

HF3380-Brynaert (DFL)
Commerce & Labor
Successor corporation asbestos-related liabilities limited.

HF3381-Mullery (DFL)
Public Safety Policy & Oversight
Juvenile history data retention increased to one year for a child who was arrested, but not referred to a diversion program and delinquency petition has not been filed.

HF3382-Lesch (DFL)
Public Safety Policy & Oversight
Public hearings and public access to juvenile records governing provisions modified, expungement authorized of certain juvenile records and human services commissioner authorized to grant set of asides or variances for certain individuals disqualified from licensure because of an offense as a juvenile.

HF3383-Holberg (R)
Civil Justice
Data classification established of private for vehicle information in orders for protection or no contact orders.

HF3384-Slawik (DFL)
Civil Justice
Common interest communities resident remedies enhanced when community associations or its board of directors violates state law or the association's own governing documents.

HF3385-Mullery (DFL)
Public Safety Policy & Oversight
Ignition interlock program eligibility extended to include violators of the "no alcohol" requirement of a restricted driver's license.

HF3386-Swails (DFL)
Commerce & Labor
Residential contracts performance guidelines required, statutory warranties modified, notice and opportunity to repair required and dispute resolution procedures provided.

HF3387-Urdahl (R)
Environment Policy & Oversight
Health insurance pool for farmers established, agriculture-related business environmental permitting modified, environmental review requirements modified, tax incentives provided for angel investments and water conservation and environmental assessment worksheets allowed to be completed online.

HF3388-Garofalo (R)
Finance
Prekindergarten through grade 12 education provided and rulemaking authorized.

HF3389-Mahoney (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Minnesota Science and Technology authority created.

HF3390-McFarlane (R)
Civil Justice
Limitation period modified for certain actions to declare the nonexistence of the father and child relationship.

HF3391-Olin (DFL)
Civil Justice
Children in need of protection or service provisions modified.

HF3392-Bunn (DFL)
State & Local Government
Operations Reform, Technology
& Elections
County and state fair surcharges authorized, municipalities authorized to raise and spend money on 4-H, and University of Minnesota Extension Service policy required.

HF3393-Jackson (DFL)
Civil Justice
Minnesota Common Interest Ownership Act amended.

HF3394-Ward (DFL)
Commerce & Labor
Benefit payment or wage supplement time limits modified and criminal penalties imposed.

HF3395-Clark (DFL)
Commerce & Labor
Window fall prevention device requirement modified.

HF3396-Abeler (R)
Health Care & Human Services
Policy & Oversight
Health plan companies required to submit medical claims data to health plan sponsors.

HF3397-Ruud (DFL)
Health Care & Human Services
Policy & Oversight
Sexually transmitted infections and HIV prevented, responsible family life and sexuality education program created, state plan development required for preventing STD's and HIV.

HF3398-Atkins (DFL)
Commerce & Labor
Former employees provided option to bypass continuation coverage and obtain low-cost immediate conversion health insurance coverage from their former employer's insurer.

HF3399-Juhnke (DFL)
Commerce & Labor
Jobs, family and economic development fund developed; funding mechanism provided for agricultural, rural, early childhood, bioscience, medical technology, economic development and athletic, recreational, and extra-curricular activities; and regulation provided for gaming activities at racetracks and increasing purses.

HF3400-Mullery (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Governor's line-item veto authority eliminated and constitutional amendment proposed.

HF3401-Gardner (DFL)
Environment Policy & Oversight
Public water suppliers, counties, and municipalities required to charge the lowest residential water and sewer rates in manufactured home parks.

HF3402-Mullery (DFL)
State & Local Government
Operations Reform, Technology
& Elections
Governor's authority eliminated to line-item veto appropriations for certain capital purposes, bonds issued and constitutional amendment proposed.

HF3403-Faust (DFL)
Agriculture, Rural Economies
& Veterans Affairs
"IRAQ WAR VET" and "AFGHAN WAR VET" license plates eligibility clarified.

HF3404-Mariani (DFL)
Finance
Aid payment schedule modified for certain charter schools.

HF3405-Eken (DFL)
Health Care & Human Services
Policy & Oversight
Commissioner's state medical review team duties modified.

HF3406-Scalze (DFL)
Environment Policy & Oversight
Local government exceptions approval required to lower St. Croix River standards.

HF3407-Slawik (DFL)
Finance
Early childhood education provided.

HF3408-Marquart (DFL)
Taxes
Personal contact information of taxing authority not required to be included on tax notice.

HF3409-Obermueller (DFL)
Higher Education & Workforce
Development Finance & Policy
Division
Workforce Development Council duties and responsibilities clarified; unemployment insurance modified.

HF3410-Kelly (R)
Public Safety Policy & Oversight
County and regional jails authorized to house offenders from others states.

HF3411-Kelly (R)
Health Care & Human Services
Policy & Oversight
Dental laboratories regulated.

HF3412-Huntley (DFL)
Health Care & Human Services
Policy & Oversight
Medical Assistance coverage of medication therapy management services modified.

HF3413-Gunther (R)
Finance
Board of Barber Examiners' license fees modified.

Flooding continued from page 17

"It sounds, as far as cost comparison, the retention projects would not be as expensive as the diversion," said Rep. Ken Eken (DFL-Twin Valley). The House Environment Policy and Oversight Committee chairman sponsors HF2433, which seeks nearly \$42 million for downstream projects in Hendrum, Perley and other small communities. The bill awaits action by the House Environment and Natural Resources Finance Division. Its companion, SF2233, sponsored by Sen. Keith Langseth (DFL-Glyndon), rests with the Senate Finance Committee.

Gov. Tim Pawlenty recommended \$50 million for flood hazard mitigation in his capital investment proposal. The House-approved bonding bill contained \$50 million while the Senate bill earmarked \$70 million. A conference committee called for \$63.5 million. 🗽

Gambling continued from page 18

A companion, SF1644, sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the Senate State and Local Government Operations and Oversight Committee.

Two other gambling proposals, both offered by Rep. Phyllis Kahn (DFL-Mpls), would allow state-sanctioned gambling in new areas.

HF2354 would authorize the state lottery to install slot machines inside the terminals at the Minneapolis-St. Paul International Airport. The slot machines would only be accessible to travelers with a valid plane ticket. Kahn said the advantage is that new revenue could be generated for the state without competing with existing gambling facilities.

"Nobody is going to buy a ticket to go and gamble at a place that could probably be an inferior experience to gambling casinos," she said.

Meanwhile, HF2984 would legalize sports betting in Minnesota. The state would essentially license bookies and tax all bookmaking transactions. Kahn argued it would merely be legalizing what everyone already knows is taking place.

"I'm not going to say that everyone here has engaged in sports gambling, but I can say with great confidence that everybody in here knows somebody who has been engaged in sports gambling," she told the committee members.

One small problem: to allow sports betting, the state may have to challenge the constitutionality of federal law, which bans the practice.

Neither of Kahn's bills have a Senate companion. 🗽

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MINNESOTA INDEX

Frozen or on the rocks?

| | |
|--|------------------------------|
| Deadline for anglers to remove ice houses from bodies of water in the southern two-thirds of Minnesota | March 1 |
| Deadline for border waters between Minnesota and the Dakotas | March 5 |
| Deadline in the northern one-third of Minnesota | March 15 |
| Recommended thickness, in inches, of ice on a body of water for people to stand..... | 4 |
| Inches for snowmobile or ATV | 5 |
| Inches for a car or small truck | 8-12 |
| Inches for medium truck | 12-15 |
| Estimated cost to recover a submerged vehicle | \$15,000 |
| Top DNR recommendation for driving on ice, in MPH | 15 |
| Date the Boundary Waters Canoe Area Wilderness lakes and stream trout winter season ends | March 31 |
| Maximum depth, in feet, of Rainy Lake | 161 |
| Leech Lake..... | 150 |
| Lake Minnetonka..... | 113 |
| Mille Lacs Lake | 42 |
| Area, in square miles, of the Red River Basin | 50,000 |
| Current crest level, in feet, of a 100-year flood in the basin..... | 38.3 |
| Proposed federal changes to crest level, in feet, of 100-year flood..... | 39.3 |
| Crest level, in feet, of 2009 Red River flood | 40.82 |
| Previous years of major Red River flooding..... | 1826, 1897, 1950, 1997, 2009 |
| Number of sandbags to be pre-filled in Moorhead in 2010 | 300,000 |
| Number of sandbags to be pre-filled in Fargo, N.D. in 2010, in millions..... | 1 |
| Largest 24-hour rainfall in state history, in inches (Houston County in 2007)..... | 15.10 |
| Fatalities linked to 2007 flash floods in southeastern Minnesota..... | 7 |
| Millions the Senate recommends in its bonding bill for flood mitigation grants..... | \$70 |
| Millions recommended by the House in its bonding bill | \$50 |
| Millions recommended by Gov. Tim Pawlenty in his bonding bill | \$50 |

— S. HEGARTY

Sources: City of Moorhead, Department of Natural Resources, Minnesota Climatology Working Group, Minnesota Management & Budget, Red River Basin Commission

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