

# SESSION WEEKLY



**DNA - IT'S ALL IN THE FAMILY**  
**IMAGES IN BLACK AND LIGHT**  
**NORTHERN PIKE AND MUDDY WATERS**  
**BUDGET BILLS MOVE ON**

HF1351 - HF1413

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
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# Flashback to 1991, 2001, 2006

## Rainy day fund and stormy budget

The House adopted its 1991-1993 budget resolution on a vote of 69-62. The plan uses higher taxes and more of the rainy day fund to remedy the state's \$1.1 billion fiscal problem.

The plan calls for boosting state spending to \$15.3 billion over the next budget cycle, a \$340 million increase over Gov. Arne Carlson's earlier proposals.

To pay for the extra spending, the plan would raise \$201 million in taxes and use \$150 million more from the budget reserve than Carlson had called for. The \$500 million budget reserve would be tapped to fund \$300 million in programming.

**Session Weekly April 12, 1991**

## Wear a helmet or pay up

People under age 18 would be required to wear bicycle helmets or face a \$25 fine, under a bill sponsored by Rep. Ron Erhardt (R-Edina). Students from Mounds Park Academy came to him with the idea. The requirement would also apply to a passenger in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.

**Session Weekly April 7, 2006**



**Session Weekly April 6, 2001:** The possibility of long-term funding for natural resources got a high-five from the House Environment and Natural Resources Policy Committee. Former Minnesota Twin and avid outdoorsman Kent Hrbek testified in support of HF1671, a bill that would create a constitutional amendment to dedicate sales tax revenue for the environment.

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## SESSION WEEKLY

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**On the cover:** Sun Young Um of South Korea reads a Capitol self-guided tour brochure in the corridor just inside the front doors of the building while waiting April 1 to take the guided Historical Society Tour. Historical Society tours serve 113,450 total visitors a year, more than 63,000 of which are part of education groups, as well as visitors from every state and about 100 countries.

— Photo by Tom Olmscheid

## DNA - It's all in the family

Familial DNA could help solve criminal cases, but at what cost?

By MIKE COOK

**I**magine a scenario where someone has broken a window to enter a home in the middle of the night, and the parents wake up the next morning to find their child gone.

Blood is found on the glass and that evidence is taken to the Hennepin County Sheriff's Office or Bureau of Criminal Apprehension labs for DNA extraction.

"That DNA profile is run against the BCA database for convicted felony offenders to see if there is an identical match," said Hennepin County Sheriff Rich Stanek. "Right now, if there's not an identical match, that's it.

Investigators have nowhere else to go once they've exhausted all other investigative leads and that case remains unsolved."

However, forensic sciences and new technology allow scientists to use familial DNA as a tool.

Familial DNA is the use of family members' DNA to identify a closely related suspect in jurisdictions where large DNA databases exist, but no exact match has been found. The process involves using the DNA found at the scene of the crime to determine if part of the profile matches existing DNA in the criminal database, presumably from a blood relative of the yet unknown suspect. This would allow authorities to focus on a potential suspect, and possibly get the first break in a case that has otherwise provided no leads.

### All in the family

The success of identifying a lead to a suspect of an unsolved crime using familial DNA would depend upon a parent, child or sibling of the suspect having previously provided a DNA sample.

"Familial DNA searches do not authorize the collection of additional DNA from people just because they are family members of a convicted felon," Stanek said. "Law enforcement is still taking evidence from a crime scene and running it against the convicted offender database."

Familial DNA has been successfully used in two California cases. Authorities in Santa Cruz last month linked a suspect to a 2008 robbery and sexual assault when DNA from a relative of the suspect matched DNA taken from the crime scene. Familial DNA also led

Family photo courtesy of the Minnesota Historical Society; fingerprint image courtesy of Photo8.com

authorities to the so-called "Grim Sleeper," a Los Angeles man accused of 10 murders from 1985 to 2007.

Rep. Tony Cornish (R-Good Thunder) sponsors HF981 that would authorize the use of familial DNA searches in certain law enforcement investigations when certain criteria are met:

- no identical match to DNA collected from a crime scene in a database of DNA samples;
- the case in question is a first- or second-degree murder, first- or second-degree criminal sexual conduct, kidnapping, missing persons or other case that involves an imminent threat to public safety; and
- all other reasonable investigative leads have been exhausted.

**First Reading continued on page 4**

Heard March 17 by the House Public Safety and Crime Prevention Policy and Finance Committee, the bill was held over for possible omnibus bill conclusion. It has no Senate companion.

"Technology has evolved to the point now where we would be remiss if we didn't take advantage of it," said Dave Bjerga, acting superintendent of the BCA. "This is a very small number of cases per year that we anticipate. ... It's time for Minnesota to take a lead in this."

The bill would direct the BCA to establish rules governing the process and provide an annual report to the Legislature on the number of familial DNA searches requested, conducted, number of familial matches found as a result of the search and the status of any case where a familial match is found.

"This is a pretty complex area of science and that's why we believe the specifics about how this would be implemented, putting in place processes and procedures, should be done through the BCA superintendent rulemaking process," Stanek said.

### What about privacy rights?

Rich Neumeister, a self-described "leading advocate on privacy and civil liberties and open government for almost 30 years," said the Legislature needs to take the lead and provide direction to ensure accountability and transparency.

"There is no public input or the opportunity for lawyers, civil libertarians, anybody to make comment about the proposed rules," he said. "Let's have a full public discussion."

Stanek said a number of other states, including New York, Florida and Texas are using the science in some capacity, although not all have formal policies developed. California and Colorado are the only states with legislative rules to conduct such searches.

"Superintendent Bjerga and I have worked a number of cases over the years, and we can tell you story after story after story where this might have been very useful here in Minnesota," Stanek said. "The time has come



PHOTO BY ANDREW VONBANK

**A laboratory technician tests samples at the BCA.**

to take a hard look at this, a policy look at this."

Critics say the search technique could infringe on privacy, unfairly target innocent people and disproportionately affect minority populations.

Christine Funk is a criminal defense attorney who has worked on DNA evidence and forensics since 1995 and has served on many state and national task forces, including a White House subcommittee on ethics, education and training for forensic scientists. She said the FBI doesn't do familial searches, and that familial searches have a 90 percent failure rate. "This is not going to open the floodgates on convictions in unsolved cases," she said.

"Please keep in mind this is a convicted offender database that they're searching," Cornish said. "If it only solves two cases ... I'm sure if one of those cases was your missing child, you'd take quite a bit different look at it."

Funk expressed great concern that the use of DNA matching would lead to "the investigation of innocent people." Further, she said the use of familial searches will disproportionately affect minority communities. "Because African-Americans

are disproportionately in the database, the number of family members who will be subject to genetic surveillance is significantly higher," Funk said.

Carolyn Jackson, the lobbying coordinator for the American Civil Liberties Union of Minnesota, said the organization opposes the bill not only because of the racial and privacy concerns, but there is no crisis that necessitates the proposed legislation. "Crime is dropping. We have a crime rate of 1967," she said.

The organization also has Fourth Amendment concerns.

"Being related to someone who once committed a felony is not a reasonable suspicion of a crime," according to written testimony given to the committee. "Using the DNA database to identify relatives of felons as suspects in a crime will subject innocent people to police scrutiny and all the collateral consequences which arise from criminal investigations."

Rep. Ernie Leidiger (R-Mayer) doesn't understand the opposition. "This bill opens up another tool for law enforcement to use, and I would think that the ACLU would want to support something like this." 🗣️

# HIGHLIGHTS

MARCH 31 - APRIL 7, 2011

**Editor's note:** The following Highlights are coverage of select information heard in House committees and other House activities held March 31-April 7. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and \*- the bill version considered by the House or the bill language signed by the governor.

## Budget

### More left on the bottom line

The state could have a little more money for flood relief and other purposes, after members of the House Ways and Means Committee updated the House's budget resolution April 4.

The resolution, which sets the General

Fund spending targets for all House omnibus finance bills, was amended to provide slightly less than \$30 million for "claims and other bills" — a catch-all category that can be used for settling claims against the state and other purposes. Previously, the target had been set at \$5.1 million.

Asked whether the money might go to pay for flood relief, Committee Chairwoman Mary Liz Holberg (R-Lakeville) replied, "That would be one possible use for the money."

According to Holberg, the House omnibus tax bill and omnibus education finance bill both came in slightly under target — by approximately \$3 million and \$1.8 million, respectively. Another \$20.1 million was subtracted from the health and human services budget target, for a total of \$24.9 million to add to the bottom line.

The House's overall General Fund spending target of \$34.26 billion, representing a 12.2 percent cut from forecasted base spending, remains unchanged.

Here are the updated budget targets, including their percentage change from forecasted spending levels:

- \$14.16 billion for K-12 education (-9.4 percent);
- \$10.69 billion for health and human services (-13.4 percent);
- \$2.96 billion for tax aids and credits (-15.8 percent);
- \$2.51 billion for higher education (-14.1 percent);
- \$1.16 billion for capital investment (-5.7 percent);
- \$1.03 billion for public safety (-2.8 percent);

## WIRED UP

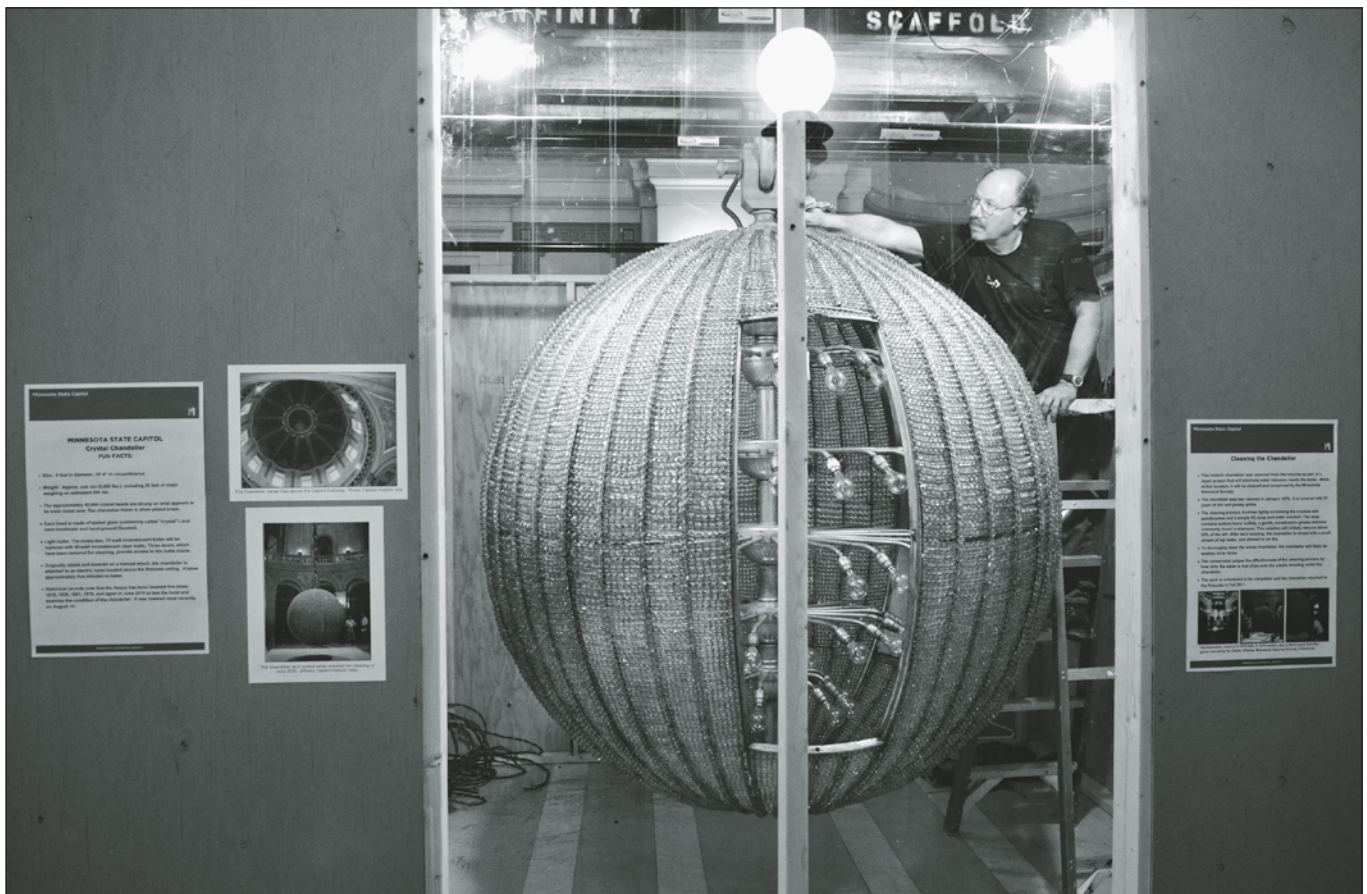


PHOTO BY TOM OLMSCHIED

Bob Eller of APi Electric works in the chandelier display area in the Capitol's North Corridor April 5 as he begins wiring a harness to the main wire of the fixture and then winding the cord through the heavy support chain before the chandelier is returned to its home in the dome of the Capitol Rotunda.

- \$726.8 million for judiciary (0 percent);
- \$602 million for state government (-34.1 percent);
- \$228.1 million for environment, energy and natural resources (-22.3 percent);
- \$81.6 million for jobs and economic development (-51.5 percent);
- \$76.8 million for agriculture (-14 percent);
- \$41.8 million for transportation (-76.8 percent); and
- \$30 million for claims and other bills (0 percent).

An updated spreadsheet is available online from the nonpartisan House Fiscal Analysis Department.

— N. BUSSE

## Business & Commerce

### Locating pawnshops near casinos

Under current law, a pawnshop can't be located closer than 10 driving miles of a casino, unless it was in operation before April 1996. That could change to 1,500 feet under a bill sponsored by Rep. Tim Sanders (R-Blaine).

Approved by the House Commerce and Regulatory Reform Committee April 4, HF1152 was sent to the House floor, but not before receiving a commitment from Sanders that the issues of concern would be worked through. The bill's companion, SF955, sponsored by Sen. David Brown (R-Becker), awaits action by the Senate Commerce and Consumer Protection Committee.

Because casinos are located on tribal lands, and the change could position pawnshops there, this could bring up issues regarding tribal sovereignty, said Rep. Tom Anzelc (DFL-Balsam Township). "These relationships can be complicated," he said, urging Sanders to consult with the tribes before the bill moves forward.

As the minority lead on the House Government Operations and Elections Committee, Rep. Mike Nelson (DFL-Brooklyn Park) said the bill would also impact local governments and ordinance making. He encouraged Sanders to bring the bill to that committee for review.

The bill would also extend from 22 days to 31 days that a pawnbroker who purchases goods not involved in a pawn transaction, is permitted to sell the goods.

"Anytime we make changes to pawn regulations there is some anxiety out there" because of law enforcement issues, said Anne Finn, assistant intergovernmental relations

director for the League of Minnesota Cities. She pointed to language that could give city attorneys "heartburn" because it proposes setting state standards that could make it difficult for localities to implement ordinances regarding pawnshops.

Pawnbrokers are not licensed directly by the state, but abide by a set of laws that local governments may enact, according to the nonpartisan House Research Department.

— L. SCHUTZ

### House approves broker pricing bill

A "broker price opinion," or a market value analysis of a property's likely selling price, is usually considered part of the package of services included in the real estate agent's commission. It is not the same as a full appraisal.

A bill was approved 131-0 by the House April 4 that would allow those preparing a broker price opinion to charge and collect a fee. However, the fee would not apply to a typical home seller or buyer, but to third parties interested in obtaining price opinions, such as banks handling foreclosed properties.

Sponsored by Rep. Joe Hoppe (R-Chaska), HF323\*/SF167 awaits action by the full Senate. Sen. Chris Gerlach (R-Apple Valley) is the Senate sponsor.

The bill would also permit more than one exclusive agreement for representation for different real estate services. For example, if a property stays on the market for months, the seller may simultaneously try to lease it. Those services could be performed by different companies or individuals. The bill would also clarify that a broker price opinion is not an appraisal for mortgage loan purposes.

— K. BERGGREN

### Beer and baseball could be on tap

For the second year, Willmar will join many communities in hosting Northwoods League summer baseball games.

Rep. Bruce Vogel (R-Willmar) and Sen. Joe Gimse (R-Willmar) sponsor HF829/SF551\* that would allow a city to issue an on-sale wine and an on-sale malt liquor license to owners of the teams or the concessionaires.

Vogel told the House Commerce and Regulatory Reform Committee April 4 of the bill's urgency. The law currently allows for the sale of 3.2 percent beer, and "in its inaugural season, too much beer was ordered," by the Willmar concessionaire, he said. The team owners don't want to make the same mistake again, but since the order

is for the full season, it has to be placed soon.

The bill would allow sales on all days of the week to people attending a game at the park or stadium.

Approved by the committee, the bill awaits action by the full House. It was passed by the Senate 53-8 on March 24.

— L. SCHUTZ

## Consumers

### No need to add home fire sprinklers

Installing fire sprinklers in new home construction can add between \$1.60 and \$8 per square foot to the cost.

Keeping housing affordable is the main concern of Rep. Joyce Peppin (R-Rogers). She sponsors HF460, which would prevent state building code, fire code or other subdivision codes from requiring installation of sprinklers. Approved 90-40 by the House March 31, it now awaits action by the Senate Judiciary and Public Safety Committee. Sen. Warren Limmer (R-Maple Grove) is the Senate sponsor.

Affordability is also the concern of Rep. Morrie Lanning (R-Moorhead) who said that requiring sprinklers could price border communities out of new housing, when compared with states such as North Dakota and South Dakota.

Rep. Kerry Gauthier (DFL-Duluth) said the bill is opposed "by just about every fire department in the state," the state fire marshal and the Department of Labor and Industry, and that sprinklers are known to save lives, property and the environment.

"Clearly this bill is for the benefit of contractors and not the benefit of public safety," he said.

Peppin said the National Fire Protection Association has calculated there is a 99.45 percent chance of surviving a house fire if a hard-wired smoke alarm with a back-up battery is installed, as is now required. She also said the bill does not prohibit anyone from installing a sprinkler in their home.

The issue would be better decided by experts through the rulemaking process, not House members, said Rep. Tim Mahoney (DFL-St. Paul).

"The resort community (is) very fearful that in the rulemaking process they will be thrown under the bus on this issue," said Rep. David Dill (DFL-Crane Lake), noting that he'd received "dozens and dozens" of calls from mom-and-pop resort and rental cabin owners about the issue.

## VERTICAL CHALLENGE



PHOTO BY ANDREW VONBANK

Workers inspect the condition of the marble façade on the State Capitol April 6.

Dill said the rocky landscape in his district makes drilling and accessing good water flow difficult for them.

— K. BERGGREN

## Elections

### Campaign finance board appointment

It's not something they get to do often, but on April 4 members of the House voted to confirm a gubernatorial appointment.

On a voice vote, the House voted to confirm David P. Swenson to the Minnesota Campaign Finance and Public Disclosure Board. Swenson was appointed to the board by former Gov. Tim Pawlenty on Dec. 15, 2010.

Swenson, who works as an attorney at Robins, Kaplan, Miller & Ciresi LLP, was chosen to replace Felicia Boyd, and will complete her four-year term. That term will end Jan. 2, 2012.

According to its website, the board is responsible for campaign finance registration and disclosure, public subsidy administration, lobbyist registration and disclosure, and economic interest disclosure in Minnesota. Under state law, appointments to the board must be confirmed by a three-fifths vote of the House and Senate, acting independently.

Most appointments to executive branch agencies in the state require a confirmation by the Senate, but not the House.

— N. BUSSE

## Game & Fish

### Vet's preference for license lotteries

The Department of Natural Resources would be required to give first preference to qualified military service members in drawings for hunting and fishing licenses, under a bill approved April 4 by the House Veterans Services Division.

Sponsored by Rep. Tim O'Driscoll (R-Sartell), HF836 would expand the eligibility preference to anyone awarded a Purple Heart medal and any service member or veteran who has a 100 percent service-connected disability. Such provisions are currently at the discretion of the DNR.

Peter Skwira, a DNR section manager, said there are about 1,200 anglers who would qualify and an unknown number of hunters.

The bill was amended into HF984, the House omnibus game and fish bill, which awaits action by the House Government

Operations and Elections Committee.

The Senate omnibus environment, energy and natural resources bill, SF1029, is sponsored by Sen. Paul Gazelka (R-Brainerd). It was passed March 29 by the Senate and laid on the table.

— S. HEGARTY

## Housing

### Pole barn skylights to bear weight

A 47-year-old father of seven died recently after falling through a skylight on a pole barn roof.

The accident happened in the district of Rep. Mike LeMieur (R-Little Falls), who hopes such a tragedy won't happen again in Minnesota. He sponsors HF529, which would direct the state building code to require that skylight panels used with corrugated roofing materials, such as those used in pole barns, to have the same load-bearing capacity as the roof surrounding them. It does not apply to skylights with curbs.

The House approved the bill 124-8 April 4.

It awaits action by the Senate Jobs and Economic Growth Committee. Sen. Doug Magnus (R-Slayton) is the Senate sponsor.

"These are preventable injuries. This is a preventable accident," LeMieur said.

Rep. Tim Mahoney (DFL-St. Paul) said he would vote for approval, but said such code changes would better be recommended by Department of Labor and Industry building professionals, for example through an advisory board, rather than on the House floor.

— K. BERGGREN

## Local Government

### Elected vs. appointed debate

A proposal to make certain Kittson County offices appointed briefly resurrected a longstanding debate on the House floor April 4.

Sponsored by Rep. Dan Fabian (R-Roseau), HF954 would give the Kittson County Board of Commissioners authority to make two offices appointed rather than elected: auditor-treasurer and recorder.

Under current law, these offices can be made appointive only if voters approve the change in a referendum. The bill would give the county

board the authority to make that decision; however, voters could petition for a reverse referendum to keep the offices elective.

The House passed the bill 68-64. It now goes to the Senate, where Sen. LeRoy Stumpf (DFL-Plummer) is the sponsor.

According to Fabian, more than two dozen counties have been given similar authority in statute. He said the county board has requested the change to help facilitate a streamlining of county services.

"This is a bill that has been very carefully thought about within their community. They have a lot of support, according to their commissioners," Fabian said.

The bill would require that county officials go through a process that would involve posting public notice in the local newspapers, offering opportunity for public comment and giving residents the chance to oppose the change by offering a petition signed by at least 10 percent of voters in the county.

As with previous bills to make county offices appointive, some House members argued it is wrong to take the power to choose local officials away from voters. Rep. Torrey Westrom (R-Elbow Lake) urged his fellow lawmakers to vote against the measure.

"I think it's time to stop the trend of taking away local county elections," he said.

Westrom unsuccessfully offered an amendment that would have offered residents more opportunities to express opposition to the change. He said switching local offices from elective to appointive runs "opposite the spirit of our state's original constitution."

— N. BUSSE

### Easing zoning variance restrictions

A 2010 court decision made it next to impossible for cities and townships to grant variances, except in rare circumstances. The House passed a bill 79-52 April 4 that would allow greater latitude to grant zoning variances.

Sponsored by Rep. Joyce Peppin (R-Rogers), HF52 now goes to the Senate, where Sen. Gen Olson (R-Minnetrista) is the sponsor.

The bill is designed as a response to a Minnesota Supreme Court decision. In *Krummenacher v. City of Minnetonka*, the court interpreted state law to say that cities cannot grant variances to property owners if their properties could be put to reasonable use without a variance.

Supporters say the bill would merely clarify the current law so that local governments can go on using the same standards that have been in place for decades.

"The Krummenacher case actually took what was in practice here for a number of years in the state of Minnesota and made it illegal," said Rep. Tim O'Driscoll (R-Sartell). He added that \$45 million in construction projects in the state are being held up because of the decision.

Opponents said the bill does not have support from key stakeholders like the League of Minnesota Cities, who argue the bill's language creates disparities in the relative authority of cities, counties and townships to grant variances. They argue the legislation would trigger more court cases.

"What we should be doing is actually getting the compromise worked out... creating a bill that's 'peace in the valley,'" said Rep. Ryan Winkler (DFL-Golden Valley).

Rep. Mike Beard (R-Shakopee) said the relevant interest groups are negotiating a compromise. He said the plan is to incorporate their agreement into the Senate version of the bill, which would then be sent back to the House for approval.

— N. BUSSE

## Military & Vet. Affairs

### Veteran-owned business preference

The Department of Transportation would be required to give qualifying small-business owners who are veterans contracts for state-funded construction projects, under a bill approved by the House Veterans Services Division April 4.

HF1327 now moves to the House Transportation Policy and Finance Committee. Rep. Bruce Anderson (R-Buffalo Township) sponsors the bill, which has no Senate companion.

The bill would strengthen current law by making it mandatory for MnDOT to implement a set-aside program for veteran-owned small businesses, similar to programs for targeted groups such as women and minorities.

There are an estimated 500 veteran-owned businesses in Minnesota, according to Jerry Kyser, vice chair of United Veterans Legislative Council.

The bill would also allow local governments to implement a similar bid preference program for veteran-owned small businesses.

In both state and local government projects, up to 6 percent of the bid amount could be subtracted from the veteran-owned bid for purposes of determining which company is the low bidder. If the veteran-

owned contractor became the low bidder under this formula, the contractor would still receive the full bid amount, including the percentage that had been deducted for determining the low bidder.

— S. HEGARTY

### **'Knucklehead bill' to forgive veterans**

A violation for underage drinking can be waived to allow someone to enter the military, but it can prevent that same person from getting a public sector job after being honorably discharged from duty.

Known as the "knucklehead bill," HF1124 would forgive veterans who made "a dumb and stupid move" in their youth and give them a presumptive certificate of rehabilitation, similar to what is available to some criminal offenders, according to the bill's sponsor, Rep. Bruce Anderson (R-Buffalo Township).

Trista Matascastillo, chair of Minnesota Women Veterans Initiative Working Group, said after returning from military duty, her own husband applied to be a personal care assistant for the couple's special needs child. He was denied due to a youthful indiscretion.

John Baker, a retired Marine and attorney, said there is a 15 percent unemployment rate of Iraq and Afghanistan war veterans. He seeks to add an honorable military service discharge to the list of ways those seeking employment can receive a presumptive certificate of rehabilitation.

The bill was approved April 4 by the House Veterans Services Division and forwarded to the House Judiciary Policy and Finance Committee. Sen. Linda Higgins (DFL-Mpls) sponsors its companion, SF878, which awaits action by the Senate State Government Innovation and Veterans Committee.

— S. HEGARTY

## **Transportation**

### **Speeding without a record**

Fewer speeding violations could end up on state driving records.

Under current law, a ticket does not appear on someone's driving record if the person was driving up to 10 mph over the speed limit in a 55 mph zone, or 5 mph over the limit in a 60 mph zone.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF537 would add the 10

mph threshold to the 60 mph limit.

"If you speed, you are still breaking the law and may be punished," Urdahl said. "This simply gives a break on driving records. It doesn't change state penalties." He emphasized the bill has nothing to do with raising speed limits, it's only about not recording infractions to the state and that insurance companies will not up the rates.

Approved April 5 by the House Transportation Policy and Finance Committee, the bill was sent to the House Public Safety and Crime Prevention Policy and Finance Committee. It has no Senate companion.

Enacted in 1986, the "Dimler amendment," named for its sponsor, former Rep. Chuck Dimler (R-Chanhassen), governs which speeding violations are recorded on a driving record maintained by the Department of Public Safety.

State Patrol Maj. Ken Urquhart said he'd hate to see someone stopped for going 90 mph able to plea bargain down to the point where the infraction would not go on their record.

Erik Rudeen, state legislative liaison for the Department of Transportation, said the increase would send the message that it is OK to speed. "When speeds are higher than the predominant design speed fatalities do increase. ... Increasing that differential could certainly lead to more severe traffic accidents, which is a concern for the department."

"Is the fear of increased insurance rates an actual deterrent to speeding?," said Jeff Nachbar, public policy director for the Brain Injury Association of Minnesota.

Urdahl said he wouldn't proffer the bill if he believed it would cause more injuries and deaths. "I'm convinced there is no evidence that indicates that changing this law is going to cause these things to happen."

— M. COOK

### **Disability tag changes proffered**

The required placement of disability tags in a vehicle could change, as could the exemption for using them far after their expiration date.

Under current law, a disability certificate must be hung from a vehicle's rearview mirror. If there is no rearview mirror or the certificate holder's disability precludes them from placing the certificate on the mirror, the certificate must be displayed on the driver's side dashboard.

Sponsored by Rep. May Kiffmeyer (R-Big

Lake), HF721 would allow the certificate to be placed anywhere on the dashboard.

A man whose wife has a disability brought the idea to Kiffmeyer. "Frequently the certificate lying on the dash would fly out the car door and they would scramble to find it. With her disability that was a real problem, a real hassle," she said. Further, the certificate's reflection in the window hinders driver visibility.

The bill would also amend an exemption from conviction of a violation of disability parking restrictions.

"Right now in current statute no matter how long you have your certificate, even if it is expired and it's been a long time, you're able to have this situation where the violation is waived," Kiffmeyer said. Under the bill, if a certificate is expired by more than 90 days that would no longer be the case.

"This issue was brought to us by members of the disability community who were having some frustration with the inability to find enough handicapped parking spaces in our ramps and other places," said Pierre Willette, government relations representative for the City of Minneapolis. "What we found out after some more intense enforcement is there were an awful lot of expired handicap certificates being used, and a lot of those violations were being dismissed at the violations bureau because of the ability through the old statute to dismiss them regardless of how old the certificate was."

The bill also requires surrendering of a permit if it's more than 90 days expired.

Approved April 5 by the House Transportation Policy and Finance Committee, the bill was sent to the House Public Safety and Crime Prevention Policy and Finance Committee. A companion, SF430, sponsored by Sen. David Brown (R-Becker) awaits action by the Senate Transportation Committee.

— M. COOK

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# Aiming for reform

House approves omnibus health and human services finance bill

By HANK LONG

**H**ouse Republicans fit the final piece of legislation into their omnibus budget puzzle early Thursday. But DFL members didn't like the picture that was coming into view.

After seven hours of discussion on the omnibus health and human services finance bill, the House approved HF927/ SF760\* 70-62. Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. David Hann (R-Eden Prairie), the bill now returns to the Senate. A conference committee is expected to be called to work out the differences.

The \$10.65 billion budget for health and human services represents the second largest area of state spending, trailing only K-12 education.

The bill would cut \$1.7 billion in projected General Fund health and human services spending over the next two fiscal years. Republicans pointed out that the bill would still spend \$500 million more on health and human services than the current biennium, but DFL members called the methods outlined in the bill used to make the cuts nothing more than shifts, tricks and gimmicks.

As the bill received its

third reading shortly after 1:30 a.m., Rep. Tina Liebling (DFL-Rochester) said much is still unknown about the bill's impact on spending and services for the most vulnerable

Minnesotans, an approach to budgeting she called "dishonest."

Abeler said the bill enacts real reforms and "makes a great effort to focus on our priorities, live within our means, have a sustainable program that will survive for the next decade or longer as we care about the needs of the most vulnerable, seniors in nursing homes and people disabled keeping that safety net intact."

The cost savings are expected to come from nursing home care reforms for the elderly and disabled and lower payments to HMOs that serve poor and disabled residents. Two major pieces include a federal global Medicaid waiver request that proponents believe will save \$300 million, and a repeal of early Medicaid enrollment for adults without children whose income is less than 75 percent of the federal poverty guidelines. The majority of the \$200 million in cost savings generated from that repeal would be used to reduce cuts made to elderly and disabled waived service.

## Contention over savings

DFL members pointed out a letter Department of Human Resources Commissioner Lucinda Jesson wrote to the House this week that said \$750 million of the bill's projected cuts, including the estimated savings on the global waiver and repeal of early MA enrollment, were unsubstantiated. The letter also states that the initiatives would result in Minnesota losing out on \$1.3 billion in federal dollars over the next three years.

Rep. Thomas Huntley (DFL-Duluth) said the global waiver request is savings "that is never going to be there because some people in this room don't have the guts to actually say what a cut is."

Huntley pointed to Gov. Mark Dayton's proposed health and human services budget that would cut \$800 million in spending. He used a borrowed term from the governor to call the House Republican plan "Fantasy Island."



PHOTO BY ANDREW VONBANK

**Rep. Jim Abeler presents the omnibus health and human services finance bill on the House floor April 6.**



PHOTO BY ANDREW VONBANK

**Lobbyists and visitors in the hearing room gallery view amendments to the omnibus health and human services finance bill during a packed meeting of the House Ways and Means Committee April 5.**

### Who makes the cuts?

Abeler said he believes the federal government will grant Minnesota the waiver, although a provision in the bill says that if the \$300 million in savings is not realized, the health commissioner would be instructed to outline the cuts.

DFL members rejected the notion and said that it irresponsibly delegates authority away from the Legislature.

"Members, I want to know how many of you wanted to come down to St. Paul so a commissioner can make decisions for you?" said Rep. Larry Hosch (DFL-St. Joseph).

Rep. Nora Slawik (DFL-Maplewood) unsuccessfully offered an amendment that would have the governor consider calling a special session so the Legislature could address any budget gaps should the Medicaid waiver request be rejected or its savings come under projections. Republicans called the amendment useless.

"We do both agree that the governor can call us back to special session under whatever language passes under this bill, whatever the outcomes of waiver request are. ... Your amendment can't compel him to do it," said Rep. Torrey Westrom (R-Elbow Lake).

Abeler said he believes his plan will work one way or another to reduce spending without cutting rates.

"I am suggesting to this body and this state that we can find a better way to avoid these kind of rate cuts that are going to hamper the services we so want to provide," Abeler said.

### Building a bill on the House floor

Twenty amendments were offered to the bill — 11 came from Republicans, which prompted House Minority Leader Paul Thissen (DFL-Mpls) to accuse the majority of constructing a bill on the floor with amendments that were never heard in committee.

"I just don't get the urgency of having to do this right now, and kind of building a bill as we go on the fly doesn't seem to be the best process," Thissen said.

Rep. Steve Gottwalt (R-St. Cloud) pointed out that it is not unprecedented to bring policy amendments to omnibus finance bills on the House floor.

Of the nine DFL amendments put forth, one unsuccessfully offered by Rep. Patti Fritz (DFL-Faribault) would have stricken language that would repeal nursing home equalization rates, a subject of contention when it was introduced in the House Health and Human Services Finance and Reform committees earlier in session.

Some of the amendments approved on the House floor include:

- "Freedom of Choice in Health Care Act," sponsored by Rep. Glenn Gruenhagen (R-Glencoe), to declare Minnesota's constitutional sovereignty from the federal government as it relates to the Patient Protection and Affordable Care Act;
- an exemption for nursing homes from taxes on vacant beds in nursing home facilities, offered by Westrom;
- a banning of synthetic marijuana, offered by Rep. John Kriesel (R-Cottage Grove); and
- making it illegal to use EBT cards to purchase cigarettes or alcohol. The amendment, offered by Rep. Kurt Daudt (R-Crown), is a scaled-back version of a bill he proposed earlier in the session that was heard in the House Health and Human Services Finance and Reform committees.





Ten-year-old Logan Moore of Columbus looks over the railing from the third floor of the Rotunda in the west wing of the Capitol.



Nick Riley, intergovernmental relations specialist at Ramsey County, stands in a beam of light outside the House Chamber to use his cell phone.

# Black and Light

“As the sun gets higher in the sky in early spring, the light in the Capitol building is truly beautiful. The beams of light streaming from the Capitol’s dome windows, the French doors and the entrances of the building can make some of the best images. I like to think Cass Gilbert, when he designed the Capitol, knew all about the light and the way it would play throughout the state’s magnificent structure.”

— Tom Olmscheid  
Chief House Photographer



As the House is about to convene for its April 5 floor session, Wendy Underwood, St. Paul’s director of government relations, keeps a watchful eye outside the House Chamber for any members she would like to talk with.



**Wayne Norris, manager of the Department of Transportation's Metro District North Area, is silhouetted by a beam of light in the Rotunda from one of the dome windows as he waits to speak with Rep. Alice Hausman March 31.**

**Adam Chelseth, director of government affairs for the Minnesota Trucking Association, works as he waits at the top of the cantilever staircase on the third floor during his day at the Capitol April 5.**



**Jan Alswager, chief lobbyist for Education Minnesota, passes through a bright beam of light in front of the House Chamber as the House is scheduled to hear the proposed omnibus education finance bill March 29.**

# Beyond budget cuts

Finance bill heralds big changes for state government

By NICK BUSSE

**T**he House's new Republican majority began the session promising fundamental reforms to state government. On April 6, the House voted 72-61 to deliver on that promise.

HF577/SF1047\* is the omnibus state government finance bill. Sponsored by Rep. Morrie Lanning (R-Moorhead) and Sen. Mike Parry (R-Waseca), it would cut spending on state government by more than one-third, downsize the state's workforce and enact a package of wide-ranging reforms to change the way the state does business.

Not everyone supports the overhaul of state government proposed in the bill. Many DFLers say the bill ignores fiscal realities and unfairly targets state employees for draconian cuts. But Lanning said it's not enough to cut spending; the state needs to make fundamental changes

in order to be successful in the future.

"I believe this bill has more government reform proposals than we've probably seen in any other bill in a long time," he said.

Passed by the House, the bill now returns to the Senate, where a different version passed 36-29 on March 30. A conference committee is expected to work out the differences.

The bill would fund core state government operations for the 2012-2013 fiscal biennium. This includes agencies like the Revenue and Administration departments, Minnesota Management & Budget, the Legislature and the state's constitutional offices. It also covers the Military Affairs and Veterans Affairs

### Selected policy provisions in the bill:

- a "sunset commission" to find and eliminate duplicative state services and agencies;
- zero-based budgeting, allowing legislators to prioritize state spending based on measurable goals and performance indicators;
- a pilot program using revenue bonds to pay nonprofits for social work based on measurable return on investment to the state;
- consolidating all state agencies' information technology services under the Office of Enterprise Technology;
- a reduction in the total number of deputy and assistant commissioners in the executive branch;
- allowing counties to use private accounting firms for their audits instead of the Office of the State Auditor; and
- a plan to simplify and reduce the number of job classifications in state agencies.

departments, which are the only two agencies that would receive a budget increase.

In addition to cutting most agencies' operating budgets by 8 to 15 percent, the bill includes plans for \$169.6 million in new revenues. It would also ask MMB to cut \$94.8 million from executive branch spending by implementing a variety of reforms specified in the bill — everything from reducing the number of state workers to loosening restrictions on outsourcing.

During nearly six hours of floor debate, members sparred over whether the reforms would save as much money as supporters claim. Rep. Nora Slawik (DFL-Maplewood) said Republicans are deliberately ignoring fiscal notes from MMB that show much smaller savings than what the bill anticipates.

Slawik specifically challenged the assumption of \$169.6 million in new revenues. Officials from the Revenue Department testified in committee hearings that the bill's provisions are unlikely to generate anywhere near that level of savings. Slawik said the bill is "structured around a fantasy."

"I thought you came here to make cuts. Now you're booking revenue that doesn't exist," Slawik said.

But supporters said state agencies are often biased in favor of the status quo. They said MMB's fiscal notes focus only on the cost of implementing reforms, and ignore the savings they would achieve.

"A lot of these reforms, if you're a state employee, you might not want them to



PHOTO BY ANDREW VONBANK

Rep. Morrie Lanning responds to a question on the House floor during the April 6 debate on the omnibus state government finance bill.



PHOTO BY TOM OLMSCHIED

**The St. Paul Fire Department Honor Guard leads an April 4 march of groups representing the labor, faith, nonprofit, rural, environmental and progressive community from the Cathedral of St. Paul to a rally at the State Capitol to call for an end to attacks on working people and focus on passing a budget that protects middle-class families.**

occur... and you might have some bias," said Rep. Mary Liz Holberg (R-Lakeville).

Lanning added that officials still haven't produced a fiscal note on a key provision in the bill: a tax analytics program that is expected to generate \$133 million.

"There comes a point where we have to make some judgments ourselves... and my best judgment says that this bill is in balance," Lanning said.

### A smaller workforce

The bill would impact state workers in several ways. A 15 percent reduction is called for in the total number of state employees by 2015 — 12 percent in the next biennium and another 3 percent in the following one.

Rep. Keith Downey (R-Edina), who sponsored the provision, said the reduction in the workforce combined with other changes would lead to a more productive, more efficient executive branch.

"We can fund our priorities and not the bureaucracy," Downey said.

A 15 percent reduction would translate into

approximately 5,000 fewer state jobs. Downey said most of the reductions would likely be achieved through regular attrition and early retirement incentives rather than layoffs.

Other provisions would freeze state workers' pay for two years and create various incentives for employees to look for cost savings. The bill would also lift restrictions on outsourcing, and require agencies to contract out with private vendors if they can provide a service at a lower cost than state workers. State employee unions could compete with private companies to bid for the work.

"There's no reason that our state workforce, if properly challenged and properly empowered, can't achieve the productivity gains achieved in the private sector," Downey said.

Opponents said the bill amounts to a thinly veiled attack on state workers and their collective bargaining rights. They also questioned whether the 15 percent reduction would leave agencies with enough staff to fulfill their missions.

"This bill clearly is unfair to state employees,"

said Rep. Kerry Gauthier (DFL-Duluth).

Rep. Ryan Winkler (DFL-Golden Valley) said state employee compensation accounts for only 8 percent of the state's total budget. He argued the bill would harm state services while only creating minimal savings.

"You're making government less effective, and you're not managing to save any meaningful money," Winkler said.

The workforce reduction would apply collectively to all state agencies, but would not necessarily entail across-the-board reductions. Some agencies might receive smaller reductions than others.

Despite all the controversy, Rep. King Banaian (R-St. Cloud) urged his colleagues to support the bill. He said the fiscal uncertainties inherent in some of the provisions shouldn't prevent lawmakers from following through on their promise to reform government.

"We're trying to do something new. We're trying to do something different here," Banaian said.

# Slot limits: more or less

### Northern pike regulations stir muddy waters

By SUE HEGARTY

**P**ublic sentiment is as clear as muddy waters regarding how best to manage northern pike, a common fish found in thousands of Minnesota lakes that is the prize meal sought by anglers and spearers.

During the 1980s the Department of Natural Resources began to study why the number of big fish was declining in Minnesota lakes. The department sought public input and later imposed slot limits, which required the release of northern pike caught between varying lengths on at least 60 lakes. These experimental regulation lakes were then monitored. A few years later, interested parties once more got together to see how the experiment was working. As a result, the DNR put a self-imposed cap on the number of experimental management lakes at 125.

A University of Minnesota study found that anglers and spearers were split on whether to increase or decrease the number of designated lakes with slot limits. Anglers can remove a hook and return a fish to the water, but those who spear a fish inside a slot limit don't have that option. If they accidentally do, they may be inclined to discard the fish to avoid getting caught by conservation officers.

The DNR has northern pike slot limits on an estimated 119 of 3,300 lakes. Some think that's too few, while others believe it's too many.

Rep. Tom Hackbarth (R-Cedar) sponsors HF984, the omnibus game and fish bill, which would reduce that number to no more

than 60 lakes at one time. The lakes would be designated as experimental and special management lakes for 10 years, at which time the DNR would determine, based on scientific study, whether to discontinue the designation. The House Environment, Energy and Natural Resources Policy and Finance Committee approved the bill April 5 and sent it to the House Government Operations and Elections Committee.

Rep. Tom Rukavina (DFL-Virginia) sponsors HF107 that would eliminate northern pike spearing slot limits altogether because spearers who catch a fish within the slot limit are unable to release the fish. He said spearers aren't out to abuse fishing privileges, "they're out there to catch a fish and eat it. Maybe there's a way to allow a change or something where you get one fish in the slot if you do it by accident."

DNR officials said they can't think of a fair way to reduce lakes from the management program. "There is no fair or reasonable way to drop that number or cut it in half," said Dirk Peterson, a DNR fisheries program manager. "It would probably result in a number of

unhappy citizens across the state."

Some of those would be members of the Minnesota Fish and Wildlife Legislative Alliance, according to Jim Lilienthal, alliance board chair. Lilienthal helped establish northern pike regulations before he retired from the DNR in 2008. He said the program is working and that three-fourths of spearers in central Minnesota reported spearing on regulated lakes, despite the slot limits.

But Roger Goeschel, a Minnesota Darkhouse and Angling Association member, disagreed. "When this regulation came out, we were behind this," he said because it originally pertained to about 60 lakes. "Darkhouse guys don't go to these lakes. If they're out there fishing, they're angling for something else. They're not spearing pike because there's nothing to take when you have a 24 to 36 (inch) slot," Goeschel said.

Last year, a DNR report concluded that slot regulations resulted in larger fish on some lakes. Tim Spreck, president of the MDAA, said the DNR "cherry-picked" the lakes that showed improvement in order to show that slot limits work. "The DNR needs to be held to the fire and they need to justify that they're seeing results on these lakes," Spreck said. "Part of what they've been doing ... is basically catering to lake associations that don't want people on their lakes."

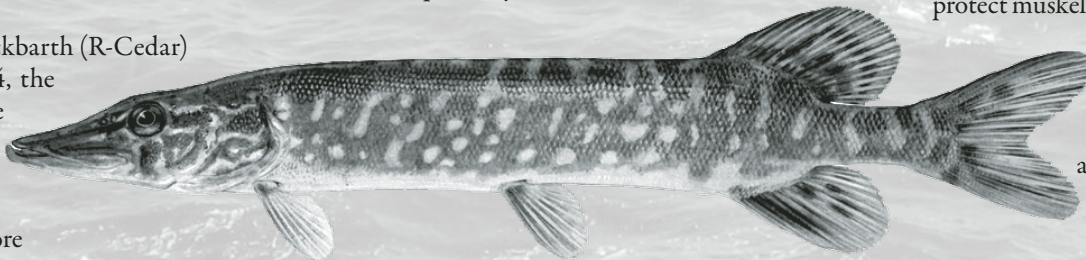
In a related, but separate section of the bill, the DNR would be required to lift a spearing ban that's been on Cass Lake since 1988. American Indians are still allowed to spear on the lake but others can't.

DNR officials said lifting the ban would result in temporary spearing of big fish, but without a protected slot on the lake, the size of the northern pike would decline.

The ban's original purpose was to protect muskellunge from being

accidentally speared.

Muskies are similar in shape and appearance to northern pike.



The northern pike state record, according to the DNR, is 45 pounds, 12 ounces, caught in Basswood Lake May 16, 1929.

NORTHERN PIKE IMAGE COURTESY OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

# Omnibus game and fish bill approved

Deer hunting, two-line fishing provisions push people's buttons

By SUE HEGARTY

**T**he omnibus game and fish bill contains more than 60 proposed new or amended provisions to the state's fishing and hunting laws, some of which are hot-button issues.

For example, expanding the number of lakes where anglers can drop in two lines is one of the more controversial provisions contained in HF984, sponsored by Rep. Tom Hackbarth (R-Cedar). Currently, two lines may be used only for ice fishing and along border waters, such as Lake Superior, Lake Pepin and Big Stone Lake.

As amended and approved by the House Environment, Energy and Natural Resources Policy and Finance Committee on a 10-4 vote April 5, the bill would no longer allow anglers to troll these lakes when fishing with two lines because boats would need to be anchored. The bill awaits action by the House Government Operations and Elections Committee.

The Department of Natural Resources opposes two-line fishing. Dirk Peterson, DNR fisheries chief, said it would likely result in increased mortality rates for fish caught and released and a decline in the size of fish harvested over time. Angling groups agreed.

"If we double the lines, we double the mortality. Scientists tell us this is not a good idea," said Lance Ness, president of the Fish and Wildlife Legislative Alliance.

Two lines are favored by some legislators who view it as a competitive edge for states that allow two lines.

"We have it in Minnesota already. You can fish in the winter time with two lines, so it's a pretty weak argument that we shouldn't allow this. Every state around us does allow

two-line fishing," Hackbarth said.

Last year, two-line fishing was in a bill that passed the House and Senate but was vetoed by former Gov. Tim Pawlenty because of a different controversial provision, Hackbarth said.

Another fishing change could include cutting in half the number of lakes that can be designated as experimental and special management waters. The provision would reduce the current number of experimental lakes from 119 to 60. Several angling organizations objected to the proposed changes and Peterson said there is no fair way to choose which lakes to drop from the list.

Several proposed game regulations are also ruffling feathers. The bill would prohibit the DNR from adopting antler point restrictions on deer harvested in the southeastern part of the state, known as the Series 300 area. Several people representing hunting organizations spoke against the provision, saying it circumvents years of stakeholder input. Supporters said it makes poachers out of hunters who accidentally shoot deer and leave them in the woods to avoid violations.

In 2010, the first sandhill crane hunt in more than 100 years was permitted in Minnesota. The hunt was done by DNR rule, rather than legislative authority, and therefore had little public input, according to Audubon Minnesota. This bill would authorize hunting of sandhill crane in law. Hunting grounds would be limited to the

northwest corner of the state. Last fall, the DNR offered permits because populations had increased to about 500,000 birds, above the population goal of 349,000. It issued 1,900 permits and had about 750 active hunters, according to Ed Boggess, DNR Fish and Wildlife Division director.

"The mid-continent population is hunted by all the states of the central flyway ... except Nebraska. The total harvest is between 20,000 and 30,000 and (Minnesota) took about 700," Boggess said.


Rep. Kate Knuth (DFL-New Brighton) said she wants to ensure that hunting sandhill cranes won't impact the protection of the whooping crane, which hunters might shoot by mistake.

Audubon Minnesota issued a list of steps it would like the DNR to implement, including educating hunters to prevent the accidental shooting of the federally and state endangered whooping crane.

The bill also includes language that would:

- allow a motorist who kills a deer with a vehicle to have the first right to keep the carcass;
- include compensation to farmers for fences damaged by elk;
- allow spearing on Cass Lake; and
- enable counties to offer bounties for coyotes.

Rep. Rick Hansen (DFL-South St. Paul) voted against the bill, saying many of the proposals are based on political pressure, rather than scientific evidence. For example, offering bounties on coyotes has not been proven to significantly reduce coyote populations. He also said the Department of Agriculture is worried that compensating farmers for fences damaged by elk will quickly deplete the funding appropriated for the crop damage compensation program.

Sen. Bill Ingebrigtsen (R-Alexandria) sponsors the companion bill, SF943, which awaits action by the Senate Environment and Natural Resources Committee. 

# Care for underserved communities

Community paramedic program is a 'first of its kind' proponents say

By HANK LONG

**D**r. Michael Wilcox knows the joys and the struggles associated with providing health care to a rural community. After 40 years of practice in southern Minnesota, he believes he's found an innovative way to utilize often underused resources to care for often underserved populations.

They are called "community paramedics." Currently, only a handful are working in the state.

Almost two years ago, about a dozen paramedics from the Mayo Clinic, North Memorial Health Care and the Mdewakanton Sioux EMS completed a pilot course that provided 150-200 hours of classroom along with 28 hours of on-the-job training under the supervision of a mentor.

The community paramedics would focus on service for populations with regular health care needs who don't have regular health care access. Under the guidance of an ambulance medical director, the paramedics would be able to monitor and provide some treatment to patients with chronic disease and perform minor procedures intended to prevent ambulatory or emergency room services.

Wilcox, the medical director for the Scott County-based team that includes community paramedics, a public health nurse and nurse practitioner, hopes the pilot program can serve as a model for expanded use of community paramedics to other rural and underserved populations throughout the state.



"We have a problem in access to health care in our rural communities," Wilcox told the House Health and Human Services Reform Committee in February. "And this access to health care is becoming especially more problematic as we age and as we have more immigrant folks and culturally diverse folks that tend to gravitate to these rural areas, along with a large number of folks who are uninsured."

## Legislation curbs 'frequent flyers'

Program advocates say it also helps address the ever present problem of "frequent flyers," a term coined by those in the emergency medical services industry to describe people who inappropriately use ambulance services

and hospital emergency room resources by calling on them often, many times when they may not be needed.

"The community paramedic can come out and sit down with the person, do an interview, find out what's going on

and assess the situation, which sometimes ends up not being a true emergency," said O.J. Doyle, a lobbyist for the Minnesota Ambulance Association. "What these

community paramedics can do is help plug these 'frequent flyers' into the local public health setting. They are working to plug their fingers in the holes of the health care delivery system dike."

Sponsored by Rep. Tara Mack (R-Apple Valley) and Sen. Julie Rosen (R-Fairmont), HF262/SF119\* would create a new statewide "community paramedic" definition that would aim to curb the problem that advocates say is burdening precious ambulatory and hospital emergency room resources across the state, especially in smaller communities.

The bill, awaiting gubernatorial action, would allow experienced paramedics in communities to undergo 120 additional hours of training to become certified by the Emergency Medical Services Regulatory Board as "community paramedics." The Minnesota State Colleges and Universities system recently approved the accredited training program that would teach and certify paramedics as "community paramedics" at its various schools.

The legislation would require the human services commissioner, in consultation with representatives of emergency medical service providers, physicians and local public health agencies, to determine specified services and payment rates for community paramedics. Services provided by community paramedics would be covered by Medical Assistance.

## First of its kind

Program proponents call it an innovative approach in health care reform, saying it represents a first-of-its-kind legislation that actually provides a funding mechanism and incentive for providers to use the model in their health care services.

Various forms of the pilot program used in Scott County are also being used in other states, including Colorado, North Carolina, Wisconsin and Nebraska, but Minnesota would be the first state to have an official "community paramedic" definition and an accredited certification program, said Buck McAlpin, a lobbyist for North

***"This is not something meant to be in opposition to nurses or other groups providing care. It's meant to provide a very necessary piece of the puzzle to help people live healthier in rural communities."***

— Rep. Steve Gottwalt  
R-St. Cloud

## A call for help

The community paramedics would focus on service populations with regular health care needs who don't have regular health care access. Under the guidance of an ambulance medical director, the paramedics would be able to monitor and provide some treatment to patients with chronic disease and perform minor procedures intended to prevent ambulatory or emergency room services.



Memorial Health Care, who also serves on the Minnesota Ambulance Association.

"The ambulance association supports this program and we decided that we wanted to formalize the community paramedic role," said McAlpin, a longtime paramedic. "We wanted to be sure our people were certified, that they completed their training so that the EMS board can formally regulate the certification process."

An obvious benefit of the program is the MA reimbursement for community paramedic services that providers would receive, which in turn would help an EMS industry that struggles to stay financially healthy in rural communities, Doyle said. He estimates that between two and three rural

ambulance services close every year around the state because of inefficiency in the health care delivery system.

## Concerns over expanded role

The Minnesota Nurses Association has expressed concern about how the integrated role of community paramedics would impact the services that nurses provide to patients in clinics and emergency rooms.

Association President Linda Hamilton said the position is "public health nursing without the nursing license."

The association is concerned that community paramedics will not have "adequate training and background to do chronic disease monitoring and treatment," she said, which could pose a threat to the practice of nursing and a risk to patient safety.

"We believe that chronic disease monitoring is outside this role of a community paramedic and it should be further studied," she said.

Rep. Steve Gottwalt (R-St. Cloud) praised the legislation as an appropriate measure for getting basic care in rural areas where people are "crying for more and better primary care."

"This is not something meant to be in opposition to nurses or other groups providing care," he said. "It's meant to



***"Nurses have expressed concerns, and I share their concerns, about paramedics in this role regarding their educational preparation. But I also have concerns about the availability of health care providers in rural and underserved Minnesota."***

— Rep. Erin Murphy  
DFL-St. Paul

"Nurses have expressed concerns, and I share their concerns, about paramedics in this role regarding their educational preparation," said Rep. Erin Murphy (DFL-St. Paul). "But I also have concerns about the availability of health care providers in rural

and underserved Minnesota."

Murphy, who supports the bill, said she hopes work ahead on the issue includes conversation about increasing resources for public health nurses in rural communities.

Wilcox said the community paramedic program makes logical sense for all players involved in the health care system.

"We talk about utilization of our health care resources within our communities, and there is absolutely no reason at all why these EMS providers, between 911 calls, why they couldn't actually go out and do health care for folks who are in need.

"This program is looking at a different way we can utilize our resources we have to their fullest extent."

## Minnesota State Agencies

Administration .....	651-201-2555	Housing Finance Agency .....	651-296-7608	Public Safety General Information .....	651-201-7000
Agriculture .....	651-201-6000		800-657-3769	State Patrol .....	651-201-7100
	800-967-2474	Human Rights .....	651-296-5663	Revenue	
Commerce .....	651-296-4026		800-657-3704	General Information .....	651-296-3403
Corrections .....	651-361-7200	Human Services .....	651-431-2000	Collections .....	651-556-3003
Education .....	651-582-8200	Iron Range Resources .....	218-735-3000		800-657-3909
Employment and			800-765-5043	Sales and Use Tax Line .....	651-296-6181
Economic Development .....	651-259-7114	Labor and Industry .....	651-284-5005		800-657-3777
	800-657-3858		800-342-5354	Taxpayer Helpline .....	651-296-3781
Enterprise Technology .....	651-296-8888	Management and Budget .....	651-201-8000		800-652-9094
Explore Minnesota Tourism .....	651-757-1845	Mediation Services .....	651-649-5421	Taxpayer self-service .....	651-296-4444
	800-657-3535	Metropolitan Council .....	651-602-1000		800-657-3676
Travel Info .....	888-868-7476	Military Affairs .....	651-268-8919	Withholding .....	651-282-9999
Health .....	651-201-5000	Natural Resources .....	651-296-6157		800-657-3594
	888-345-0823		888-646-6367	Transportation .....	651-296-3000
Higher Education Services .....	651-642-0567	Pollution Control Agency .....	651-296-6300		800-657-3774
	800-657-3866		800-657-3864	Veterans Affairs .....	651-296-2562

# It's a tough job, but...

Little enthusiasm expressed for 'jobless jobs bill'

By Nick Busse

**I**f the omnibus jobs and economic development finance bill could be summed up in one sentence, it might be "making the best of a bad situation." For some, it isn't good enough.

Sponsored by Rep. Bob Gunther (R-Fairmont) and Sen. Geoff Michel (R-Edina), HF1049/SF887\* would cut spending on jobs and housing programs, while attempting to protect certain priorities like helping small businesses grow new jobs.

"We prioritized our spending to focus on workforce development programs that are needed to help Minnesotans get back to work," Gunther said.

The bill also seeks to protect programs that help the physically and mentally disabled — although some members said it falls short in that goal.

"Some of the housing programs that are cut serve the most vulnerable — the poorest of the poor," said Rep. Karen Clark (DFL-Mpls).

Passed 70-60 by the House on April 5, the bill now returns to the Senate, where a different version passed 36-28 on March 28. A conference committee will likely work out the differences.

Overall, the bill would fund housing, workforce and economic development programs for the 2012-2013 fiscal biennium. It proposes General Fund reductions to several agencies, including:

- 10.8 percent to the Housing Finance Agency;
- 7 percent to the Department of Labor and Industry; and

- 5.8 percent to the Department of Employment and Economic Development.

Funding for DEED and HFA goes to support a range of programs, many of which would have their funding reduced in the bill. Opponents spoke out against cuts to the Minnesota Trade Office, the Extended Employment Program and Advocating Change Together, to name a few.

"Everyone knows how tough this job market is, and I'm very disappointed that we're not doing more in what is supposed to be a 'jobs session,'" said Rep. Diane Loeffler (DFL-Mpls).



PHOTO BY ANDREW VONBANK

**Rep. Bob Gunther listens to discussion on the House floor April 5 during debate on the omnibus jobs and economic development finance bill.**

Far from defending the bill's appropriations, Gunther agreed that the proposed cuts are unfortunate. He noted that funding for jobs and workforce programs has been reduced fairly consistently in recent years.

"We've had quite a few years of what we could honestly call a jobless jobs bill," Gunther said. "I was dealt a rotten hand this time, and I didn't enjoy it a bit."

### Rankled rangers

During the more than four-hour floor debate on the bill, it was not the budget cuts, but rather a proposed transfer from an Iron Range trust fund that took center stage.

In order to prevent deeper cuts to state agencies, the bill utilizes \$76.3 million of one-time money. This includes \$60 million from the Douglas J. Johnson Economic Protection Trust Fund, which is paid by a production tax that mining companies pay in lieu of property taxes.

Members of the state's Iron Range delegation said taking money from the fund is tantamount to stealing local property tax dollars. They decried the provision as an unfair attack on the range, which has historically been considered a DFL stronghold.

"This is a targeting of people because of where they live and who they are and how they vote," said Rep. Tom Rukavina (DFL-Virginia).

Rep. Tim Mahoney (DFL-St. Paul) unsuccessfully offered an amendment that would have taken the trust fund transfer out of the bill, resulting in an additional \$60 million cut in spending. Supporters of the amendment said Republicans are not being honest about the need for new revenue in the state's budget.

"When you need to find \$60 million of one-time revenue to pay for your spending, you're admitting that it's a revenue problem, not a spending problem," said Rep. Paul Marquart (DFL-Dilworth).

Rep. Steve Gottwalt (R-St. Cloud) accused DFLers of "misdirection," saying the amendment was just a way to distract from the billions of dollars in tax increases they would prefer to pass to balance the budget.

"Don't be fooled for a minute. The GOP majority is doing the responsible thing," he said. 🐻

# Come to the Capitol

*Directions, Parking, Visiting the Legislature, Tours, Dining*

## Directions

The State Capitol Complex is north of Interstate 94, just minutes from downtown St. Paul. It is accessible from the east and west on I-94, and from the north and south on Interstate 35E.

- I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right.
- I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right.
- I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right.
- I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left.

## Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot AA, across Rice Street from the State Office Building on Aurora Avenue; Lot F, directly behind the Transportation Building; Lot H, west of the Veterans Service Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); Lot L, east of the Judicial Center; in the 14th Street Lot at the corner of North Robert Street and 14th Street; and on the orange level of the Centennial Office Building Ramp at Cedar Street and Rev. Dr. Martin Luther King Jr. Boulevard. During the interim there are a few metered parking spots in front of the Capitol along Aurora Avenue.

Capitol Security personnel will issue tickets for expired meters.

All-day parking permits are available from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted. For more information, call 651-201-2300.

Outdoor disability parking is available in most public lots within the State Capitol Complex. However, most spots can be found in Lot N and Lot F. Disability parking is also available on the orange level of the Centennial Office Parking Ramp and in the 14th Street Lot.

The main disability entrance to the Capitol is on the northwest side of the building just off Lot N. There also are drop-off entrances on the south side under the front steps on the south side and on the northeast side of the building.

## Visiting the Legislature

During session, all House and Senate floor sessions are open to the public. No pass is required for spectators to sit in the galleries of either chamber. The House usually meets at 3 p.m. Monday and Thursday, and the Senate generally meets at 11 a.m. Monday and Thursday during the first few weeks of session. As the session nears the end, however,

both bodies may meet several times a week, often into the night.

Visitors interested in observing these sessions may call House Public Information Services at 651-296-2146 or Senate Information at 651-296-0504 with questions.

Committee meetings are open to the public, as well. Visitors wanting to attend a committee meeting can access committee information through the Legislature's website at [www.leg.mn](http://www.leg.mn). House meeting schedules are available by calling 651-296-9283.

If group members want to meet with their individual legislators or testify before a committee, arrangements should be made at least a week in advance.

For information on reserving a room for group conferences, call the State Office Building room scheduler at 651-296-0306 or the Capitol room scheduler at 651-296-0866.

## Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

Tour guides lead the 45-minute tours on the hour Monday through Friday between 10 a.m. and 2 p.m.; Saturday between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sunday between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol information desk. Brochures in about 20 foreign languages also are available there.

Tour rates vary. Generally, 45-minute tours for drop-in visitors to the Capitol are free of charge.

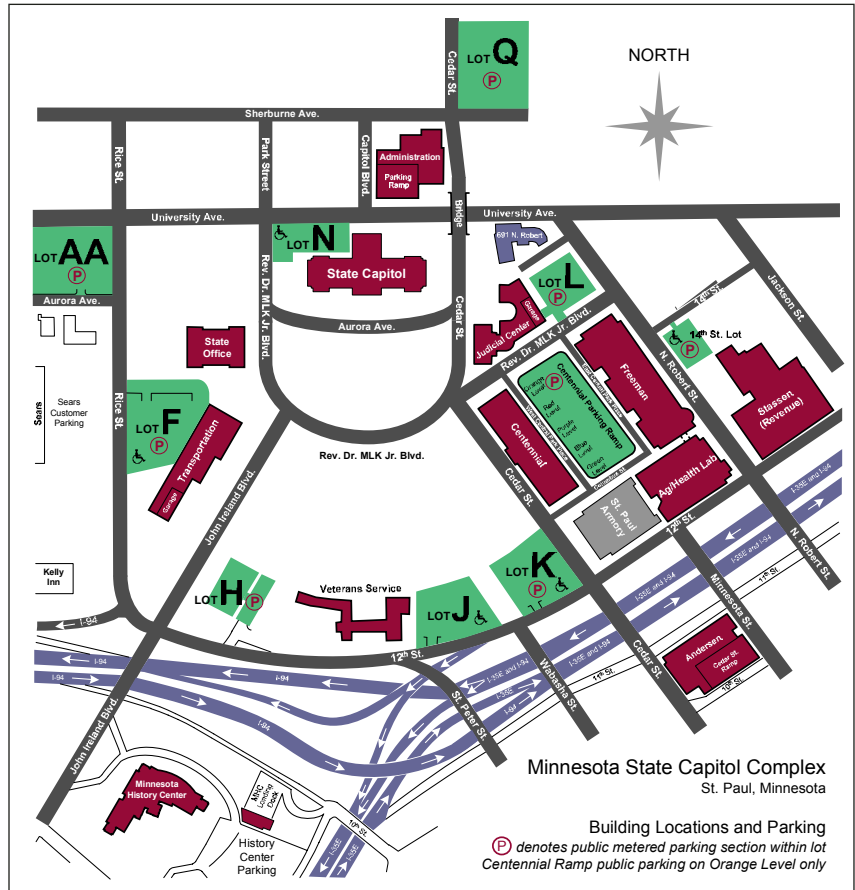
The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. A special events guide is available upon request.

For more information about the tours and fees or to make a reservation, call the Capitol Historic Site Program at 651-296-2881.

## Dining

Year-round cafeterias can be found on the ground floor of the Transportation, Centennial and Stassen buildings, as well as the Judicial Center.

The Rathskeller in the State Capitol is open only when the Legislature is in session.



Edited map courtesy Minnesota Department of Administration, Plant Management Division

# BILL INTRODUCTIONS

APRIL 4 - 7, 2011  
HOUSE FILES 1351 - 1413

## Monday, April 4

### HF1351-Swedzinski (R)

#### Health & Human Services Reform

Health care freedom of choice provided, state policy related to the Patient Protection and Affordable Care Act specified, state of Minnesota and political subdivisions prohibited from enforcing, implementing or funding provisions of the act.

### HF1352-Gunther (R)

#### Jobs & Economic Development Finance

State lottery authorized to establish gaming machines, gaming machine revenue tax imposed, powers and duties provided to the director, and a Minnesota future fund and an industry improvement fund established.

### HF1353-Dittrich (DFL)

#### Environment, Energy & Natural Resources Policy & Finance

Minnesota's permanent school trust lands independent authority created to manage, supervise and administer.

### HF1354-Lesch (DFL)

#### Government Operations & Elections

St. Paul Teachers Retirement Fund Association; postretirement adjustment procedures revised, refund interest rate reduced, interest payments on reemployed annuitant savings accounts terminated and deferred annuity augmentation rate lowered.

### HF1355-Rukavina (DFL)

#### Commerce & Regulatory Reform

State lottery director authorized to establish video lottery terminals, duties and powers provided to director of the state lottery, video lottery revenues use provided, lawful gambling taxes modified and clarifying, conforming, and technical changes made.

### HF1356-Kahn (DFL)

#### Health & Human Services Reform

Remaining embryos or gametes choice of disposition information required to be provided to patients seeking in vitro fertilization therapy or donating gametes.

### HF1357-Kahn (DFL)

#### Commerce & Regulatory Reform

Direct-to-consumer genetic testing disclosures required.

### HF1358-Kahn (DFL)

#### Government Operations & Elections

Neighborhood revitalization program termination and transition activities in a city of the first class provided.

### HF1359-Barrett (R)

#### Public Safety & Crime Prevention Policy & Finance

Stimulants and hallucinogens added as Schedule I controlled substances.

### HF1360-Torkelson (R)

#### Environment, Energy & Natural Resources Policy & Finance

Environmental Quality Board modified and duties eliminated and reassigned.

### HF1361-Buesgens (R)

#### Transportation Policy & Finance

Public impound lot definition modified.

### HF1362-Kieffer (R)

#### Commerce & Regulatory Reform

Workers' Compensation Advisory Council recommendations adopted.

### HF1363-Scalze (DFL)

#### Government Operations & Elections

Metrodome Task Force established.

### HF1364-Hornstein (DFL)

#### Taxes

Plug-in electric drive vehicles exempted from sales tax on motor vehicles.

### HF1365-Loon (R)

#### Transportation Policy & Finance

Electric vehicles allowed to use HOV lanes.

### HF1366-Schomacker (R)

#### Taxes

Alternative fuel infrastructure credit provided.

### HF1367-Banaian (R)

#### Transportation Policy & Finance

Mississippi River bikeway trail established, Veterans Memorial Highway description modified, left turns regulated and commissioner of transportation authorized to pursue federal financing and local government participation for rail service improvement.

### HF1368-Drazkowski (R)

#### Education Finance

Congress of the United States memorialized to not reauthorize the No Child Left Behind Act.

### HF1369-Hamilton (R)

#### Agriculture & Rural Development Policy & Finance

Agricultural offense penalties and remedies imposed.

### HF1370-Paymar (DFL)

#### Judiciary Policy & Finance

Law enforcement data sharing permitted.

### HF1371-Mullery (DFL)

#### Public Safety & Crime Prevention Policy & Finance

Law enforcement incident data permitted to be submitted to a federal database and local law enforcement agencies prohibited from submitting incident information to the federal government.

## Tuesday, April 5

### HF1372-Woodard (R)

#### Education Reform

Charter school law clarified.

### HF1373-Gottwalt (R)

#### Health & Human Services Reform

Maternal and Child Health Advisory Task Force extended.

### HF1374-Garofalo (R)

#### Transportation Policy & Finance

Farmington; deputy registrar and driver's license agent appointment governed.

### HF1375-Scott (R)

#### Environment, Energy & Natural Resources Policy & Finance

Renewable energy standard compliance rate impact information required.

### HF1376-Leidiger (R)

#### Government Operations & Elections

E-verify use required by state contractors.

### HF1377-Murphy, M. (DFL)

#### Government Operations & Elections

Duluth; Seaway Port Authority of Duluth employees included in Public Employees Retirement Association general retirement coverage, and purchase of allowable service credit for prior Seaway Port Authority of Duluth employment authorized.

### HF1378-Buesgens (R)

#### Transportation Policy & Finance

Transportation project alternative financing and investment provided.

### HF1379-Hausman (DFL)

#### Health & Human Services Reform

Public health care program state contracting required with health care providers instead of insurance plans.

### HF1380-Hornstein (DFL)

#### Veterans Services Division

United States Congress and the President of the United States urged to reorder federal spending priorities.

### HF1381-Erickson (R)

#### Education Reform

Pre-kindergarten through grade 12 education policy provided, including general education, education excellence, special programs, facilities and technology, early childhood education and student transportation.

### HF1382-Abeler (R)

#### Health & Human Services Reform

Health board licensing provisions changed.

### HF1383-Abeler (R)

#### Health & Human Services Reform

Alcohol and drug counselor licensure requirements modified.

### HF1384-Davids (R)

#### Civil Law

Charitable or religious organization transfers excluded from the fraudulent transfers act.

## Wednesday, April 6

### HF1385-Buesgens (R)

#### Environment, Energy & Natural Resources Policy & Finance

Personal watercraft operational requirements modified.

**HF1386-Bills (R)****Commerce & Regulatory Reform**

Unfair business practices prevented by credit and debit card companies.

**HF1387-Mahoney (DFL)****Jobs & Economic Development Finance**

Beacon Bluff Business Center funding provided, bonds issued and money appropriated.

**HF1388-Mullery (DFL)****Taxes**

Employers who employ qualified ex-felons allowed a credit.

**HF1389-Poppe (DFL)****Higher Education Policy & Finance**

Board of Regents and the selection of regents requirements modified.

**HF1390-Beard (R)****Government Operations & Elections**

Metropolitan Council powers modified in providing sewage treatment services.

**HF1391-Downey (R)****Government Operations & Elections**

State agency program designation authorized as performance-based organizations.

**HF1392-Davids (R)****Public Safety & Crime Prevention Policy & Finance**

Disaster recovery grant program established, Department of Public Safety authorized to provide technical assistance to local governments in a presidentially declared disaster and money appropriated.

**HF1393-Davids (R)****Taxes**

State general levy reduced on commercial-industrial property.

**HF1394-Hoppe (R)****Commerce & Regulatory Reform**

Continuing education requirements, pharmacy benefit managers, insurance coverages, adjusters and appraisers regulated.

**HF1395-Loon (R)****Commerce & Regulatory Reform**

Uninsured and underinsured coverages, medical benefits, arbitration and marketing practices regulated; automobile medical fraud reduced.

**HF1396-Gunther (R)****Jobs & Economic Development Finance**

Unemployment insurance and workforce development provisions modified.

**HF1397-Gruenhagen (R)****Commerce & Regulatory Reform**

Group Insurance Portability Act enacted; state law conformed on continuation employers group health coverage to the federal COBRA law, and access provided to a GAP policy as an alternative.

**HF1398-Persell (DFL)****State Government Finance**

Bemidji; veterans facility funding provided, bonds issued and money appropriated.

**HF1399-Lesch (DFL)****Civil Law**

Public nuisance acts specified.

**HF1400-Champion (DFL)****Jobs & Economic Development Finance**

Minneapolis; Nicollet Mall Phase I renovation funding provided, bonds issued and money appropriated.

**HF1401-Beard (R)****Transportation Policy & Finance**

Saturation patrols and sting operations prohibited to apprehend seat belt violators, and POST Board review of agency compliance required.

**HF1402-Beard (R)****Environment, Energy & Natural Resources Policy & Finance**

Conservation improvement program obligations modified.

**HF1403-Beard (R)****Transportation Policy & Finance**

Metropolitan transportation planning modified, metropolitan transportation board created and board designated as the metropolitan planning organization for purposes of federal transportation law.

**Thursday, April 7****HF1404-Franson (R)****Health & Human Services Reform**

Gager's Law enacted and standards adopted that govern outdoor activity at licensed child care facilities.

**HF1405-Daudt (R)****Commerce & Regulatory Reform**

Claims processing regulated for insurance on portable electronics products, and automated claims processing system use permitted to requirements and safeguards.

**HF1406-Hamilton (R)****Health & Human Services Reform**

Continuing care provisions amended, telephone equipment program changed, disability service provisions changed, comprehensive assessments and case management services reformed, nursing facility provisions changed and technical and conforming changes made.

**HF1407-Sanders (R)****Government Operations & Elections**

Vacancies in nomination procedures and requirements changed.

**HF1408-Sanders (R)****Government Operations & Elections**

Vacancies in nomination procedures and requirements changed.

**HF1409-Davids (R)****Commerce & Regulatory Reform**

Auto body repairs regulated, registration requirement imposed and money appropriated.

**HF1410-O'Driscoll (R)****Commerce & Regulatory Reform**

Workers compensation self-insurance groups permitted to substitute an insurance policy for a security deposit to ensure payment of claims.

**HF1411-Kahn (DFL)****Government Operations & Elections**

Geospatial advisory council provisions changed and expiration date extended.

**HF1412-Murray (R)****Transportation Policy & Finance**

Electric-assisted bicycle operation requirements and regulation amended.

**HF1413-Fritz (DFL)****Education Finance**

Independent School District No. 656, Faribault, lease levy authorized for administrative space.

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# MINNESOTA INDEX

## State Demographics

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New state residents between 2001-2010 .....	348,446
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— M. Cook

Sources: State Demographic Center, including Minnesota Milestones 2011, Department of Administration; U.S. Census 2010; Minnesota Compass