

# SESSION WEEKLY



**TAXING CLOUD SALES**

**NO SUING FOR SUPER-SIZING**

**PRESERVING DAKOTA HERITAGE**

**CONNECTING TO YOUR FOOD SOURCE**

HF608 - HF718

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

## All aboard!

In his pursuit of a multi-modal transportation system for Minnesota, Gov. Jesse Ventura has recommended \$115 million in general-obligation bonding for a commuter rail line between Minneapolis and St. Cloud. The line is projected to cost \$231 million, with a funding formula of 50 percent state, 40 percent federal and 10 percent local.

— Session Weekly Feb. 23, 2001



## Budget 'nightmare' or opportunity?

Gov. Arne Carlson called for a \$958 million reduction in spending for the 1992-1993 biennium, including cuts of \$538 million from aid to city and county governments; \$173 million to human development programs; and \$69 million in higher education funding.

House Speaker Robert Vanasek (DFL-New Prague) called it a budgetary "Nightmare on Elm Street."

Carlson termed his plan a blueprint for the future, which will significantly restructure government spending while still providing for the state's neediest citizens.

— Session Weekly Feb. 22, 1991

## Contents

**FIRST READING:** Governor calls for sales taxes for some online purchases and services • 3-4

**HIGHLIGHTS:** Cheeseburgers, regents, an end to the ballpark tax • 5-16

**FEATURE:** "Exploding" cheeseburger model teaches about agriculture • 17

**FEATURE:** Program uses Legacy funds to regain Dakota language • 18-19

**RESOURCES:** Come to the Capitol • 20

**BILL INTRODUCTIONS:** HF608–HF718 • 21-23

**MINNESOTA INDEX:** State corrections • 24

## SESSION WEEKLY

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On the cover: Brad Randolph, a groundskeeper with Plant Management, digs out a stairwell in front of the State Office Building Feb. 21. The southern half of the state was hit with a heavy snowfall Sunday and Monday. At the Minneapolis-St. Paul International Airport, 75 inches of snow have been recorded this winter, making it one of the snowiest seasons on record.

— Photo by Tom Olmscheid

# Sales in the clouds

Governor calls for sales taxes for some online purchases and services

BY LEE ANN SCHUTZ

**W**ith high-profile items such as a new fourth-tier income tax rate grabbing the attention, some other tax changes in Gov. Mark Dayton's budget proposal may fly under the radar.

For instance, if you purchase items from Amazon.com or make your vacation reservations online you could be paying a sales tax. Do you use a DVR service from your satellite TV provider? There could be a new sales tax on that, too. But if you like to change your cell phone's ringtone often, there's good news: the sales tax that you currently pay would go away.

If you add up the additions these new taxes would make to the state's bottom line, they are a drop in the proposed \$37 billion budget bucket. But the governor views the changes as a way to "create fairness by leveling the playing field between brick-and-mortar businesses," and to conform the law to changing technology.

Approximately \$10.6 million in sales taxes could be collected through changes to something known as the affiliate nexus definition — people generally paid by an Internet seller based on the number of people who "click through" their site to get to the seller's website.



PHOTO BY TOM OLMSCHIED

House Taxes Committee members listen Feb. 23 as Connie Berg, owner of FlamingoWorld.com in Northfield, testifies on the tax portion of Gov. Mark Dayton's budget proposal.

This relates to e-commerce and could mean anything from making online purchases from out-of-state businesses to providing discount coupons on your website.

That's how this provision would affect Carrie Rocha of Maple Grove, who operates pocketyourdollars.com.

She told the House Taxes Committee Feb. 23 how her blog's popularity "exploded," and it has become her family's sole financial support. Approximately 45 percent of her income is from affiliate revenue, she said.

Connie Berg created her own web business, FlamingoWorld.com, which employs several family members. "I am not a seller; I advertise for companies. I'm no different than a magazine that has ads in it," she said. She thinks the change would put her out of business. "If the nexus tax is passed, there is not going to be any increase in revenue to the state," she said, because the host companies, not wanting to be responsible for sales tax collection, would drop their Minnesota affiliates.

## Dayton's other proposed changes

If you buy software at a retail outlet, you pay sales tax, but if you access the software online (often called cloud computing), you don't. That would change. Dayton's proposal would "provide clarification and consistency and promote ease of administration." Plus, it would bring in about \$3.4 million over the 2012-2013 biennium for the state coffer.

Those who receive their TV service through a cable provider pay a sales tax on all services including pay-per-view and other services such as DVR, but not all of the same services are taxable when sold by a direct satellite service provider. Dayton would have all treated fairly. The change would increase General Fund revenue by \$2.3 million over the 2012-2013 biennium.

Matt Massman, assistant revenue commissioner for tax policy, said there are approximately 227,000 satellite subscribers

First Reading continued on page 4

### First Reading continued from page 3

in the state with DVRs who would be affected by the new tax.

Under current law, admission charges to such things as athletic events, concerts, theaters, dances, the state fair, skating rinks and swimming pools are taxable. Dayton proposes to tax admissions to home and garden, boat, auto and similar consumer shows and the rental of box seats and suites at stadiums. If this change becomes law, projections show an increase of \$6.9 million to the biennial bottom line for 2012-2013.

Those accustomed to making lodging reservations online could see some changes to their bill, and the state would see an approximate \$8.6 million addition to the General Fund.

According to the Department of Revenue, consumers pay less tax if they reserve a hotel room through an intermediary, such as a travel agent, compared to the amount of tax

that would be paid if the consumer made the reservation directly with the hotel, even though in both situations the price of the room is the same.

Dayton would remove some items from the sales tax list — those cell phone ringtones being one.

Minnesota partners in the Streamlined Sales and Use Tax Agreement, a voluntary effort by a number of states to “simplify and modernize the sales and use tax administration in states in order to substantially reduce the burden of sales tax administration for all sellers and all types of commerce.”

But the state is out of compliance when it comes to ringtones. Under current state law, ringtones are a taxable service, but other digital audio downloads are not. At a cost of about \$410,000 to the state over

the next biennium, ringtones will no longer be charged a sales tax to bring the state in compliance.

In 1986, Minnesota adopted a bottle tax equal to \$0.01 per container to help offset the cost of administering a liquor stamping requirement. That requirement,

used as a means to regulate liquors, has been repealed, but the bottle tax continued. According to the Department of Revenue, eliminating the bottle tax would allow for more efficiency in the

administration of liquor taxes. To make up the lost revenue, the excise tax on wine and distilled spirits would be increased by \$0.01 per liter. Beer would not be affected.

Massman said the governor’s tax proposals are being drafted into bills, and could come before the committee for action within two weeks. 🏛️

***People who receive their TV service through a cable provider pay a sales tax, but the same service is not taxable when sold by a direct satellite service provider.***

### MAYORS RESPOND



PHOTO BY TOM OLMSCHEID

Cloquet Mayor Bruce Ahlgren responds to questions during a Feb. 23 news conference by members of the Coalition of Greater Minnesota Cities, where they urged legislators to work together on a budget compromise that would hold down property taxes and limit cuts to critical community services. Other coalition members attending the news conference are, from left, Janesville Mayor Mark Novak, Glencoe Mayor Randy Wilson, Red Wing Finance Director Marshall Hallock, Minneapolis Mayor R.T. Rybak, Park Rapids Mayor Nancy Carroll, St. Paul Mayor Chris Coleman and Richfield Mayor Debbie Goettel.



# HIGHLIGHTS

FEBRUARY 17 - 24, 2011

**Editor's note:** The following Highlights are coverage of select information heard in House committees and other House activities held Feb. 17-24. 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

### Biennial budget proposal

Gov. Mark Dayton proposes a series of shifts, fee increases, policy changes and staff reductions to reach his \$170.3 million projected budget for the Department of Agriculture for the 2012-2013 biennium.

Department staff presented the recommendations to the House Agriculture and Rural Development Policy and Finance Committee Feb. 23. No action was taken.

The budget includes: \$9.2 million from Clean Water funds for the Agriculture

Best Management Practices revolving loan program. There are about 750 loans awarded each year and the money would supplement the fund's \$64 million principal.

It also calls for \$3.5 million in Clean Water funds to support the Discovery Farms concept that enables farmers to develop demonstration plots to promote and evaluate best management practices, and \$1.7 million in Clean Water funds to update the nitrogen fertilizer management plan and to develop public-private partnerships in responding to contamination of drinking water.

The plan would pay off the remaining ethanol producer payments in 2012 and shift the 2013 ethanol appropriation to the Agricultural Growth, Research and Innovation program.

There would be a 5 percent reduction in the department's General Fund base budget by consolidating two divisions, not filling vacancies left by early retirements, reducing one division director position and vacating office space leased from the St. Paul Port Authority.

Overall the agriculture department would experience a 15% reduction, when ethanol payments are included.

In addition, food inspection fees would increase 15 percent — the first time since 2003 — to boost the number of inspections, which have fallen behind schedule. Grocery and convenience stores pay the inspection fee based on gross annual sales.

The governor is also proposing a public safety surcharge on the sale of anhydrous ammonia fertilizer. The 75 cents per ton surcharge is expected to raise an additional \$220,000, which would be used to hire more inspectors. Facilities that are seriously non-compliant and require re-inspection would be subject to a \$400 fee. Those in compliance would be rewarded with less frequent inspections so inspectors could concentrate more on non-compliant facilities.

A \$2 million, one-time appropriation from the Outdoor Heritage Fund to deal with the emerald ash borer infestation is not recommended for renewal.

— S. HEGARTY

## SOLIDARITY RALLY



PHOTO BY ANDREW VONBANK

Hundreds of union members and public workers pack the Capitol Rotunda Feb. 22 for a "Solidarity Rally for Wisconsin Workers." The event was organized by the Minnesota AFL-CIO.



## Bonding

### Bonding bill is laid over

Gov. Mark Dayton's billion-dollar capital investment proposal got a cool reception from Republicans when it was released Jan. 31.

However, House Capital Investment Committee Chairman Larry Howes (R-Walker) not only scheduled a hearing on the proposal, but he sponsors the bill.

He told committee members Feb. 23 that HF607 would be laid over for further consideration.

The bill puts forward \$531 million in projects that are "shovel-ready, paint and repair projects," according to the governor; and his proposal leaves the remaining amount for the Legislature to fill.

Dayton's projects include:

- \$51.33 million for a new physics and nanotechnology building at the University of Minnesota;
- \$30 million for asset preservation and maintenance for the Minnesota State

Colleges and Universities system;

- \$28 million for Department of Natural Resources designated flood mitigation;
- \$28 million to renovate and expand the Mayo Civic Center complex in Rochester; and
- \$20 million for a new baseball stadium in downtown St. Paul.

Rep. Bev Scalze (DFL-Little Canada) questioned Howes about the future of other proposed capital projects that are in bills that have been introduced. Howes said the bills most likely have been forwarded to the appropriate finance committee and, if they are referred to his committee, they would get a hearing.

Recent news about the spring flooding potential brought representatives to the table from one of the hardest hit parts of the state in the last few years.

Lon Aune, a Marshall County road engineer, said the area in northwestern Minnesota has had 11 significant floods since 1990 that have taken a toll on the area roads. He cited the community of Oslo, which has been isolated five times in recent

years because the road is flooded. "The only access was by boat, and we are in a non-lake area.... People have boats up there for that purpose," he said.

Dayton proposes \$10 million for local road improvement funding grants. Aune said this would help minimize the costs for these reoccurring repairs, and with some flood mitigation.

A companion, SF459, sponsored by Sen. Keith Langseth (DFL-Glyndon), awaits action by the Senate Capital Investment Committee.

— L. SCHUTZ

## Budget

### Cash flow problems remain

Gov. Mark Dayton's budget proposal would balance the budget, but would not necessarily fix the state's ongoing cash flow problems, the state's top budget official said.

Jim Schowalter, commissioner of Minnesota Management & Budget, said the month-to-month cash crunches that



PHOTO BY TOM OLMSCHEID

Gov. Mark Dayton's capital investment proposal includes \$8 million for improvements to the Target Center in Minneapolis.



began under former Gov. Tim Pawlenty are likely to continue under Dayton, regardless of how he and lawmakers solve the state's budget shortfall.

Schowalter briefed members of the House Ways and Means Committee Feb. 21 on the governor's plan to solve a projected \$6.2 billion biennial budget deficit. No action was taken.

Over the past several years, the weak economy and lower-than-expected tax collections have caused the state to draw down its cash reserves. During that time, budget officials have kept the state's day-to-day operations funded by transferring money between different accounts and delaying payments to schools. They have even developed short-term borrowing options for the state, should the need arise.

Committee Chairwoman Mary Liz Holberg (R-Lakeville) asked whether the governor's budget proposals improve the state's cash flow situation.

"Do you envision, after you raise \$4 billion in new revenue, you're still going to have to do all these tricks with temporary fund transfers back and forth from different reserves ... even given the large tax increases?" Holberg said.

Schowalter said the state's cash flow problems would remain whether the deficit is solved by tax increases or spending cuts. He said the problem stems from several years' of accumulated budget pressure.

"Cash flow is closely linked to level of reserves. Ultimately, we need to get those reserves back up, and increase them as the economy gets better," Schowalter said.

MMB is scheduled to release the state's February Economic Forecast Feb. 28. Schowalter hinted that the forecast might show an uptick in tax revenues and a smaller projected deficit. He said Dayton would replenish the state's cash flow account if the forecast predicts any additional revenues.

"My suspicion is that we would have to continue to very closely manage cash for the next several years," he said.

— N. BUSSE

## Business & Commerce

### Regional business plan sought

St. Paul Mayor Chris Coleman and Ecolab Inc. CEO Douglas Baker briefed the House Jobs and Economic Development Finance Committee Feb. 22 on plans for a metro-area partnership to grow jobs in the state. No action was taken.

Coleman said businesses and local governments have joined forces in communities across the country to market themselves as attractive destinations for businesses. He said Minnesota is falling behind in this regional approach to economic development and needs its own regional organization to stay competitive.

"What we saw is that we lacked a coordinated approach that other communities had," he said.

Baker, who runs the only Fortune 500 company still headquartered in St. Paul, said Minnesota's greatest assets for attracting businesses are its high quality of life and highly educated workforce. Its high taxes and complex regulatory environment are among its biggest liabilities.

"You've got the ingredients for great entrepreneurial initiative, but in fact we're not doing very well here," he said.

Baker said the Twin Cities metropolitan area lacks a unified regional vision and governance structure for economic development. He hopes to change this with the launch of a new Minneapolis-St. Paul Regional Economic Development Partnership. The group is to set a strategy for helping business leaders and site selection consultants see the advantages of doing business in the Twin Cities.

The partnership, funded jointly by local governments and private companies, is currently in the final stages of hiring a CEO and has nearly secured \$2.8 million in funding. No state funding will be required.

"You have to have this if you're going to be successful in this day and age, and we don't have it," Baker said.

— N. BUSSE

## Consumers

### No suing for super-sizing

If you gain weight from a lifestyle of eating too many cheeseburgers and drinking too many colas at your favorite restaurant, should you be able to sue the establishment if you become obese?

For the past seven years, Rep. Dean Urdahl (R-Grove City) has been advocating that if you are what you eat, then you are responsible for the excess poundage that ensues.

He sponsors HF264 that would make establishments associated with the production or delivery of a food or nonalcoholic beverage immune from civil liability based on an individual's weight gain, obesity, or related health condition resulting from the long-term purchase or consumption of that food or beverage.

Known as the "cheeseburger bill," it



PHOTO BY ANDREW VONBANK

Joel Carlson, representing the Minnesota Association for Justice, left, testifies before the House Civil Law Committee Feb. 21 during discussion of a bill that would make establishments immune from civil liability for a person's weight gain as a result of excessive food or nonalcoholic beverage consumption. Rep. Dean Urdahl, foreground, sponsors the bill.

was approved by the House Civil Law Committee Feb. 21, and sent to the House Agriculture and Rural Development Policy and Finance Committee.

"The bill underscores that people are responsible for their own actions, particularly where food is concerned. ... Simply put, if you eat too many cheeseburgers and get fat, you can't sue the food retailer," Urdahl said.

The closest any of his previous efforts have gotten to becoming law was in 2005, when it passed the Republican-controlled House, only to die in the DFL-controlled Senate.

Urdahl vowed last session that he wouldn't bring the bill up again until the Republicans gained control of the Senate. "Funny thing happened — I thought that would be forever, but here we are," he said.

Joel Carlson, who represents the Minnesota Association for Justice, has helped stop the progress of similar bills. "This bill ignores the epidemic of obesity and leaves the impression that lawyers are filing frivolous lawsuits," he said, adding that weight-gain cases in Minnesota are not allowed. "We believe the law in Minnesota already requires personal responsibility," he said.

Urdahl's bill goes to product abuse by the consumer, said Rep. Glenn Gruenhagen (R-Glencoe).

"What I see is we are protecting manufacturers of a legally made product that meets certain standards from a person who chooses to use it to excess or to a point where it may be damaging to their health, and that's where the personal responsibility comes in," he said.

Rep. Tim Mahoney (DFL-St. Paul) called the bill a Republican statement supporting corporate America against consumer America. "Essentially what you are saying is that we should grant a free pass to any food producer in America."

A companion, SF160, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Judiciary and Public Safety Committee.

— L. SCHUTZ

## Education

### School bus crossing arm requirement

A matter of a few feet can potentially mean the difference between life and death at a school bus stop.

When a child crosses too close to the front of a school bus, chances increase that a driver might not see the youngster and potentially

drive forward, injuring the child or worse.

About 18 months ago, a child died from being hit by a bus in the north-central Minnesota district of Rep. Larry Howes (R-Walker).

Sponsored by Howes, HF392 would require all school buses used in the state that are manufactured after Jan. 1, 2012, to be equipped with a crossing control arm on the front right bumper that automatically expands out whenever the bus is stopped and the flashing red lights are in use.

Approved Feb. 21 by the House Transportation Policy and Finance Committee, the bill awaits action by the House Education Finance Committee. It has no Senate companion.

"We feel this is a proactive decision by our group to help alleviate transportation tragedies," said Tom Keliher, a lobbyist representing the Minnesota School Bus Operators Association. "If an elementary school student is too close, the driver cannot see them over the hood."

Keliher said it costs about \$300-\$350 for a new bus to have the approximately 8-foot arm. "A new school bus is about \$80,000 to \$95,000, so \$300 to put a crossing arm on the front is a very miniscule price," he said, adding costs to retrofit all current buses could get "very expensive."

Howes said many buses in the Twin Cities metropolitan area already have such a crossing arm, partially because districts require them in bus operator contracts, but it is rare in northern Minnesota. "That's why I want to do it statewide," he said.

Rep. Mark Buesgens (R-Jordan) expressed concern about forcing kids off a crosswalk if the bus driver pulls up too close to a busy cross-street and the arm extends out too far.

"I assume our bus drivers are very well-trained and they know where to stop," Howes said.

— M. COOK

### Managing school trust lands

Following a model used in Utah, Rep. Denise Ditttrich (DFL-Champlin) is proposing that an independent agency, separate from the Department of Natural Resources, be created to manage the 2.5 million acres of permanent school trust lands.

Ditttrich sponsors HF435, which would create the Permanent School Trust Lands Administration by July 1, 2013, to govern the land. The House Environment, Energy and Natural Resources Policy and Finance Committee held an informational hearing on the bill Feb. 22. It has no Senate companion.

"The DNR has an inherent conflict of interest determined by their own mission. They are to focus on preserving the environment and conservation, and that is perfect for what their department is, but I don't believe that is perfect for the management of the school trust lands," Ditttrich said.



PHOTO BY ANDREW VONBANK

Grace Keliher, director of governmental relations for the Minnesota School Boards Association, left, testifies before the House Environment, Energy and Natural Resources Policy and Finance Committee Feb. 22 in support of a bill that would create an independent authority for Minnesota's permanent school trust land. Rep. Denise Ditttrich, right, sponsors the bill.



Among the administration's duties would be to demonstrate undivided loyalty; to furnish information to the beneficiaries; and to keep trust property separate from other property. Dittrich said the DNR has demonstrated increasing management costs and no relative fund increases, attained primarily through forestry and mineral rights.

With the majority of the school trust lands in the northeastern region of the state, a recent proposal to exchange land with the federal government that included an additional cash payment was met with mixed opinion and may not even be constitutional.

"We don't want the money, we want the land," Rep. David Dill (DFL-Crane Lake) said referencing the school trust land in the Boundary Waters Canoe Area Wilderness. Some constituents consider the BWCAW land "untouchable," he said.

Members also suggested that those who hunt on school trust lands be charged rent to use the land or to sell the land outright to nature organizations. Dittrich said these varying opinions are precisely why her bill would require one school trust fund administrator to act on behalf of the school children in Minnesota.

"We do need to get somebody advocating for these lands and clear up the statute to solidify to (the DNR) what we think should happen along the way of these lands," said Committee Chairman Denny McNamara (R-Hastings).

— S. HEGARTY

## Elections

### Candidates as election judges

Candidates for office could serve as election judges in precincts where they're not on the ballot, under a bill that won committee approval.

Rep. Kate Knuth (DFL-New Brighton) sponsors HF591 on behalf of a constituent named Walt Witzke. He ran for the New Brighton City Council in 2009 and was told he could not serve as an election judge in St. Paul because he was running for office.

Knuth said the Office of the Secretary of State already interpreted state law to say that candidates could serve as judges in precincts other than where they're running for office, and that the bill would merely clarify the statute.

"We're really trying to clarify this and make it more straightforward so it's not

interpreted differently in different parts of the state," Knuth said.

The House Government Operations and Elections Committee approved the bill Feb. 23 and sent it to the House floor. There is no Senate companion.

Beth Fraser, director of governmental affairs for the office, said nothing in the bill would prohibit election officials from screening election judge applicants based on other objective criteria.

"This is our interpretation of current statute, and we're comfortable with this clarification," she said.

— N. BUSSE

## Employment

### More power for cities in arbitration

When "essential" public employees like police and firefighters disagree with their employers over how much they should get paid, arbitrators are called in to settle the disputes. At a time of recurring budget deficits, some feel the arbitrators are being too generous to the employees.

Sponsored by Rep. Linda Runbeck (R-Circle Pines), HF501 would require arbitrators to consider cities' and counties' financial problems when awarding labor contracts.

The House Government Operations and Elections Committee approved the bill Feb. 22 on a 7-6 roll call vote. It now goes to the House Civil Law Committee. There is no Senate companion.

Under the state's Public Employment Labor Relations Act, "essential employees" — mostly public safety, health care and correctional workers — do not have the right to strike. Instead, they must solve labor contract disputes with their employers via arbitration.

Laura Kushner, director of human resources for the League of Minnesota Cities, said arbitrators have a "built-in bias" in favor of public employee unions. She said even in cash-strapped cities where the "nonessential" workers agreed to wage freezes, arbitrators have awarded pay increases. As evidence, she cited two separate cases — one in Brainerd, the other in Edina.

"Both of those arbitrators basically ignored the pattern that had been set in the city for 0 percent wage increases and ordered 3 percent wage increases in an economic climate where those cities just felt that was completely out of line," Kushner said.

The bill would require arbitrators to give "substantial weight" to issues like local government aid cuts, property tax burdens and the impact of levy limits. It would forbid them from considering an employer's budget reserves when determining their ability to pay. It would also prevent arbitrators from awarding increases over and above what other unions get from that same employer.

Union leaders derided the bill as an attack on public employees' collective bargaining rights, and said it would reverse several decades of precedent on labor relations. Some committee members agreed.

"I think this is yet another in a series of initiatives that we've had that are meant to erode our labor relations system," said Rep. Frank Hornstein (DFL-Mpls).

— N. BUSSE

## Env. & Natural Resources

### Outsourcing DNR land maintenance

Amid growing concern that Minnesota has more state-owned land than it can effectively manage, the House Environment, Energy and Natural Resources Policy and Finance Committee laid over a bill Feb. 22 that would allow the Department of Natural Resources to contract for services from outside sources.

Currently state agencies can only contract for services if there is no employee available to do the work, although there are a few exceptions.

Sponsored by Rep. Paul Anderson (R-Starbuck), HF503 would provide the DNR with another "tool in the toolbox" by allowing the department to contract with private companies. The bill has no Senate companion.

Anderson said the policy change could follow similar steps used in contracting for services, such as the work being awarded to the lowest bidder. For example, farmers adjacent to state hunting lands could be reimbursed for planting food plots in wildlife management areas or spraying for invasive species.

Commissioner Tom Landwehr said many of the jobs and services require a high degree of technical expertise, and that the department is best equipped to do the work. Because a lot of the work is seasonal, the number of employees swells from 2,700 to 4,000 between May and September.

"We're hearing the only entity that's equipped to do this work is the state government," said

## RESORT REPORT



PHOTO BY TOM OLSCHIED

**Corby Niemeyer, left, and Jim Larson, right, both of Niemeyer's Rugged River Resort, along with other members of the Congress of Minnesota Resorts listen as House Speaker Kurt Zellers talks to the group during their day at the Capitol Feb. 24.**

Rep. Steve Drazkowski (R-Mazeppa). "These are the types of innovative approaches we have to go forward with."

Rep. Jean Wagenius (DFL-Mpls) requested a fiscal note and said outsourcing may not save money. "If we give it to somebody else, how do we make sure it's been done right? Does that mean hiring people to go up and check? ... That seems to add a cost, not subtract a cost."

— S. HEGARTY

### New rules add burden

Officials from several municipalities told the House Health and Human Services Reform Committee Feb. 23 that rules enacted in 2009 for testing wastewater treatment facilities leave a heavy administrative burden on certain laboratories.

Sponsored by Rep. King Banaian (R-St. Cloud), HF367 would exempt municipal environmental laboratories that test samples for their own permit compliance from the recently enacted rule changes. Approved by the committee, it now goes to the House Health

and Human Services Finance Committee.

A companion, SF162, sponsored by Sen. John Pederson (R-St. Cloud), awaits action by the Senate Health and Human Services Committee.

The rules require municipal labs to meet federal standards established by the National Environmental Laboratories Accreditation Conference.

Banaian said this has resulted in "unfunded mandates" on cities and counties by requiring additional administrative work without furthering the standards of water quality.

Melrose Water and Wastewater Supervisor Scott Gilbertson said the changes have required his lab to increase staff costs.

John Linc Stine, assistant commissioner for health protection at the Department of Health, said while they have no official stance on the legislation, they enacted the rule changes "largely because the direction the rest of the country was heading." The Environmental Protection Agency requires the federal standards for results and 14 other

states use it as the basis for their sample evaluations, he added.

Stine acknowledged that some labs might have a heavier administrative burden up front when switching to the new standards, but this would lessen after accreditation is established.

Representing the Coalition for Greater Minnesota Cities, Elizabeth Wefel said the state should enact a tiered system of standards depending on the size of labs, like other states do.

Stine said the department is open to discussing these changes as the bill moves forward.

— P. OSTBERG

## Health & Human Services

### Enacting 'Hannah's Law'

Four-year-old Hannah Kozitza died last June in the care of a child care center while choking on a grape. No provider in her care room knew CPR when the tragedy happened.





PHOTO BY ANDREW VONBANK

**Justin and Jenni Kozitza hold a picture of their daughter, Hannah, during the Feb. 22 discussion by the House Health and Human Services Reform Committee about a bill that would modify CPR requirements for child care center staff.**

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), HF235 would require all care center teachers and assistant teachers to complete CPR training for infants and children, and at least one staff person with training must be present during field trips and when transporting children. The training would have to occur within 90 days after the start of employment, under the bill. Approved by the House Health and Human Services Reform Committee Feb. 22, the bill was sent to the House floor.

Current law only requires one person in a care center to be trained, and they don't have to be present in the room.

Ron Edlund, Hannah's grandfather, said the family wonders if the outcome would have been different if there had been at least one person in the room that was trained in CPR when Hannah died. "If this bill saves one child, Hannah will have a legacy, and it will be worth it," he said.

Jerry Kerber, director of the Department of Human Services' Licensing Division, said licensed home daycare providers are already required to have CPR training. However, he said, centers account for about half of the care for children in the state.

Rep. Bob Barrett (R-Shafer) asked if there would be any changes to how food portions are cut up for small children.

Kerber said the bill doesn't address that issue, and there are fewer recommendations for how food is to be consumed as children age.

A companion, SF381, sponsored by Sen.

Dan Hall (R-Burnsville), awaits action by the Senate Health and Human Services Committee.

— P. OSTBERG

### **Payment rate increases for care**

State payment rates to nursing facilities, long-term care facilities and some community service providers would increase under a bill laid over Feb. 22 by the House Health and Human Services Finance Committee for possible inclusion in an omnibus bill.

Sponsored by Rep. Patti Fritz (DFL-Faribault), HF315 would increase nursing facility rates by 4 percent of the total operating payment rate; Intermediate Care Facilities for the Mentally Retarded would increase by 3 percent; the same as certain community service providers, including home- and community-based waiver services and personal care services. The bill has no Senate companion.

Under the bill, 75 percent of the money resulting from the adjustment would go directly to wage increases and employee benefits.

Fritz said she's repeatedly asked for increases to facilities during her seven years as a legislator and this bill's increases don't catch up to the needs. "Today we're asking for 4 percent; we are 20 percent behind."

Sonja Lemire, a licensed practical nurse at Parkview Care Center in Buffalo, said the low staffing levels mean residents don't get the dignity they deserve. In her memory-care

unit there are 30 residents, and she is the only nurse in charge during an eight-hour shift, resulting in a ratio of about 16 minutes per person. The time with patients includes distributing medication and following a care plan with very little human interaction, she said. "It's almost not humanly possible to give quality care or prevent accidents with current reimbursement rates."

Lynne Zimmerman, a health care worker, said past cuts to home- and community-based services has placed great pressure on the system. "Possible future cuts will strain the system so much that it really may fail," she said.

— P. OSTBERG

## **Higher Education**

### **New regents approved by Legislature**

Amid accusations of partisan politics for one seat, four people received legislative approval Feb. 21 to sit on the University of Minnesota Board of Regents.

Former House Speaker Steve Sviggum and business executive David McMillan were chosen to represent the 2nd and 8th Congressional Districts, respectively, and David Larson, a retired Cargill executive, was selected for a second term representing the 3rd Congressional District.

The controversy stemmed from the selection of former Republican Rep. Laura Brod, who was selected for the at-large seat over current regent Steven Hunter, the secretary/treasurer of the AFL-CIO. Brod and Sviggum were two of the three finalists recommended by the Regent Candidate Advisory Council for the 2nd District seat.

A Feb. 16 joint meeting of the House and Senate higher education committees recommended Sviggum represent the district. When it came time to vote for the at-large member, Sen. Claire Robling (R-Jordan) asked if it "was appropriate" to nominate someone else for the position. Senate President Michelle Fischbach (R-Paynesville), a meeting co-chair, said rules adopted by the joint committee permit a candidate for a specific seat to be eligible for any other position for which they are also eligible.

All Republicans then voted for Brod, while all DFLers voted for Hunter.

Rep. Joe Atkins (DFL-Inver Grove Heights) called it "the most overtly politicized vote that we have seen in 150 years of the University of Minnesota."



PHOTO BY TOM OLMSCHIED

**Former House Speaker Steve Sviggum, left, who was chosen as the 2nd Congressional District representative to the University of Minnesota Board of Regents, and former Rep. Laura Brod, right, who was selected as the at-large member for the board, talked Feb. 21 as a joint session of the House and Senate debated the candidates before selecting three new regents, and reappointing one.**

When the full Legislature got together, a motion by House Minority Leader Paul Thissen (DFL-Mpls) to move the recommendations back to the joint committee was defeated 105-87.

"A process that installed a politician who didn't even apply for the position over the incumbent labor regent who has a strong record of service on the board – a candidate that received bipartisan support in the last election and about whom no questions of performance were raised — does not reflect what is best for our state," he said.

House Majority Leader Matt Dean (R-Dellwood) noted Brod's application included check marks for both the congressional seat and the at-large position.

In nominating Hunter, Rep. Tom Rukavina (DFL-Virginia) said there has almost always been labor representation on the Board of Regents. "Don't turn back a tradition ... don't slap working people in the face," he pleaded.

The only governmental body in the state whose members are elected by the Legislature is the university's governing body. It is comprised of 12 members who serve staggered six-year terms without pay. By law, one regent is selected from each of the state's eight congressional districts and four serve at-large.

— M. Cook

### U of M budget cut concerns

University of Minnesota President Robert Bruininks does not expect the university to be held harmless when it comes to solving the state's multi-billion dollar biennial budget shortfall, but he warned legislators that deep cuts are going to affect the state's long-term quality.

"My primary message is that we want the university's future to be in the center of your deliberations," he told the House Higher Education Policy and Finance Committee Feb. 22. "We need you to pay attention to these issues not only in terms of cuts to balance the state's budget in the short-term, but also in regards to Minnesota's long-term economic vitality."

No action was taken.

In his budget proposal, Gov. Mark Dayton said higher education is a top priority of his administration, yet he recommends a 6 percent base budget reduction for the university.

Chief Financial Officer Richard Pfutzenreuter noted state appropriations to the university in fiscal year 2010 were about equal to that of eight years earlier.

"State support is essential to generating the new ideas and the external resources that fuel thousands of private-sector jobs in Minnesota each year," Bruininks said.

University officials have, at the committee's request, begun looking at what 15 percent and 20 percent reductions in state dollars would mean.

"The president's modeling, based on what we're doing today, is that we're likely to approach that problem in a two-thirds/one-third distribution, with two-thirds coming in the form of internal budget cuts and about a third coming from tuition revenue," Pfutzenreuter said.

Bruininks said that "this university will turn over every possible rock" to make sure any tuition increase is no higher than need be.

Solving a state funding reduction of 15 percent to 20 percent purely by tuition increases would mean a 13 percent to 17 percent increase. "That would jeopardize the future of countless university students. We don't plan to do that," Bruininks said. If it was made simply by layoffs, it would add 1,700 people to the state's unemployed.

"For several years now, we have warned of a future tipping point in which we would no longer be able to sustain deep cuts, and remain the university our state expects and our state deserves," Bruininks said. "I think that tipping point has arrived or is very close."

— M. Cook

## Public Safety

### 'Mixture' definition gets approval

Dissimilar penalties for people using the same amount of drugs are now possible because the weight of an entire mixture can be used when charging decisions are made regarding illegal use of a controlled substance, even if the drug residue is only a small part of the mixture.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls), HF479 would amend the definition of "mixture" in first- through third-degree controlled substance possession crimes. It would establish that "the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture, except in cases where the mixture contains four or more fluid ounces of fluid." Law enforcement could still charge sale offenses based on total weight of the mixture.

Approved Feb. 22 by the House Public Safety and Crime Prevention Policy and Finance Committee, the bill next goes to the House Judiciary Policy and Finance Committee. It has no Senate companion.

The problem surfaced in 2008 when a defendant was charged with a first-degree controlled substance offense because they possessed bong water that contained a residue of methamphetamine. Even though the bong water had just a small amount of residue, the



## STUDENT RALLY



PHOTO BY TOM OLMSCHIED

**Goldy Gopher, the mascot of the University of Minnesota's Minneapolis campus, and Mary Kay Delvo, director of advocacy and outreach for the University of Minnesota Alumni Association, react to comments by Gov. Mark Dayton as he spoke to a rally of students from university campuses around the state in the Capitol Rotunda Feb. 22.**

mixture's total weight was used to charge the defendant with the more serious drug offense. The Minnesota Supreme Court ruled in 2009 that the charge was appropriate under the current definition of mixture.

This bill was overwhelmingly approved by the Legislature last year, but vetoed by former Gov. Tim Pawlenty, who said the bill "waters down current criminal justice practices and standards related to the weight of controlled substances found in water pipes."

Kahn rhetorically asked if two people should be charged differently when they use the same amount of marijuana, but one smokes it in its original form and the other bakes it into a large brownie.

John Kingrey, executive director of the Minnesota County Attorneys Association, spoke against the bill.

"While the state will maintain that methamphetamine and other controlled substances are illegal, that won't apply to a device if it contains 4 ounces or less of

fluid," he said. "Our concern going forward is that drug traffickers could mix meth into water — methamphetamine is water soluble — transport it to a location, evaporate it and sell the remaining meth."

— M. Cook

### Restraining order clarification

Changes to the state's harassment restraining order could be forthcoming in hopes of clearing up state statute and removing an administrative barrier for victims.

Sponsored by Rep. Glenn Gruenhagen (R-Glencoe), HF469 would allow an application for a harassment restraining order to be filed in the county of residence of either party or in the county where the alleged harassment occurred.

"Current statute is silent in giving direction to the courts about the venue or filing of an HRO," he said. "This has resulted in inconsistent handling of these requests in

different counties, particularly in Greater Minnesota. ... Advocates who were working with victims found they were appearing in one county to help their clients file an HRO petition, only to be told that they would have to go to another county to seek court protection."

Approved Feb. 23 by the House Public Safety and Crime Prevention Policy and Finance Committee, the bill was sent to the House Judiciary Policy and Finance Committee. It has no Senate companion.

Gruenhagen said endorsements have been forwarded from a number of groups, including the Minnesota County Attorneys Association and the Minnesota Coalition for Battered Women.

Donna Dunn, executive director of the Minnesota Coalition Against Sexual Assault, said the bill would help in cases like one where a victim tried to file the petition in a county of residence, but was told by a court clerk she had to file for a petition in the

county where the incident took place. When the petitioner went to the second county she saw the perpetrator, who harassed her.

"She would not have had that trauma if she could have filed in her home county," Dunn said.

Courts would also be permitted to waive filing fees for certain restraining order petitions. The fee can now be waived if the alleged acts would constitute criminal sexual conduct or gross misdemeanor or felony stalking.

"The federal government requires that states, in order to be eligible for grants to combat violence crimes against women, must certify that its laws do not require victims of sexual assault, stalking or domestic violence bear the cost of filing for a protection order," Dunn added.

— M. COOK

## State Government

### Capitol restoration plans on hold

Workers are repairing the water-damaged State Capitol dome, but plans for a more extensive restoration of the aging iconic building are on hold.

Staff from the Capitol Area Architectural and Planning Board briefed members of the House State Government Finance Committee Feb. 23 on the status of the Capitol. No action was taken.

Built in 1905, the building has suffered for years from deteriorating infrastructure, poor heating and cooling systems and security and accessibility problems. Beginning in 2000, plans were floated for an extensive renovation, but lawmakers have not funded the project.

"Essentially, there is no consensus yet as to how this should be done, when it should be done or how much should be spent," said Rep. Dean Urdahl (R-Grove City).

The most recent plan calls for \$260 million in repairs, restoration and renovation of the entire building. Paul Mandell, the board's principal planner and zoning administrator, said the restoration needs are "vast" and would involve "wholesale gutting behind the walls" to replace electrical, mechanical and ventilation systems.

"You can't exactly do it during the night while people aren't working here," he said.

Mandell said lawmakers and planners would have to decide whether to renovate the Capitol one wing at a time — as was done in Ohio, Pennsylvania and Wisconsin — or close the entire building for months or even years, as was done in Texas and

Utah. During restoration, critical legislative, judicial and executive operations would have to be relocated without interrupting their operations, he said.

Mandell said that for every year the Legislature waits to deal with the issue, another \$10 million to \$20 million are added to the cost by inflation. He noted the \$4 million to \$6 million being spent right now to repair the dome is more than the \$4.5 million cost to construct the entire building 105 years ago.

"I think it's very important," Urdahl said. "It's the symbol of our state, and we have to find a way to maintain it. The obvious disrepair is, I think, shameful."

— N. BUSSE

### Telecommuting to save money

Some state employees may be able to work from home or teleconference as a way to save taxpayers money, under a bill approved by a House committee Feb. 23.

Rep. Denny McNamara (R-Hastings) sponsors HF574 that would instruct state agencies to use videoconferencing or other electronic means to conduct meetings whenever practical. The goal is to avoid travel costs for in-person meetings that would normally be reimbursed by taxpayers.

In addition, an amendment successfully offered by McNamara would give department supervisors at the Legislature permission to let their employees work from home part-time during the legislative interim. Legislative staff could telecommute for up to 20 percent of the workweek. Alternately, they could work four 10-hour workdays rather than five eight-hour days.

The House Government Operations and Elections Committee approved the bill and sent it to the House floor. There is no Senate companion.

McNamara said the bill would save the state money both on travel costs and on building operation costs. He said legislative employees would appreciate the flexibility to save money on gas one day a week and possibly have a three-day weekend.

"When session is done and you're all burned out, it really helps folks get rejuvenated," McNamara said.

The teleconference requirement would apply to all state agencies, the constitutional offices and the Minnesota State Colleges and Universities system. In all cases, the provisions of the state's open meeting law would apply.

Rep. Frank Hornstein (DFL-Mpls) called

the measure "important and helpful," and said it would be good policy environmentally, as well as economically.

Lobbyists representing the state's tourism and hospitality industries testified against the bill, arguing it would discourage state agencies from holding professional conferences at lodges and resorts.

"There are times when meetings should take place in person," said Dan McElroy, president and chief executive of Hospitality Minnesota.

— N. BUSSE

## Taxes

### Ending the ballpark tax

Members of a House committee want to make sure the sales tax increase that helped to pay for the Minnesota Twins' new ballpark doesn't go on forever.

Nearly five years ago, the Legislature signed off on public funding for a new ballpark for the Minnesota Twins. Construction of Target Field, as the new home for the Twins would eventually be called, was funded primarily through a 30-year, 0.15 percent sales tax increase in Hennepin County.

Rep. Ann Lenczewski (DFL-Bloomington) said some little-known provisions in the law could lead to that tax increase continuing on into perpetuity, unless the Legislature takes action. She sponsors HF502 that would modify the use of revenues from the sales tax, in her words, to "strengthen the protection of the taxpayers of Hennepin County."

The House Government Operations and Elections Committee approved the bill Feb. 22 and sent it to the House Taxes Committee. There is no Senate companion.

The original legislation authorized establishment of a ballpark reserve fund, and allowed county officials to put some of the sales tax revenues toward public libraries and youth sports. The bill would cap the reserve fund at \$20 million and repeal an annual increase of 1.5 percent in the amount of money to be used for the libraries and youth activities.

Without the changes, Lenczewski said county officials could theoretically game the system to pay for expensive upgrades or even build a whole new ballpark someday.

"When we all were voting on the Twins stadium, there was no contemplation that the people of Hennepin County should possibly continue to do all the upgrades or even replace the stadium over time," she said.



Hennepin County Commissioner Peter McLaughlin said the legislation isn't needed. He argued the stadium was a good deal for taxpayers, and that the county had managed the sales tax revenues prudently. As evidence, he cited the county's early repayment of some of the stadium bonds.

"We don't think the state should be micromanaging this process. We think we've been good stewards of the taxpayers' funds," McLaughlin said.

— N. BUSSE

## Thursday's Floor Action

### Unemployment extension passed

Unemployed Minnesotans would be eligible for a 13-week extension to their unemployment benefits under a bill passed by the House 126-3 Feb. 24.

Sponsored by Rep. Rich Murray (R-Albert Lea), HF103 would also remove restrictions on the benefits being paid to adult children who are laid off from their parents' seasonal businesses.

It now goes to the Senate, where Sen. John Pederson (R-St. Cloud) is the sponsor.

The bill would give Minnesotans access to a federal extension of unemployment insurance benefits recently passed by Congress and signed by President Obama. Qualifying Minnesotans would be eligible for a maximum of 86 weeks of benefits, under the change.

The extension is federally funded, and would not cost the state's UI trust fund, which is currently \$600 million in deficit. Murray said the bill would funnel \$160 million in federal funds into the state's economy.

The bill would also repeal a law enacted last year to provide no more than five weeks of benefits to individuals who are laid off from their parents' businesses. The change was intended to prevent employers from "gaming the system" by hiring their own children for seasonal work and then laying them off so they can collect unemployment.

Rep. Denny McNamara (R-Hastings) praised the provision, and said it would impact a number of his constituents.

"Just because somebody's family happens to work in the business that their father or mother owned, it would be really unfortunately to treat them differently than everyone else," McNamara said.

— N. BUSSE

## NEWEST MEMBER



PHOTO BY ANDREW VONBANK

**Rep. Carly Melin is recognized on the House floor after being introduced on her first day of session Feb. 24. Sworn into office two days earlier in Hibbing, Melin replaces former Rep. Tony Sertich.**

### House passes synthetic marijuana ban

On a 124-4 vote, the House approved a bill Feb. 24 that would make it a gross misdemeanor to sell synthetic marijuana and a misdemeanor to possess the substance.

Sponsored by Rep. John Kriesel (R-Cottage Grove), HF57 now goes to the Senate, where a sponsor is needed.

"This will undoubtedly make our communities a safer place to live," he said.

Synthetic marijuana, also known as K2 or Spice, is a mix of common herbs sprayed with synthetic chemicals that mimic the effects

of marijuana. It is sold in head shops and in stores as incense or potpourri under names like Demon, Triple X and Mr. Nice Guy, but is being used as an inhalant for people to get high. There is no minimum age to purchase the product.

Kriesel said it has been known to cause serious health problems, including seizures. In the first 11 months of last year, there were more than 2,500 calls nationwide to poison control centers because of synthetic marijuana use. It has been banned in 17 countries and 11 other states.

Kriesel said the change will also make the streets safer.

"Because synthetic marijuana is not a controlled substance, it is difficult or impossible for users to be prosecuted for driving under the influence," he said.

"Synthetic marijuana is a dangerous misnomer," said Rep. Terry Morrow (DFL-St. Peter), who successfully amended the bill to clarify that people using this can be prosecuted using driving under the influence laws. "We're talking about a dangerous chemical that's being smoked by high school and college kids and others."

During the committee process, representatives from the Minnesota Sheriffs' Association, Minnesota Chiefs of Police Association and the Minnesota Juvenile Officers Association all spoke in support of the bill.

— M. Cook

### Penalty for harming police dog

A bill to increase the penalty for injuring public safety dogs and that would impose

mandatory restitution on offenders who harm public safety dogs was passed Feb. 24 by the House.

Sponsored by Rep. Tony Cornish (R-Good Thunder), HF141 now goes to the Senate, where Sen. Dan Hall (R-Burnsville) is the sponsor. The House vote was 107-22.

The bill would extend the current two-year felony for killing a public safety dog to offenses of causing "great bodily harm" to such animals, including those which cause permanent disfigurement of the animal or loss or impairment of a body organ. Mandatory restitution in such cases would be up to \$25,000 to help care for the injured animal and the purchase and training of another dog.

It would also extend the gross misdemeanor offense of harming a public safety dog to cases where the dog suffers demonstrable bodily harm. Mandatory restitution could be up to \$10,000.

Further, the bill would create a new offense whereby it is a misdemeanor to assault a public safety dog where the animal does not suffer "demonstrable bodily harm."

Cornish said the impetus for the bill was Major, a German Shepherd stabbed Nov. 12 as Roseville police assisted Maplewood officers responding to a break-in.

After finding a suspect, officers heard Major crying in pain. He had been stabbed four times. He was rushed to the University of Minnesota Veterinary Medical Center for emergency surgery. While Major survived, he did not regain use of his back legs.

"I'm very glad that there's some way to impact all the anguish that's gone on in our community for this very popular dog," said Rep. Mindy Greiling (DFL-Roseville)

Rep. Joyce Peppin (R-Rogers) was among those casting a red vote.

"Part of the reason I'm voting against it is because of my frustration of the fact that we have stronger penalties for abusing a dog than we do for adults that are neglected," she said. "Right now, it's not a felony to neglect an adult, even if it results in great bodily harm. I think this sends kind of a mixed message.... We need to look at how we compare crimes for animals versus how we treat similar crimes for adults."

— M. Cook

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# Learning about what you eat

Students use 'exploding cheeseburger' to teach agriculture



PHOTO BY ANDREW VONBANK, PHOTO ILLUSTRATION BY PAUL BATTAGLIA

By SUE HEGARTY

**W**hen you order a cheeseburger or pick up a slice of pizza, do you pause to find out if Minnesota farm families grew the crops or raised the animals used in the ingredients?

"All too often we take for granted our abundant food supply," Julie Tesch, executive director of the Agricultural Education Leadership Council, told the House Agriculture and Rural Development Policy and Finance Committee Feb. 15.

A goal of the Minnesota Future Farmers of America Association, in cooperation with Minnesota Agriculture in the Classroom, is to increase agricultural awareness and knowledge of where our food comes from.

Fewer farmers means residents are less connected to where their food comes from and what farmers do to make it abundant and safe to eat, said Rep. Paul Torkelson (R-Nelson Township).

"Fifty-four percent of Minnesotans do not know a farmer or anyone associated with the practice of farming ... it's very scary for us in agriculture, and who support it and want to see it grow and succeed," said Liz Rabbe, FFA Minnesota vice president.

Rabbe and 9,000 other Minnesota FFA member students have been participating in the Agriculture Literacy Challenge, a new way for Minnesota FFA chapters to advocate for their industry.

For example, Morris Area FFA members showed urban elementary students live animals, explaining each animal's purpose in the food chain. They also shared a model called the "exploding cheeseburger." By breaking down a cheeseburger's ingredients, the elementary students could better understand that meat, cheese, vegetables and even the bun are derived from agriculture.

"If we're going to feed the world, people need to know what goes into producing the food on their table so they have the confidence in the safety and quality of the food they're eating," said Joel Larsen, state FFA advisor.

Post-secondary education is a way for agricultural students and urban students to connect in college. The Agricultural Education Club at the University of Minnesota sponsored Agriculture Awareness Day on the Twin Cities campus last year; an estimated 4,000 people attended.

"Something on this scale had never been done before," said Jason Kaare, a junior majoring in agriculture education and club president. About 15 agricultural organizations were represented including the Minnesota Pork Board and the Minnesota Beef Council. Llamas and beef cattle were a big hit on campus, Kaare said. "We tried to


have some live animals to give these urban students a chance to see exactly where their hamburger comes from because a lot of them have no clue," he added.

Rep. Andrew Falk (DFL-Murdock) pointed out the strong movement for community-supported agriculture, particularly due to the high cost of transporting products. "I believe that average distance is about 1,800 miles," Falk said.

There are 216 agricultural education teachers offering 185 programs in secondary schools. Jeff Eppen, a Sibley East-Arlington High School teacher, helps students plan and manage a school garden that provides a healthy source of food for the cafeteria and a lesson in agronomy careers.

"This is an area a lot of students don't tend to gravitate toward. They tend to gravitate toward the animals," Eppen said. "We wanted to open their eyes to other options."

His students grew 40 gallons of green beans that the cafeteria staff prepared and served. However, the cooks sent a clear message that they weren't fond of shucking the bushels of peas also grown, so Eppen said they'll need to plant something else next year.

School districts have discretionary authority to levy for career and technical education programs, such as DECA, Inc. and FFA. Federal funding is also available. But as school district budgets tighten, educators are making critical decisions about what they can afford, said Larsen. 

# Revitalizing state heritage

Immersion program uses Legacy funds to regain Dakota language

By SUE HEGARTY

**T**oddlers are at play in a Minneapolis language immersion classroom. Using only his new Dakota language skills 3-year-old Ohiyesa Long Crow, whose name means “the winner,” tries to coerce a toy truck out of his teacher’s hands. Phoebe Bendickson, 2, gleefully shouts in Dakota as she catches a big red ball. Her blond curls bounce up and down, indicative of her Scandinavian, besides her Dakota, ancestry.

Their teacher, Sheldon Noel, is a full-blooded Dakota from the Sioux Valley Dakota Nation in Manitoba, Canada. Like many Dakota, his ancestors fled Minnesota during the 1862 U.S.-Dakota Conflict when they were put into concentration camps or forced from the state. Children were forbidden to speak their native tongue.

Eight of Noel’s Canadian family members still speak fluent Dakota. By comparison, there are only eight people in the entire state of Minnesota who can fluently speak Dakota, and many of them are age 70 or older.

Now a partnership of cultural organizations hopes to rebuild Dakota speakers within Minnesota.

“We’re talking about revitalizing a near lost language. This is a huge deal,” said Annamarie Hill-Kleinhans, executive director of the Minnesota Indian Affairs Council. The project is being carefully watched by linguists internationally, she said.

The council received a \$250,000 appropriation for the 2010-2011 biennium from the Arts and Cultural Heritage Fund, earmarked for grants to support Dakota and Ojibwe language revitalization programs.

The Wicoie Nandagikendan program is for Dakota language classes and the Niigaane program is for teaching the Ojibwe language. There are an estimated 300 state residents who speak fluent Ojibwe.

House Legacy Funding Division Chairman

Dean Urdahl (R-Grove City) sponsored the original legislation to provide funding for the immersion programs. “I’m a historian. I believe in preserving history,” Urdahl said.

Rep. Karen Clark (DFL-Mpls) is one of the legislators who supports the program. One immersion classroom is located in her district.

“We’re dealing with the ravages of genocide. This is an opportunity to give people back their own culture. When we lose the wisdom and knowledge of the Dakota people, we are impaired,” Clark said.

There are about 4,000 Dakota in four federally-recognized Minnesota communities:

the Shakopee Mdewakanton Sioux Community; the Prairie Island,

Indian Community; the Lower Sioux, near Redwood Falls; and the Upper Sioux near Granite Falls. The original Dakota Community, established by treaty in 1851, was located along a 10-mile wide strip of land on both sides of the Minnesota River.

Noel studied political science and philosophy in college so he could return to the reservation and work on behalf of the Dakota people. But when he learned about the Wicoie Nandagikendan program, “I put myself in those shoes,” he said. “Language teaches you about the land, culture, a way of being in the world. When you take that away from them, what do you have?”

About 30 preschoolers are enrolled in the



PHOTO BY ANDREW VONBANK

Sheldon Noel, a Dakota preschool teacher in the Wicoie Nandagikendan language revitalization program, teaches Phoebe Bendickson, 2, right, and Ohiyesa Long Crow, 3, Dakota language skills and culture through immersion methods at the Four Directions Family Center in Minneapolis.



immersion program. The hope is that in 20 years, the number of people fluent in the language will grow and the language will become self-sustaining over time.

Dakota is a gender-based language. Words can take on different prefixes or endings depending upon whether a male or female is speaking. Noel was raised in Dakota tradition by his grandparents, so he heard both versions of speech. Although he understands both variances, he doesn't teach the female form in the classroom.

"We can talk to each other and understand each other, but in our culture we just don't do that out of respect," Noel said.

Phoebe's mother, Anna Bendickson, volunteers as a female instructor in her daughter's classroom. Her husband, Joe, teaches Dakota language at the University of Minnesota. She


is of 100 percent Scandinavian descent. "I can memorize lists but this constant flow of narrative is better," she said of the immersion program, which has resulted in students scoring higher on academic testing for kindergarten than their single-language counterparts.

Getting the program off the ground was challenging, say organizers. It was the first time the council offered grants, so they sought technical support. Fluent speakers were not licensed teachers, so a licensed teacher must oversee their work. Organizers began calling throughout the Midwest and Canada to family or friends to assemble dictionaries of words. Now the challenge becomes adding classes and teachers in the primary and secondary classrooms as these preschoolers advance through school.

"If we revitalize this language, we're going

to start with those kids and although it will always be in question whether or not it is the true and authentic (language), it will be a good thriving language that we have and we will have revitalized that," Hill-Kleinhans said.

There is also the constant search for funding. Prior to receiving Arts and Cultural Heritage funds, the group used a small federal allocation along with foundation money. They hope annual appropriations for the 25-year life of the Legacy fund will sustain the program, according to Margaret Boyer, former executive director of the Alliance of Early Childhood Professionals.

"We would love it. It's going to take a whole generation to reclaim the language," Boyer said. "People are realizing the only thing that's going to get this language spoken again is daily immersion." 

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# 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.

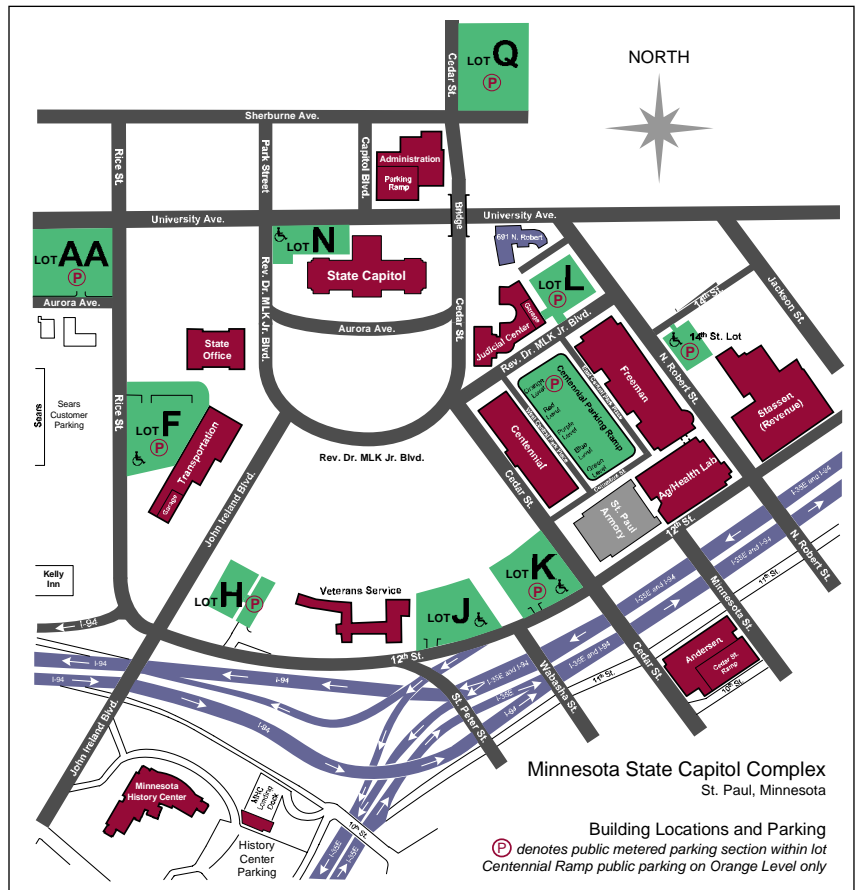
The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. A special events guide is available upon request.

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

FEBRUARY 21 - 24, 2011

HOUSE FILES 608 - 718

## Monday, February 21

**HF608-Anderson, B. (R)**

**Taxes**

Clearwater; local sales tax provisions modified.

**HF609-Smith (R)**

**Public Safety & Crime Prevention  
Policy & Finance**

Grants from fire safety account to local fire department authorized.

**HF610-Hilty (DFL)**

**Commerce & Regulatory Reform**

Transportation funding provided through new regulations governing checkbook money created by state-chartered banks and penalty provided.

**HF611-Gunther (R)**

**Commerce & Regulatory Reform**

Small-business loan guarantee program created and money appropriated.

**HF612-Howes (R)**

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

Upper Mississippi comprehensive plan money appropriated.

**HF613-Kelly (R)**

**Government Operations & Elections**

Red Wing Port Authority member terms provided.

**HF614-Kelly (R)**

**Health & Human Services Reform**

Dental laboratories regulated.

**HF615-Buesgens (R)**

**Transportation Policy & Finance**

Driver education requirements modified for obtaining an instruction permit.

**HF616-Gunther (R)**

**Taxes**

Personal property of an electric generation facility exemption provided.

**HF617-Woodard (R)**

**Education Reform**

AmeriCorps Innovation aligned to federal law.

**HF618-Beard (R)**

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

Innovative energy project provisions modified and clarified.

**HF619-Dill (DFL)**

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

Deer, moose and elk stand height restrictions removed.

**HF620-Dill (DFL)**

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

Drum use while baiting bear allowed.

**HF621-Dill (DFL)**

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

Coyote and beaver conflict management option provided.

**HF622-Morrow (DFL)**

**Higher Education Policy & Finance**

University of Minnesota veterinary diagnostic laboratory money appropriated.

**HF623-Dill (DFL)**

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

Bear hunting license drawing provisions modified.

**HF624-Dill (DFL)**

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

Clair A. Nelson Memorial Forest funding provided, bonds issued and money appropriated.

**HF625-Anderson, P. (R)**

**Civil Law**

Liability protections provided for those grazing livestock on state land.

**HF626-Anderson, P. (R)**

**Agriculture & Rural Development  
Policy & Finance**

Ethanol blender pump grant money appropriated.

**HF627-Howes (R)**

**Education Reform**

Flexible learning year programs pre-Labor Day start prohibited.

**HF628-Smith (R)**

**Commerce & Regulatory Reform**

Employers hiring illegal immigrants penalties provided, documents that are included in the crime of aggravated forgery added, penalty increased for aggravated forgery and sex trafficking established as a separate crime from the promotion of prostitution.

**HF629-Dettmer (R)**

**Taxes**

Nonprofit community-service organization expenditures allowed to be considered charitable contributions to qualify for a reduced property tax classification.

**HF630-Benson, M. (R)**

**Taxes**

Valuation exclusion authorized for improvements to homestead properties.

**HF631-Dill (DFL)**

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

St. Louis County; public and private sales of tax-forfeited land authorized.

**HF632-Howes (R)**

**Commerce & Regulatory Reform**

Plumber restricted license limited transfer allowed.

**HF633-Benson, M. (R)**

**Taxes**

Capital equipment exemption allowed at time of purchase.

**HF634-Tillberry (DFL)**

**Transportation Policy & Finance**

Anoka County; trunk highway improvement funding provided, bonds issued and money appropriated.

**HF635-Hackbarth (R)**

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

Department of Natural Resources programs eliminated that duplicate private market activities.

**HF636-Smith (R)**

**Public Safety & Crime Prevention  
Policy & Finance**

Time period expanded in which an offender is considered to be in a position of authority over a victim for purposes of the criminal sexual conduct laws.

**HF637-Drazkowski (R)**

**Health & Human Services Reform**

Food, beverage and lodging establishment statutes exemption modified.

**HF638-Myhra (R)**

**Education Reform**

School grading system created, school recognition program created, school report cards modified, rulemaking authorized and report required.

**HF639-Kiel (R)**

**Higher Education Policy & Finance**

Northland Community and Technical College aviation maintenance expansion project funding provided, bonds issued and money appropriated.

**HF640-Slocum (DFL)**

**Public Safety & Crime Prevention  
Policy & Finance**

Background checks required for individuals appointed to coroner or medical examiner staff.

**HF641-Slocum (DFL)**

**Education Reform**

Teacher and school administrator cultural competency training required for those seeking to renew their professional license.

**HF642-Slocum (DFL)**

**Judiciary Policy & Finance**

Child certified as an adult provided to be detained in a juvenile facility prior to trial and verdict.

**HF643-Slawik (DFL)**

**Jobs & Economic Development Finance**

Oak Park Heights pedestrian tunnel funding provided.

**HF644-Simon (DFL)**

**Civil Law**

Paternity and maternity determination provisions modified.

**HF645-Mullery (DFL)****Jobs & Economic Development Finance**

Minority population grant program provided for collaborative activities to reduce unemployment and money appropriated.

**HF646-Davnie (DFL)****Health & Human Services Reform**

Reproductive privacy right established.

## Thursday, February 24

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**HF647-Clark (DFL)****Jobs & Economic Development Finance**

Minneapolis; Heart of the Earth Interpretive Center funding provided, bonds issued and money appropriated.

**HF648-Clark (DFL)****Legacy Funding Division**

Minneapolis; Heart of the Earth Interpretive Center money appropriated.

**HF649-Davids (R)****Taxes**

Cities allowed local sales tax imposition if criteria are met.

**HF650-Kieffer (R)****Transportation Policy & Finance**

Driver education and examination related to carbon monoxide poisoning regulated and technical changes made.

**HF651-Hancock (R)****Environment, Energy & Natural Resources Policy & Finance**

LaSalle Lake State Recreation Area established as a satellite unit of Itasca State Park and money appropriated.

**HF652-Hancock (R)****Health & Human Services Finance**

Clearwater County; daily rate for an intermediate care facility increased and money appropriated.

**HF653-Murdock (R)****Jobs & Economic Development Finance**

Wadena; community center, ice arena and swimming pool funding provided, bonds issued and money appropriated.

**HF654-Wardlow (R)****Civil Law**

Limitation period reduced for bringing certain actions.

**HF655-Kieffer (R)****Education Reform**

Mathematics GRAD exception removed and high school assessments established to determine college and career readiness.

**HF656-Torkelson (R)****Environment, Energy & Natural Resources Policy & Finance**

Clean Water Legacy Act; money appropriated from the Clean Water Fund, act modified, membership and duties of the Clean Water Council revised and appointments provided.

**HF657-Hoppe (R)****Commerce & Regulatory Reform**

Event ticket practices regulated and consumer protection minimum standards established.

**HF658-Atkins (DFL)****Environment, Energy & Natural Resources Policy & Finance**

Dakota County; Darvan Acres Nature Center money appropriated.

**HF659-Atkins (DFL)****Transportation Policy & Finance**

Highway 55; funding provided for an interchange, trunk highway bonds issued and money appropriated.

**HF660-McDonald (R)****Judiciary Policy & Finance**

Repeat sex offender 36-month presumptive executed sentence provided.

**HF661-Hornstein (DFL)****Government Operations & Elections**

Municipal street improvement district establishment and street improvement fee apportionment within districts authorized, street improvement plan adoption required and collection of fees authorized.

**HF662-Kahn (DFL)****Agriculture & Rural Development Policy & Finance**

Medical marijuana regulated production provided for export and rulemaking authorized.

**HF663-Kahn (DFL)****Health & Human Services Reform**

Federal agencies memorialized concerning Minnesota-licensed health care professionals and their involvement in torture or cruel, inhuman or degrading treatment or punishment of prisoners.

**HF664-Hackbarth (R)****Commerce & Regulatory Reform**

Elevator compliance provisions modified.

**HF665-Hornstein (DFL)****Taxes**

Corporate franchise taxation; foreign source income preferences eliminated, subtraction for foreign royalties repealed, domestic corporation definition expanded to include certain foreign corporations incorporated in or doing business in tax havens, and foreign operating corporations repealed.

**HF666-Mahoney (DFL)****Jobs & Economic Development Finance**

Annual construction code transfers modified.

**HF667-Mahoney (DFL)****Jobs & Economic Development Finance**

Conservation Corps Minnesota statewide job skills development program grant administration money appropriated.

**HF668-Urdahl (R)****Health & Human Services Reform**

Medical nonemergency transportation single administrative structure proposal development directed.

**HF669-Loon (R)****Education Reform**

Early childhood education scholarship finance system created, early education worker training and retention tax credits provided, early childhood education programming quality improved and money appropriated.

**HF670-Swedzinski (R)****Jobs & Economic Development Finance**

Minnesota Inventors Congress money appropriated.

**HF671-Quam (R)****Education Finance**

Special School District No. 1, Minneapolis; additional integration levy removed.

**HF672-Dettmer (R)****Education Reform**

Charter school pilot project established to examine the policy implications of allowing the charter school to become an educational entity within a school district while retaining the autonomy and flexibility of a charter school.

**HF673-Banaian (R)****Government Operations & Elections**

Public value impact statements required for legislation.

**HF674-Liebling (DFL)****Taxes**

Estimated tax threshold payment requirement increased.

**HF675-Gunther (R)****Jobs & Economic Development Finance**

Graduation and retention grant requirements modified, Twin Cities RISE! funding provided and money appropriated.

**HF676-Cornish (R)****Transportation Policy & Finance**

Unmarked vehicle plates provided for conservation officers.

**HF677-Kiffmeyer (R)****Education Finance**

Independent School District No. 728, Elk River; fund transfers authorized.

**HF678-Slawik (DFL)****Commerce & Regulatory Reform**

Park owner remedies and lien established when a home is abandoned.

**HF679-Marquart (DFL)****Taxes**

Valuation notice required to specifically note when a property has been reclassified from the previous assessment year.

**HF680-Buesgens (R)****Taxes**

Property tax and other property tax authority funding power eliminated.

**HF681-Downey (R)****Government Operations & Elections**

Minnesota pay for performance pilot program established, funding provided, bonds issued and money appropriated.



**HF682-Kiel (R)****Education Reform**

Career and technical levy modified, and career and technical education credits provided.

**HF683-Dittrich (DFL)****Education Finance**

School funding program equalization aid levels increased.

**HF684-Hansen (DFL)****State Government Finance**

Mighty Ducks grant provided for new or renovated air handling system of indoor ice facilities, bonds issued and money appropriated.

**HF685-Knuth (DFL)****Civil Law**

Grandparent visitation governing provisions modified.

**HF686-Bills (R)****Government Operations & Elections**

Legislator and constitutional officer compensation reduced upon failure to enact balanced budget provisions in a timely manner.

**HF687-Bills (R)****Veterans Services Division**

Military member reemployment refundable credit provided and money appropriated.

**HF688-Simon (DFL)****Transportation Policy & Finance**

Freight rail line noise mitigation barrier installation and construction money reauthorized and bonds issued.

**HF689-Huntley (DFL)****Health & Human Services Reform**

General Assistance program modified.

**HF690-Atkins (DFL)****Environment, Energy & Natural Resources Policy & Finance**

Dakota County; Darvan Acres Nature Center funding provided, bonds issued and money appropriated.

**HF691-Smith (R)****Public Safety & Crime Prevention Policy & Finance**

Law enforcement officers required to record the country of citizenship and immigration status of felon arrestees, and peace officers required to report suspected immigration violations by felon arrestees.

**HF692-Smith (R)****Environment, Energy & Natural Resources Policy & Finance**

Military service member license provided to take deer and angle without a fee upon discharge.

**HF693-McFarlane (R)****Jobs & Economic Development Finance**

Minority business development programs money appropriated.

**HF694-Hosch (DFL)****Health & Human Services Reform**

Managed care and county-based purchasing plan requirements modified, provider payment rate data access provided, managed care and county-based plans serving state health care program enrollees required to annually provide data necessary to conduct cost-

effectiveness audits, interagency agreement required between commissioner of human services and commissioner of commerce to conduct a cost-effectiveness audit, payments reduced to managed care plans; loss ratio for managed care and county-based purchasing plans, additional performance withhold and work group on plan regulation and reporting established.

**HF695-Mack (R)****Civil Law**

Civil immunity extended to municipalities that donate public safety equipment.

**HF696-Runbeck (R)****Government Operations & Elections**

Local government authority to issue bonds payable with property taxes for employee benefits repealed.

**HF697-Runbeck (R)****Commerce & Regulatory Reform**

For-profit community enhancement incorporation provided.

**HF698-Drazkowski (R)****Government Operations & Elections**

Local government comparable worth requirements repealed.

**HF699-Peterson, S. (DFL)****Veterans Services Division**

Disabled veterans preference points exam requirement changed.

**HF700-Simon (DFL)****Government Operations & Elections**

Voter registration and unlawful voting violations criminal penalties specified.

**HF701-Davids (R)****Taxes**

Income tax reciprocity study required with Wisconsin.

**HF702-Lesch (DFL)****Agriculture & Rural Development Policy & Finance**

Dog and cat breeder licensing and inspection provided.

**HF703-Loon (R)****Commerce & Regulatory Reform**

Brewer's license holder allowed to operate on-sale facility.

**HF704-Gruenhagen (R)****Civil Law**

Seat belt use evidence admissibility regulated in civil actions.

**HF705-Crawford (R)****Government Operations & Elections**

Counties permitted to perform private audit meeting standards of state auditor, federal single audit permitted for cities and counties, mandated reporting eliminated, alternative website publication provided, building code official designation made permissive, municipal planning process mandates modified, clerk hire mandate repealed in certain counties, provisions on seed and feed loans repealed, group insurance mandates for governmental units repealed and out-of-state travel policy mandate repealed.

**HF706-Hancock (R)****Taxes**

Aircraft exempted from the sales and use tax.

**HF707-Champion (DFL)****Commerce & Regulatory Reform**

Seller of goods or services prohibited from accepting a financial transaction card in payment unless photo identification is produced.

**HF708-Champion (DFL)****Judiciary Policy & Finance**

Determination modified when a party prevails on a claim removed from conciliation court to district court for the purposes of recovering district court costs.

**HF709-Champion (DFL)****Judiciary Policy & Finance**

Good conduct certificates established and effects described of certificate and eligibility for one and money appropriated.

**HF710-Champion (DFL)****Judiciary Policy & Finance**

Criminal record expungement authorized for individuals who have received stays of adjudication or diversion, expungements authorized without petitions in cases where charges were dismissed against a person upon prosecutorial approval and with victim notification, persons petitioning for an expungement required to provide a copy of criminal complaint or police report, and opening of expunged records authorized without a court hearing.

**HF711-Wardlow (R)****Taxes**

Long-term capital gains provided.

**HF712-Nornes (R)****Transportation Policy & Finance**

Mini-truck operation authorized on local roads and special permits eliminated for mini-truck operation.

**HF713-Brynaert (DFL)****Higher Education Policy & Finance**

Minnesota State University, Mankato clinical science building funding provided, bonds issued and money appropriated.

**HF714-Clark (DFL)****Transportation Policy & Finance**

Transit shelters and stops design, accessibility and maintenance regulated; and access required in special transportation service buses.

**HF715-Persell (DFL)****Environment, Energy & Natural Resources Policy & Finance**

Paul Bunyan Trail funding provided, bonds issued and money appropriated.

**HF716-Gunther (R)****Agriculture & Rural Development Policy & Finance**

Mandatory environmental assessment worksheet category rulemaking required.

**HF717-Abeler (R)****Higher Education Policy & Finance**

Minnesota State Colleges and Universities system credit transfer required.

**HF718-Champion (DFL)****Government Operations & Elections**

Civil rights restoration and civil rights possible loss notices required.

MINNESOTA HOUSE OF REPRESENTATIVES  
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# MINNESOTA INDEX

## State corrections

Year the Department of Corrections was established .....	1959
State rank for incarceration rate per capita .....	49
Adult correctional facilities in the state .....	8
Adult offenders served through the cycle of intake and release in fiscal year 2010 .....	16,539
Number of adult inmates in facilities on July 1, 2010 .....	9,650
Number of inmates one year prior .....	9,353
Number of inmates on July 1, 2005 .....	8,708
Increase in prison population between July 1, 2000, and July 1, 2010, as percent .....	54
Projected inmate population on July 1, 2013 .....	9,588
On July 1, 2016 .....	10,138
Percent of sentence served behind bars by inmates .....	66.7
Percent of sentence served on supervised release in the community .....	33.3
State prisoners, as of Jan. 1, 2011, who were over age 50 .....	1,123
Those over age 60 .....	237
Numbers 10 years prior .....	416, 95
Percent of inmates on July 1, 2010, who had at least a college degree .....	12.9
Percent that had not graduated from high school .....	32.5
Juvenile correctional facilities in the state .....	2
Approximate number of juveniles served in fiscal year 2010 .....	130
Offenders supervised statewide, including those by county probation agents and community corrections .....	138,000
Estimated number of adults supervised by department agents .....	18,500
Approximate number of full-time equivalent employees working for the Department of Corrections .....	4,245
Correctional staff as a percentage of the state employee workforce .....	5.2
State rank .....	47
National average, as percent .....	11
State rank for Minnesota in General Fund expenditures for corrections .....	49
Percent spent on corrections .....	2.7
National average, as percent .....	6.8
Percent of Corrections Department operating costs that come from the state's General Fund .....	95
Gov. Mark Dayton's General Fund budget recommendation for fiscal year 2012-2013 for Corrections Department spending, in millions .....	\$915.17
Percent decrease compared to the current biennium .....	1.74

— M. Cook

Sources: Gov. Mark Dayton 2012-13 biennial budget documents; Department of Corrections, including Feb. 24 presentation to the House Public Safety and Crime Prevention Policy and Finance Committee.