

SESSION WEEKLY

RESOURCES: LEGISLATIVE CONTACTS

2012 SESSION PREVIEW
MEET THE NEW MEMBER
CHARTER SCHOOL FUNDING
PLENTY OF BONDING PROPOSALS

HF1762 - HF1986

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
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Flashback to 2002

Vikings propose sharing stadium with the Gophers

The 2002 legislative session began with the challenge of fixing a \$1.95 billion deficit and dealing with task force recommendations on a new Twins baseball park and a new football stadium to be shared by the Minnesota Vikings and the University of Minnesota.

State participation in a new Twins stadium would be contingent on the reform of baseball's economic structure, including some form of payroll equalization between teams, the task force proposed.

The Vikings proposed a \$500 million retractable-roof facility to be shared with the Gophers on the University of Minnesota campus. Renovation of the Metrodome was not considered viable by the task force.

"A renovated Metrodome would still lack many of the fan amenities characteristic of newer stadiums," the recommendation stated. Additionally, Vikings' officials said the team would not renew its lease in a renovated facility.

The recommendation urged the National Football League to aid in new stadium construction.

— Feb. 2, 2002 Session Weekly

Welcome to Session Weekly and the 2012 legislative session

Each week, Session Weekly staff will bring to you a non-partisan look at the issues before the House and the people who shape the legislation.

While the Session Weekly newsmagazine, now in its 29th year, remains our cornerstone publication, we are providing more online opportunities to access nonpartisan news from the House.

Session Daily provides stories about committee and floor action, including links to bill and member information, pertinent reports and video coverage, when available.

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— Session Weekly staff

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SESSION WEEKLY

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On the cover: Reagan and Will Zellers help their father, House Speaker Kurt Zellers, gavel-in the first day of the 2012 session on Jan. 24. The photo was taken with a special lens that gives a "toy camera" effect.

— Photo by Paul Battaglia



FILE PHOTO BY TOM OLMSCHIED

Big plans, short session

Vikings, bonding, government reform top the agenda in 2012

BY NICK BUSSE

Lawmakers kicked off a legislative session Jan. 24 that features some lofty goals: a new stadium for the Minnesota Vikings, a capital investment bill, sweeping government reforms and thousands of new jobs for Minnesotans.

But with legislative leaders pledging an early adjournment, time is short. The partisan differences that turned last year's session into a bitter struggle are still firmly in place, and even where there is consensus on issues, lawmakers disagree on solutions.

In short, all bets are off in 2012.

House Speaker Kurt Zellers (R-Maple Grove) says the House has only budgeted for

a very short session, and he sees no reason for legislators to stay in St. Paul past April 30.

"It's not just a matter of fiscal prudence," Zellers said. "If there isn't work to be done down here, we don't need to waste the taxpayers' time."

Unlike last year's budget crisis, the top items on this year's agenda, strictly speaking,

aren't required to be addressed by the Legislature. And with the redrawing of legislative districts throwing the fall elections for a loop, many would prefer to get out of St. Paul as quickly as possible.

Still, leaders are hoping for a productive next few months. House Minority Leader Paul Thissen (DFL-Mpls) says the state's projected \$876 million budget surplus — its first surplus in nearly five years — might help lawmakers to focus on building consensus this year instead of tearing down each other's ideas.

"I think the fact that, at least for right now, this year ... we're not going to have to cut any more to balance the budget will make things easier," Thissen said.

Zellers, too, thinks that a repeat of last year's drawn-out partisan gridlock is unlikely.

"I would say to the taxpayers, the voters of Minnesota that are concerned about that, we're going to do our darndest not to have that happen again this year," Zellers said.

First Reading continued on page 4

Competing jobs agendas

If there is an overarching theme emerging for this session, it's jobs.

Both Zellers and Thissen say their respective caucuses' No. 1 priority is to help the state's approximately 175,000 unemployed workers find employment. And both have expressed a willingness to work

investment package as part of last summer's budget agreement, and many Republicans don't think a second bill is necessary.

"We think that the need has to define the size of the bonding bill," he said, indicating that his caucus might support a smaller proposal.

It's not just the size of the DFL bonding plan that bothers Republicans; Zellers said they view public works projects as merely a stopgap measure for employment. Long-term growth, Republicans believe, comes from private investment.

"Those workers undeniably go to work," Zellers said. "But what we maintain in our caucus, and I personally believe, that if you want long-term, sustainable growth, you do it in the private sector, not the public sector."

The Republicans' version of a jobs plan is focused on improving the state's business climate. On Jan. 19, Republican leaders formally announced their "Reform 2.0" agenda — an expansion of their government reform initiatives from last year. Its goal is to reduce the impact of government on Minnesotans, streamline burdensome regulations and generally make the state a more attractive place for businesses.

"If you free up the entrepreneurs, the hard-working women and men of our great state, they'll build an economy that is sustainable, and we'll lead the recovery instead of waiting for it to come here," Zellers said.

"Reform 2.0" includes dozens of individual proposals, many of them hatched during face-to-face meetings with business owners. Zellers said he's hoping that at least some of those ideas are well received by the governor and the DFLers.

"We are going to work with the governor; we've proven we can work with him on a

number of reform initiatives," Zellers said.

Thissen says DFLers can support reform bills as long as they're not thinly veiled attempts to cut valuable programs and services.

"I think you'll see Democrats embracing good ideas about how to make government work better — as long as it's about that," he said.

A year for compromise?

The other big issue hanging over lawmakers this year, according to proponents, is also a potential job creator: funding for a new Vikings stadium.

Dayton is an adamant supporter of a new stadium, arguing it will employ thousands of construction workers, and both Zellers and Thissen say they think a plan to build a new stadium should come up for a vote on the



"If there isn't work to be done down here, we don't need to waste the taxpayers' time."

— Speaker Kurt Zellers

across party lines.

On Jan. 11, Gov. Mark Dayton and DFL legislative leaders unveiled their jobs plan, which includes a \$775 million capital investment bill, a "new jobs tax credit" to help companies hire unemployed workers and veterans, a sales tax on Internet purchases and incentives for workers to retrain.

"What we came up with, I think, is a very modest but very targeted package aimed at getting people back to work," Thissen said.

So far, Republicans have expressed skepticism regarding the plan — especially its large bonding component. Zellers points out that lawmakers passed a \$498 million capital



"I think the fact that, at least for right now, this year... we're not going to have to cut any more to balance the budget will make things easier."

— Minority Leader Paul Thissen

House floor this year. Everyone agrees the clock is ticking.

The problem, right now, seems to be the absence of a clear proposal for lawmakers to even consider.

"This has to be a good deal on location, it has to be a really good deal on financing ... it also has to be good infrastructure," Zellers said. "Nothing precludes it from happening, but I think a lot of those things need to gel together really quickly."

Thissen said he's not sure how a vote would pan out on a stadium bill. He said there will likely be some DFLers who would support it and others who reject it.

"Whether it goes up or down, I don't have the answer to that right now. But it's something that people are clearly interested in. There are good arguments on both sides of the issue," Thissen said.

Issues like the Vikings stadium, bonding and certain government reform initiatives might find some bipartisan support this year, but the goodwill between the two parties could be fragile.

One issue likely to divide the House along party lines this year is legislation regarding a proposed constitutional amendment requiring voters to show a photo identification. Last year, a bill to require photo ID passed the House and Senate largely along party lines, only to be vetoed by Dayton. A bill for a constitutional amendment would allow Republicans to circumvent the governor and put the issue directly to the voters.

The issue is deeply unpopular with DFLers, but Zellers said it's been thoroughly vetted and is overwhelmingly supported by Minnesotans.

"That's something that the voters should really decide," Zellers said.

Other potential constitutional amendments include a proposal that tax increases be approved by a supermajority of lawmakers and that membership in unions become voluntary. Zellers did not comment on those proposals, but Thissen said he thinks any push for constitutional amendments is a bad idea.

"None of these constitutional amendments that have been proposed are going to put anybody back to work. None of them are going to improve our economy in any way, so it doesn't make any sense from my perspective to spend any time on them at all," Thissen said.

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Zellers and Thissen preview the 2012 session



House Speaker Kurt Zellers

On creating jobs:

Zellers: "If you free up the entrepreneurs, the hard-working women and men of our great state, they'll build an economy that is sustainable, and we'll lead the recovery instead of waiting for it to come here. Passing a bonding bill is kind of like a stop-gap to wait until the rest of the economy picks up."

Thissen: "One of the things we hear everybody talking about is this focus on jobs. You know, last year there was that same kind of mantra and we got a little off track. We passed constitutional amendments and other stuff that didn't really focus in on our economy. This year... I hope we do stick to that laser focus on jobs."

On a new Vikings stadium:

Zellers: "It has to be a good deal for taxpayers all-around. And if that comes to fruition this session — you know, nothing precludes it from happening, but I think a lot of those things need to gel together and really quickly, early in session so that we can get through the details of it."

Thissen: "There's going to be Democrats who support a stadium, there's going to be Democrats who oppose a stadium. It's going to be something that we need to give a full and robust debate to, and I think we probably should ultimately move it to a vote."

On a bonding bill:

Zellers: "Zero is probably not enough and \$1 billion is way too much... We think that need has to define the size of the bonding bill."

Thissen: "What we want to do is give incentives, to work with those particularly troubling areas of our economic and employment situation... The bonding bill is part of that."



House Minority Leader Paul Thissen

On constitutional amendments:

Zellers: "I think photo ID — we've vetted that fairly thoroughly through I can't even remember how many committees That's something that the voters should really decide, and it has vast, vast support among Minnesotans."

Thissen: "None of these constitutional amendments that have been proposed are going to put anybody back to work, none of them are going to improve our economy in any way, so it doesn't make any sense from my perspective to spend any time on them at all."

On a government reform:

Zellers: "A lot of it is going to be reform for the sake of reform this year — maybe not reform for the sake of having a \$5 billion budget hole to fill How can we actually get more dollars to people who need it, to the programs that need it, to the roads that need it, vs. just putting it into the bureaucracy?"

Thissen: "I think you'll see Democrats embracing good ideas about how to make government work better — as long as it's about that, as long as it's about making sure we're delivering services as effectively and efficiently to the people of Minnesota as possible."

On compromise vs. principles:

Zellers: "If the governor doesn't agree with us and vetoes the bills, I'll do my darndest and try to be a good salesman and help him see the benefit in it. But at the end of the day, if he doesn't choose to sign those bills, that's OK too. We'll keep asking. If you don't ask, you don't get."

Thissen: "You can do both things; you can stand up for your principles but also reach solutions that work for Minnesotans — as long as your principles are about what's good for your constituents and for Minnesota."

HIGHLIGHTS

JANUARY 24 - 26, 2012

Editor's note: The following Highlights are coverage of select bills heard committees and other House activities held Jan. 24-26. 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.

Consumers

Child care bill moves forward

Union dues or fair share fees could not be deducted from the child care assistance fund payments providers receive.

That is the premise of a bill approved by the House Commerce and Regulatory Reform Committee Jan. 24. Sponsored by Rep. Kathy Lohmer (R-Lake Elmo), HF1766 awaits action by the House Health and Human Services Reform Committee. It has no Senate companion.

Committee members viewed letters and heard testimony from child care providers from around the state who expressed concern that a possible increase in costs for them would drive up prices for child care to cover those new expenses. They contend that low-income families would not be able to afford such a price increase and may be turned away by providers.

Cisa Keller, director of government and community relations at New Horizon Academy, is one such provider who spoke in support of the bill. She asserted that affordable child care is especially necessary for low-income parents, who may be working, searching for a job or pursuing higher education. Keller added that children also need the providers to ensure their readiness for school years.

Heather Falk, another provider, agreed that low-income families cannot afford to pay more, but as a parent herself, she cannot afford to charge less. Falk urged the committee to vote in favor of the bill.

Rep. Pat Mazorol (R-Bloomington) questioned the bill's need. He likened the Child Care Assistance Program, which benefits low-income parents, to Medical Assistance. He said Medical Assistance is a functioning, government-financed program

that helps pay for the service of a professional who belongs to a union.

Mazorol asked representatives to consider whether imposing union dues or fair share fees on child care providers would be different. Testifying providers disputed this, saying that they are often self-employed, whereas medical professionals are not.

— E. SCHMIDTKE

Education

Charter school funding contested

Charter schools now receive the same public funds as a public school district, with the exclusion of referendum revenue. That could change.

HF1860, sponsored by Rep. Kelby Woodard (R-Belle Plaine), proposes that referendum revenue be transferred in an equal amount for each student that attends a charter school in his or her resident school district. This increase for charter schools' general education aid would be offset by a corresponding decrease in the resident school districts' general education aid. This would affect Minnesota schools beginning in fiscal year 2014.

Heard Jan. 24 by the House Education Finance Committee, the bill was laid over for possible inclusion in a later bill. It has no Senate companion.

Charter school officials spoke in favor of the bill, arguing that their students are being punished for exercising their right to choose which school they attend.

Woodard defended the bill, saying, "The way I look at it is, we as Minnesotans want to educate those kids and we ought to give them the opportunity to do that. There shouldn't be a consequence for attending a charter school. ... We can all agree that's a good experience for Minnesota kids."

Testifiers from public school districts disagreed, saying they offer services that charter schools do not that require additional funding, such as transportation. They allege that the funding reform would cost districts hundreds of thousands of dollars.

Rep. Mindy Greiling (DFL-Roseville) echoed that response.

"The deal was that charter schools get less money because they would need less money, because they didn't have the rules and regulations of [public] schools. ... It's a zero sum game and we don't want to be party to it. I think it does point out, though, that there isn't enough money for schools."

— E. SCHMIDTKE

Employment

Vets could sue for state job they left

If a veteran returns to find that the job they left behind is no longer available, they can sue their employer — unless it was a job with the state.

Rep. David Dill (DFL-Crane Lake) hopes the bill he introduced last year to change the situation makes it to the governor's desk this year.

HF56, approved Jan. 26 by the House Civil Law Committee, would waive the state's 11th Amendment immunity for claims arising out of the Uniformed Services Employment and Reemployment Rights Act. This federal law prohibits employer discrimination based on military service or obligation. The bill now returns to the full House for consideration. It was waiting there when session adjourned last year, and was returned to the committee to start the process anew.

With few exceptions, the 11th Amendment to the U.S. Constitution prohibits a state from being sued in federal court, unless the state has consented to the suit, according to the nonpartisan House Research Department. Employment law rights are granted by federal law, so therefore a returning veteran who alleges violation has little legal recourse.

The companion, SF343, sponsored by Senate Minority Leader Tom Bakk (DFL-Cook), awaits action by the Senate State Government Innovation and Veterans Committee.

— L. SCHUTZ

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SHARING A LAUGH



PHOTO BY ANDREW VONBANK

Rep. Joe Atkins, left, and Rep. Joe Hoppe share a laugh on the House floor while members and staff wait for the 2012 Session to begin Jan. 24.

He was in the audience Jan. 26 when the House Public Safety and Crime Prevention Policy and Finance Committee approved HF1829 that would allow a county attorney or assistant county attorney to carry a firearm on duty provided they have a state-issued permit to carry. State statute prohibits local government employees, other than licensed peace officers, from carrying firearms. The bill awaits action by the full House. It has no Senate companion.

Rep. Tony Cornish (R-Vernon Center), the bill's sponsor, emphasized the bill was not a direct result of the Grand Marais incident and that it had been brought to him a week before the shooting. However, the incident brought attention to the measure.

"The bill before you would give county attorneys and assistant county attorneys the same carry rights as currently enjoyed by the public defenders, the court administrator, the court administrator's staff, judicial law clerks and the private bar," said Blue Earth County Attorney Ross Arneson. "The bill is about personal safety, not courtroom security."

Assistant Blue Earth County Attorney Chris Rovney spoke about a drug dealer who put out a hit on him and the concern of going about his daily life knowing the criminal knew where Rovney lived and his schedule. Fortunately, the dealer — who unknowingly had been conspiring with a police informant — was caught before he could do any harm. "We're not asking for any greater rights than any other citizen in the State of Minnesota has. We're just asking for parity," Rovney said.

The bill would not supersede a judge's right to ban firearms from their courtroom.

Representatives of the Minnesota Sheriffs' Association and Minnesota Association of County Attorneys spoke in favor of the bill.

The committee also approved the Cornish-sponsored HF1879. Sent to the House floor, it would provide enhanced penalties for assaulting or killing a prosecuting attorney while that person performs his or her official duties. It, too, has no Senate companion.

"We've seen an increase in violence against prosecutors," said Paul Beaumaster, Rice County attorney and president of the Minnesota Association of County Attorneys.

— M. COOK

Env. & Natural Resources

Sanctioned wolf hunt presented

Up to 400 Minnesota wolves could be hunted or trapped late this year, if a wolf hunting season proposed by the Minnesota Department of Natural Resources becomes law.

The House Environment, Energy and Natural Resources Policy and Finance Committee heard a proposal laying out a wolf hunting season. No action was taken. "There's nothing cooler than the spine-tingling sound of a pack of wolves way, way out around you walking out in a full moon, and they begin to converge," said the committee's chair, Rep. Denny McNamara (R-Hastings), who supports the proposed hunting season.

The proposal is reflected by HF1856, sponsored by Rep. David Dill (DFL-Crane Lake). Dill lives in the northeastern part of the state roamed by the gray wolf, which was removed from the federal endangered species list in late 2011. The bill is expected to get a formal hearing in committee this session.

"I have a fair amount of experience in hunting wolves — in Canada, of course," Dill said.

The state begins managing its wolf

population Jan. 27, after the federal delisting. Dill's bill is a reaction to the federal delisting and growth of Minnesota's gray wolf population to nearly 3,000.

The 400-wolf harvest represents just over 13 percent of Minnesota's wolf population.

The bill was opposed during the hearing by the Humane Society of the United States and the Sierra Club's North Star Chapter.

DNR proposal provides for up to 6,000 hunting or trapping licenses. Each license holder could take one wolf. The DNR has proposed a \$50 license fee for state residents, compared to the \$38 resident license fee in Dill's bill.

There is no Senate companion.

— B. GEIGER

Public Safety

County attorneys could pack heat

Cook County Attorney Tim Scannell is accustomed to prosecuting criminals. Six weeks ago he became a victim of one while doing his job at the county courthouse.

On Dec. 15, Scannell was shot by Daniel Schlienzy after the latter was convicted of third-degree criminal sexual conduct. Scannell was rushed to a Duluth hospital with three gunshot wounds, but survived.

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

Always looking to help others

Allen brings her fight for social and economic justice to the House

By MIKE COOK

Before she was a teenager, Rep. Susan Allen (DFL-Mpls) knew she wanted to fight for social and economic justice.

Throughout her personal life and professional career, Allen has done that. Now, she'll do it under the Capitol dome.

Allen won a Jan. 10 special election to replace former Rep. Jeff Hayden (DFL-Mpls), who replaced the retiring Sen. Linda Berglin (DFL-Mpls).

A self-described political newcomer, Allen follows a family tradition of activism. She has spent a decade or more on the boards of the ICWA Law Center,

Indigenous Peoples Task Force and the Indian Neighborhood Club on Alcohol and Drugs. The daughter of an Episcopal priest, she said her parents worked hard to change how the church administered its ministries to American Indians throughout the country.

"I grew up moving a lot because my parents didn't want anything to be about them; they wanted to go into a place and organize and move on to the next place," said Allen,

who grew up during a time of political and social change for American Indians. "By the time I was 14 years old, I'd gone to about 20 different schools in five or more states."

Professionally, Allen is a law firm partner who specializes in tax and tribal law. "I've been very lucky to be able to do what I love to do, and what I've wanted to do from a young age," she said. "I've been representing tribes for 14 years. I was general counsel on a variety of matters."

Allen is the first American Indian woman to serve in the Minnesota House. It is a role that she embraces.

"It's about integration, it's not about assimilation," Allen said. "I think it's important that I reflect the diversity of our community in south Minneapolis. ... I realize how important or historic this is in the sense that when young children come to the Capitol and they look at the pictures, they will see somebody who looks like them."

Among her priorities for the 2012 session are addressing the education achievement gap, job training, tax reform and affordable health care for all.

Allen is the second openly gay member to serve in the House, joining Rep. Karen Clark (DFL-Mpls). She plans on fighting hard to defeat the proposed constitutional amendment to constitutionally define marriage between one man and one woman.

"It's really about writing discrimination into our constitution," she said.



PHOTO BY ANDREW VONBANK

Rep. Susan Allen, the newest member of the Minnesota House of Representatives, is welcomed on the House floor by her colleagues Jan. 24.

DISTRICT 61B

Population (2009 est.): 35,842

Largest City: Minneapolis

County: Hennepin

Top concerns: Closing the achievement gap, job training, tax reform and affordable health care for all

2011-2012 Minnesota House of Representatives Members

District	Member/Party	Room*	Phone 651-296-	District	Member/Party	Room*	Phone 651-296-
48B	Abeler, Jim (R)	479	1729	57A	Kriesel, John (R)	451	4342
61B	Allen, Susan (DFL)	389	7152	50A	Laine, Carolyn (DFL)	287	4331
19A	Anderson, Bruce (R)	365	5063	9A	Lanning, Morrie (R)	379	5515
38A	Anderson, Diane (R)	525	3533	34A	Leidiger, Ernie (R)	415	4282
13A	Anderson, Paul (R)	445	4317	12B	LeMieur, Mike (R)	567	4247
43A	Anderson, Sarah (R)	549	5511	40B	Lenczewski, Ann (DFL)	317	4218
3A	Anzelc, Tom (DFL)	307	4936	66A	Lesch, John (DFL)	315	4224
39B	Atkins, Joe (DFL)	209	4192	30A	Liebling, Tina (DFL)	357	0573
15B	Banaian, King (R)	411	6612	55A	Lillie, Leon (DFL)	281	1188
17B	Barrett, Bob (R)	413	5377	59A	Loeffler, Diane (DFL)	335	4219
35A	Beard, Michael (R)	417	8872	56A	Lohmer, Kathy (R)	521	4244
43B	Benson, John (DFL)	289	9934	42B	Loon, Jenifer (R)	403	7449
30B	Benson, Mike (R)	515	4378	37A	Mack, Tara (R)	557	5506
37B	Bills, Kurt (R)	533	4306	67A	Mahoney, Tim (DFL)	237	4277
23B	Brynaert, Kathy (DFL)	327	3248	65B	Mariani, Carlos (DFL)	203	9714
35B	Buesgens, Mark (R)	381	5185	9B	Marquart, Paul (DFL)	313	6829
45B	Carlson Sr., Lyndon (DFL)	283	4255	41B	Mazorol, Pat (R)	581	7803
58B	Champion, Bobby Joe (DFL)	329	8659	19B	McDonald, Joe (R)	523	4336
61A	Clark, Karen (DFL)	277	0294	3B	McElfatrick, Carolyn (R)	545	2365
24B	Cornish, Tony (R)	437	4240	53B	McFarlane, Carol (R)	597	5363
8B	Crawford, Roger (R)	421	0518	57B	McNamara, Denny (R)	375	3135
17A	Daudt, Kurt (R)	487	5364	5B	Melin, Carly (DFL)	309	0172
31B	Davids, Greg (R)	585	9278	65A	Moran, Rena (DFL)	227	5158
62A	Davnie, Jim (DFL)	215	0173	23A	Morrow, Terry (DFL)	211	8634
52B	Dean, Matt (R)	459	3018	58A	Mullery, Joe (DFL)	387	4262
52A	Dettmer, Bob (R)	473	4124	10B	Murdock, Mark (R)	593	4293
6A	Dill, David (DFL)	273	2190	64A	Murphy, Erin (DFL)	345	8799
47A	Dittrich, Denise (DFL)	311	5513	6B	Murphy, Mary (DFL)	343	2676
33B	Doepke, Connie (R)	579	4315	27A	Murray, Rich (R)	439	8216
41A	Downey, Keith (R)	407	4363	40A	Myhra, Pam (R)	517	4212
28B	Drazkowski, Steve (R)	401	2273	46A	Nelson, Michael V. (DFL)	229	3751
2A	Eken, Kent (DFL)	243	9918	10A	Nornes, Bud (R)	471	4946
16A	Erickson, Sondra (R)	509	6746	29B	Norton, Kim (DFL)	233	9249
1A	Fabian, Dan (R)	431	9635	14A	O'Driscoll, Tim (R)	369	7808
20A	Falk, Andrew (DFL)	239	4228	64B	Paymar, Michael (DFL)	301	4199
11B	Franson, Mary (R)	429	3201	31A	Pelowski Jr., Gene (DFL)	295	8637
26B	Fritz, Patti (DFL)	253	8237	32A	Peppin, Joyce (R)	503	7806
36B	Garofalo, Pat (R)	537	1069	4A	Persell, John (DFL)	223	5516
7B	Gauthier, Kerry (DFL)	225	4246	49B	Petersen, Branden (R)	577	5369
15A	Gottwalt, Steve (R)	485	6316	45A	Peterson, Sandra (DFL)	337	4176
60A	Greene, Marion (DFL)	331	0171	27B	Poppe, Jeanne (DFL)	291	4193
54A	Greiling, Mindy (DFL)	393	5387	29A	Quam, Duane (R)	569	9236
25A	Gruenhagen, Glenn (R)	575	4229	5A	Rukavina, Tom (DFL)	303	0170
24A	Gunther, Bob (R)	591	3240	53A	Runbeck, Linda (R)	583	2907
48A	Hackbarth, Tom (R)	409	2439	51A	Sanders, Tim (R)	449	4226
22B	Hamilton, Rod (R)	559	5373	54B	Scalze, Bev (DFL)	259	7153
2B	Hancock, David (R)	529	4265	22A	Schomacker, Joe (R)	433	5505
39A	Hansen, Rick (DFL)	247	6828	49A	Scott, Peggy (R)	477	4231
66B	Hausman, Alice (DFL)	255	3824	18A	Shimanski, Ron (R)	367	1534
46B	Hilstrom, Debra (DFL)	261	3709	44A	Simon, Steve (DFL)	279	9889
8A	Hilty, Bill (DFL)	207	4308	55B	Slawik, Nora (DFL)	245	7807
36A	Holberg, Mary Liz (R)	453	6926	63B	Slocum, Linda (DFL)	359	7158
34B	Hoppe, Joe (R)	563	5066	33A	Smith, Steve (R)	543	9188
60B	Hornstein, Frank (DFL)	213	9281	42A	Stensrud, Kirk (R)	553	3964
47B	Hortman, Melissa (DFL)	377	4280	21A	Swedzinski, Chris (R)	527	5374
14B	Hosch, Larry (DFL)	349	4373	63A	Thissen, Paul (DFL)	267	5375
4B	Howes, Larry (R)	491	2451	51B	Tillberry, Tom (DFL)	231	5510
7A	Huntley, Thomas (DFL)	351	2228	21B	Torkelson, Paul (R)	371	9303
67B	Johnson, Sheldon (DFL)	217	4201	18B	Urdahl, Dean (R)	571	4344
59B	Kahn, Phyllis (DFL)	353	4257	13B	Vogel, Bruce (R)	507	6206
26A	Kath, Kory (DFL)	201	5368	62B	Wagenius, Jean (DFL)	251	4200
28A	Kelly, Tim (R)	565	8635	12A	Ward, John (DFL)	221	4333
56B	Kieffer, Andrea (R)	531	1147	38B	Wardlow, Doug (R)	551	4128
1B	Kiel, Debra (R)	423	5091	11A	Westrom, Torrey (R)	443	4929
16B	Kiffmeyer, Mary (R)	501	4237	44B	Winkler, Ryan (DFL)	321	7026
50B	Knuth, Kate (DFL)	323	0141	25B	Woodard, Kelby (R)	539	7065
20B	Koenen, Lyle (DFL)	241	4346	32B	Zellers, Kurt (R)	463	5502

House Public Information Services • 175 State Office Building • St. Paul, MN 55155-1298 • 651-296-2146

*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155-1298

List as of Jan. 19, 2012

2011-2012 Minnesota Senate Members

District/Member/Party	Room*	Phone 651-29-	District/Member/Party	Room*	Phone 651-29-
6 Bakk, Thomas M. (DFL).....	147 SOB.....	6-8881	32 Limmer, Warren (R).....	122 Cap.....	6-2159
49 Benson, Michelle R. (R).....	G-24 Cap.....	6-3219	8 Lourey, Tony (DFL).....	125 SOB.....	6-0293
43 Bonoff, Terri E. (DFL).....	133 SOB.....	6-4314	22 Magnus, Doug (R).....	205 Cap.....	6-5650
16 Brown, David M. (R).....	205 Cap.....	6-8075	54 Marty, John (DFL).....	119 SOB.....	6-5645
4 Carlson, John J. (R).....	320 Cap.....	6-4913	66 McGuire, Mary Jo (DFL).....	23 SOB.....	6-5537
53 Chamberlain, Roger C. (R).....	306 Cap.....	6-1253	39 Metzen, James P. (DFL).....	15 SOB.....	6-4370
64 Cohen, Richard J. (DFL).....	109 SOB.....	6-5931	41 Michel, Geoff (R).....	208 Cap.....	6-6238
21 Dahms, Gary H. (R).....	111 Cap.....	6-8138	31 Miller, Jeremy R. (R).....	320 Cap.....	6-5649
38 Daley, Theodore J. "Ted" (R).....	G-24 Cap.....	7-8073	30 Nelson, Carla J. (R).....	111 Cap.....	6-4848
25 DeKruif, Al (R).....	G-24 Cap.....	6-1279	18 Newman, Scott J. (R).....	301 Cap.....	6-4131
60 Dibble, D. Scott (DFL).....	115 SOB.....	6-4191	17 Nienow, Sean R. (R).....	120 Cap.....	6-5419
59 Dziedzic, Kari (DFL).....	27 SOB.....	6-7809	33 Olson, Gen (R).....	235 Cap.....	6-1282
46 Eaton, Chris (DFL).....	21 SOB.....	6-8869	34 Ortman, Julianne E. (R).....	120 Cap.....	6-4837
14 Fischbach, Michelle L. (R).....	226 Cap.....	6-2084	65 Pappas, Sandra L. (DFL).....	143 SOB.....	6-1802
12 Gazelka, Paul E. (R).....	325 Cap.....	6-4875	26 Parry, Mike (R).....	309 Cap.....	6-9457
37 Gerlach, Chris (R).....	120 Cap.....	6-4120	15 Pederson, John C. (R).....	G-24 Cap.....	6-6455
13 Gimse, Joe (R).....	303 Cap.....	6-3826	7 Reinert, Roger J. (DFL).....	149 SOB.....	6-4188
50 Goodwin, Barb J. (DFL).....	123 SOB.....	6-4334	45 Rest, Ann H. (DFL).....	105 SOB.....	6-2889
40 Hall, Dan D. (R).....	325 Cap.....	6-5975	35 Robling, Claire A. (R).....	226 Cap.....	6-4123
42 Hann, David W. (R).....	328 Cap.....	6-1749	24 Rosen, Julie A. (R).....	317 Cap.....	6-5713
67 Harrington, John M. (DFL).....	17 SOB.....	6-5285	3 Saxhaug, Tom (DFL).....	135 SOB.....	6-4136
61 Hayden, Jeff (DFL).....	151 SOB.....	6-4261	29 Senjem, David H. (R).....	121 Cap.....	6-3903
58 Higgins, Linda (DFL).....	113 SOB.....	6-9246	23 Sheran, Kathy (DFL).....	127 SOB.....	6-6153
10 Hoffman, Gretchen M. (R).....	124 Cap.....	6-5655	57 Sieben, Katie (DFL).....	117 SOB.....	7-8060
28 Howe, John Sterling (R).....	323 Cap.....	6-4264	2 Skoe, Rod (DFL).....	107 SOB.....	6-4196
11 Ingebrigtsen, Bill G. (R).....	303 Cap.....	7-8063	27 Sparks, Dan (DFL).....	19 SOB.....	6-9248
48 Jungbauer, Michael J. (R).....	235 Cap.....	6-3733	1 Stumpf, LeRoy A. (DFL).....	145 SOB.....	6-8660
63 Kelash, Kenneth S. (DFL).....	129 SOB.....	7-8061	36 Thompson, Dave A. (R).....	323 Cap.....	6-5252
19 Koch, Amy T. (R).....	322 Cap.....	6-5981	5 Tomassoni, David J. (DFL).....	25 SOB.....	6-8017
47 Kruse, Benjamin A. (R).....	124 Cap.....	6-4154	62 Torres Ray, Patricia (DFL).....	131 SOB.....	6-4274
20 Kubly, Gary W. (DFL).....	103 SOB.....	6-5094	52 Vandever, Ray (R).....	328 Cap.....	6-4351
9 Langseth, Keith (DFL).....	139 SOB.....	6-3205	55 Wiger, Charles W. (DFL).....	141 SOB.....	6-6820
44 Latz, Ron (DFL).....	121 SOB.....	7-8065	51 Wolf, Pam (R).....	306 Cap.....	6-2556
56 Lillie, Ted H. (R).....	124 Cap.....	6-4166			

*Capitol or State Office Building, St. Paul, MN 55155

Minnesota House and Senate Members

1 A Rep. Dan Fabian-(R) B Rep. Deb Kiel-(R) Sen. LeRoy A. Stumpf-(DFL)	15 A Rep. Steve Gottwalt-(R) B Rep. King Banaian-(R) Sen. John Pederson-(R)	29 A Rep. Duane Quam-(R) B Rep. Kim Norton-(DFL) Sen. David Senjem-(R)	43 A Rep. Sarah Anderson-(R) B Rep. John Benson-(DFL) Sen. Terri Bonoff-(DFL)	57 A Rep. John Kriesel-(R) B Rep. Denny McNamara-(R) Sen. Katie Sieben-(DFL)
2 A Rep. Kent Eken-(DFL) B Rep. David Hancock-(R) Sen. Rod Skoe-(DFL)	16 A Rep. Sondra Erickson-(R) B Rep. Mary Kiffmeyer-(R) Sen. David Brown-(R)	30 A Rep. Tina Liebling-(DFL) B Rep. Mike Benson-(R) Sen. Carla Nelson-(R)	44 A Rep. Steve Simon-(DFL) B Rep. Ryan Winkler-(DFL) Sen. Ron Latz-(DFL)	58 A Rep. Joe Mullery-(DFL) B Rep. Bobby Joe Champion-(DFL) Sen. Linda Higgins-(DFL)
3 A Rep. Tom Anzelc-(DFL) B Rep. Carolyn McElfatrick-(R) Sen. Tom Saxhaug-(DFL)	17 A Rep. Kurt Daudt-(R) B Rep. Bob Barrett-(R) Sen. Sean Nienow-(R)	31 A Rep. Gene Pelowski Jr.-(DFL) B Rep. Greg Davids-(R) Sen. Jeremy Miller-(R)	45 A Rep. Sandra Peterson-(DFL) B Rep. Lyndon Carlson Sr.-(DFL) Sen. Ann Rest-(DFL)	59 A Rep. Diane Loeffler-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Kari Dziedzic-(DFL)
4 A Rep. John Persell-(DFL) B Rep. Larry Howes-(R) Sen. John Carlson-(R)	18 A Rep. Ron Shimanski-(R) B Rep. Dean Urdahl-(R) Sen. Scott Newman-(R)	32 A Rep. Joyce Peppin-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	46 A Rep. Michael V. Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Chris Eaton-(DFL)	60 A Rep. Marion Greene-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
5 A Rep. Tom Rukavina-(DFL) B Rep. Carly Mellin-(DFL) Sen. David Tomassoni-(DFL)	19 A Rep. Bruce Anderson-(R) B Rep. Joe McDonald-(R) Sen. Amy Koch-(R)	33 A Rep. Steve Smith-(R) B Rep. Connie Doepeke-(R) Sen. Gen Olson-(R)	47 A Rep. Denise Dittrich-(DFL) B Rep. Melissa Hortman-(DFL) Sen. Benjamin Kruse-(R)	61 A Rep. Karen Clark-(DFL) B Rep. Susan Allen-(DFL) Sen. Jeff Hayden-(DFL)
6 A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas Bakk-(DFL)	20 A Rep. Andrew Falk-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary Kubly-(DFL)	34 A Rep. Ernie Leidiger-(R) B Rep. Joe Hoppe-(R) Sen. Julianne Ortman-(R)	48 A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	62 A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Patricia Torres Ray-(DFL)
7 A Rep. Thomas Huntley-(DFL) B Rep. Kerry Gauthier-(DFL) Sen. Roger Reinert-(DFL)	21 A Rep. Chris Swedzinski-(R) B Rep. Paul Torkelson-(R) Sen. Gary Dahms-(R)	35 A Rep. Michael Beard-(R) B Rep. Mark Buesgens-(R) Sen. Claire Robling-(R)	49 A Rep. Peggy Scott-(R) B Rep. Brandon Petersen-(R) Sen. Michelle Benson-(R)	63 A Rep. Paul Thissen-(DFL) B Rep. Linda Slocum-(DFL) Sen. Ken Kelash-(DFL)
8 A Rep. Bill Hilty-(DFL) B Rep. Roger Crawford-(R) Sen. Tony Lourey-(DFL)	22 A Rep. Joe Schomacker-(R) B Rep. Rod Hamilton-(R) Sen. Doug Magnus-(R)	36 A Rep. Mary Liz Holberg-(R) B Rep. Pat Garofalo-(R) Sen. Dave Thompson-(R)	50 A Rep. Carolyn Laine-(DFL) B Rep. Kate Knuth-(DFL) Sen. Barbara Goodwin-(DFL)	64 A Rep. Erin Murphy-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard Cohen-(DFL)
9 A Rep. Morrie Lanning-(R) B Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	23 A Rep. Terry Morrow-(DFL) B Rep. Kathy Brynaert-(DFL) Sen. Kathy Sheran-(DFL)	37 A Rep. Tara Mack-(R) B Rep. Kurt Bills-(R) Sen. Chris Gerlach-(R)	51 A Rep. Tim Sanders-(R) B Rep. Tom Tillberry-(DFL) Sen. Pam Wolf-(R)	65 A Rep. Rena Moran-(DFL) B Rep. Carlos Mariani-(DFL) Sen. Sandra Pappas-(DFL)
10 A Rep. Bud Nornes-(R) B Rep. Mark Murdoch-(R) Sen. Gretchen Hoffman-(R)	24 A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie Rosen-(R)	38 A Rep. Diane Anderson-(R) B Rep. Doug Wardlow-(R) Sen. Ted Daley-(R)	52 A Rep. Bob Dettmer-(R) B Rep. Matt Dean-(R) Sen. Ray Vandever-(R)	66 A Rep. John Lesch-(DFL) B Rep. Alice Hausman-(DFL) Sen. Mary Jo McGuire-(DFL)
11 A Rep. Torrey Westrom-(R) B Rep. Mary Franson-(R) Sen. Bill Ingebrigtsen-(R)	25 A Rep. Glenn Gruenhagen-(R) B Rep. Kelby Woodard-(R) Sen. Al Dekruif-(R)	39 A Rep. Rick Hansen-(DFL) B Rep. Joe Atkins-(DFL) Sen. James Metzen-(DFL)	53 A Rep. Linda Runbeck-(R) B Rep. Carol McFarlane-(R) Sen. Roger Chamberlain-(R)	67 A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. John Harrington-(DFL)
12 A Rep. John Ward-(DFL) B Rep. Mike LeMieur-(R) Sen. Paul Gazelka-(R)	26 A Rep. Kory Kath-(DFL) B Rep. Patti Fritz-(DFL) Sen. Mike Parry-(R)	40 A Rep. Pam Myhra-(R) B Rep. Ann Lenczewski-(DFL) Sen. Dan Hall-(R)	54 A Rep. Mindy Greiling-(DFL) B Rep. Bev Scalze-(DFL) Sen. John Marty-(DFL)	
13 A Rep. Paul Anderson-(R) B Rep. Bruce Vogel-(R) Sen. Joe Gimse-(R)	27 A Rep. Rich Murray-(R) B Rep. Jeanne Poppe-(DFL) Sen. Dan Sparks-(DFL)	41 A Rep. Keith Downey-(R) B Rep. Pat Mazorol-(R) Sen. Geoff Michel-(R)	55 A Rep. Leon Lillie-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles Wiger-(DFL)	
14 A Rep. Tim O'Driscoll-(R) B Rep. Larry Hosch-(DFL) Sen. Michelle Fischbach-(R)	28 A Rep. Tim Kelly-(R) B Rep. Steve Drazkowski-(R) Sen. John Howe-(R)	42 A Rep. Kirk Stensrud-(R) B Rep. Jennifer Loon-(R) Sen. David Hann-(R)	56 A Rep. Kathy Lohmer-(R) B Rep. Andrea Kieffer-(R) Sen. Ted Lillie-(R)	

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Committee Information

2011-2012 Minnesota House of Representatives

Member Assignments as of 1/24/12

Agriculture and Rural Development Policy and Finance

559 State Office Building 296-5373
Meets: Tuesdays, Wednesdays and Thursdays
at 10:15 a.m. in the Basement Hearing Room*

Members: 22

Chair: Hamilton-R

Vice Chair: Anderson, P.-R

DFL Lead: Eken-DFL

Anderson, B.-R	Morrow-DFL
Falk-DFL	Persell-DFL
Franson-R	Poppe-DFL
Fritz-DFL	Schomacker-R
Hansen-DFL	Shimanski-R
Hosch-DFL	Swedzinski-R
Kath-DFL	Torkelson-R
Kiel-R	Vogel-R
LeMieur-R	Ward-DFL
McElpatrick-R	

Staff

Committee Administrator
Abigail Johnson..... 296-5068
Committee Legislative Assistant
Linda Westrom 296-7167

Capital Investment

491 State Office Building 296-2451
Meets: Tuesdays and Wednesdays at 2:30 p.m.
in Room 10*

Members: 21

Chair: Howes-R

Vice Chair: Scott-R

DFL Lead: Hausman-DFL

Banaan-R	Kriesel-R
Bills-R	Lanning-R
Carlson-DFL	Melin-DFL
Clark-DFL	Myhra-R
Drazkowski-R	Nornes-R
Fabian-R	Rukavina-DFL
Hackbarth-R	Scalze-DFL
Hansen-DFL	Swedzinski-R
Kahn-DFL	Ward-DFL

Staff

Committee Administrator
Tom Freeman 296-8826
Committee Legislative Assistant
Cyndee Fields..... 296-5408

Civil Law

443 State Office Building 296-4929
Meets: Mondays and Wednesdays at 12:30
p.m. in Room 10*

Members: 17

Chair: Westrom-R

Vice Chair: Drazkowski-R

DFL Lead: Lesch-DFL

Gruenhagen-R	Mazorol-R
Hilstrom-DFL	Peppin-R
Hilty-DFL	Peterson-DFL
Holberg-R	Runbeck-R
Hoppe-R	Scott-R
Hortman-DFL	Simon-DFL
Mahoney-DFL	Wardlow-R

Staff

Committee Administrator
John Reynolds..... 296-5485
Committee Legislative Assistant
Sarah Novinskie 296-8879

Commerce and Regulatory Reform

563 State Office Building 296-5066
Meets: Tuesdays and Wednesdays at 2:30 p.m.
in the Basement Hearing Room*

Members: 22

Chair: Hoppe-R

Vice Chair: Sanders-R

DFL Lead: Atkins-DFL

Anderson, D.-R	Loon-R
Anderson, S.-R	Mazorol-R
Anzelc-DFL	Mullery-DFL
Crawford-R	Murdock-R
Daudt-R	Nelson-DFL
Davids-R	O'Driscoll-R
Dittrich-DFL	Slocum-DFL
Johnson-DFL	Stensrud-R
Kieffer-R	Tillberry-DFL
Lillie-DFL	

Staff

Committee Administrator
Dan Dwight..... 296-5385
Committee Legislative Assistant
Bethany Aronhalt 296-5322

Education Finance

537 State Office Building 296-1069
Meets: Tuesdays, Wednesdays and Thursdays
at 12:30 p.m. in Room 5*

Members: 20

Chair: Garofalo-R

Vice Chair: Kelly-R

DFL Lead: Greiling-DFL

Anderson, P.-R	Loon-R
Anzelc-DFL	Mariani-DFL
Bills-R	Myhra-R
Brynaert-DFL	Petersen-R
Davnie-DFL	Quam-R
Dittrich-DFL	Slocum-DFL
Downey-R	Ward-DFL
Erickson-R	Woodard-R
Fabian-R	

Staff

Committee Administrator
Jody Withers..... 296-4141
Committee Legislative Assistant
Rebecca Peichel..... 296-5526

Education Reform

509 State Office Building296-6746
Meets: Tuesdays and Thursdays at 8:15 a.m.
in the Basement Hearing Room*

Members: 21

Chair: Erickson-R

Vice Chair: Doepke-R

DFL Lead: Mariani-DFL

Barrett-R	Moran-DFL
Benson, J.-DFL	Murdock-R
Crawford-R	Myhra-R
Davnie-DFL	Norton-DFL
Greiling-DFL	O'Driscoll-R
Kath-DFL	Petersen-R
Kieffer-R	Peterson-DFL
Kiel-R	Tillberry-DFL
McFarlane-R	Woodard-R

Staff

Committee Administrator
Carmen Carter296-7191
Committee Legislative Assistant
Melissa Hackenmueller296-9471

Environment, Energy and Natural Resources Policy and Finance

375 State Office Building296-3135
Meets: Tuesdays, Wednesdays and Thursdays
at 8:15 a.m. in Room 5*

Members: 17

Chair: McNamara-R

Vice Chair: Torkelson-R

DFL Lead Environment: Wagenius-DFL

DFL Lead Energy: Hilty-DFL

Anderson, P.-R	Hancock-R
Beard-R	Hansen-DFL
Dill-DFL	Knuth-DFL
Drazkowski-R	Persell-DFL
Fabian-R	Quam-R
Falk-DFL	Scott-R
Hackbarth-R	

Staff

Committee Administrator
Amy Zipko296-1774
Committee Legislative Assistant
Mike Harris296-5813

Legacy Funding Division

571 State Office Building296-4344
Meets: Tuesdays and Wednesdays at 2:30
p.m. in Room 5*

Members: 12

Chair: Urdahl-R

Vice Chair: Kiel-R

DFL Lead: Dill-DFL

Cornish-R	Peppin-R
Greene-DFL	Torkelson-R
McFarlane-R	Wagenius-DFL
McNamara-R	Winkler-DFL
Murphy, M.-DFL	

Staff

Committee Administrator
Ryan Blodgett296-4110
Committee Legislative Assistant
Mike Knutsen296-4483

Ethics

509 State Office Building296-6746
Meets: At the call of the chair in (No Room
Assigned)*

Members: 4

Chair: Erickson-R

DFL Lead: Paymar-DFL

Loeffler-DFL	Atkins-DFL (A)
Kelly-R	Sanders-R (A)

Staff

Committee Administrator
Craig Stone296-5367
Committee Legislative Assistant
Mitzi Ellis296-9895

Government Operations and Elections

503 State Office Building296-7806
Meets: Tuesdays, Wednesdays and Thursdays
at 10:15 a.m. in Room 5*

Members: 15

Chair: Peppin-R

Vice Chair: Murray-R

DFL Lead: Nelson-DFL

Beard-R	Quam-R
Greene-DFL	Sanders-R
Hancock-R	Scalze-DFL
Hornstein-DFL	Simon-DFL
McFarlane-R	Urdahl-R
O'Driscoll-R	Winkler-DFL

Staff

Committee Administrator
Rory Koch296-5394
Committee Legislative Assistant
Kelly Hansen296-4388

Health and Human Services Finance

479 State Office Building296-1729
Meets: Tuesdays, Wednesdays and Thursdays
at 12:30 p.m. in Room 200*

Members: 20

Chair: Abeler-R

Vice Chair: Kiffmeyer-R

DFL Lead: Huntley-DFL

DFL Lead Early Childhood: Slawik-DFL

Anderson, D.-R	Liebling-DFL
Franson-R	Loeffler-DFL
Fritz-DFL	Lohmer-R
Gottwalt-R	Mack-R
Hamilton-R	McDonald-R
Hosch-DFL	McElpatrick-R
Laine-DFL	Murphy, E.-DFL
Lanning-R	Schomacker-R

Staff

Committee Administrator
Christine Kiel296-5413
Committee Legislative Assistant
Andy Leer296-5999

Health and Human Services Reform

485 State Office Building296-6316
Meets: Tuesdays and Wednesdays at 2:30 p.m.
in Room 200*

Members: 21

Chair: Gottwalt-R

Vice Chair: Mack-R

DFL Lead: Liebling-DFL

Abeler-R	Kiffmeyer-R
Allen-DFL	Lohmer-R
Barrett-R	McDonald-R
Benson, M.-R	McElpatrick-R
Franson-R	Moran-DFL
Fritz-DFL	Murphy, E.-DFL
Gruenhagen-R	Norton-DFL
Hosch-DFL	Peterson-DFL
Huntley-DFL	Quam-R

Staff

Committee Administrator
Holly Iverson296-4305
Committee Legislative Assistant
Shirley Koderick296-4999

Higher Education Policy and Finance

471 State Office Building296-4946
Meets: Tuesdays and Thursdays at 12:30 p.m.
in the Basement Hearing Room*

Members: 15

Chair: Nornes-R

Vice Chair: Dettmer-R

DFL Lead: Rukavina-DFL

Atkins-DFL	Mazorol-R
Banaian-R	Morrow-DFL
Benson, M.-R	Norton-DFL
Daudt-R	Pelowski-DFL
Doepke-R	Poppe-DFL
Hancock-R	Vogel-R

Staff

Committee Administrator
Mike Valleau.....296-4091
Committee Legislative Assistant
Chelsea Thompson.....296-1544

Jobs and Economic Development Finance

591 State Office Building296-3240
Meets: Tuesdays and Thursdays at 12:30 p.m.
in Room 10*

Members: 17

Chair: Gunther-R

Vice Chair: McFarlane-R

DFL Lead Jobs: Mahoney-DFL

DFL Lead Housing: Clark-DFL

Dill-DFL	Murray-R
Howes-R	Paymar-DFL
Kieffer-R	Sanders-R
Leidiger-R	Scalze-DFL
LeMieur-R	Stensrud-R
Melin-DFL	Swedzinski-R
Mullery-DFL	

Staff

Committee Administrator
Dan Dwight.....296-5385
Committee Legislative Assistant
Rebecca Lowden.....296-8871

Judiciary Policy and Finance

367 State Office Building296-1534
Meets: Tuesdays and Thursdays at 8:15 a.m.
in Room 10*

Members: 18

Chair: Shimanski-R

Vice Chair: Mazorol-R

DFL Lead: Johnson-DFL

Allen-DFL	Lesch-DFL
Anderson, D.-R	Liebling-DFL
Champion-DFL	Schomacker-R
Cornish-R	Smith-R
Gruenhagen-R	Swedzinski-R
Hilstrom-DFL	Vogel-R
Kriesel-R	Wardlow-R
Laine-DFL	

Staff

Committee Administrator
Ryan Blodgett.....296-4110
Committee Legislative Assistant
Brian Theis.....296-5494

Public Safety and Crime Prevention Policy and Finance

437 State Office Building296-4240
Meets: Tuesdays, Wednesdays and Thursdays
at 10:15 a.m. in Room 10*

Members: 18

Chair: Cornish-R

Vice Chair: Woodard-R

DFL Lead: Mullery-DFL

Daudt-R	Leidiger-R
Gauthier-DFL	Mariani-DFL
Gruenhagen-R	McDonald-R
Hilty-DFL	Moran-DFL
Johnson-DFL	Nornes-R
Kelly-R	Slocum-DFL
Kieffer-R	Smith-R
Kriesel-R	

Staff

Committee Administrator
John Hultquist.....296-4283
Committee Legislative Assistant
Pete Sparby.....296-9266

Redistricting

549 State Office Building296-5511
Meets: At the call of the chair in (No Room
Assigned)*

Members: 12

Chair: Anderson, S.-R

Vice Chair: Fabian-R

DFL Lead: Murphy, M.-DFL

Clark-DFL	Loon-R
Daudt-R	Marquart-DFL
Garofalo-R	Poppe-DFL
Hoppe-R	Scott-R
Hortman-DFL	

Staff

Committee Administrator
Tom Freeman.....296-8826
Committee Legislative Assistant
Kate Hensing.....296-5399

Rules and Legislative Administration

459 State Office Building296-3018
Meets: At the call of the chair in (No Room
Assigned)*

Members: 25

Chair: Dean-R

Vice Chair: Daudt-R

DFL Lead: Pelowski-DFL

Anderson, S.-R	Lillie-DFL
Banaian-R	Mack-R
Benson, J.-DFL	McNamara-R
Brynaert-DFL	Murphy, E.-DFL
Hamilton-R	Nornes-R
Hilstrom-DFL	Norton-DFL
Hoppe-R	Paymar-DFL
Howes-R	Peppin-R
Kelly-R	Scott-R
Knuth-DFL	Thissen-DFL
Laine-DFL	Westrom-R

Staff

Committee Administrator
Anna Bellin.....296-5508
Committee Legislative Assistant
Diana Stepanek.....296-9194

State Government Finance

379 State Office Building296-5515
Meets: Tuesdays, Wednesdays and Thursdays
at 8:15 a.m. in Room 200*

Members: 21

Chair: Lanning-R

Vice Chair: Benson, M.-R

DFL Lead: Kahn-DFL

Anderson, B.-R	McElfatrick-R
Banaian-R	Melin-DFL
Downey-R	Murphy, M.-DFL
Gauthier-DFL	Murray-R
Greene-DFL	Simon-DFL
Gunther-R	Slawik-DFL
Leidiger-R	Stensrud-R
Lillie-DFL	Urdahl-R
Lohmer-R	Winkler-DFL

Staff

Committee Administrator
Joe Marble.....296-7185
Committee Legislative Assistant
Peter Glessing.....296-4230

Veterans Services Division

365 State Office Building296-5063
Meets: Mondays at 12:30 p.m. in the Basement
Hearing Room*

Members: 13

Chair: Anderson, B.-R

Vice Chair: Kriesel-R

DFL Lead: Koenen-DFL

Allen-DFL	Kath-DFL
Anzelc-DFL	LeMieur-R
Dauids-R	Lohmer-R
Dettmer-R	O'Driscoll-R
Falk-DFL	Persell-DFL

Staff

Committee Administrator
Joe Marble.....296-7185
Committee Legislative Assistant
Brian Theis.....296-5494

Taxes

585 State Office Building296-9278
Meets: Tuesdays, Wednesdays and Thursdays
at 10:15 a.m. in Room 200*

Members: 29

Chair: Davids-R

Vice Chair: Loon-R

DFL Lead: Lenczewski-DFL

Anderson, S.-R	Kiffmeyer-R
Bills-R	Knuth-DFL
Buesgens-R	Koenen-DFL
Carlson-DFL	Lesch-DFL
Crawford-R	Loeffler-DFL
Davnie-DFL	Mack-R
Doepke-R	Marquart-DFL
Downey-R	Myhra-R
Drazkowski-R	Paymar-DFL
Erickson-R	Rukavina-DFL
Garofalo-R	Runbeck-R
Gottwalt-R	Tillberry-DFL
Hortman-DFL	Wardlow-R

Staff

Committee Administrator
Bobby Patrick.....296-4119
Committee Legislative Assistant
Anna Fournier296-7881

Property and Local Tax Division

583 State Office Building296-2907
Meets: Wednesdays at 8:15 a.m. in Room 10*

Members: 16

Chair: Runbeck-R

Vice Chair: Crawford-R

DFL Lead: Marquart-DFL

Barrett-R	Lenczewski-DFL
Benson, J.-DFL	Loeffler-DFL
Daudt-R	Mahoney-DFL
Dettmer-R	McDonald-R
Dittrich-DFL	Petersen-R
Koenen-DFL	Wardlow-R
LeMieur-R	

Staff

Committee Administrator
Bobby Patrick.....296-4119
Committee Legislative Assistant
Beckie Gumatz.....296-5356

Transportation Policy and Finance

417 State Office Building296-8872
Meets: Mondays at 12:30 p.m. in Room 5; and
Wednesdays at 12:30 p.m. in the Basement
Hearing Room*

Members: 17

Chair: Beard-R

Vice Chair: Murdock-R

DFL Lead: Hornstein-DFL

Benson, M.-R	Leidiger-R
Buesgens-R	Morrow-DFL
Champion-DFL	Murray-R
Eken-DFL	Nelson-DFL
Gauthier-DFL	Sanders-R
Hausman-DFL	Shimanski-R
Kiel-R	Vogel-R

Staff

Committee Administrator
Mark Nisley296-1540
Committee Legislative Assistant
Ana Bahr.....296-4375

Ways and Means

453 State Office Building296-6926
Meets: Mondays at 10:15 a.m. or call of the
chair in Room 200*

Members: 33

Chair: Holberg-R

Vice Chair: Downey-R

DFL Lead: Carlson-DFL

Abeler-R	Hornstein-DFL
Anderson, B.-R	Howes-R
Anderson, S.-R	Huntley-DFL
Beard-R	Kahn-DFL
Brynaert-DFL	Kiffmeyer-R
Buesgens-R	Lanning-R
Champion-DFL	Lenczewski-DFL
Dauids-R	McNamara-R
Eken-DFL	Nornes-R
Garofalo-R	Pelowski-DFL
Gottwalt-R	Rukavina-DFL
Greiling-DFL	Slawik-DFL
Gunther-R	Smith-R
Hackbarth-R	Wagenius-DFL
Hamilton-R	Westrom-R

Staff

Committee Administrator
Harry Kennedy296-5065
Committee Legislative Assistant
Alex Smith296-3889

The Dance of Legislation has started

Numerous bonding proposals highlight first bill introductions of 2012 session

By BOB GEIGER

Reagan and Will Zellers, the daughter and son of House Speaker Kurt Zellers (R-Maple Grove), gaveled the House to order for their father Jan. 24. Waiting to be brought into the process for consideration by the House were 162 bills. And thus began the road to law for some, and for most, to die at the end of session.

Introduction of bills is a key moment in the legislative process. It all begins with House members signing on as sponsors of a bill.

After a bill is formally recorded in the House Journal, the sponsors ferry bills through committees hoping for consideration by the House. Additionally, the bill sponsor needs to find someone to sponsor a companion bill in the Senate. This is a key role to a bill's passage because Senate committees can hold

to the full House and Senate for floor votes before referral to Gov. Mark Dayton.

Simply rounding up sponsors for a bill does not guarantee passage. For example, during the 2011 regular session and special sessions, just 106 of 1,788 introduced bills were enacted.

The 106 laws enacted in 2011 was the least number of laws enacted in the last 12 years. Since 2000, 2,044 new laws have been

enacted, an average of 170 laws per year.

Years with the highest number of laws enacted were 2000, 2001 and 2010 when 244, 220 and 204 bills were signed into law, respectively.

Among this session's first-day bill introductions are HF1809, which would appropriate funds for electronic barriers designed to halt the advancing Asian Carp;

HF1807, which would provide \$4 million to build a wind turbine training facility in Canby; and several bills related to a new stadium for the Minnesota Vikings.

Sponsored by Rep. Steve Drazkowski (R-Mazeppa), HF1891 would make the Minnesota Public Utilities Commission consider local land use restrictions before sites for wind turbines are approved. If

passed, it could force the PUC to reconsider a wind project it has approved twice: Goodhue Wind, a \$179 million wind energy development originally proposed by Minneapolis-based National Wind.

Rep. Karen Clark (DFL-Mpls), whose district is home to a large Somali population, sponsors a resolution supporting the Somali-American community's ability to continue remittances to the Horn of Africa.

Several bonding bills were in the first wave of bills, including requests for Interstate 694 interchanges with White Bear Avenue and Rice Street and more than \$4.3 million for preservation at the Minnesota State Academies in Faribault.

Rep. Leon Lillie (DFL-North St. Paul) is sponsoring HF1790, which seeks up to \$2 million for preliminary and final design of the I-694 interchange at White Bear Avenue. That bill's Senate companion, SF1489, is sponsored by Sen. Chuck Wiger (DFL-Maplewood).

The I-694 interchange at Rice Street is the proposed beneficiary of HF1802/SF1484. Sponsored by Rep. Linda Runbeck (R-Circle Pines) and Sen. Roger Chamberlain (R-Lino Lakes), both bills seek \$5.2 million to complete final design of the interchange.

Sponsored by Rep. Patti Fritz (DFL-Faribault), HF1794 would provide \$4.3 million in state bond proceeds to refurbish the Minnesota State Academy for the Deaf campus in collaboration with the State College of Carpentry in Faribault. The bill did not have a Senate companion as of Jan. 25.

Other bills of interest include a measure sponsored by Rep. Greg Davids, (R-Preston), to sell \$15 million in state bonding to design and build a Minnesota Veterans and Emergency Services Museum in Rochester.

Rep. Mark Murdock, (R-Ottertail), introduced legislation seeking more than \$4.7 million in bonding to design and build a community center and swimming pool to replace facilities destroyed by a 2010 tornado. 🐼



PHOTO BY ANDREW VONBANK

A basket for newly introduced bills is located on the front desk in the House Chamber.

hearings on its version of the House bill. That increases chances of swift approval by the full bodies and a hopeful landing on the governor's desk for action.

If the language of the bills differ after approval by the respective bodies, a conference committee made up of both House and Senate members must agree on a single version. After that, the bill is returned

BILL INTRODUCTIONS

JANUARY 24 - 26, 2012

HOUSE FILES 1762 - 1986

Tuesday, Jan. 24

HF1762-Davids (R)

Legacy Funding Division

Rochester: veteran and emergency services funding provided and money appropriated.

HF1763-Davids (R)

State Government Finance

Rochester: Minnesota veteran and emergency services museum funding provided, bonds issued and money appropriated.

HF1764-Lohmer (R)

Government Operations & Elections

Appropriations continued for the operation of state government.

HF1765-Crawford (R)

Jobs & Economic Development Finance

Pine Technical College; entrepreneurship and technology business incubator funding provided, bonds issued and money appropriated.

HF1766-Lohmer (R)

Health & Human Services Reform

Child care assistance fund payments modified.

HF1767-Mullery (DFL)

Taxes

Property tax temporary refunds provided for renters in the areas affected by the 2011 tornadoes.

HF1768-Mullery (DFL)

Taxes

Property tax rent percentage increased.

HF1769-Fritz (DFL)

Education Finance

Minnesota state academies funding provided, bonds issued and money appropriated.

HF1770-Kieffer (R)

Education Reform

Teacher candidates required to pass basic skills exam.

HF1771-Nornes (R)

Commerce & Regulatory Reform

Nonprofit wine tasting requirements modified.

HF1772-Torkelson (R)

Taxes

Wind generation production tax removed.

HF1773-McNamara (R)

Agriculture & Rural Development Policy & Finance

Compost defined as an agricultural product.

HF1774-Kriesel (R)

Public Safety & Crime Prevention Policy & Finance

Fireworks manufacture, sale and use regulated.

HF1775-Marquart (DFL)

Taxes

Market value homestead credit restored.

HF1776-Lenczewski (DFL)

Taxes

Market value homestead credit restored.

HF1777-Davids (R)

Taxes

Local sales taxes allowed.

HF1778-Cornish (R)

Education Finance

Independent School District No. 2134, United South Central, funding provided, bonds issued and money appropriated.

HF1779-Hackbarth (R)

Commerce & Regulatory Reform

Vikings stadium; state lottery authorized to establish gaming machines at a licensed racetrack, gaming machine revenue fee imposed, powers and duties provided to the director, and Minnesota First fund established and money dedicated for the Minnesota Vikings and a ballpark for the St. Paul Saints.

HF1780-Hansen (DFL)

Government Operations & Elections

Public official definition expanded in the campaign finance and public disclosure law.

HF1781-Anzelc (DFL)

Education Finance

School swimming pool levy renovation costs allowed.

HF1782-Anzelc (DFL)

Education Finance

Taconite production tax modified and taconite production tax proceeds dedicated to school districts.

HF1783-Anzelc (DFL)

Jobs & Economic Development Finance

Taconite economic development fund eliminated.

HF1784-Anzelc (DFL)

Jobs & Economic Development Finance

Iron Range Resources and Rehabilitation Board regulated, and classification of loan or equity investment application data modified.

HF1785-Drazkowski (R)

Health & Human Services Reform

Swimming pond exemption application expanded.

HF1786-Johnson (DFL)

Higher Education Policy & Finance

Metropolitan State University science education center funding provided, bonds issued and money appropriated.

HF1787-Gunther (R)

Jobs & Economic Development Finance

Architecture, engineering, land surveying, landscape architecture, geoscience and interior design professional licensing provisions and fees modified.

HF1788-Anzelc (DFL)

Taxes

City of Bovey decertified.

HF1789-Rukavina (DFL)

Health & Human Services Reform

St. Louis County; Medical Assistance property lien released.

HF1790-Lillie (DFL)

Transportation Policy & Finance

I-694 and White Bear Avenue interchange funding provided, bonds issued and money appropriated.

HF1791-Slawik (DFL)

Taxes

Oakdale; tax increment financing district applicable time limits extended.

HF1792-Slawik (DFL)

Transportation Policy & Finance

Anatomical gift license plate established.

HF1793-Melin (DFL)

Government Operations & Elections

American steel product use or supply required.

HF1794-Fritz (DFL)

Education Finance

Minnesota State Academies funding provided, bonds issued and money appropriated.

HF1795-Anderson, S. (R)

Taxes

Income definition modified to exclude scholarship income.

HF1796-Hackbarth (R)

Environment, Energy & Natural Resources Policy & Finance

Snowmobile agent registration provided, snowmobile registration and trail sticker requirements modified, fees modified and disposition of fees provided.

HF1797-Hackbarth (R)

Environment, Energy & Natural Resources Policy & Finance

Snowmobile metal traction devices prohibition modified.

HF1798-Hackbarth (R)

Public Safety & Crime Prevention Policy & Finance

Peace officers authorized to perform a protective pat-down search of a child stopped for violations in order to protect the officer's safety.

HF1799-Mullery (DFL)

Environment, Energy & Natural Resources Policy & Finance

Minneapolis; bicycle and pedestrian facilities design and construction funding provided, boulevard trees to be planted along 26th Avenue North, bonds issued and money appropriated.

HF1800-Falk (DFL)

Education Reform

State reciprocity agreement exemption created.

HF1801-Carlson (DFL)

Government Operations & Elections

Legislative Advisory Commission membership modified.

HF1802-Runbeck (R)**Transportation Policy & Finance**

I-694 and Rice Street interchange funding provided, bonds issued and money appropriated.

HF1803-Greiling (DFL)**Higher Education Policy & Finance**

State grant eligibility clarified.

HF1804-Murdock (R)**Jobs & Economic****Development Finance**

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

HF1805-Schomacker (R)**State Government Finance**

Dundee; sewer project funding provided, bonds issued and money appropriated.

HF1806-Howes (R)**State Government Finance**

Backus; wastewater system improvement funding provided, bonds issued and money appropriated.

HF1807-Falk (DFL)**Higher Education Policy & Finance**

Minnesota West Community and Technical College, Canbywind turbine training facility funding provided, bonds issued and money appropriated.

HF1808-Morrow (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Lake Titlow Dam funding provided, bonds issued and money appropriated.

HF1809-Hackbarth (R)**Environment, Energy &****Natural Resources Policy & Finance**

Electric fish barrier funding provided, and money appropriated.

HF1810-Dill (DFL)**Government Operations & Elections**

Lake Superior-Poplar River Water District established, funding provided for the construction of water facilities, bonds issued and money appropriated.

HF1811-Gruenhagen (R)**Government Operations & Elections**

Continuing appropriations provided at specified level and money appropriated.

HF1812-Stensrud (R)**Government Operations & Elections**

Department of Administration permitted to contract for waste-hauling without determining whether state employees are able to do the work, and state prohibited from purchasing waste-hauling vehicles for use in the Capitol complex.

HF1813-Benson, M. (R)**Government Operations & Elections**

State government reorganization study proposal request required.

HF1814-Benson, M. (R)**Taxes**

Individual income and corporate franchise taxes conformed to federal section 179 expensing allowance.

HF1815-Benson, M. (R)**Taxes**

Individual and corporate franchise taxes conformed to federal section 179 expensing allowance.

HF1816-Benson, M. (R)**Public Safety &****Crime Prevention Policy & Finance**

Federally licensed firearms importers, manufacturers and dealers authorized to possess and sell firearm silencers to authorized law enforcement and wildlife management agencies for authorized purposes.

HF1817-Kelly (R)**Environment, Energy &****Natural Resources Policy & Finance**

Community-based energy development project tariffs modified.

HF1818-Dettmer (R)**Veterans Services Division**

Marriage license fee portion recovery allowed for members of the armed forces who complete premarital education after the license is issued.

HF1819-Dettmer (R)**Veterans Services Division**

Beyond the Yellow Ribbon program modified.

HF1820-Dettmer (R)**Veterans Services Division**

Income-based reduction eliminated.

HF1821-Dettmer (R)**Veterans Services Division**

Small business set-aside program changed for veteran-owned small businesses, county set-aside programs authorized for veteran-owned small businesses and reporting requirements changed.

HF1822-Loon (R)**Taxes**

Tax reform action commission established, commission appointments authorized, report preparation directed to the Legislature and money appropriated.

HF1823-Downey (R)**Taxes**

Small business investment credit modified and credit for start-up and emerging Minnesota businesses provided.

HF1824-Persell (DFL)**State Government Finance**

Deer River; wastewater stabilization pond expansion funding provided, bonds issued and money appropriated.

HF1825-Persell (DFL)**State Government Finance**

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

HF1826-Anderson, B. (R)**Environment, Energy &****Natural Resources Policy & Finance**

Subsurface sewage treatment rules modification required.

HF1827-Ward (DFL)**Taxes**

Late payment penalties modified.

HF1828-Anderson, P. (R)**Education Finance**

Early education scholarship funds required to be awarded to Greater Minnesota.

HF1829-Cornish (R)**Public Safety &****Crime Prevention Policy & Finance**

County attorneys and assistant county attorneys authorized to carry firearms on duty under the terms of a permit to carry.

HF1830-Murray (R)**State Government Finance**

Albert Lea; wastewater infrastructure fund grant terms modified.

HF1831-Wardlow (R)**Government Operations & Elections**

Legislative review of rules provided for sunset and legislative approval of existing rules.

HF1832-Marquart (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Heartland State Trail funding provided, bonds issued and money appropriated.

HF1833-Dittrich (DFL)**Civil Law**

Relocation assistance amount or denial hearing required.

HF1834-Scott (R)**Government Operations & Elections**

Revenue-producing programs provided in the event of a government shutdown.

HF1835-Scott (R)**Transportation Policy & Finance**

Sheriff vehicle list of paint colors expanded.

HF1836-Kahn (DFL)**Transportation Policy & Finance**

Minneapolis; 10th Avenue SE bridge repair funding provided, bonds issued and money appropriated.

HF1837-Hornstein (DFL)**Transportation Policy & Finance**

Minneapolis; I-35W storm tunnel funding provided, bonds issued and money appropriated.

HF1838-Kriesel (R)**Public Safety &****Crime Prevention Policy & Finance**

DWI; driving while impaired specified as a breach of peace through proposed constitutional amendment.

HF1839-Melin (DFL)**Jobs & Economic****Development Finance**

Hibbing Memorial Building improvements funding provided, bonds issued and money appropriated.

HF1840-Rukavina (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

St. Louis County school trust land condemnation provided.

HF1841-Lohmer (R)**Health & Human Services Reform**

Abortion facilities state licensure established.

HF1842-Fabian (R)**Taxes**

Small business upfront capital equipment tax exemption provided.

HF1843-Erickson (R)**Taxes**

Individual income tax restructured, single tax rate applied, working family credit modified and alternative minimum tax repealed.

HF1844-Erickson (R)**Public Safety &****Crime Prevention Policy & Finance**

Harassment or retaliation against a person subject to an order for protection or no contact order criminal penalty provided.

HF1845-Erickson (R)**Education Finance**

School district aid delayed payments prohibited from exceeding 10 percent through proposed constitutional amendment.

HF1846-Erickson (R)**Education Reform**

Speech-language pathology assistant training requirements national conformity provided.

HF1847-Erickson (R)**Education Reform**

High school graduation requirements and academic standards revision legislative authorization required.

HF1848-Erickson (R)**Education Reform**

School boards authorized to determine number and identity of annuity contract vendors.

HF1849-Davids (R)**Taxes**

Solicitor definition provided for nexus purposes relating to taxation.

HF1850-Downey (R)**Government Operations & Elections**

State employee gainsharing program maximum award increased.

HF1851-McFarlane (R)**Education Finance**

Library accessibility and improvement grants funding provided, bonds issued and money appropriated.

HF1852-McNamara (R)**Transportation Policy & Finance**

Highway 61 improvements provided north of the new Hastings bridge, bonds issued and money appropriated.

HF1853-Dill (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Mesabi Trail previous appropriation modified.

HF1854-Dill (DFL)**State Government Finance**

Crane Lake Water and Sanitary District funding provided, bonds issued and money appropriated.

HF1855-Dill (DFL)**Jobs & Economic Development Finance**

Tower harbor reconstruction funding provided, bonds issued and money appropriated.

HF1856-Dill (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Wolf; license and season established for taking of wolves by hunting or trapping.

HF1857-Gruenhagen (R)**Taxes**

Medical care and health insurance income tax deduction provided.

HF1858-Quam (R)**Education Finance**

School district operating referenda required to be held at the general election in even-numbered years.

HF1859-Garofalo (R)**Education Finance**

Metro equity region date establishment modified relating to education finance.

HF1860-Woodard (R)**Education Finance**

Operating referendum levy aids provided to charter schools.

HF1861-Morrow (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Gaylord; Lake Titlow Dam replacement funding provided and money appropriated.

HF1862-Morrow (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Gaylord; Lake Titlow Dam replacement funding provided and money appropriated.

HF1863-Gauthier (DFL)**Transportation Policy & Finance**

Duluth transit center funding provided, bonds issued and money appropriated.

HF1864-Koenen (DFL)**State Government Finance**

Morton sewer system renovation funding provided, bonds issued and money appropriated.

HF1865-Mack (R)**Civil Law**

Minnesota Ski Safety Act adopted.

HF1866-Mullery (DFL)**Commerce & Regulatory Reform**

Employment conditions prohibited related to unemployment status.

HF1867-Kriesel (R)**Environment, Energy &****Natural Resources Policy & Finance**

Washington County tax-forfeited land sale authorized.

HF1868-Mullery (DFL)**Public Safety &****Crime Prevention Policy & Finance**

Predatory offenders; location of residences modified for Level III predatory offenders.

HF1869-Mullery (DFL)**Taxes**

Long-term unemployed persons hiring credit authorized.

HF1870-Petersen, B. (R)**Education Reform**

School districts authorized to base leave of absence and discharge decisions on teacher evaluation outcomes.

HF1871-Runbeck (R)**Government Operations & Elections**

Metrodome transferred to the Minnesota Vikings, Metropolitan Sports Facilities Commission abolished and local government competition for sports franchises prohibited.

HF1872-Runbeck (R)**Public Safety &****Crime Prevention Policy & Finance**

Maximum fees repealed.

HF1873-Kahn (DFL)**Transportation Policy & Finance**

Bicycle light safety pilot program funding provided and money appropriated.

HF1874-Kahn (DFL)**Transportation Policy & Finance**

Bicycle equipment requirements amended.

HF1875-Kahn (DFL)**Commerce & Regulatory Reform**

Minnesota professional football team protection process provided.

HF1876-Mahoney (DFL)**Taxes**

Saint Paul; annual maximum debt extended and increased.

HF1877-Norton (DFL)**Government Operations & Elections**

Constitutional amendment method changed, and constitutional amendment proposed.

HF1878-Peterson, S. (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Water skiing and other watercraft towing hours modified.

HF1879-Cornish (R)**Public Safety &****Crime Prevention Policy & Finance**

Enhanced penalties provided for causing the death of or assaulting a prosecuting attorney.

HF1880-Bills (R)**Health & Human Services Reform**

Cremated remains requirements modified for disinterment and reinterment.

HF1881-Hansen (DFL)**Commerce & Regulatory Reform**

Emergency responders permitted absences from work.

HF1882-Rukavina (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Bait restrictions modified for firearm deer hunting.

HF1883-Brynaert (DFL)**Jobs & Economic****Development Finance**

Mankato; arena improvement and event center expansion funding provided, bonds issued and money appropriated.

HF1884-Brynaert (DFL)**Higher Education Policy & Finance**

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

HF1885-Clark (DFL)**Civil Law**

Proposed amendment to the Minnesota Constitution recognizing marriage as only a union between one man and one woman repealed.

HF1886-Clark (DFL)**Commerce & Regulatory Reform**

Stay of mortgage foreclosure allowed and rights to tenants of foreclosed property provided.

HF1887-Clark (DFL)**Jobs & Economic****Development Finance**

Minnesota Housing Finance Agency authorized to issue additional nonprofit housing bonds for three or more culturally specific transitional housing and counseling facilities for exploited American Indian, East African, Latina, African-American, and Asian girls and women.

HF1888-Clark (DFL)**Health & Human Services Reform**

Citizenship requirement eligibility provisions modified.

HF1889-Barrett (R)**Health & Human Services Reform**

Controlled substances in the MFIP and general assistance programs screening required.

HF1890-Fabian (R)**Taxes**

Bovine tuberculosis property tax credit revived.

HF1891-Kelly (R)**Environment, Energy &****Natural Resources Policy & Finance**

Siting wind energy conversion systems provision added and county authority to enact siting standards modified.

HF1892-Franson (R)**Health & Human Services Reform**

Federal health care system mandatory participation prohibited and mandatory insurance coverage prohibited.

HF1893-Franson (R)**Health & Human Services Reform**

Quality measurements and incentive payment programs exemption provided for providers who opt out.

HF1894-Franson (R)**Health & Human Services Reform**

Patient consent required for encounter data reporting.

HF1895-Franson (R)**Health & Human Services Reform**

Performance indicators exemption provided for quality incentive payments.

HF1896-Franson (R)**Health & Human Services Reform**

Lottery scratch-off game provided with proceeds dedicated to the developmentally disabled, and money appropriated.

HF1897-Franson (R)**Education Reform**

Immunization requirements modified for school children.

HF1898-Franson (R)**Health & Human Services Reform**

Health care and coverage freedom of choice provided through proposed constitutional amendment.

HF1899-Vogel (R)**Public Safety &****Crime Prevention Policy & Finance**

Jacob's Law established requiring notice of crime victim rights to parents and guardians of child victims, requiring notification to social services if a child is abused outside the home and amending parental rights to include police reports on minor children.

HF1900-Vogel (R)**Higher Education Policy & Finance**

Willmar; Ridgewater College funding provided, bonds issued and money appropriated.

HF1901-McFarlane (R)**Transportation Policy & Finance**

Scrap metal processing regulation modified.

HF1902-Clark (DFL)**Commerce & Regulatory Reform**

A House resolution supporting the Somali-American community's ability to continue remittances to the Horn of Africa.

HF1903-Urdahl (R)**State Government Finance**

Honor guard stipends preference modified.

HF1904-Quam (R)**Commerce & Regulatory Reform**

Manufactured housing water and sewer charges regulated, and manager background check definition modified to include managers of manufactured home parks.

HF1905-Mullery (DFL)**Civil Law**

Contracts for deed involving residential property protections specified.

HF1906-Cornish (R)**Government Operations & Elections**

Legislators prohibited from receiving compensation during a government shutdown.

HF1907-Liebling (DFL)**Health & Human Services Finance**

Personal care assistance provisions modified.

HF1908-Franson (R)**Taxes**

Individual income, corporate franchise, petroleum and motor fuels, gambling, cigarette and tobacco, solid waste management, minerals occupation and insurance taxes repealed; lost revenue replaced with a comprehensive general tax, and constitutional amendment proposed.

HF1909-Winkler (DFL)**Civil Law**

Parenting consultant roster and training requirements established.

HF1910-Clark (DFL)**State Government Finance**

Pioneer and Soldiers Cemetery restoration funding provided, bonds issued and money appropriated.

HF1911-Davids (R)**Taxes**

Local government levy limits imposed and property tax increase limits provided or voter approval required.

HF1912-Morrow (DFL)**Taxes**

Food inventory charitable contribution deduction expanded.

HF1913-McDonald (R)**Education Finance**

Delano, Monticello and Rockford; one-time school district fund transfer authorized.

HF1914-Davids (R)**Taxes**

Commercial-industrial properties first \$100,000 in value exempted from the state general levy, commercial-industrial property state general levy phased out over 20 years, seasonal recreational property state general levy frozen, maximum homeowner property tax refunds increased, special property tax refund temporary increase provided and money appropriated.

HF1915-Runbeck (R)**Transportation Policy & Finance**

Municipal state-aid street system eligibility and allocation amended.

HF1916-Howes (R)**Higher Education Policy & Finance**

Board of Trustees of the Minnesota State Colleges and Universities prior appropriations modified.

HF1917-Erickson (R)**Education Reform**

School boards' ability to conduct school on holidays clarified.

HF1918-Dean (R)**Health & Human Services Reform**

State health care programs restructuring and reform plan in the event of federal changes to the Medicaid program required to be submitted by the commissioner of human services to the Legislature.

HF1919-Drazkowski (R)**Health & Human Services Reform**

Minnesota Family Investment Program controlled substances testing required.

HF1920-LeMieur (R)**Environment, Energy &****Natural Resources Policy & Finance**

Morrison County; tax-forfeited land private sale authorized.

HF1921-Kiffmeyer (R)**Jobs & Economic****Development Finance**

Greater Minnesota business development infrastructure and the Big Lake Regional Rail Park funding provided, bonds issued and money appropriated.

HF1922-Howes (R)**Health & Human Services Finance**

Hennepin County; center providing mental health services to children construction authorized, and construction of a new Washburn Center for Children funding provided, bonds issued and money appropriated.

HF1923-O'Driscoll (R)**Environment, Energy & Natural Resources Policy & Finance**

Water conservation rate structure requirement eliminated.

Thursday, Jan. 26

HF1924-Howes (R)**State Government Finance**

Bemidji; regional public television station funding provided, bonds issued and money appropriated.

HF1925-Dill (DFL)**Higher Education Policy & Finance**

Northeast Higher Education District, Vermilion Community College, Ely; classroom renovation funding provided, bonds issued and money appropriated.

HF1926-Swedzinski (R)**Agriculture & Rural Development Policy & Finance**

Certification provided for good manufacturing practices for commercial feed and feed ingredients, voluntary certification fees authorized, rule provisions relating to animal feed modified and money appropriated.

HF1927-Dettmer (R)**Environment, Energy & Natural Resources Policy & Finance**

Rice Creek Watershed District wetland replacement pilot project established.

HF1928-LeMieur (R)**Health & Human Services Reform**

Abortion; state funding prohibited and constitutional amendment proposed.

HF1929-LeMieur (R)**Health & Human Services Reform**

Abortion; physician's physical presence required for abortion procedures.

HF1930-Howes (R)**State Government Finance**

Backus; wastewater force main system funding provided, bonds issued and money appropriated.

HF1931-Banaian (R)**Public Safety & Crime Prevention Policy & Finance**

St. Cloud; Minnesota correctional facility funding provided, bonds issued and money appropriated.

HF1932-Banaian (R)**Government Operations & Elections**

Legislator coverage restricted and contributions after June 30, 2012, terminated.

HF1933-Melin (DFL)**Public Safety & Crime Prevention Policy & Finance**

Arrowhead Regional Corrections Facilities funding provided, bonds issued and money appropriated.

HF1934-Rukavina (DFL)**State Government Finance**

Virginia; wastewater treatment facility funding provided, bonds issued and money appropriated.

HF1935-Rukavina (DFL)**State Government Finance**

East Range Joint Powers Board funding provided for a water treatment facility, bonds issued and money appropriated.

HF1936-Anzelc (DFL)**Taxes**

Big Fork; local government aid decertified.

HF1937-Anzelc (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Koochiching County; private sale provided for tax-forfeited lands.

HF1938-Cornish (R)**Judiciary Policy & Finance**

Fugitive apprehension unit authorized to apply search warrants.

HF1939-Melin (DFL)**Higher Education Policy & Finance**

Northeast Higher Education District, Hibbing Community College; renovation funding provided, bonds issued and money appropriated.

HF1940-Rukavina (DFL)**Government Operations & Elections**

Elections; right provided to be absent from work in order to vote and eligible elections expanded.

HF1941-Falk (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Big Stone County; public sale authorized for tax-forfeited land that borders public water.

HF1942-Beard (R)**Transportation Policy & Finance**

Metropolitan Council base appropriations amended.

HF1943-Beard (R)**Transportation Policy & Finance**

Metropolitan Council transit funding provisions modified.

HF1944-Johnson (DFL)**Public Safety & Crime Prevention Policy & Finance**

Commissioner of corrections directed to prepare a report to the Legislature on the department's policies and practices related to supervised release violators.

HF1945-Gottwalt (R)**Judiciary Policy & Finance**

Criminal neglect of vulnerable adult penalty modified.

HF1946-Loeffler (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Minneapolis; Father Hennepin Bluffs Park funding provided, bonds issued and money appropriated.

HF1947-Abeler (R)**Environment, Energy & Natural Resources Policy & Finance**

Anoka; Rum River Dam funding provided, bonds issued and money appropriated.

HF1948-Urdahl (R)**Veterans Services Division**

Motor vehicles sales tax exemption provided on a portion of the value of a motor vehicle purchased abroad during military service outside the United States.

HF1949-Runbeck (R)**Taxes**

Truth in Taxation Task Force established.

HF1950-Johnson (DFL)**Environment, Energy & Natural Resources Policy & Finance**

St. Paul; Great River Passage design work funding provided, bonds issued and money appropriated.

HF1951-Kahn (DFL)**Government Operations & Elections**

Voting age changed from 18 to 16 in state and local elections, and constitutional amendment proposed.

HF1952-Urdahl (R)**Health & Human Services Reform**

Nursing home administrative burden reduction methods working group established.

HF1953-Abeler (R)**Education Reform**

Bullying prohibited in public schools.

HF1954-Downey (R)**Government Operations & Elections**

Counties and cities required to report additional budgetary information.

HF1955-Beard (R)**Transportation Policy & Finance**

Move-over traffic law clarified, and speed requirement when driving by parked emergency, patrol, construction or maintenance vehicles added.

HF1956-Anderson, S. (R)**Public Safety & Crime Prevention Policy & Finance**

Offenders possessing multiple welfare electronic benefit cards required to be reported by law enforcement departments to the commissioner of human services.

HF1957-Murray (R)**Higher Education Policy & Finance**

Albert Lea; Riverland Community College demolition and renovation funding provided, bonds issued and money appropriated.

HF1958-Hilstrom (DFL)**Public Safety & Crime Prevention Policy & Finance**

Challenge Incarceration Program selection criteria narrowed.

HF1959-Hilstrom (DFL)**Public Safety & Crime Prevention Policy & Finance**

Department of Corrections report on performance measures and targets eliminated.

HF1960-Banaian (R)**Higher Education Policy & Finance**

St. Cloud State University hockey center project 2008 appropriation modified.

HF1961-Banaian (R)**Higher Education Policy & Finance**

St. Cloud Technical and Community College funding provided, bonds issued and money appropriated.

HF1962-Nornes (R)**Health & Human Services Finance**

Dental coverage modified for non-pregnant adult Medical Assistance enrollees with a diagnosis of developmental disability, severe and persistent mental illness or traumatic brain injury.

HF1963-Wagenius (DFL)**Environment, Energy & Natural Resources Policy & Finance**

University of Minnesota aquatic invasive species activities money appropriated.

HF1964-Atkins (DFL)**Government Operations & Elections**

Senate and House of Representatives adoption of rules prohibiting use of confidential information by legislators required.

HF1965-Atkins (DFL)**Higher Education Policy & Finance**

Private higher education institutions disclosure requirements expanded.

HF1966-Shimanski (R)**Environment, Energy & Natural Resources Policy & Finance**

Nonresident trapping provisions modified.

HF1967-Abeler (R)**Health & Human Services Reform**

Children and family services provisions modified, adoptions under guardianship of the commissioner reformed and child support statutory provisions modified.

HF1968-Loon (R)**Jobs & Economic Development Finance**

Minnesota Children's Museum funding provided, bonds issued and money appropriated.

HF1969-Anzelc (DFL)**State Government Finance**

LaPrairie; water and sanitary sewer infrastructure extension funding provided, bonds issued and money appropriated.

HF1970-Anzelc (DFL)**State Government Finance**

Koochiching; new sanitary sewer collection system funding provided, bonds issued and money appropriated.

HF1971-Beard (R)**Transportation Policy & Finance**

Highways contingent appropriations provided.

HF1972-Davids (R)**Health & Human Services Reform**

Dentists and dental hygienists licensed in another state temporary permit to practice without compensation provided.

HF1973-Drazkowski (R)**Environment, Energy & Natural Resources Policy & Finance**

Community-based energy development programs provisions repealed.

HF1974-Drazkowski (R)**Government Operations & Elections**

Public employee contract terms discontinuance in effect provided after expiration of a collective bargaining agreement.

HF1975-Drazkowski (R)**Government Operations & Elections**

State government outside contract restrictions removed.

HF1976-Drazkowski (R)**Government Operations & Elections**

Federal E-Verify program use by state appointing authorities required.

HF1977-Drazkowski (R)**Government Operations & Elections**

Executive branch employee representative negotiations authorized to avoid layoffs.

HF1978-Anzelc (DFL)**State Government Finance**

Northome; sanitary sewer and water improvements funding provided, bonds issued and money appropriated.

HF1979-Schomacker (R)**Health & Human Services Reform**

Group residential housing and Minnesota supplemental aid shelter needy provisions, and adult foster care homes modified.

HF1980-Hansen (DFL)**Education Finance**

Special School District No. 6, South St. Paul alternative facilities revenue program participation permitted.

HF1981-Howes (R)**Government Operations & Elections**

Public works contracts cost threshold modified.

HF1982-McElpatrick (R)**Veterans Services Division**

Educational program established for veterans, their spouses and eligible dependents.

HF1983-Garofalo (R)**Education Finance**

No Child Left Behind Act non-implementation fiscal impact annual management and budget report repealed.

HF1984-Scott (R)**Public Safety &****Crime Prevention Policy & Finance**

Federally licensed firearms manufacturers' possession of federally registered firearm silencers authorized for the purpose of testing firearms manufactured for police and military agencies.

HF1985-Schomacker (R)**Health & Human Services Reform**

Background study requirements modified.

HF1986-Gottwalt (R)**Health & Human Services Reform**

Healthy Minnesota contribution program eligibility modified.

FIRST DAY GATHERING

PHOTO BY PAUL BATTAGLIA

House Chief Clerk Al Mathiowetz, left, talks with House Speaker Kurt Zellers, center, and Republican Caucus Executive Director Chas Anderson before the first day of the 2012 session. Looking on is First Assistant Chief Clerk Pat Murphy.

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Legislative Commission on Metropolitan Government

Legislative Commission on Planning and Fiscal Policy

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MINNESOTA INDEX

Session 2012

Number of legislative days in a biennium	120
Number available for this year	56
Legislative days used in 2010, the last bonding year	49
In 2008	44
In 2006	46
Days between the start of session and Election Day, Nov. 6, 2012	287
Date by which members must have their work complete	May 21
Last year the Legislature adjourned in April	1998
Number of new House members since the end of last regular session	1 (Susan Allen)
Current Republican House members	72
Current DFL House members	62
Seat advantage for DFL at start of 2010 session	87-47
Members having announced that this will be their final session	1 (Mindy Greiling)
Bonding request submitted Jan. 17 by Gov. Mark Dayton (in millions)	\$903
Millions that are proposed in general obligation bonding	\$775
Percent of bonding request that is for statewide programs	28
Percent in the seven-county Twin Cities metropolitan area	36
Percent in Greater Minnesota	36
Millions in the 2010 bonding law	\$686.3
Members in each body that must pass a bonding bill, as percent	60
Percent of each body needed to override any gubernatorial veto	66.67
Based on the November Economic Forecast, anticipated state	
General Fund surplus at the end of the 2012-13 biennium, in millions	\$876
House bills introduced during the 2011 regular session	2,407
Senate bills	1,477
House bills introduced in the 2010 regular session, the last bonding year	1,457
Senate bills	1,264
House bills introduced on the first day of session	162
In 2010	330
In 2008	302
In 2006	515

— M. Cook

Sources: House Public Information Services, House Chief Clerk's Office, Legislative Reference Library, Office of the Governor, Department of Finance.

SESSION WEEKLY



EXPORTS: CRYING 'WEE, WEE, WEE' AND STAYING AT HOME

SO MANY RULES, SO LITTLE TIME

EDUCATION TO LOSE AN ADVOCATE

HF1987 - HF2084

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 2 • FEBRUARY 3, 2012

Flashback to 1992, 2002

Recession is leaving its mark on the state

State Economist Tom Stinson told the newly created House Select Committee on the Recession that "it's taking longer to recover from this economic slump, and more people are going through an unemployment phase."

He said the recession is a result of Iraq's invasion of Kuwait, the Federal Reserve Board's policy to reduce inflation by keeping the money supply tight and the construction of an excess supply of commercial office buildings.

While the health care, processed food and tourism sectors are doing well, the retail, construction real estate services and manufacturing sectors are not, he said.

— Jan. 17, 1992 Session Weekly

Seniors say do not call

Saying they are tired of receiving unsolicited calls at home, members of the American Association of Retired Persons came to the Legislature to show support for HF2710 that would create a "do-not-call list" for solicitors. Sponsored by Rep. Matt Entenza (DFL-St. Paul), the list would be maintained by the Department of Commerce. Telemarketers who wish to solicit goods or services for purchase or rent would not be able to call those on the list. Solicitors would have to pay \$15 for a copy of the list, but the service would be free to residents.

The Minnesota Chamber of Commerce objected to imposing fees on businesses, and others said the legislation might affect telemarketing jobs in the state.

Under the provision, the penalty would include a fine of up to \$2,000 per solicitation for noncompliance.

— Feb. 8, 2002 Session Weekly

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Editor's note:

Lawmakers are taking a break Feb. 2-7 to participate in party caucuses. There will be no Session Weekly published Feb. 10. The next scheduled Session Weekly publication date is Feb. 17.

SESSION WEEKLY

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On the cover: Dave Reimers of Artserve carefully places a flagstaff for a historic flag in one of the climate-controlled display cases in the Capitol Rotunda. Four historic flags were rotated from the Minnesota Historical Society's collection on Jan. 27.

— Photo by Andrew VonBank

Changing the rules, mid-game

Land use spat pits developers against cities, environmentalists against business

By Nick Busse

Imagine you're a business owner, looking to construct a new building on property you've owned for many years. You spend several months and tens of thousands of dollars planning it. Finally, you submit your land use application to the city.

Then you find out there's a problem. Someone on the city council doesn't like your project. They vote to adopt a one-year moratorium on new land uses, and while it's in effect, they change the land use regulations so that your building can never be built.

Does this seem fair to you?

Many builders and developers say it's not, and they're pushing legislation that would stop local governments from using what they consider underhanded tactics against developers.



"All this does is protect people who are playing by the rules that exist at the moment from being blindsided by a moratorium that then wears them down."

— Rep. Mike Beard
R-Shakopee

Sponsored by Rep. Mike Beard (R-Shakopee), HF389 would severely limit the abilities of cities, counties and townships to adopt what are known as "interim ordinances." Also known as "land use moratoria," these ordinances allow local governments to unilaterally stop developments from going forward while they rethink their rules for developers.

For local governments, interim ordinances help ensure that their communities develop according to a plan, but businesses say they're often applied in ways that are arbitrary and unfair.

The bill had its first hearing Jan. 26 in the House Government Operations and Elections Committee. Peter Coyle, a lobbyist

representing the Builders Association of the Twin Cities, said the story described above is 100-percent true. He claims it's just one of many examples where businesses have been left on the hook for enormous sums of money and squandered time simply because the city has some kind of problem with the project.

In other words, they're following all the city's rules, but the city finds a way to change the rules before they can reach the finish line.

"They find out that mid-stream after they've spent all their money on the land, the engineering,



"It may actually impede development, unintended, because I think local governments might be a little more gun shy about accepting applications without a study or some research."

— Rep. Bev Scalze
DFL-Little Canada

all their money on the land, the engineering, the architectural work, that somebody in the city or the county or the town doesn't much like what they're proposing," Coyle said. "They're at the complete mercy of the local government."

Beard said local governments sometimes impose moratoria as a deliberate way of wearing down a developer or property

owner. He thinks local governments should have to allow a complete land use application to go forward. They could still adopt moratoria for future developments, under the provisions, but not for ones that are already in the works.

"All this does is protect people who are playing by the rules that exist at the moment from being blindsided by a moratorium that then wears them down," Beard said.

Proponents argue that nothing in the bill would prevent local governments from banning projects they think will be harmful for their community. They point out that the legislation includes some exceptions for unique situations, such as when a proposed "auto body shop" turns out to be a strip club in disguise.

"Once they make the rules, we have to follow them — we understand that. But they should also be bound by the rules," Coyle said.

A fracking problem

As you might have guessed, there's another side to the story. To illustrate it, here's another what-if scenario:

Let's say you serve on a county board in southeast Minnesota. An energy company wants to open up a large swath of land in your county to silica sand mining. You're confronted by a group of constituents

concerned about the impact of the mines on the local drinking water supply, air quality and their property values. They present you with a petition, signed by hundreds, asking for a moratorium to be put in place so these issues can be studied

further.

What do you do?

First Reading continued on page 4

This is the real-life quandary faced by many local elected officials in southeastern Minnesota, where the exploding demand for local minerals has run up against environmental and health concerns. This scenic part of the state happens to be rich in silica sand — a necessary ingredient in hydraulic fracturing, or “fracking,” which is used to extract natural gas and petroleum deposits from underground reservoirs.

The rapid expansion of silica mining poses a unique problem for some local officials. David Williams, an elected township supervisor in Preble Township, says many local governments simply haven’t anticipated these kinds of land uses before, and need time to study their potential impacts.

“The proposed developer is not the only property owner,” Williams said. “Those who are farmers, recreational users, rural residents — they are also property owners who are trying to protect their property value from some unexpected use that might damage their property value.”

Many counties and townships have already enacted moratoria to temporarily halt the mining projects. Williams said he thinks most of them will eventually grant conditional use permits and allow the mining to move forward, but said local officials want to give the issue its due diligence first.

“Most moratoria do not result in a flat-out prohibition of land use,” Williams said. “It just doesn’t happen.”

Bobby King, an organizer for the Land Stewardship Project, said developers aren’t always honest and forthcoming about the potential problems. He said the burden is on the locals to weigh the costs of a proposed project against its benefits. Sometimes, he argues, a moratorium is their only recourse.

“We fundamentally believe that local governments need to be fully empowered to respond to citizens’ concerns when unexpected and potentially harmful developments are proposed in their communities,” King said.

Some see the hand of big environmentalist

Let’s say you serve on a county board in southeast Minnesota. An energy company wants to open up a large swath of land in your county to silica sand mining. You’re confronted by a group of constituents concerned about the impact of the mines on the local drinking water supply, air quality and their property values. They present you with a petition, signed by hundreds, asking for a moratorium to be put in place so these issues can be studied further.

What do you do?

groups behind these arguments. Beard thinks many of the bill’s opponents are more concerned about what the sand is being used for than about the mining itself.

“If they were selling sand to the glass plant ... well, that would be one thing. But as soon as they hear that a big, evil oil company is buying it, well then they’re all torqued-off and they’ll do anything they can to sort of gum up the works,” he said.

There’s another, more fundamental argument against the bill: some say it gives away too much local control.

Rep. Bev Scalze (DFL-Little Canada), a former city councilwoman, said local governments are at a disadvantage against developers who generally have much more information about a project than they do. If Beard’s bill were to become law, she said some local officials might be less inclined to let developers move forward with permit applications for fear of being blindsided by some kind of new use that isn’t anticipated in their ordinances.

“It may actually impede development, unintended, because I think local governments might be a little more gun shy


about accepting applications without a study or some research,” she said.

The bill’s supporters have an answer to that criticism too. John Kysylczyn, a former mayor of Roseville, said the real problem is that cities, counties and townships don’t work hard enough to try to anticipate potential issues and new uses ahead of time.

“There’s no excuse for cities, counties or townships that are not proactive on issues,” Kysylczyn said.

In spite of all their differences, Beard said the supporters and the opponents of the bill are trying to work out a compromise.

At the Jan. 26 hearing, Beard requested that the bill be laid over so that the interested parties can hash out some kind of agreement. He doesn’t think the eventual compromise will please everyone, but he hopes to alleviate at least some of the concerns. He said the bill will probably come up for a vote in committee sometime after the Legislature’s February break.

Sen. Warren Limmer (R-Maple Grove) sponsors the companion, SF270, which awaits action by the Senate Local Government and Elections Committee. 

Frequently called numbers

Area code 651

House Public Information Services 296-2146 Meeting call line, House 296-9283 Chief Clerk of the House 296-2314	House Index 296-6646 Senate Information 296-0504 Secretary of the Senate 296-2344 Voice mail/order bills..... 296-2343	Senate Index 296-2887 Governor’s Office 201-3400
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HIGHLIGHTS

JANUARY 26 - FEBRUARY 2, 2012

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Jan. 26-Feb.1. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

Bonding

A new tunnel for the Capitol?

Several years after it was identified as a security concern, the State Capitol's underground tunnel system might receive a \$6.6 million upgrade.

Rep. Diane Loeffler (DFL-Mpls) sponsors HF1288, which would authorize design and construction of a replacement tunnel to connect the Capitol building to facilities located across University Avenue on the building's north side.

The House State Government Finance Committee voted to approve the bill Jan. 31 and send it to the House Capital Investment Committee.

"This is now time-critical," Loeffler said, referring to the impending construction of the light rail line down University Avenue. She said if the light rail is built before the current tunnel is replaced, it will be much more expensive — if not impossible — to finish the job.

Multiple studies have recommended replacing the current tunnel beneath University Avenue with a new, larger version that can accommodate the delivery of material goods as well as secure staff and public access to the building. The goal is to move delivery truck traffic away from the Capitol, as it is considered a security risk.

Loeffler said the project would need to be done eventually anyway; the light rail construction only adds urgency to the issue.

The request was included in Gov. Mark Dayton's bonding recommendations.

Sen. Ann Rest (DFL-New Hope) sponsors the companion, SF1060, which awaits action by the Senate Capital Investment Committee.

— N. BUSSE

FFA BOOTCAMPERS



PHOTO BY PAUL BATTAGLIA

Nathan Daninger of the Forest Lake Future Farmers of America chapter describes for the House Agriculture and Rural Development Policy and Finance Committee Jan. 30 how his family started a micro-creamery operation to tap into the interest in locally grown foods. Other FFA members from around the state were at the Capitol participating in the FFA Agricultural Policy Bootcamp.

Human Services bonding priorities

More than \$57 million in seven proposed bonding projects, such as physically separating sex offenders from vulnerable adults at the St. Peter State Hospital, were approved Jan. 31 by the House Health and Human Services Finance Committee and referred to the House Capital Investment Committee for possible inclusion in a capital investment bill.

The list includes three bills and Gov.

Mark Dayton's proposed \$47.3 million 2012 capital budget request for the Department of Human Services. Dayton's proposal is broken into four separate items: \$41.7 million for two projects at the Minnesota Security Hospital and Correctional Facility in St. Peter; \$3.1 million for matching grants to renovate early childhood learning facilities; and \$2.5 million for statewide facility preservation. However, the department requested \$5 million in preservation, a

number the committee supported.

The three bills approved by the committee are:

- HF1922, sponsored by Rep. Larry Howes (R-Walker), which seeks \$5 million for a new Washburn Center for Children in Hennepin County;
- HF291, sponsored by Rep. Carol McFarlane (R-White Bear Lake), seeking \$2 million to renovate the Harriet Tubman Center East in Maplewood as a regional safety service center; and
- HF285, sponsored by Rep. Patti Fritz (DFL-Faribault), which seeks \$1 million to finish the purchase and placement of grave markers for unmarked graves of former state hospital residents.

Howes' bill has no Senate companion; Sen. Chuck Wiger (DFL-Maplewood) offers a companion, SF15, to McFarlane's bill; and Senate Majority Leader David Senjem (R-Rochester) sponsors SF526, a companion to Fritz's bill. Both Senate bills await action by the Senate Capital Investment Committee.

"It's a ton of money but the system costs us a ton of money," said Committee Chairman Rep. Jim Abeler (R-Anoka).

Rep. Diane Loeffler (DFL-Mpls) asked members to give thought to adding guest services to the St. Peter facilities so that clients can receive visitors and keep their personal connections, which are important for their rehabilitation.

—S. HEGARTY

Consumers

Ticket resale regs may be lifted

From a theatrical performance to a sporting event, fans would have the freedom to resell their tickets, as they would almost any other items of personal property.

Rep. Joe Hoppe (R-Chaska) is hoping to pass a bill that allows just that. Currently, venue operators and event promoters can restrict the resale of tickets through a variety of means, such as selling tickets electronically or placing caps on resale prices. If HF657 were to pass, those attempts to limit resale would become illegal.

Approved Jan. 31 by the House Commerce and Regulatory Reform Committee, the bill was sent to the House floor. Its companion, SF425 sponsored by Sen. Chris Gerlach (R-Apple Valley), awaits action by the Senate Commerce and Consumer Protection Committee.

The bill was awaiting action on the House floor when the 2011 session ended and,

pursuant to House rules, was returned to the committee.

Testimony was limited to brief comments on a successfully added amendment to exempt public entities, such as the Minnesota State High School League, from the ticket resale regulations.

In response to the amendment, private sports and entertainment coalition officials voiced dissent, stating that the bill gives an unfair advantage to public organizations that may compete with private ones for sales.

The bill moves forward with support from organizations like the Fan Freedom Project, which alleges that the current activities of ticket issuers is more than just an inconvenience for fans. They say that resale limits are a burden on the free market and an invasion of property rights.

—E. SCHMIDTKE

Education

Teachers' insurance may see changes

Teachers unions and school boards are at odds over possible changes in health insurance program enrollment.

Currently, teachers unions have authority to take action on their health plans without the agreement of districts. They may enroll in programs such as the Public Employees Insurance Program unilaterally. Sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Gary Dahms (R-Redwood Falls), HF371/SF247* would no longer allow that.

The bill would require that teachers unions and the districts agree to health insurance plan changes before they could become effective. On Jan. 31, leaders from both districts and service cooperatives, which help school districts to buy insurance, testified before the House Education Finance Committee in support of the bill. Approved by the committee, the bill was sent to the House floor.

Grace Keliher, director of governmental relations at the Minnesota School Boards Association, called the bill "common sense reform" that "brings balance back to the bargaining table."

Testifiers from teachers unions disagreed, saying the bill would negatively impact their options for health coverage. Michael McKenzie, president of the White Bear Lake Teachers Association, said that keeping PEIP as a readily available option for teachers allowed them to bargain with private insurance companies and lower the amount teachers had to pay for insurance.

"I believe the current law saved us," McKenzie said.

The bill would also affect refunds that might become available from a health plan. Teachers unions allege that money belongs to them, while school boards assert that allowing them to receive the money would let them invest it in schools.

Rep. Duane Quam (R-Byron) expressed support for the bill, saying, "The majority of money comes from the district, from taxpayers. Presently, they do not have a voice in who would be giving that coverage. I think this bill gives back that voice."

—E. SCHMIDTKE

Teacher layoff practices debated

When Minnesota school districts are forced to cut teachers, the most recently hired ones are the first to go.

This policy was the center of a hotly contested bill in the House Education Reform Committee Jan. 31. Legislators heard passionate testimony from educators, administrators and parents, but took no action. The discussion is expected to continue Feb. 9.

Sponsored by Rep. Branden Petersen (R-Andover), HF1870 would authorize districts to base any unrequested leave of absence, discharge or demotion on performance evaluations instead of only seniority. Sen. Pam Wolf (R-Spring Lake Park) sponsors the companion SF1690, which awaits action by the Senate Education Committee.

Supporters argued the bill would raise the overall caliber of teachers in the state. They claimed that new teachers are unfairly targeted for layoffs, even though they are sometimes more effective than those with more experience.

Jennifer Flood, a parent within the St. Paul school district, said that her family moved to the area so her children could have access to a good education, which she felt the district provided. However, now she sees some of her favorite teachers at risk for layoffs because they are new. She said that, in terms of her move to the district, the current practice "makes me question if I made the wrong decision."

Opponents urged the committee to consider the experience that senior teachers offer. They said that when measuring a teacher's effectiveness, performance evaluations are no substitute for years at the front of a classroom.

Louise Sundin, president emeritus of the Minneapolis Federation of Teachers, offered a simple example of the value of experience: "When I was having a hip replaced not too

long ago, I did not seek out Doogie Howser.”

Educators who oppose the bill asked that legislators examine efforts to improve layoff practices already underway on the local level. They expressed concern that the bill would undo work they had already done and asked for time to continue to develop processes within their districts.

— E. SCHMIDTKE

Licensing requirements may increase

Teachers-to-be might see an exam in their futures earlier than expected — and they would be the ones taking it.

State law currently allows those who have completed a teacher preparation program to receive up to three one-year licenses without passing a basic skills exam. On Jan. 26, the House Education Reform Committee approved HF1770, sponsored by Rep. Andrea Kieffer (R-Woodbury), and sent it to the House floor. It would require teaching candidates to produce a passing score on the exam before obtaining a license in Minnesota.

Kieffer is concerned that teachers are instructing children while being potentially unable to pass the basic skills test. She hopes the bill will increase the quality and rigor of teacher licensing. Rep. Sondra Erickson (R-Princeton) said that she expects all teachers to be at a passing level or above.

The committee also approved an amendment offered by Rep. Kory Kath (DFL-Owatonna). It would ensure those planning to attend a teaching program would not need to pass the test to gain admittance to a program, as the bill originally stated. They would only need to pass the skills test before obtaining a license.

Kath reasoned that taking the test before even starting a program would be too difficult for teacher candidates. He said colleges, and not the state, were the best determiners of who is fit to enter such a program. Kath further explained that allowing teacher candidates time to produce a passing score lets them address specific areas of the exam where they might have had difficulties.

Karen Balmer, executive director of the Minnesota Board of Teaching, urged a measured approach to increasing requirements for teacher licensing. However, she acknowledged that simply “loving kids does not a good teacher make.”

A companion, SF1493, sponsored by Sen. Ted Daley (R-Eagan), awaits action by the full Senate.

— E. SCHMIDTKE

Env. & Natural Resources

Water conservation rate repeal

Cities providing water for more than 1,000 people would not have to charge higher rates for using excess water if HF1923, sponsored by Rep. Tim O’Driscoll (R-Sartell), becomes law.

The bill would repeal so-called conservation rate structures for municipal water. These rates typically are higher, and are put in place if water use exceeds the demand of municipal water suppliers.

The House Environment, Energy and Natural Resources Policy and Finance Committee laid the bill over for possible inclusion in an omnibus bill.

Patti Gartland, city administrator for Sartell, told members, “It’s our contention that water conservation is better handled at a local level.” She said conservation rates could boost water rates for the city’s largest customers, businesses and owners of apartment buildings.

David Leuthe, deputy director of the Department of Natural Resources Division of Ecological and Water Resources, said, “As we look at water supply management, we have to look at the larger picture.”

He referred to the part of state law repealed by the law, detailing what actions public water suppliers must take if a critical water deficiency is declared by the governor.

While Leuthe cited areas of the state that have ample groundwater, drought conditions remain in much of southern Minnesota and the northeast portion of the state.

Language deleted by the bill requires public water suppliers to create a conservation rate price structure and a public education program that includes water-conserving toilet and showerhead retrofits.

The companion, SF1560, sponsored by Sen. John Pederson (R-St. Cloud), awaits action in the Senate Environment and Natural Resources committee.

— B. GEIGER

Electric barriers to stop Asian Carp

The seemingly unstoppable Asian Carp could be shocked by three electric barriers in the Mississippi River.

Although no action was taken on four bills dealing with aquatic invasive species, the House Environment, Energy and Natural Resources Policy and Finance Committee agreed in principle during a Feb. 1 informational hearing to spend \$13.5 million on the three carp barriers.

No breeding-sized populations of Asian

Committee deadlines announced for 2012

Legislators will have a little less than three weeks from the release of the state’s economic forecast in late-February until the first committee deadline.

A letter from House Speaker Kurt Zellers (R-Maple Grove) and Senate Majority Leader Dave Senjem (R-Rochester) announced the three committee deadlines for the 2012 session:

- March 16: committees to “act favorably on bills in the house of origin”;
- March 23: committees to “act favorably on bills, or companion of bills, that met the first deadline in the other body”; and
- March 30: committees to “act favorably on major appropriation and finance bills.”

The deadline does not apply to the House Capital Investment, Ways and Means, Taxes or Rules and Legislative Administration committees, nor the Senate Capital Investment, Finance, Taxes or Rules and Administration committees.

— MIKE COOK

Carp have been detected in the Mississippi River, although individual fish have been caught near the Twin Cities and in the St. Croix River. Funding expected to be contained in HF1809, sponsored by Rep. Tom Hackbarth (R-Cedar), would build three low-voltage fish barriers on the Mississippi River: Lock and Dam No. 2 in Hastings, Lock and Dam No. 1 in south Minneapolis and at the St. Anthony Falls Lock and Dam just north of downtown Minneapolis.

Asian Carp are large, plankton-feeding fish that pose a threat to Minnesota’s rivers and lakes. Hackbarth characterized the situation as “very urgent and almost emergency status.”

“The common carp eats things off the bottom; they increase turbidity and cause algae blooms. Conversely, the Asian Carp are extremely effective filter feeders that greatly disrupt food chains and remove plankton from the water so that they become devoid of life, and the game fish disappear,” said Peter Sorenson, a specialist in Asian Carp and other aquatic invasive species with the University of Minnesota’s Department of Fisheries, Wildlife and Conservation Biology. He proposes creation of a research center at the university to take a multi-pronged, long-term approach to preventing Asian Carp and zebra mussels from damaging Minnesota’s waters. If approved by the Legislature, Sorenson’s center would be funded for eight years.

“A two- or three-year funding cycle is meaningless in the life of an animal that lives to be 30, 40 or 50 years old,” he said.

Sorenson hopes the research center

would create detection systems for invasive species; new control systems; new barrier and eradication schemes; and designate a position at the University of Minnesota Extension Service to conduct research and forward findings to the Department of Natural Resources and related state departments.

Rep. Jean Wagenius (DFL-Mpls) sponsors HF1963 to fund faculty and graduate student research in the university's Department of Ecology, Evolution and Behavior.

"I call Dr. Sorenson the FBI for invasives because he's trying to understand his enemy so he can control it," said Wagenius, who suggested using proceeds from the state lottery or the Legacy Fund to finance the fight against invasive species.

Rep. Steve Drazkowski (R-Mazeppa) questioned whether taxpayer money would be wasted if someone dumped a bucket of Asian Carp into the Mississippi River above the electric barriers.

Rep. Rick Hansen (DFL-South St. Paul) stated he plans to sponsor a bill providing penalties for malicious transfer of aquatic invasive species.

— B. GEIGER

Health & Human Services

Child care dues debate

A debate over when and how child care providers should pay potential union dues resulted in a win for providers who support a bill that would prohibit state deductions from child care assistance payments.

On a 12-7 vote, the House Health and Human Services Reform Committee approved HF1766, sponsored by Rep. Kathy Lohmer (R-Lake Elmo), Jan. 31 and sent it to the House floor. Sen. Ted Lillie (R-Lake Elmo) sponsors a companion, SF1630, which awaits action by the Senate Health and Human Services Committee.

There currently is no child care union in Minnesota. Providers were to vote on whether to unionize after Gov. Mark Dayton signed an executive order last November calling for an election, but the vote was stalled when a Ramsey County judge issued a temporary restraining order.

Even though the ability to unionize is still up in the air, the bill is intended to prohibit union dues from automatically being deducted from reimbursement checks paid to child care workers who care for children of low-income families receiving



PHOTO BY ANDREW VONBANK

Dana Akre, food program monitor for the Minnesota Licensed Family Child Care Association, testifies before the House Health and Human Services Reform Committee Jan. 31 in support of a bill that would modify child care assistance fund payments. Rep. Kathy Lohmer, back, is the bill's sponsor.

child care assistance funds.

Both sides claim it's a matter of choice. Should providers pay dues from their business accounts or should they have the ability to have the state automatically deduct dues from their reimbursement checks?

"There are many ways of collecting union dues and fees without touching funds from this program," said Jennifer Parrish, a Rochester licensed family child care provider.

She suggested automatic bill pay options from bank accounts. "This bill is not saying there can't be a union."

Dana Akre, food program monitor for the Minnesota Licensed Family Child Care Association, agreed. "It should go into my bank account and at that point I can make my choice."

But Rep. Tina Liebling (DFL-Rochester) said the money belongs to the providers

and they should have the option to have the deduction taken out prior to receiving reimbursement.

Rep. Duane Quam (R-Byron) supports the bill. "The only thing removed here is the state deducting funds before they get the money."

Providers fear dues may become compulsory if there is a union. If that happens, many have said they may stop taking child care assistance families because they already receive less reimbursement than caring for private-pay families.

— S. HEGARTY

Higher Education

MnSCU requests \$222.5 million

"We are presenting today only our most urgent needs," said Steven Rosenstone, chancellor of the Minnesota State Colleges and University system. The funding request will likely be referred to the House Capital Investment Committee, said Committee Chairman Rep. Bud Nornes (R-Fergus Falls).

Rosenstone positioned state funding for MnSCU as an investment in Minnesota as the types of buildings needed change to match the changing job market. For example, the post-secondary system instructs 83 percent of Minnesota's new nursing graduates; 85 percent of law enforcement graduates; and 9,000 firefighters and emergency first responders each year.

MnSCU's total bonding request is \$278.7 million, which is made up of \$222.5 million in state bonding and \$56.2 million that MnSCU would contribute to its own development. MnSCU officials are concentrating on \$110 million in asset preservation and replacement projects.

Of that list, MnSCU is requesting \$20.8 million for its seven state universities. The other projects are designed to shore up physical facilities at the system's 54 separate campuses across the state.

Among them is \$750,000 to replace a pair of 45-year-old boilers with a high-efficiency plant at Minnesota State Community and Technical College in Fergus Falls.

Fergus Falls isn't the only MnSCU campus in need of a new heating system. The Minnesota State Community and Technical College in Wadena needs a \$700,000 boiler and digital control system; while officials have requested \$2.2 million to replace a boiler and piping at Minnesota State University, Moorhead and \$1.2 million

for the second phase of a central heating plant at Ridgewater College in Willmar.

Even if MnSCU receives the entire \$222.5 million it is asking for, that would account for only about one-third of the \$655 million that Brian Yoltz, associate vice chancellor for facilities, said is necessary to fix all MnSCU campuses.

— B. GEIGER

Military & Vet. Affairs

Immunity for program volunteers

When soldiers go off to duty, there may be several tasks left undone at home. But thanks to a group of civilian volunteers who participate in the Beyond the Yellow Ribbon program, snow plowing, yard work and other chores can get done at no cost to military families.

However, the network of volunteers has become increasingly concerned about their liability in performing such chores, as have their clients.

HF1819, sponsored by Rep. Bob Dettmer (R-Forest Lake), would provide civil immunity to program participants. The immunity would not apply if the work performed is part of a person's regular employment and if they are compensated for it.

For example, Judy Seeberger, who manages the Yellow Ribbon Network of Washington County, said she had help removing trees when her husband was deployed with the Navy. "There's a network of folks doing it out of the goodness of their hearts," she said.

The House Veterans Services Division approved the bill Jan. 30 and referred it to the House Civil Law Committee. A companion, SF1642, sponsored by Sen. Mike Parry (R-Waseca), awaits action by the Senate State Government Innovation and Veterans Committee.

— S. HEGARTY

County participation in bid program

A construction bid program that allows up to a 6 percent bid preference for veteran-owned small businesses would be expanded by the Department of Transportation under a bill heard by the House Veterans Services Division Jan. 30.

Sponsored by Rep. Bob Dettmer (R-Forest Lake), HF1821 would allow counties to create a similar program. The bill was tabled to provide for additional discussion before a division vote.

"The purpose of this is to ... facilitate



PHOTO BY PAUL BATTAGLIA

Judy Seeberger, who manages the Yellow Ribbon Network of Washington County, listens to Rep. Bob Dettmer describe his bill that would provide civil immunity to program participants.

the transition of veterans from military to civilian life" and to "keep that pool of talent here in Minnesota," Dettmer said.

The program began in 2009, and currently veteran-owned businesses receive 5 percent of all state-funded construction projects, according to Mary Prescott, MnDOT director of civil rights. The department hopes to grow that percentage.

"We'd like to do some outreach. Of that 5 percent, there's only like three vet-owned businesses that are getting the majority of those contracts," Prescott said.

While most of the work awarded has been in the area of manual labor, the bill would expand bid preferences for construction-related "goods and services." That may mean veteran-owned architectural and design firms could be included in the program. The department is looking to clarify the intent before the division votes on the measure.

Tim Worke, director of the Association of General Contractors Transportation and Highway/Heavy Division, said the construction trade was hit hardest by the recession and that MnDOT bids are "very competitive." AGC wants a seat at the table, and Worke expressed concern that proposed financial incentives and penalties for prime contractors could be problematic.

Sen. Al DeKruif (R-Madison Lake) sponsors the companion, SF1597, which

awaits action by the Senate State Government Innovation and Veterans Committee.

— S. HEGARTY

Public Safety

Notifying an abuse victim's parents

Sarah Guggisberg has lived a mother's nightmare that she doesn't want to happen to anyone else.

While spending weekends with her ex-husband in 2005, her 5-year-old son, Jacob, was sexually abused by a neighbor. She wasn't informed of the incident until Jacob told her four years later.

"Investigators with the Lyon County Sheriff's department talked to my ex-husband and told him they thought Jacob had been abused. My ex-husband chose not to do anything, chose not to allow Jacob to be interviewed, did not tell me and he did not tell Jacob that he knew about the abuse," said Guggisberg, who believes, that as Jacob's primary caregiver, she should have been notified.

Guggisberg found out what happened in 2009 after Jacob told a social worker. She subsequently spoke with a Lyon County investigator who informed her that her ex-husband was informed, and that state statute was followed because they contacted "a parent."

"I'm picking up the pieces of a broken little boy that have been shattered over the last six years," Guggisberg said. Jacob has tried to commit suicide at least four times.

Sponsored by Rep. Bruce Vogel (R-Willmar), HF1899 would add to the custody order in a divorce agreement so that each party must "notify the other party if the minor child is the victim of an alleged crime and shall provide the name of the investigating law enforcement officer." It would also require law enforcement to immediately notify a local welfare agency if the child is a victim of neglect, physical abuse or sexual abuse outside the family.

"Most law enforcement agencies already do the notification," Vogel said.

Approved Feb. 1 by the House Public Safety and Crime Prevention Policy and Finance Committee, the bill was sent to the House Judiciary Policy and Finance Committee. There is no Senate companion.

Rep. Kerry Gauthier (DFL-Duluth) supports the bill's intent, but expressed concern that it could violate an order for protection or expose a parent that is hiding in protective custody.



PHOTO BY ANDREW VONBANK

Sarah Guggisberg, whose son, Jacob, was an abuse victim, testifies Feb. 1 before the House Public Safety and Crime Prevention Policy and Finance Committee in support of a bill that would establish Jacob's Law, requiring both parents to be notified if a child is a victim of a crime.

Vogel and Caroline Palmer, staff attorney for the Minnesota Coalition Against Sexual Assault, said they would try to address those concerns as the bill moves forward.

— M. COOK

Protecting perpetrators from victims

A person protected by an order for protection or non-contact order could be charged with a misdemeanor if they invite the abuser over with the intent to retaliate or harass knowing the admittance would violate the protective order.

That is the premise of HF1844. Sponsored by Rep. Sondra Erickson (R-Princeton), the bill was held over for future consideration by the House Public Safety and Crime Prevention Policy and Finance Committee Feb. 1. A companion, SF1490, sponsored by Sen. David Brown (R-Becker), awaits action by the Senate Judiciary and Public Safety Committee.

"This is a dramatic change because I don't think it occurs in any other state," Erickson said.

Irene Wade Benjamin, a mother of five and a one-time victim of domestic abuse,

is concerned the victim is not held to the same standard of staying away from the perpetrator. "This in itself can cause many more problems for the perpetrator, sending him back to jail and being further charged."

An example shared by Benjamin involves one of her sons. A no-contact order is in effect, yet a woman contacts her son asking him to come over and babysit their child while she goes to work. Benjamin said the woman insists there won't be any problems. "My son is caught between a hard place and a rock. He's got an OFP against him, but yet he has a child there who needs a babysitter and a mom who needs to go to work."

Liz Richards, director of programming at the Minnesota Coalition for Battered Women, said remedies now exist within protective orders for parenting time arrangements and how those exchanges happen. "It seems a fairly extreme step to create a criminal penalty when there may be a better way to use what we have on the books." Richards expressed a willingness to work with Erickson to see "if there is a solution to the legitimate issues that are out there."

"The way this is crafted is really the beginning of a conversation," Erickson said. "We have to start someplace. If this was not brought forward how can we ever reach a common-sense solution."

— M. COOK

State Government

Who gets the last word?

The Office of Administrative Hearings would be given the final say in contested cases between state agencies and those they regulate, under a bill approved by a House committee.

Sponsored by Rep. Doug Wardlow (R-Eagan), HF1560 would modify the state's Administrative Procedure Act, which governs how state agencies enforce state rules and statutes. The House State Government Finance Committee approved the bill Feb. 1 and sent it to the House floor.

Under current law, when someone has a dispute with a state agency, the case goes before an administrative law judge, who issues a report. The agency then takes the report into consideration and issues a final decision. If necessary, the case can then move to an appellate court.

Under the bill, the report issued by the administrative law judge would constitute the final decision in the case. The agency would

not have an opportunity to review the judge's report and issue a new decision; instead the case would go directly to the appellate court. Wardlow said the goal is to provide a check against the power of state agencies.

"This bill increases public confidence in the system by making sure that if there is an appeal ... they will go to the court of appeals with the agency on equal footing," he said.

Opponents question whether the bill is actually solving a problem.

Michelle Beeman, an assistant commissioner for the Pollution Control Agency, said the process that's currently in place has worked for decades. She said the vast majority of contested cases already result in the agency adopting the decision of the administrative law judge.

"I do question where the problem is, exactly," Beeman said. "In our agency, we don't do significant rewritings of decisions. In fact, most of the time we're in agreement with the (administrative law judge)."

Beeman added that state agencies possess a great deal of technical knowledge necessary to ensure that rules are being properly enforced; the role of administrative law judges has traditionally been to establish facts and hold independent hearings that help the agency render a decision.

Wardlow responded that the current system leaves too much power in agencies' hands.

"I think that perhaps sometimes we trust too much in expertise, and I think that it is better perhaps to have consolidated hearings in one body, where we know they don't have an agenda," Wardlow said.

Sen. Scott Newman (R-Hutchinson) sponsors the companion, SF993, which awaits action by the Senate State Government Innovation and Veterans Committee.

— N. BUSSE

Equal pay for state workers

Are public employees overpaid?

You probably have an opinion on the matter, but Rep. Keith Downey (R-Edina) sponsors a bill that he hopes will put the issue to rest by taking a scientific approach.

HF2033 would establish a system of compensation for public employees that would put them on equal footing with their counterparts in the private sector. It proposes a study comparing executive- and legislative-branch worker pay and benefits to the private sector, which would then become the basis for a new system of compensation for those workers.

For some, such a system could mean less

compensation; others might get more. Still others would make the same amount that they do now. But above all, Downey said the bill would restore the public's confidence that state workers are compensated appropriately.

"The purpose of this is to put to rest this issue of whether we're fairly compensating public sector workers," he said.

The House Government Operations and Elections Committee approved the bill Feb. 1 and sent it to the House State Government Finance Committee. There is no Senate companion.

If the idea sounds simple enough, in practice it could be complicated. A 2010 study by the Minnesota Taxpayers Association found that more than half of all state jobs had no directly comparable private-sector counterparts. (Think state troopers, prison guards, etc.)

Of the positions the study examined, a majority (72 percent) were compensated at least 5 percent more than their private-sector counterparts. A small minority (18 percent) were compensated at least 5 percent less than in the private sector.

Rep. Ryan Winkler (DFL-Golden Valley) said the state shouldn't rush to adopt a private-sector compensation model that drives down wages for the majority of workers while awarding generous compensation to executives.

"The real debate should be whether the private sector trends are good," Winkler said.

Rep. Bev Scalze (DFL-Little Canada) asked whether the bill would mean Gov. Mark Dayton could receive a multi-million dollar compensation package similar to a chief executive at a major corporation.

Downey replied that CEOs are usually compensated relative to a company's profit — something for which there is "no parallel" in the public sector.

— N. BUSSE

'Public value impact statements'

All lawmakers believe the legislation they sponsor has some value to the public, but Rep. King Banaian (R-St. Cloud) thinks they should have to spell it out in writing.

Banaian sponsors HF673, which would require legislators who sponsor certain kinds of bills to produce a "Public Value Impact Statement" that describes the intended effect of their legislation.

The House State Government Finance Committee approved the bill Jan. 31 and sent it to the House Ways and Means Committee. The companion, SF1671, is sponsored by Sen. Roger Chamberlain (R-Lino-Lakes). It awaits action in the Senate Finance Committee.

According to Banaian, the goal is to provide Minnesotans with a simple, layman's-terms explanation of why a piece of legislation is being brought forward. The statements would be published on the Legislature's website and be easily accessible to the public.

The idea is that, years after a bill is passed, ordinary citizens could compare the stated intentions of laws with their actual impact on the real world.

"I think it's worth it to give our citizens the ability to gain that information in a clear-language way at relatively low cost," Banaian said.

Critics said the measure would merely add more paperwork for legislative staff, and amounted to little more than asking legislators to write down their own partisan talking points on their bills.

"Isn't that only one side of the argument? That doesn't sound like transparency to me... it's just one man's opinion or one woman's opinion," said Rep. Kerry Gauthier (DFL-Duluth).

Rep. Steve Simon (DFL-St. Louis Park) questioned the ultimate value of the statements, theorizing that over time they might become increasingly generic.

"Why do you think this will be a meaningful document for people as opposed to just a press release?" Simon said.

The bill originally would have applied only to bills that increased government spending or imposed new regulations or financial obligations on the private sector and local governments. Rep. Nora Slawik (DFL-Maplewood) successfully amended it to also include legislation that would reduce government spending.

— N. BUSSE

Pace of government reform questioned

Some initiatives designed to help transform state government into a model of efficiency are moving too slowly for some members of a House committee.

On Jan. 26, state officials updated members of the House State Government Finance Committee on the status of several reforms included in last year's omnibus state government finance law. They include a plan to modernize the state's complex job classification system and improve its employee performance appraisal system.

Some members said the agency in charge of implementing the changes, Minnesota Management & Budget, isn't pursuing either one of those efforts aggressively enough.

"I'd like to have a conversation about some

of the goals and scope of this analysis," said Committee Chairman Morrie Lanning (R-Moorhead). "This is not going to do the job that we intended, I intended to have us accomplish here."

Laurie Hansen, director of MMB's Human Resources Division, said the agency is currently analyzing roughly 1,450 job classifications that apply to some 35,000 state employees, and plan to recommend any changes to the system by the end of this year.

Lanning said he's concerned the agency is not focusing enough on consolidating the numerous classifications, which he said was the intent of the law.

"I hope that this effort is not just seen as an opportunity to update and rearrange," Lanning said. "It seems to me that the number of classifications is just way too high."

Likewise, Rep. Keith Downey (R-Edina) said MMB isn't moving quickly enough to improve the state's employee appraisal system. He said MMB is focusing too much on incremental improvements to the current system and not enough on designing a new one.

"The existing structures and mechanisms that we have aren't really designed to develop employees," Downey said. "I don't think we asked in the legislation for an evolutionary process that we could watch over the next 10 years."

Lanning said he planned to express his concerns to MMB Commissioner Jim Schowalter.

On Feb. 1, committee members directed similar criticism at State Auditor Rebecca Otto, who presented the recommendations of the Collaborative Governance Council. The council, launched as a bipartisan initiative in 2010, was commissioned to find ways to increase collaboration among various levels and agencies of government. Otto chaired the group.

Downey said the report, which included four recommendations, provided almost no specific advice for legislators to act on to create "meaningful changes." Rep. Phyllis Kahn (DFL-Mpls) agreed, calling the recommendations "a waste of our time."

Otto defended the council's report, arguing that many of the potential barriers to collaboration they were charged with investigating turned out to be perceived rather than real. She noted that council members put in many hours of work with no budget and no staff.

"I was willing to chair the effort and put my time in, and if it's something you don't think is valuable, we don't have to meet anymore,

because I've got things to do," Otto said.

— N. BUSSE

Taxes

Levy limits for local governments

Local units of government could find their ability to raise levies curtailed.

"For me to carry a levy limits bill, it's something I thought I would never do. I wasn't a big fan of levy limits," Rep. Greg Davids (R-Preston) told the House Property and Local Tax Division Feb. 1.

He sponsors HF1911 that would permanently impose levy limits on local units of government beginning with payable 2013.

Last year the Legislature re-crafted the market value homestead credit, leaving some communities with less state aid. Davids said while most local governments "acted responsibly" and did not raise their levy, approximately \$413 million was raised by others who "went overboard."

The division took no action on the bill, which Davids called a "work in progress."

The bill, which has no Senate companion, would allow a local government's levy limit to grow by 1.9 percent annually. However, for the first year (2013) a local government's limit would be equal to the greater of its pay 2011 or pay 2012 levy increased by 1.9 percent.

Keith Carlson, executive director of the Minnesota Inter-County Association, said the bill is the wrong message to local officials.

"Levies are the lowest in decades. The number of cities and counties that froze their levies was extraordinary," he said.

A provision requiring a local government to get voter approval before issuing new debt or entering into long-term purchases and lease agreements drew the support of some Roseville residents.

Joy Anderson, president of Responsible Governance of Roseville, said that when a city borrows money through a special taxing district for a project, it most likely does not need voter approval. Her organization went to court seeking a referendum on a city project.

"It is ridiculous that residents are now forced to litigate in order to prevent their city government from exploiting loopholes in laws" and spending thousands of taxpayer dollars on projects, she said.

— L. SCHUTZ

Level playing field for all

It's called the Amazon bill. It's a proposal aimed at bringing in the millions of sales

tax dollars currently not being collected on Internet sales. But it's a complicated issue that may only be resolved by federal action.

Rep. Greg Davids (R-Preston) sponsors HF1849 that begins to attack the issue by putting a definition to the term "solicitor." Heard Feb. 1 by the House Taxes Committee, which he chairs, no action was taken on the bill. There is no Senate companion.

Retailers having a physical presence in the state collect sales tax under current law. But some definitions need clarification in these days of so-called "cloud" sales. It may be obvious that "physical presence" means having property or employees in the state ... including "an affiliate, agent, salesperson, canvasser or solicitor." But the word "solicitor" isn't clear in its meaning.

The bill provides that definition to include residents "who directly or indirectly refer potential customers to a seller through an Internet website or similar link for commission or other consideration."

Other states have passed similar legislation.

Brian Steinhoff, president of the Minnesota Retailers Association, said leveling the playing field with Internet sellers is the organization's No. 1 issue.

State retailers are at an unfair disadvantage because they have to charge sales tax on the purchase, and that can be a deterrent to a customer.

Michael Drury owns a furniture store in Fountain. He explained that people use his business as a showroom before doing a price comparison. Because of the sales tax that needs to be collected, the customer opts for online retailers.

"These are transactions for rooms of furniture and the amount of sales tax becomes a big issue," Drury said.

The bill would apply only if the retailer has at least \$10,000 in gross receipts from Minnesota customers who were referred by solicitors.

According to the Department of Revenue, if enacted, the General Fund could see an additional \$3.9 million the first year.

— L. SCHUTZ

Transportation

Insurance verification system

When a driver is stopped by law enforcement they are usually asked to show their driver's license and proof of insurance.

Sponsored by Rep. Joe Hoppe (R-Chaska),

HF1323 would direct the Department of Public Safety to develop an online auto insurance verification system that would allow law enforcement personnel to verify a driver who has been pulled over has insurance on the vehicle in use.

The bill was held over Jan. 30 by the House Transportation Policy and Finance Committee. A companion, SF752, sponsored by Sen. Gary Dahms (R-Redwood Falls), awaits action by the Senate Commerce and Consumer Protection Committee.

"It does nothing to address infraction penalties," Hoppe said. "We're just talking about the framework of how we would set up a system."

Insurance Federation of Minnesota President Bob Johnson said the bill is put forth by the Insurance Industry Committee on Motor Vehicle Administration, a group that works with motor vehicle administrators to get the best insurance coverage verification systems. "What this bill represents is the best current effort to move to a web-based or online verification system," Johnson said. He said 10 states have implemented the system and six or so others are in a "testing mode."

Rep. Mike Benson (R-Rochester) wants to ensure the technology could not be used for cause, whereby an officer first verifies a vehicle is uninsured before pulling someone over. Hoppe said that is not the bill's intent, adding there are more than a hundred other reasons to get stopped.

"Our goal here is not anything nefarious," Hoppe said. "It's to make sure that people have auto insurance and we have safer highways and byways."

No fiscal note was available; however, Hoppe suggested potentially using some of the fines collected to maintain the verification system and have the upfront development expense come from elsewhere. He also said the timing would be right as the department is implementing a new database system.

"Making sure people have insurance and are insured is not a bad thing for us to be striving for," said Rep. Mike Nelson (DFL-Brooklyn Park).

— M. COOK

Insurance changes rejected

Minnesotans driving without insurance should be limited in the amount of money they could receive in damages if they are involved in a driving incident.

That is the premise behind HF730, sponsored by Rep. Pat Mazorol (R-Bloomington).

However, the bulk of the House Transportation Policy and Finance Committee disagreed with his idea Jan. 30, voting 15-1 against the bill. Rep. Mark Murdock (R-Ottertail) cast the lone yes vote. It was passed last session by the House Commerce and Regulatory Reform Committee.

In addition to increasing the minimum penalty for driving without motor vehicle insurance from \$200 to \$600, Mazorol said the bill would limit civil remedies for non-insured drivers who are injured in an accident.

"It limits it so that non-economic damages — that is those damages that are not strictly out-of-pocket type of expenses, commonly known as the pain-and-suffering-type damages — are not available for a claimant in one of three circumstances: if they are convicted of alcohol or a controlled substance impairment at the time of the accident, if they are the owner of an uninsured vehicle that is involved in the accident or if they're operating a vehicle involved in the accident without having appropriate insurance," Mazorol said. An exception would be provided if someone were injured by a drunken driver. The bill does not take into account comparative negligence.

Rep. Bobby Joe Champion (DFL-Mpls) and Rep. Terry Morrow (DFL-St. Peter) expressed concern about someone who is inadvertently late with an insurance payment and, as a result, would have no recourse if they are injured. Morrow unsuccessfully offered an amendment to exempt such people.

"We're looking for the people that are not participating in the system," Mazorol said.

Rep. Kerry Gauthier (DFL-Duluth) said the bill disproportionately affects people struggling to get by and must choose to pay car insurance or things like rent or the electric bill. "I don't see any justice in this," he said.

It is estimated that 500,000 drivers are driving in Minnesota sans insurance.

"This bill attempts to create a connection between two things which shouldn't be connected," said Rep. Mark Buesgens (R-Savage). "Whether I'm breaking the law by not having insurance shouldn't have anything to do with whether or not I'm injured because somebody blew a stop sign."

A companion, SF243, sponsored by Sen. Paul Gazelka (R-Brainerd), awaits action by the Senate Judiciary and Public Safety Committee.

— M. COOK

Leveling the playing field, but for whom?

Tort reform needed for businesses, but others say at the consumer's expense

By LEE ANN SCHUTZ

Is our litigious society putting Minnesota businesses at a competitive disadvantage, or are civil suits the only way consumers get their claims addressed? That was the gist of a more than six-hour House debate on four "tort reform" bills, the first of the Republicans' Reform 2.0 agenda.

The four bills passed the Senate in the last days of the 2011 session, but did not receive consideration on the House floor. All but one of the bills now awaits action by the governor.

Republican sponsors said the bills address lawsuit abuse and propose reform designed to improve the business and job climate in Minnesota.

However, DFLers countered that the bills rig "the system against Minnesota consumers and small businesses," in favor of corporations and insurance companies.

House Minority Leader Paul Thissen (DFL-Mpls) said these bills have nothing

to do with getting people back to work, and are an attack on the middle class and small businesses that may be suing large corporations.

"The courts level the playing field between big corporations and those with little power," said Rep. Tina Liebling (DFL-Rochester).

Rep. Pat Mazorol (R-Bloomington) and Sen. Julianne Ortman (R-Chanhassen) sponsor HF770/SF530* that would change how interest rates are computed before and after judgments. It would lower the awards from the current 10 percent flat rate to a market-driven rate with a floor of 4 percent.

"This bill gives certainty to the judicial process," said Mazorol.

After voting down 10 minority-sponsored amendments, the bill was passed 75-55. It returns to the Senate for concurrence.

In addition to increasing the threshold for filing a civil action in conciliation court from \$7,500 to \$10,000, HF211/SF149*, sponsored by Rep. Doug Wardlow (R-Eagan) and Ortman, would address the right of appeal in class action suits. It would permit a court's order related to certification of a class to be appealed before the case moves forward.

Wardlow said this would expedite the process, saving the state approximately \$41,000 annually. Under the bill, while an appeal is pending, all proceedings must stop, including discovery, but the court may lift the stay, if good cause is shown. The House passed the bill 72-59.

Wardlow and Ortman also sponsor HF654/SF373* that would shorten the state's statute of limitations from six years to four years. Wardlow said Minnesota currently has the longest statute of limitations in the country and the bill would bring it in line with other states. It was passed 71-56.

Sponsored by Mazorol and Sen. Scott Newman (R-Hutchinson), HF747/SF429* would implement two provisions to a statute regarding attorney fees' awards in civil lawsuits. The first provides that when making the award a judge must take into consideration the reasonableness of the attorney fees sought in relation to the amount of damages awarded to the prevailing party; the second would provide a limit on attorney fees awarded in certain cases in which an offer of judgment is made but rejected by the prevailing party. It was passed 75-55.

Critics say the bill would make it impossible for some people to hire an attorney because some cases, especially in the area of discrimination, require a lot of attorney time. 🗽



PHOTO BY ANDREW VONBANK

House members listen as Rep. Doug Wardlow presents the omnibus torts bill during the Feb. 1 floor session.

Good practices

Feed manufacturers ask for stopgap to forthcoming FDA rules

By SUE HEGARTY

Somewhere in Brazil there is a piglet who has been squealing for her Minnesota swill.

This little piggy is caught up in international export red tape because the federal Food and Drug Administration has temporarily stopped issuing Good Manufacturing Practices certificates for commercial feed operations. Brazil and the Dominican Republic require the certificates from U.S. feed manufacturers before they'll accept commercial feed exports. Other countries may soon follow suit.

Frustrated Minnesota suppliers with feed export deals are crying "wee, wee, wee" at home.

"We had the country of Brazil back in 2010 put in place barriers for us to be able to import our products, and one of those was getting a certificate of Good Manufacturing Practices from a state or federal agency," said Matt Frederking, director of regulatory affairs and operations for Ralco Nutrition in Marshall.

"A lot of the products we move into the global marketplace are non-medicated feed

additives, and so at the federal level prior to 2011, they would issue these documents."

But with passage of the federal Food Safety Modernization Act of 2011, the issuance of GMP certifications stopped until new stricter rules can be adopted. The Minnesota Department of Agriculture has never had to inspect and issue a GMP certificate for non-medicated feed before, so there are no rules at the local level either.

As the FDA goes through the process of writing the new federal rules, manufacturers of non-medicated feed are losing patience and money.

Some states are scurrying to pass their own rules to authorize the issuance of state GMP certificates. Kansas is the only state that has started issuing GMP certificates.

Doug Lueders, MDA supervisor for the commercial feed regulatory program,

estimates conducting the necessary inspections could take between 20 and 40 hours per facility, depending upon the compliance level of each feed facility. The projected cost of the inspection/certification is \$50 per hour, plus mileage.

"If we can open up these export markets, (the fee) is not a concern for us from an industry perspective," Frederking said.

HF1926 would speed that process along in Minnesota by authorizing the MDA

to inspect operations and to issue the certificates. The House Agriculture and Rural Development Policy and Finance Committee approved the bill Jan. 31 and referred it to the House Government Operations and Elections Committee. A companion, SF1527, sponsored by Sen. Gary Dahms (R-Redwood Falls), awaits action by the Senate State Government Innovation and Veterans Committee.

Minnesota annually exports \$4.8 million of feed to Brazil and \$85,000 to the Dominican Republic, according to Su Ye, market research program director for MDA. Though the numbers pale in comparison to Minnesota's total agricultural exports to the world at \$5 billion a year, it was significant enough for Ralco Nutrition to seek a statewide preemptive rule, ahead of the FDA.

"It's kind of a temporary fix bill to get rules in place in Minnesota for certification for GMPs," said Rep. Chris Swedzinski (R-Ghent), the bill's sponsor.

The intent is to authorize the state to do inspections at the manufacturer's request so they can earn the certificate and resume exporting. Once the FDA adopts its new rules, the Minnesota legislation would sunset and the MDA would automatically adopt the FDA rules.

Lueders estimates that inspections could begin within 30 to 60 days of enactment.

The Minnesota Agri-Growth Council represents some of the nation's largest commercial feed manufacturers, such as Cargill, CHS and Land O'Lakes.

"We're supportive of (the bill)," said President Daryn McBeth.

However, McBeth said some manufacturers have been able to skirt the export requirement by showing certification from another state or because they hold a federal Hazard Analysis & Critical Control Points certificate. HACCP is a different federal food safety management system but there's no guarantee that other countries will allow substitution of one certificate for the other.

"The importing country is at the controls here. It's not up to us to dictate what the importing country is looking for," Lueders said, adding that Mexico has also adopted the GMP certification requirement but is not enforcing it. 🐷



PHOTO BY PAUL BATTAGLIA

Rep. Chris Swedzinski, center, listens Jan. 26 during testimony about his bill that would authorize the Department of Agriculture to inspect feed operations and to issue Good Manufacturing Practices certificates. Seated with him is Matt Frederking, director of regulatory affairs and operations for Ralco Nutrition in Marshall.

So many rules, so little time

Lawmakers debate the wisdom of curbing agencies' rulemaking powers

By Nick Busse

The charge that there are too many burdensome laws on the books in Minnesota is one that most legislators are familiar with — whether they agree with it or not. It's at the core of the debate over the proper size and role of government.

But this year, it's the proliferation of a different type of government power that's in the crosshairs: the rules created by state agencies.

Sponsored by Rep. Doug Wardlow (R-Eagan), HF1831 is designed to undo what its sponsor calls "the soft tyranny of unelected technocrats." It would require "major rules" from state agencies to come under legislative review before they take effect, and once every two years thereafter.

The House Government Operations and Elections Committee approved the bill Jan. 31.

Wardlow said the number of state rules has multiplied over the course of several decades, stifling private enterprise and expanding the reach of government without sufficient legislative oversight. He said bureaucrats routinely make regulatory decisions that serve to hinder private-sector growth.

"So what happens when you have this multiplication of rules and delegation of legislative authority to unelected civil servants? It undermines the rule of law and undermines representative democracy," Wardlow said.

Under the provisions, "major rules" would be defined as those with an economic impact of greater than \$2 million per year, or which significantly affect the state's private sector.

"This bill does not automatically delete or nullify any rule," Wardlow said. Instead, he explained that agencies will simply be required to classify their rules; those falling into the "major rule" category will have to be reviewed by lawmakers.

Supporters include Rep. Mike Beard (R-Shakopee), who said there is an "avalanche of rulemaking" that legislators often aren't even aware of until after the fact.

"Is it a good thing that somehow elected officials have some kind of a review and consent process? I think it is," Beard said.

Rep. Dean Urdahl (R-Grove City) said he's

frequently confronted by constituents who are angry about something they think is a new state law, but which is, in fact, a rule developed by a state agency.

"I think it's important to have a better understanding and review of the rulemaking process," Urdahl said. "Rules have the impact of law, and they are often made by unelected people."

Opponents say the bill amounts to a legislative power grab, and argue that asking lawmakers to review potentially hundreds of

chapters of rules every two years would be logistically impossible.

Rep. Bev Scalze (DFL-Little Canada) said the Legislature delegates rulemaking authority to agencies for a reason. She said state legislators lack the technical and scientific knowledge to make specific decision on how to execute policy.

Officials from various state agencies seem to agree.

"This is a wholesale upending of how our rulemaking and our execution of the statutes would be done," said Michele Beeman, an assistant commissioner at the Pollution Control Agency.


Beeman said the bill would "create chaos" by forcing legislators to decide issues like whether protective liners underneath landfills should be 4 or 5 millimeters thick, and whether 4 parts per billion is an appropriate limit on the level of dioxin in the environment.

"Those are the details that are in our rules that, really, the Legislature shouldn't be bothered with. You want those engineers and experts to be the ones wrestling with it," she said.

Rep. Steve Simon (DFL-St. Louis Park) points out that agencies only create rules because the Legislature directs them to do so in statute. If lawmakers don't like a rule or set of rules developed by an agency, they can repeal it legislatively at any time. He said Wardlow's presentation of the bill created a false impression of "rogue agencies" making rules arbitrarily.

"I think it's worth remembering that regulations and rules don't just spring up like weeds or flowers," Simon said.

The committee's vote to approve the

measure fell squarely along party lines, 8-6. It now moves to the House Commerce and Regulatory Reform Committee. There is no Senate companion. 

"I think it's important to have a better understanding and review of the rulemaking process. Rules have the impact of law, and they are often made by unelected people."

— Rep. Dean Urdahl
R-Grove City



"I think it's worth remembering that regulations and rules don't just spring up like weeds or flowers."

— Rep. Steve Simon
DFL-St. Louis Park



Education advocate is moving on

Rep. Mindy Greiling announces she won't seek re-election

By ERIN SCHMIDTKE

At age eight, Rep. Mindy Greiling (DFL-Roseville) knew she wanted to become a teacher. Years later, her accomplishments would include earning both a bachelor's and master's degrees in education, teaching in St. Paul public schools, and later being elected to the Roseville Area School Board and finally the Minnesota House of Representatives.

Now, after 10 terms in the Legislature, she's stepping down.

"I've spent a quarter of a century with elections every other year. I want to quit while I'm still enjoying it," Greiling said.

During her nearly 20 years of serving the people in the northern St. Paul area, Greiling has fought for school funding and reform.

"She's a good friend and her retirement is a loss for the entire state of Minnesota. She will be missed by members of both parties," said Rep. Pat Garofalo (R-Farmington), chairman of the House Education Finance Committee.

The first bill Greiling introduced would have provided financial incentives to districts to hire female superintendents. "So often there's a woman in the pool, but she doesn't get picked," she explained. The bill didn't pass, but it was the start of a career in the House and illustrated her concern for education.

Greiling cites the New Minnesota Miracle, an education finance bill she championed, as both her biggest accomplishment and greatest disappointment. The bill would have provided increased funding for schools around the state. At the same time, it required districts to put accountability measures into place, with the goal of helping struggling students. Despite Greiling's effort, the bill ultimately did not pass.

Regardless, Greiling is proud. "That was the great honor of my life, to fight for kids," she said.

Greiling's son was diagnosed with

schizophrenia at age 21, and that was when she resolved to make mental health her priority as well. She started a mental health caucus in the Legislature. That year, funding for programs to help those who suffer from mental illness in Minnesota increased the most it has ever been in a single session. Greiling is dismayed that funding is being "chipped away," but continues to work for this cause.

"That's one of the privileges of being here [in the House]. If something happens to you or anyone you know or constituents, you can bring it here and have the satisfaction of making it better," she said.

Greiling wasn't always the seasoned representative she is today. When she first entered office, she admits it took her some time to become comfortable. "I was very

naïve when I came here, so I didn't take to it," she said. Over time, those feelings changed.

"There are so many good-hearted, gregarious people here. ... Everyone here tends to be making less money than they would somewhere else. They choose to be here because they care about what we do here," she said.

Greiling has learned how important relationships with those colleagues are. That's advice she wants to pass to her successor: "Your word is gold here and your actions should affect how you'll be successful. Be a person of integrity and maintain relationships."

Before her successor steps in, Greiling still has nearly a year before her final term is complete. During that time, she hopes that the Legislature will not instate any controversial constitutional amendments or spend money on a new stadium, instead saving those funds for education and health care. From there, she hopes they will work on a bipartisan level to create positive change for Minnesota.

"First do no harm, but then let's try and do some good," she said.

The increase in partisanship is perhaps the biggest change Greiling has seen since she first joined the House. Over time, she said, "The caucuses have gotten into armed camps." She feels that this year could be different.

"Everyone says that, every party, every Legislature, but we could really do it this year," she said.

Greiling has not decided what she will do next, but she has options. She has already started receiving job offers since her announcement that she would not seek re-election. But she's not in any hurry to decide.

"Especially when you're in the last quarter of your life, you don't want to pick something unless you're passionate about it," she said.



FILE PHOTO BY ANDREW VONBANK

After 10 terms in the House, Rep. Mindy Greiling will not seek re-election.

BILL INTRODUCTIONS

JANUARY 30 - FEBRUARY 1, 2012

HOUSE FILES 1987 - 2084

Monday, Jan. 30

HF1987-Lanning (R)

Government Operations & Elections

Teachers Retirement Association; post-retirement adjustment initial eligibility procedure revised; Teachers Retirement Association aid provisions recodified; new Teachers Retirement Association contribution and aid payment deficiency recovery procedures created; federal code compliance provisions revised and administrative changes made.

HF1988-Gunther (R)

State Government Finance

Truman; storm water project grant funding provided; bonds issued and money appropriated.

HF1989-Hackbarth (R)

Environment, Energy & Natural Resources Policy & Finance

Incumbent electric transmission owner rights established and commission procedures established.

HF1990-Nornes (R)

Higher Education Policy & Finance

Minnesota State Colleges and Universities system authority clarified to continue operations during a budget impasse, and money appropriated.

HF1991-Koenen (DFL)

State Government Finance

Sacred Heart; wastewater infrastructure improvement funding provided; bonds issued and money appropriated.

HF1992-Kelly (R)

Commerce & Regulatory Reform

Motor carrier contract indemnity provisions prohibited.

HF1993-Barrett (R)

Health & Human Services Reform

Advisory council provisions modified.

HF1994-Gottwalt (R)

Health & Human Services Reform

Health and human services policy provisions changed; provisions modified relating to continuing care, telephone equipment program, chemical and mental health, and health care; and comprehensive assessment and case management services reformed.

HF1995-Mahoney (DFL)

Commerce & Regulatory Reform

Labor and industry commissioner directed to implement window cleaning safety measures.

HF1996-Dittrich (DFL)

Commerce & Regulatory Reform

Home solicitation sale definition clarified.

HF1997-Davids (R)

Education Finance

Independent School District No. 239, Rushford-Peterson; funding provided for two school facilities; bonds issued and money appropriated.

HF1998-Sanders (R)

Commerce & Regulatory Reform

Health plan company definition modified.

HF1999-Melin (DFL)

Transportation Policy & Finance

Range Regional Airport terminal funding provided; bonds issued and money appropriated.

HF2000-Johnson (DFL)

Judiciary Policy & Finance

County boards authorized to set and impose court security fee in civil and criminal matters, and fee allotted for court security equipment and personnel.

HF2001-McFarlane (R)

Education Finance

Northeast Metro 916 Intermediate School District funding provided for a new facility; bonds issued and money appropriated.

HF2002-Downey (R)

Commerce & Regulatory Reform

Lawful occupation pursuit ensured to be free from unnecessary regulations, right stated to engage in an occupation to create a greater number of jobs, and conditions specified for government regulation of occupations to protect against misuse of occupational regulations to reduce competition and increase prices to consumers.

HF2003-Woodard (R)

Government Operations & Elections

Racing commission and state lottery operations allowed on an ongoing basis.

HF2004-Schomacker (R)

Transportation Policy & Finance

Luverne; Trunk Highway 75 bonds issued and money appropriated.

HF2005-Kahn (DFL)

Government Operations & Elections

Minneapolis Police Relief Association successor custodian provided for transferred health insurance account assets.

HF2006-Kahn (DFL)

Commerce & Regulatory Reform

Persons 21 years of age and younger allowed a special exemption to drink alcohol.

HF2007-Kahn (DFL)

Government Operations & Elections

Consolidating counties and rationalizing other internal boundaries feasibility study required, and money appropriated.

HF2008-Nornes (R)

Transportation Policy & Finance

Motorcycle road guard certificate established.

HF2009-Abeler (R)

Health & Human Services Reform

Human services legal provisions changed; human services licensing, licensing data and the Office of Inspector General related provisions modified; and Human Services Background Studies Act amended.

HF2010-McFarlane (R)

Higher Education Policy & Finance

Century College classroom addition and renovation funding provided; bonds issued and money appropriated.

HF2011-Winkler (DFL)

Education Finance

Perpich Center for the Arts funding provided; bonds issued and money appropriated.

HF2012-Swedzinski (R)

Government Operations & Elections

Regular sessions prohibited in even number years, and constitutional amendment proposed.

HF2013-Swedzinski (R)

Government Operations & Elections

State surplus property proceeds allocation modified.

HF2014-Swedzinski (R)

Environment, Energy & Natural Resources Policy & Finance

Redwood County Material Recovery Facility funding provided; bonds issued and money appropriated.

HF2015-Swedzinski (R)

Environment, Energy & Natural Resources Policy & Finance

Lake Redwood reclamation and enhancement project funding provided; bonds issued and money appropriated.

HF2016-Swedzinski (R)

Public Safety & Crime Prevention Policy & Finance

Marshall MERIT Center funding provided; bonds issued and money appropriated.

HF2017-Erickson (R)

Taxes

Income taxation rates for individuals, estates and trusts modified.

HF2018-Erickson (R)

Taxes

Individual income tax restructured, subtractions eliminated, single tax rate applied, working family credit modified and alternative minimum tax and various credits repealed.

HF2019-McNamara (R)

Environment, Energy & Natural Resources Policy & Finance

Watercraft license fees clarified for canoes, kayaks, sailboards, paddle boats and rowing shells.

HF2020-Lanning (R)

Environment, Energy & Natural Resources Policy & Finance

Moorhead; flood mitigation improvements and diversion project design work funding provided; bonds issued and money appropriated.

HF2021-Laine (DFL)

Health & Human Services Reform

Smoking prohibited in theatrical productions.

HF2022-Dill (DFL)**Environment, Energy &
Natural Resources Policy & Finance**

St. Louis County; real and personal property private sale authorized.

HF2023-Dill (DFL)**Environment, Energy &
Natural Resources Policy & Finance**

Gitchi Gami State Trail acquisition and development funding provided, bonds issued and money appropriated.

HF2024-Dill (DFL)**Environment, Energy &
Natural Resources Policy & Finance**

Lake Vermilion State Park and the Soudan Underground Mine State Park development funding provided, bonds issued and money appropriated.

HF2025-Urdahl (R)**Education Reform**

Postsecondary enrollment options program expanded.

HF2026-Greiling (DFL)**Education Finance**

School boards and teacher representatives collective bargaining agreement financial incentive offered.

HF2027-Davids (R)**Taxes**

Bloomington; tax increment financing district time limits extended.

HF2028-Gunther (R)**Government Operations & Elections**

Fairmont Police Relief Association consolidated with the Public Employees Police and Fire Retirement Plan and Fund.

HF2029-Anderson, P. (R)**State Government Finance**

Brooten; sewer line replacement allowing for expansion of existing industrial park businesses funding provided, bonds issued and money appropriated.

HF2030-Abeler (R)**Health & Human Services Reform**

Sex offender civil commitment stay as alternative to secure treatment facility review required.

HF2031-Downey (R)**Taxes**

Sales tax exemption for non-business Internet purchases.

HF2032-Myhra (R)**Taxes**

Retail sale definition modified.

HF2033-Downey (R)**Government Operations & Elections**

Equal Pay and Benefits Act proposed and new method for public employee compensation determination provided.

Wednesday, Feb. 1**HF2034-Howes (R)****Environment, Energy &
Natural Resources Policy & Finance**

Bear stand requirements modified.

HF2035-Hamilton (R)**Government Operations & Elections**

Jackson County; county auditor-treasurer office appointive process provided.

HF2036-Garofalo (R)**Education Finance**

Permanent school fund district allocation increases required to be reserved for school technology purposes.

HF2037-Garofalo (R)**Education Finance**

Community education, school readiness and Early Childhood Family Education fund balance penalties eliminated.

HF2038-Kahn (DFL)**Public Safety &
Crime Prevention Policy & Finance**

Regional 911 emergency communications center funding provided, bonds issued and money appropriated.

HF2039-Fabian (R)**Higher Education Policy & Finance**

Northland Community and Technical College; Thief River Falls airport site aviation maintenance and training center funding provided, bonds issued and money appropriated.

HF2040-Fabian (R)**Higher Education Policy & Finance**

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

HF2041-Abeler (R)**Health & Human Services Reform**

Dental licensing provision changes made.

HF2042-Abeler (R)**Transportation Policy & Finance**

Ramsey; Highway 10 and Armstrong Boulevard interchange funding provided, bonds issued and money appropriated.

HF2043-Kieffer (R)**Taxes**

Youth ice facility municipal financing law modified.

HF2044-Petersen, B. (R)**Environment, Energy &
Natural Resources Policy & Finance**

Natural Resources Department electronic licensing classifications repealed.

HF2045-Mariani (DFL)**Higher Education Policy & Finance**

Saint Paul College design and renovation funding provided, bonds issued and money appropriated.

HF2046-Woodard (R)**Public Safety &
Crime Prevention Policy & Finance**

Department of Human Services electronic civil commitment data access permitted to law enforcement for background checks on explosives possession permit applications.

HF2047-O'Driscoll (R)**Transportation Policy & Finance**

Local road improvement funding provided, bonds issued and money appropriated.

HF2048-Mullery (DFL)**Government Operations & Elections**

Council on Affairs of Chicano/Latino People, Council on Black Minnesotans, Council on Asian-Pacific Minnesotans, Indian Affairs Council and Council on Disabilities continued existence provided.

HF2049-Barrett (R)**Education Reform**

Vision therapy pilot project created.

HF2050-Barrett (R)**Jobs & Economic Development Finance**

Taylors Falls; border city development powers establishment and exercise authorized, and money appropriated.

HF2051-Paymar (DFL)**Transportation Policy & Finance**

Electric-assisted bicycle regulations amended.

HF2052-Slawik (DFL)**Environment, Energy &
Natural Resources Policy & Finance**

Perfluorochemical level study money appropriated.

HF2053-Slawik (DFL)**Health & Human Services Reform**

Music therapist licensure created, and fees and civil penalties imposed.

HF2054-Kahn (DFL)**Education Reform**

Second world language proficiency required for high school graduation.

HF2055-Kahn (DFL)**Government Operations & Elections**

State employee health insurance benefits required to be made available to domestic partners if they are also made available to spouses.

HF2056-Kahn (DFL)**Commerce & Regulatory Reform**

Wagering on the results of professional or collegiate sports or athletic events permitted.

HF2057-Kiel (R)**Transportation Policy & Finance**

Local bridge replacement and rehabilitation funding provided, bonds issued and money appropriated.

HF2058-Kiel (R)**Transportation Policy & Finance**

Motor vehicle weight limits amended; exemptions, search warrants and citation warnings provided.

HF2059-Woodard (R)**Judiciary Policy & Finance**

Public defender representation, appointment and reimbursement obligation provisions modified; public defender, counsel in CHIPS cases, pretrial appeals and standby counsel costs financial responsibility outlined; appellate process working group established.

HF2060-Mack (R)**Health & Human Services Reform**

Medical Assistance coverage provided for community paramedic services.

HF2061-Downey (R)**Health & Human Services Reform**

Group residential housing modified.

HF2062-Banaian (R)**Health & Human Services Finance**

Family assets for independence program modified and money appropriated.

HF2063-Greiling (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Solid waste organized collection process amended for cities.

HF2064-Slocum (DFL)**Commerce & Regulatory Reform**

Estate sale conductors required to post a bond to protect owners of the property to be sold.

HF2065-Nornes (R)**Higher Education Policy & Finance**

Board of Trustees of the Minnesota State Colleges and Universities systems revenue bond debt ceiling increased.

HF2066-Murphy, M. (DFL)**Higher Education Policy & Finance**

American Indian Learning Resource Center at the University of Minnesota, Duluth funding provided, bonds issued and money appropriated.

HF2067-Kiffmeyer (R)**Health & Human Services Reform**

Civil commitment law distinguished and clarified regarding the Minnesota sex offender program.

HF2068-Gunther (R)**Commerce & Regulatory Reform**

State lottery director authorized to establish gaming machines, fee on gaming machine revenue imposed, and powers and duties provided to the director.

HF2069-Drazkowski (R)**Government Operations & Elections**

State employee contributions required for health insurance premiums during the biennium ending June 30, 2013.

HF2070-Drazkowski (R)**Government Operations & Elections**

State funds prohibited from collecting union dues or fair share fees, and automatic deductions prohibited from employees' earnings for union dues or fair share fees.

HF2071-Davids (R)**Government Operations & Elections**

Lanesboro Dam exempted from historic review.

HF2072-Davids (R)**Taxes**

Taxation, spending and incurring debt based on market value limits clarified, terms defined, technical and clarifying changes made, and obsolete provisions repealed.

HF2073-Kelly (R)**Public Safety & Crime Prevention Policy & Finance**

Medical director for the Department of Corrections authorized to act for juveniles without a parent or guardian for medical and mental health care.

HF2074-Fabian (R)**Transportation Policy & Finance**

Speed limits modified.

HF2075-Dittrich (DFL)**Education Finance**

Permanent School Fund revenue required to be set aside for school technology purposes.

HF2076-Dittrich (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Permanent School Trust land costs limited to not more than 30 percent of the lands' gross revenue for that year, and money appropriated.

HF2077-Dittrich (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Fire suppression cost portion limited, which may be assessed against permanent school trust lands.

HF2078-Dittrich (DFL)**Education Finance**

Nonpublic pupil textbook aid expanded.

HF2079-Norton (DFL)**Judiciary Policy & Finance**

Trial court judgeships increased in the 3rd District and money appropriated.

HF2080-Daudt (R)**Health & Human Services Reform**

MFIP ineligibility modified, MFIP sanctions modified, MFIP time limit modified and MFIP exit level modified.

HF2081-Daudt (R)**Health & Human Services Reform**

Electronic benefit transfer cards modified.

HF2082-Crawford (R)**Government Operations & Elections**

Sandstone and its economic development authority authorized to sell a housing development.

HF2083-Garofalo (R)**Education Finance**

School district aid payment shift modified.

HF2084-Stensrud (R)**Government Operations & Elections**

Inverse condemnation authorized by a mixed municipal solid waste services business when a governmental entity occupies the market.

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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. 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, tours of the Capitol are free of charge with a suggested donation of \$5 per person.

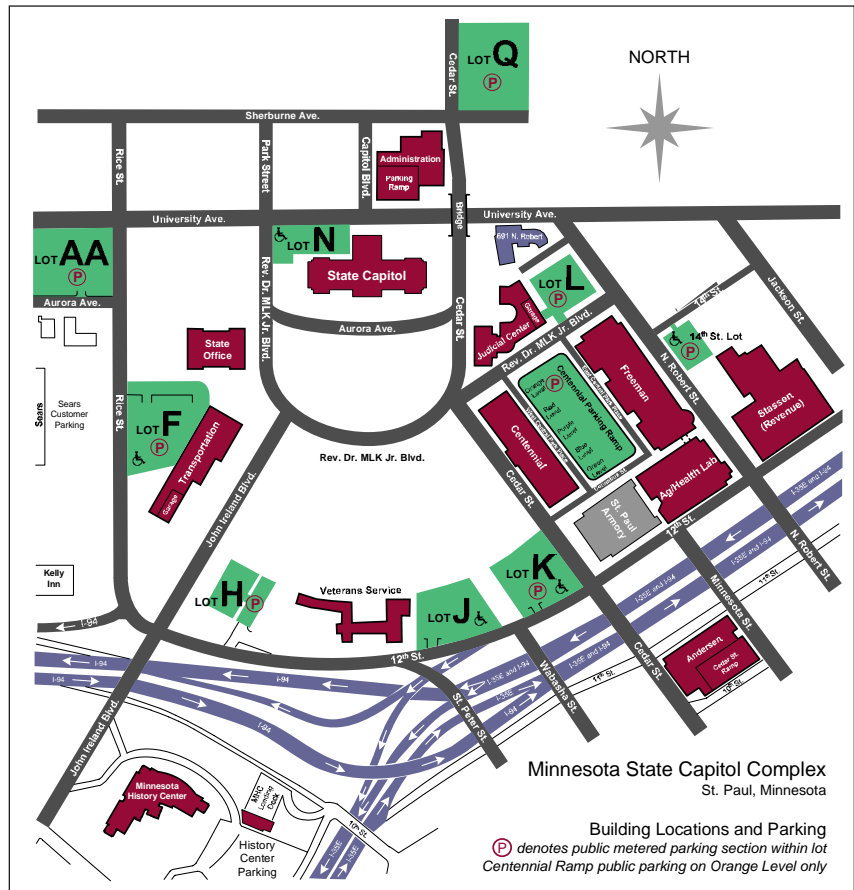
The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. A special events guide is available upon request.

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

Marriage definition draws strong reaction

Record number participate in annual State Fair poll

Of the record 12,549 people participating in the 2011 House of Representatives State Fair Poll, 66.5 percent said the state constitution should not be amended to define marriage as “only a union of one man and one woman,” while 29.8 percent believe the constitution should be changed. The question will be asked on the November 2012 ballot.

During the 12-day run of the Minnesota State Fair, those who stopped by the House booth had the chance to weigh in on 13 issues. This annual poll, developed by the nonpartisan House Public Information Services office, provides the public a chance to consider issues raised in prior legislative sessions and those that may come up during this year’s session.

Here’s a look at the questions and results. All percentages are rounded to the nearest one-tenth. Totals are for those who actually voted on the question.



PHOTO BY ANDREW VONBANK

A record 12,549 people participated in the 2011 House of Representatives State Fair Poll.

1. If the governor and legislators cannot agree on a state budget for an upcoming biennium, should the current level of funding remain in effect to prevent a state government shutdown?

Yes69.2%..... (8,627)
No25.2%..... (3,137)
Undecided/No Opinion.....5.6%..... (703)

2. Should the state constitution be amended to define marriage as “only a union of one man and one woman?” This question will be on the November 2012 ballot.

Yes29.8%..... (3,743)
No66.5%..... (8,345)
Undecided/No Opinion.....3.7%..... (461)

3. Should the state’s sales tax be expanded to include clothing purchases?

Yes30.8%..... (3,856)
No62.3%..... (7,794)
Undecided/No Opinion.....6.9%..... (862)

4. Anglers can now ice fish with two lines. Should they also be allowed to use two lines on open water during warmer months?

Yes29.6%..... (3,696)
No45.8%..... (5,720)
Undecided/No Opinion.....24.7%..... (3,083)

5. Should students be required to stay in school through age 18 or graduation, whichever comes first?

Yes65.1%..... (8,131)
No26.8%..... (3,352)
Undecided/No Opinion.....8.1%..... (1,012)

6. Local governments currently must get special legislation to impose a sales tax. Should they be permitted to impose the tax without legislative authorization?

Yes25.5%..... (3,186)
No67.6%..... (8,435)
Undecided/No Opinion.....6.9%..... (864)

7. Only the governor can call the Legislature into special session, but he or she cannot limit the agenda. Should the state constitution be changed so the Legislature can call itself into special session?

Yes25.4%..... (3,173)
No64.2%..... (8,003)
Undecided/No Opinion.....10.4%..... (1,295)

8. Should voters be required to show a current, government-issued picture ID before casting their ballot?

Yes50.8%..... (6,361)
No46.4%..... (5,805)
Undecided/No Opinion.....2.8%..... (352)

9. Should the state allow for an expansion of gambling to provide additional revenue for the state?

Yes51.6%..... (6,455)
No40.1%..... (5,008)
Undecided/No Opinion.....8.3%..... (1,035)

10. Do you support publicly funded preschool for all children?

Yes62.5%..... (7,813)
No31.3%..... (3,910)
Undecided/No Opinion.....6.2%..... (769)

11. It is currently illegal to text message while driving. Should it also be illegal to use a cellular phone, except in emergency situations?

Yes62.3%..... (7,790)
No32.5%..... (4,068)
Undecided/No Opinion.....5.2%..... (652)

12. Would you support a right-to-work law, meaning workers are not required to join a union or pay union dues as a condition of employment?

Yes54.2%..... (6,770)
No36.8%..... (4,597)
Undecided/No Opinion.....9.0%..... (1,121)

13. Do you know who your state representative is?

Yes88.2%..... (11,026)
No10.8%..... (1,354)
Undecided/No Opinion.....0.9%..... (116)

Annie Hudson of Minneapolis applauds legislators speaking in the Capitol Rotunda during the Second Chance Day on the Hill Rally Jan. 31. The rally is organized by the Minnesota Second Chance Coalition, which advocates for fair and responsible laws that allow people who have committed crimes to redeem themselves.

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Travel Info	651-296-5029/888-868-7476
Health	651-201-5000
	888-345-0823
Higher Education Services	651-642-0567
	800-657-3866

Housing Finance Agency	651-296-7608
	800-657-3769
Human Rights	651-296-5663
	800-657-3704
Human Services	651-431-2000
Iron Range Resources	218-735-3000
	800-765-5043
Labor and Industry	651-284-5005
	800-342-5354
Management and Budget	651-201-8000
Mediation Services	651-649-5421
Metropolitan Council	651-602-1000
Military Affairs/MN National Guard	651-268-8919
Natural Resources	651-296-6157
	888-646-6367
Pollution Control Agency	651-296-6300
	800-657-3864

Public Safety General Information	651-201-7000
State Patrol	651-201-7100
Revenue	
General Information	651-556-3000
Collections	651-556-3003
	800-657-3909
Sales and Use Tax Line	651-296-6181
	800-657-3777
Taxpayer Helpline	651-296-3781
	800-652-9094
Taxpayer Self-Service	651-296-4444
	800-657-3676
Withholding	651-282-9999
	800-657-3594
Transportation	651-296-3000
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Minnesota Transit

Total passenger trips on Minnesota public transit in 2010, in millions.....	102.1
Millions of passenger trips in the Twin Cities metropolitan area	91.1
Millions of passenger trips in Greater Minnesota.....	11.1
Of the 80 counties outside the Twin Cities metropolitan area, number that	
have a public transportation system	76
Number of counties with this service in 2000	64
Number of counties with this service in 1990	40
Hours of service provided by Greater Minnesota transit providers in 2010	1,068,102
Hours provided in 2000	872,679
Approximate percent of need currently provided by Greater Minnesota transit systems.....	60
Millions of hours of service estimated to be needed to meet the transit needs of	
Greater Minnesota	1.7
Estimated number of hours in 2030, in millions.....	2.2
Percent of Greater Minnesota public transit riders who have household incomes	
of less than \$20,000	62
Percent who do not have a driver's license	51
Percent who ride at least twice per week.....	86
Percent who ride at least five days per week.....	50
Number of Metro Transit bus riders in 2010	66,040,533
Riders in 2008	70,852,419
Riders in 2006	63,517,259
Rides provided by Metro Mobility in the Twin Cities metropolitan area in 2010	1,410,369
Rides provided in 2006	1,110,542
Percent of transit system operating costs in Minnesota covered by state funding	
in 2010, as approximate	56
Millions appropriated for fiscal years 2012 and 2013 by the Legislature from the	
General Fund for public transit in both Greater Minnesota and the Twin Cities	
metropolitan area	\$108.1
Millions in Motor Vehicle Sales Tax Revenue to be used for public transit during	
the biennium	\$447.22
Approximate ridership in 2010 on the Northstar Link Commuter Bus, which provides	
bus service between St. Cloud and Big Lake, the terminus of the	
Northstar Commuter Rail	26,000
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— M. Cook

Sources: 2011 Transit Report: A Guide to Minnesota's Public Transit Systems, Dec. 2011;
The Greater Minnesota Transit Investment Plan, Jan. 2011, both from the Department of
Transportation.

SESSION WEEKLY



BILLS MOVE IN, BILLS MOVE ON
STATE COMPANIES MAKE THE FORTUNE LIST
A LOOK BACK TO 'GRACE'
LEGACY BILL PUT ON HOLD

HF2085 - HF2343

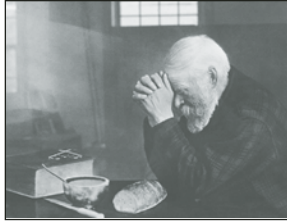
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MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 3 • FEBRUARY 17, 2012

Flashback 1992 to 2002

Amazing 'Grace'

A proposal to make Eric Enstrom's "Grace" the state photograph was approved by a House committee.

Rep. Loren Solberg (DFL-Bovey) successfully put forward a resolution asking the U.S. Post Office to create a postage stamp reproduction of the photograph.



Brina Carlson, an Itasca County resident who served on a committee that supports the designation, said the picture is known throughout the world.

"It's a piece of Americana and it's a piece of Minnesota," he said. "It has worldwide renown yet so few people recognize that it came from Minnesota."

— Session Weekly, Feb. 15, 2002

Cut staff to increase salaries to those who remain

A \$2.3 million cut in the University of Minnesota budget translated to putting 25 Minnesota Extension Service agents out of work. The cut reflects fewer federal and state funds and a salary and benefit increase proposed for all university staff.

The House Agriculture Committee learned that new county agriculture agents earn \$20,000 a year, while graduates of the University's College of Agriculture earn an average annual salary of \$27,000. The decision was made to pay "those who remain a decent kind of salary," rather than employ more people at a lower wage, said Pat Borich, extension director.

— Session Weekly, Jan. 17, 1992

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SESSION WEEKLY

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HIGHLIGHTS

FEBRUARY 2 - 16, 2012

Editor's note: It has been a very active stretch of time for proposed legislation. Many bills received hearings in House committees or divisions, several were acted on by the full House and even the governor weighed in on four bills. Because of last week's precinct caucus break and no Session Weekly, we are foregoing our tradition of a "First Reading" page 3 story, in order to give readers a more comprehensive look at this week's legislation with our "Highlight" coverage.

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held Feb. 2-16. 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 acted on by the governor.

Agriculture

Extending the bovine TB tax credit

A bovine tuberculosis outbreak in cattle near Roseau several years ago forced ranchers to stop using their pastures and destroy the animals to stop the spread of the disease.

They were given a property tax credit to alleviate some of their financial losses and because the pastures are not suitable for other uses. In 2010, the Board of Animal Health certified that a large portion of the affected zone was free of bovine TB, which automatically turned off the property tax credit.

However, 22 of the previous 276 restricted herds are still subject to another year of bovine TB testing. These ranchers would continue to receive the property tax credit under HF1890, sponsored by Rep. Dan Fabian (R-Roseau).

The House Agriculture and Rural Development Policy and Finance Committee approved the bill Feb. 9 and referred it to the House Taxes Committee, with the understanding that it would come back to the committee if funding for the tax credits comes from the Department of Agriculture's budget.

"I appreciate the concern, but this was supposed to be a temporary program. This is a good example of when a program becomes an

entitlement," said Rep. Rick Hansen (DFL-South St. Paul).

Rep. Kent Eken (DFL-Twin Valley) supports the bill because the restrictions for the 22 herds are still in place. "This is something the whole state benefits from," Eken said. "I don't think the whole burden should be borne by those directly impacted."

Preliminary cost estimates project \$100,000 in tax credits could be awarded to affected ranchers. It was unclear whether the money would come from the General Fund or from the Department of Agriculture's budget.

Rep. John Ward (DFL-Brainerd) asked whether the \$100,000 cost would be shifted onto other county property owners. Fabian said the funding details would be worked out in the House Taxes Committee.

A companion, SF1555, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), awaits action by the Senate Taxes Committee.

— S. HEGARTY

Horse livestock bill laid over

Horses are considered livestock for agricultural purposes, but equine operations may mean something entirely different when it comes to assessing property taxes.

A bill laid over Feb. 9 by the House Agriculture and Rural Development Policy and Finance Committee aims to fix a discrepancy between the agriculture and property tax laws for horse breeders.

St. Michael horse breeder David Dayon was notified that he was being assessed at a higher commercial tax rate, rather than the lower agricultural rate, when he sought clarification from legislators.

HF539, sponsored by Rep. Bruce Anderson (R-Buffalo Township), would modify the agriculture classification law so these operations may qualify for a property tax rate reduction.

To be classified as agricultural, the operation must meet minimum criteria, such as 10 acres or more, turn a profit and be an agricultural pursuit.

There are about 13,000 horse farms in the state. The typical horse farm is 20 acres, according to Krishona Martinson, assistant professor and equine extension specialist at the University of Minnesota.

However, a provision in the bill that would

allow for more intensive horse operations on fewer acres raised objections from committee members.

Rep. Rick Hansen (DFL-South St. Paul) said the bill needs to be amended so that urban residents can't put a "pony in the backyard" and declare agricultural status and receive lower property tax rates, which could cause increased taxes for neighboring properties.

Sen. Doug Magnus (R-Slayton) sponsors a companion bill, SF396, which awaits action by the Senate Agriculture and Rural Economics Committee.

— S. HEGARTY

Bonding

Red Lake School seeks bonds

The Red Lake School District faces a unique problem.

Because it lies completely within a reservation, the land isn't available for property taxes that fund schools. That leaves the district in need of state funding for projects like renovations.

This was explained to the House Education Finance Committee Feb. 14 when Rep. David Hancock (R-Bemidji) offered two bonding bills that would benefit the district.

HF2109 would provide nearly \$8 million to demolish the district's original elementary school. The money would also fund building a district and student services area, media center and technology labs, locker rooms and support areas.

HF1264 would appropriate \$5.78 million to renovate the high school and middle school kitchen and cafeteria. Hancock said the facilities, which were built in the early 1960s, are too small to accommodate students.

Superintendent Steve Wymore said the district faces "overwhelming" challenges in raising funds on its own. In addition to its lack of taxable land, its free and reduced meal rate for students is at 90 percent. Because of its financial challenges, the district is unlikely to be able to pay back the state funding proposed in the bill, which is in the form of a loan. This means the money would effectively amount to a grant for the school

district. Since 1992, the district has received four capital loans from the state for school construction projects.

Rep. Mindy Greiling (DFL-Roseville) spoke in support of the bill, saying, "It should be our top priority in this committee."

Both bills were laid over for possible recommendation for bonding bill inclusion.

Sen. Rod Skoe (DFL-Clearbrook) sponsors the companion bills, SF1697 and SF825. Both await action by the Senate Capital Investment Committee.

— E. SCHMIDTKE

Public safety bonding requests

Seven of the 10 bonding requests, totaling more than \$85 million, heard by the House Public Safety and Crime Prevention Policy and Finance Committee, received favorable recommendations.

They were forwarded Feb. 9 to the House Capital Investment Committee for further consideration.

The largest request, \$29.9 million, would be to remodel existing space for the intake unit and construct a new health services unit and loading dock at the St. Cloud prison. Department of Corrections officials testified that the projects would increase staff and offender safety, and would reduce the crowded intake and health services areas that are inadequate for the current prison population.

Also making the cut is \$15 million in department asset preservation and \$3.39 million to install a new well, replace piping and add a building to house water treatment equipment at the Stillwater prison. Officials said the changes would reduce water treatment costs and energy consumption.

Other projects forwarded are:

- \$26 million requested by the Department of Public Safety for construction of a new state emergency operations center in Arden Hills to replace the facility in downtown St. Paul;
- \$10.3 million to construct a regional 911 communications facility in Hennepin County to replace the current facility that opened in 1948;
- \$750,000 for asset preservation and other improvements at the Northeast Regional Corrections Center; and
- \$164,000 for improvements to the Annandale Tactical Training Center.

The Hennepin County facility comes from HF2038, sponsored by Rep. Phyllis Kahn (DFL-Mpls); Rep. Carly Melin (DFL-Hibbing) sponsors HF1933, the corrections

center funding; and Rep. Dean Urdahl (R-Grove City) sponsors HF293 for the Annandale facility.

Not making the cut are:

- \$5.4 million for a fence at the Shakopee women's prison that was requested by the Corrections Department;
- \$3 million for a new emergency operations center in Ortonville, that came from HF788, sponsored by Rep. Andrew Falk (DFL-Murdock); and
- \$2.5 million to equip an expansion to the Minnesota Emergency Response and Industrial Training Center in Marshall, that came from HF2016, sponsored by Rep. Chris Swedzinski (R-Ghent).

Committee members previously said they want local funding sources secured before the state helps with the Ortonville and Marshall projects.

— M. COOK

Civil Law

Proposed Ski Safety Act put on hold

When you clamp on your skis at your favorite downhill ski area, how much of the sport's risk are you taking on?

Rep. Tara Mack (R-Apple Valley) sponsors HF1865, tagged as the Minnesota Ski Safety Act. It would clearly lay out the duties and responsibilities of ski area operators and skiers regarding limits of liability.

The intent of House Civil Law Committee Chairman Rep. Torrey Westrom (R-Elbow Lake) on Feb. 13 was to move the bill to the House floor. However, after attorneys on both sides of the issue laid out their cases, Westrom asked to lay the bill over to see if both sides could find agreement.

Skiing has changed over the years, and civil immunity laws regarding it need updating, Mack said. The bill would model standards after those of the American National Standards Institute.

Leigh Nelson, who owns Welch Village, said that in 1965 there were 34 ski areas in Minnesota, now there are about half that number. He said that capital costs and lawsuits have contributed to their demise.

Attorney Jeff Lindquist of Minneapolis said that currently the discretion in lawsuits is left to the judge.

"What this does is bring much needed consistency and objectivity to the law," he said. It lays out the inherent risks to skiing.

There are four public ski areas operating in

the state, and committee members said the bill doesn't address the differences in how immunity laws apply to them.

Joel Carlson, representing the Minnesota Association for Justice, said the bill does not allow for any operator negligence. He noted that, as a lobbyist, he has seen this bill in some form nearly every session since 1999.

The companion, SF1509, sponsored by Sen. Bill Ingebrigtsen (R-Alexandria), awaits action by the Senate Judiciary and Public Safety Committee.

— L. SCHUTZ

Dayton pens session's first vetoes

Vetoed
by
the
governor

Gov. Mark Dayton vetoed a series of bills Feb. 10 that Republicans say are designed to reform civil litigation.

Dayton said the four bills "appear to be another political ploy as they (Republicans) cater to their rich and powerful friends at the expense of most Minnesotans. ... The real impact would be to reduce the rights of law-abiding citizens and businesses that seek justice from the wrongdoing of others."

He noted in his veto letters his willingness to consider changes to the state's civil laws that would help businesses and residents obtain justice and fair recovery.

Bill sponsors said the package addressed lawsuit abuse and proposed reform designed to improve the business and job climate in Minnesota.

Rep. Pat Mazorol (R-Bloomington) and Sen. Julianne Ortman (R-Chanhassen) sponsor HF770/SF530*/CH121 that would change how interest rates are computed before and after judgments. It would have lowered the awards from the current 10 percent flat rate to a market-driven rate with a floor of 4 percent.

In his veto letter, Dayton said he found it "objectionable that the Legislature allowed prejudgment interest for businesses with commercial insurance policy claims at 10 percent, but lowered similar claims for average citizens to 4 percent."

In addition to increasing the threshold for filing a civil action in conciliation court from \$7,500 to \$10,000, HF211/SF149*/CH118, sponsored by Rep. Doug Wardlow (R-Eagan) and Ortman, would have addressed the right of appeal in class action suits. Wardlow said this would expedite the process, saving the state approximately \$41,000 annually.

Dayton said the provisions are not consistent with the court's recommendations

for effectively addressing small claims. He called it “legislative meddling with court procedures.”

He and Ortman also sponsor HF654/SF373*/CH119 that would have shortened the state’s statute of limitations from six years to four years.

Dayton said the legislation would eliminate “important protections for citizens and businesses, when they are harmed by the wrongful actions of others.”

Sponsored by Mazorol and Sen. Scott Newman (R-Hutchinson), HF747/SF429*/CH120 would have provided that when making an award, a judge must take into consideration the reasonableness of the attorney fees sought in relation to the amount of damages awarded to the prevailing party.

Dayton’s concern is that the legislation would make “it more difficult for average citizens to defend themselves against powerful interest.”

— L. SCHUTZ

Consumers

No shutdowns for lottery, racing

If the state ever experiences another government shutdown like the one last summer, the Minnesota State Lottery and the Racing Commission might be immune from its impact.

That’s the premise of HF2003, sponsored by Rep. Kelby Woodard (R-Belle Plaine). The House Government Operations and Elections Committee approved the bill Feb. 14 and sent it to the House State Government Finance Committee. There is no Senate companion.

Woodard argues there’s no sense in shutting down operations that make money for the state — especially when they’re funded through special revenue streams that have no real bearing on the Legislature’s political disagreements over the budget.

“These horse tracks and the related industries to them employ thousands of Minnesotans and provide revenue to the state, even when the state is in a government shutdown,” Woodard said.

Opponents asked whether it was fair to single out specific agencies for protection against a shutdown — or conversely, why the Legislature shouldn’t simply let all agencies and programs continue in the event of a shutdown.

LEND A HAND



PHOTO BY PAUL BATTAGLIA

Gov. Mark Dayton shakes hands as he leaves the House Chamber Feb. 15 after delivering his State of the State address to a joint session of the Legislature. The governor called for cooperation between he and the Legislature, and said putting unemployed Minnesotans back to work must be a top priority. Dayton also urged legislators to pass a bonding bill this month, to vote on a new stadium for the Minnesota Vikings this session and to kick himself and the Legislature out of the State Capitol so much-needed renovations to the 107-year-old building can take place.

“How many more bills are we going to have that carve out different parts of government and put them on continuing resolutions, putting them on autopilot?” said Rep. Mike Nelson (DFL-Brooklyn Park).

Rep. Frank Hornstein (DFL-Mpls) asked whether Woodard thinks the same should be done for all of state government.

“It’s an important question,” Woodard replied. “In some circumstances — this being one — the Legislature needs to take a proactive approach.”

Another state entity — the Gambling Control Board — might be added to the bill at its next committee stop. Rep. Mike Beard (R-Shakopee) said that much like the other two agencies, the board operates autonomously and would like to be included in the bill.

— N. BUSSE

Education

Education bonding proposals

Building, preserving and demolishing facilities was the topic of the day for the House Education Finance Committee on Feb. 8 when education administrators and elected officials brought forward more than \$60 million in bonding proposals.

Each described the need for repairs and renovations at various schools and libraries across the state. All proposals were held over for possible bonding bill inclusion.

Pam Paulson, senior policy director at the Perpich Center for Arts Education, was one of many testifiers. She said, “We are charged to be innovative. We are charged to be on the cutting edge. ... And we are now behind.”

The committee heard arguments supporting the following six bills:

- HF1778 seeks a \$20 million cooperative facilities grant for the United South Central district. Administrators say their current

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building is aging and inadequate for the student population. The bill is sponsored by Rep. Tony Cornish (R-Vernon Center). Sen. Julie Rosen (R-Fairmont) sponsored its Senate companion, SF1693, which awaits action by the Senate Capital Investment Committee.

- HF1794, sponsored by Rep. Patti Fritz (DFL-Faribault), seeks \$10.5 million for asset preservation, building demolition, parking lot creation, student housing and a technology center at the Minnesota State Academies for the Deaf and Blind. Its companion bill SF1640, sponsored by Sen. Mike Parry (R-Waseca), awaits action by the Senate Capital Investment Committee. Gov. Mark Dayton recommended \$7.6 million for this project in his bonding request.
- HF1851 seeks \$2 million to fund library accessibility and improvement grants that would aid in renovation projects for various community libraries throughout the state. The bill's, sponsored by Rep. Carol McFarlane (R-White Bear Lake). Its Senate companion, SF1867, is sponsored by Sen. John Carlson (R-Bemidji).
- HF1997, sponsored by Rep. Greg Davids (R-Preston), seeks \$20 million to build a prekindergarten-12 facility in the Rushford-Peterson school district. A 2007 flood extensively damaged the current century-old building. The companion, SF1602, is sponsored by Sen. Jeremy Miller (R-Winona).
- HF2001 seeks \$7 million for Northeast Metro No. 916, an intermediate district that serves metro area school districts. The grant would help build a kindergarten-8 school designed to serve the district's Level IV special education students. McFarlane sponsors this bill. Its Senate companion, SF1666, is sponsored by Sen. Pam Wolf (R-Spring Lake Park).
- HF2106, sponsored by Rep. Ryan Winkler (DFL-Golden Valley), seeks \$1.4 million in capital improvements at the Perpich Center for Arts Education in Golden Valley. This is another project Dayton has recommended, who supported the \$263,000 outlined in the original version of the bill. The companion, SF1827, is sponsored by Sen. Ron Latz (DFL-St. Louis Park). All Senate companions await action in the Senate Capitol Investment Committee.

— E. SCHMIDTKE

Charters allowed referendum revenue

Charter schools are currently financed in the same way as public schools, with the exception of referendum revenue, which charter schools do not receive.

HF1860, sponsored by Rep. Kelby Woodard (R-Belle Plaine), proposes that referendum revenue be transferred in an equal amount for each student that attends a charter school in his or her resident school district. This increase for charter schools' general education aid would be offset by a corresponding decrease in the resident school districts' general education aid. This would affect Minnesota schools beginning in fiscal year 2014.

Initially heard Jan. 24 by the House Education Finance Committee, members of the committee again discussed the bill Feb. 15, including adopting an amendment that would only apply this bill to future levies that fund schools, not standing levies. No action was taken on the bill. It has no Senate companion.

During previous meetings, charter school officials spoke in favor of the bill, arguing that their students are being punished for exercising their right to choose which school they attend.

Testifiers from public schools disagreed, saying that the bill would take away much-needed funds that pay for services only public schools provide.

Woodard explained that his bill would create a more equal approach to education funding.

"When we say we're doing this per pupil for education purposes, for public school students, that really isn't a fair statement," he said.

Other committee members expressed hesitancy to support the bill. Rep. Mindy Greiling (DFL-Roseville) said she was concerned that special education services public schools provide will lose funding.

"I haven't had an e-mail that I can recall, honestly, that says 'Please support this,'" said Rep. John Ward (DFL-Brainerd).

— E. SCHMIDTKE

Digital learning requirement

Adding to language arts, math, physical education and social studies, districts may soon find they must include a digital class as a required course for students.

The House Education Reform Committee approved HF2127 on Feb. 14, sponsored by Rep. Pam Myhra (R-Burnsville), which would make it mandatory that high school students receive at least one digital course credit before graduation. Schools would need to engage students with a "blended learning" approach, which uses technology to teach a subject. Requirements for students would be effective for those starting ninth grade in 2012.

LOGO REVEALED



PHOTO BY ANDREW VONBANK

Rep. Dean Urdahl, right, unveils the Civil War Commemoration Task Force logo contest winning design during a Feb. 14 press conference. The logo, created by Michael Campbell, of Chanhassen, left, will serve as the official symbol of the war's 150th anniversary.

Bill backers believe it lends innovation to traditional brick-and-mortar education. Christy Hovanetz, senior policy fellow at the Foundation for Excellence in Education, explained that technology makes education customizable for both students and teachers.

“When students can learn in their style — at their own pace — all students will achieve,” she said.

Rep. Bob Barrett (R-Shafer) said he has seen the positive effects of online classes, which are currently intended to be a second option for students who have trouble succeeding in a more mainstream setting.

Critics of the bill worry that not all districts have the resources to add and manage digital courses. They argued that those that have the staff and funds are already taking steps to make digital learning a part of their curriculums.

Rep. Kim Norton (DFL-Rochester) said, “We always talk about letting the market do its thing. I think this is an example where you’re trying to force something that’s already happening and create an additional mandate.”

The bill next goes to the House Education Finance Committee.

The Senate companion, SF1528, is sponsored by Sen. Carla Nelson (R-Rochester). It awaits action by the Senate Finance Committee.

— E. SCHMIDTKE

Childhood eye screenings

School districts are required to hold early childhood development screenings for children who are nearing school age. This helps the schools identify children who could benefit from district or community resources.

Rep. Sondra Erickson (R-Princeton) intends to take the current screening a step further with HF300. It would require districts to share information about vision screenings with parents. The bill explains the benefits that stem from vision testing and states that the testing is not a substitute for a comprehensive eye exam.

The measure was passed 133-0 by the House Feb. 13 and now goes to the Senate where Sen. David Hann (R-Eden Prairie) is the sponsor.

During a Jan. 26 meeting of the House Education Reform Committee, Erickson said, “We have to be in the business of letting parents know what is available out there. ... If it helps one child, we must do so.”

— E. SCHMIDTKE

Floods impact school calendar

Neighborhoods turn into islands during the annual flooding of the Red River in northwestern Minnesota.

The flooding can impact the school calendar, forcing teachers to keep students in the classroom into the summer to ensure they stay on schedule.

Sponsored by Rep. Kent Eken (DFL-Twin Valley), HF1542 would allow districts to begin classes prior to Labor Day, as a countermeasure to the days they lose in the spring, due to flooding.

It was approved Feb. 9 by the House Education Reform Committee and sent to the House floor. It has no Senate companion.

Current statute does not permit schools to begin the academic year before Labor Day unless they meet specific requirements.

In a letter to legislators, Norman County West Superintendent Ollen Church wrote, “Our problem in the spring is, we simply can’t get our kids into school.” Through this bill, he hopes to start school a week before Labor Day, so the district has days in reserve to cancel school during the year due to flooding.

Before the vote, Rep. Kim Norton (DFL-Rochester) added, “At some point, this policy committee needs to acknowledge that local control is needed for every dang school district in this state to decide when they want to start their schools, before or after Labor Day.”

— E. SCHMIDTKE

Teacher layoff debate continues

Minnesota teachers could see seniority-only based layoffs end.

HF1870, sponsored by Rep. Branden Petersen (R-Andover), proposes that school administrators examine teacher evaluations when making a decision to demote or discharge a teacher, or place him or her on an unrequested leave of absence.

Approved Feb. 9 by the House Education Reform Committee, the bill awaits action by the full House. Its companion, SF1690, sponsored by Sen. Pam Wolf (R-Spring Lake Park), awaits action by the Senate Education Committee.

Supporters argue that HF1870 will add fairness to layoff practices and increase the quality of teachers in the classroom. Opponents claim that legislators are addressing the issue without considering current layoff policies. They urged the committee to value the experience that more seasoned teachers offer.

Committee members debated a variety of amendments to the bill, including six

successfully offered by Petersen. Changes to the bill include pushing back the bill’s effective date and a requiring that teacher evaluations be designated as private, individual information.

Rep. Kory Kath (DFL-Owatonna) proposed, then withdrew, an amendment that would mandate negotiations between teachers and local school boards in special cases, creating an exception to the bill. Kath highlighted language immersion and Montessori teachers as examples, whom he said need to be considered differently for layoffs because they meet a unique need in schools.

Rep. John Benson (DFL-Minnetonka) was one of several members who argued for a compromise, saying, “There’s a constant notion, it seems, that the Legislature knows all and that local committees, local school boards and citizens-elect somehow can’t quite be trusted.”

“Quality-blind layoffs, seniority-based layoffs are incompatible with a system that places student achievement first,” Petersen countered.

— E. SCHMIDTKE

League rules could ease

High schools around the state depend on the Minnesota State High School League (MSHSL). The organization provides opportunities for schools’ fine arts and athletic teams to compete in conferences, or designated groups, with other schools.

Sometimes, it’s not always easy for high schools to have access to the resources that MSHSL provides. That may change.

Currently, if a high school needs to join a conference, it must spend 180 days on its own as part of a “good faith” effort to become part of one before MSHSL steps in to assist it. Educators and league officials say that’s too long.

Rep. Paul Anderson (R-Starbuck) sponsored a bill that intends to ease the process. HF1585 would shorten the waiting period to 90 days. Anderson said that difference might seem simple, but to schools, those 90 days matter.

During a Jan. 26 meeting of the House Education Reform Committee, where members reviewed the bill, Anderson said, “The reason the length of time is significant is because a lot of conferences will schedule tournaments up to a year in advance.” He cited a school in Melrose, which is part of his district, as an example. The high school missed a registration deadline and was forced

to travel to Wisconsin and International Falls so their football team could find competitors.

The bill came with the support of MSHSL and passed easily on the House floor with a vote of 133-0. Its companion bill, SF1322, is sponsored by Sen. Joe Gimse (R-Willmar). It awaits action in the Senate Education Committee.

— E. SCHMIDTKE

Schools could get own grading system

Minnesota school districts could soon find themselves receiving a grade from the commissioner of education.

The House Education Finance Committee discussed a bill Feb. 15 that would establish a grading system, from A to F, which would evaluate schools based on student achievement. Rep. Pam Myhra (R-Burnsville) sponsors the bill, HF638, which was laid over for further review.

Students' proficiency and improvement on standardized tests, as well as growth in reading and math assessments would determine a school's grade. For high schools, the grade would also account for SAT and ACT scores and participation in advanced programs like postsecondary enrollment options or AP courses. Evaluations would begin this school year.

These grades would have consequences. Schools that receive a D or F must develop and implement a process for improvement. Schools that receive an A, improve one letter grade or improve two in the previous two school years are eligible for a school recognition award of \$100 per enrollee. That money could be used to pay for staff or educational materials.

Christy Hovanetz, a senior policy fellow at the Foundation for Excellence in Education, testified in support of the bill. She cited a similar grading system in Florida as an example of successful school evaluations.

Hovanetz said, "If we believe all students can learn, we should hold schools accountable for their academic success."

Some committee members voiced concerns. Rep. Mindy Greiling (DFL-Roseville) said, "I'm very much of the mind that just labeling schools, labeling teachers, labeling students, and if you don't do anything about it, it doesn't amount to a hill of beans."

Myhra emphasized the urgency for the bill, comparing problems in schools to cancer.

"Cancer, left undiagnosed and untreated, leads to death. And failure leads to death of opportunity and hope and the future of our

children," she said.

Sen. Dave Thompson (R-Lakeville) sponsors the companion, SF1302. It awaits action by the Senate Education Committee.

— E. SCHMIDTKE

Teachers-to-be need the basic skills

State law currently allows those who have completed a teacher preparation program to receive up to three one-year licenses without passing a basic skills exam. On Feb. 13, the House passed a bill that would require teaching candidates to produce a passing score on the exam before obtaining a license in Minnesota. The vote was 132-0.

Rep. Andrea Kieffer (R-Woodbury), the sponsor of HF1770, is concerned that teachers are instructing children while being potentially unable to pass the basic skills test themselves. She believes the bill will increase the quality and rigor of teachers in Minnesota.

Rep. Mark Buesgens (R-Savage) unsuccessfully offered an amendment that would require teacher candidates to pass the exam before entering a teacher training program in college.

Buesgens worries that unqualified students are allowed admittance to these training programs. He explained that, if they fail the skills test after graduating, they will not have the opportunity to work as teachers, which will hamper their ability to pay off massive student loans.

Buesgens said, "What we are doing to the young men and young women of this country is the next great financial crisis, after the mortgage crisis, to hit this country. ... Shame on us for allowing a system like that."

Supporters of the bill disagreed, saying that teacher candidates still have much to learn before they enter their degree programs. They believe it would be too difficult for students to pass the test without the education a teacher program provides.

Rep. Carlos Mariani (DFL-St. Paul) compared teacher degree programs to another profession. "A good analogy here would be requiring aspiring doctors to pass their medical boards in order to get into medical school. Why would we do that?"

The bill now awaits action on the Senate floor. Sen. Ted Daley (R-Eagan) is the sponsor.

— E. SCHMIDTKE

Unions, employers debate contracts

Public employees would be unable to receive any automatic pay or health benefit increases in between union contracts, under a bill that won committee approval.

Rep. Steve Drazkowski (R-Mazeppa) sponsors HF1974 that would change the way public-sector contracts continue in effect after they've expired. It provides that while unions are negotiating new contracts, their members would be ineligible for pay or benefit increases, regardless of the terms of the previous contracts.

In addition, public employers would be unable to enter into a contract that provides any retroactive pay or benefit increases. So, too, would arbiters be unable to award any retroactive increases, under the bill's provisions.

The House Government Operations and Elections Committee approved the bill on a 8-5 party-line vote Feb. 15. It now goes to the House State Government Finance Committee.

Supporters include Grace Keliher, director of governmental relations for the Minnesota School Boards Association. She said school districts have been told by arbitrators on at least 12 occasions that school employees are entitled to automatic "step" and "lane" increases even though no contract is currently in effect.

"School boards are left with a very unbalanced table when we're negotiating contracts," Keliher said.

League of Minnesota Cities Human Resources Director Laura Kushner said this situation puts public employers at a disadvantage during lengthy contract negotiations.

"There is no incentive for a union to bargain on issues when the contract just keeps moving forward," Kushner said.

Representatives from the unions said the bill would tilt contract negotiations against them.

Brian Rice, a lobbyist representing the Minneapolis police and firefighter unions, said the bill would "create chaos" by letting employers stall out contract negotiations knowing that the unions have no recourse. He described the bill as "very, very radical."

Eliot Seide, executive director of AFSCME Council 5, said the bill's proponents are being misleading. If employers want to write into contracts that pay and benefit increases won't continue after expiration, he said they already have the ability to do that.

"What they're trying to do here is change

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Web page at: www.leg.mn

LEADERS MEET



PHOTO BY PAUL BATTAGLIA

House Speaker Kurt Zellers and Senate Majority Leader David Senjem confer at the Speaker's Desk during the Feb. 13 floor session.

the balance of power from an equal playing field to a field that is no longer equal," Seide said.

— N. BUSSE

Energy

Buying energy futures

The University of Minnesota has saved millions of dollars by pre-purchasing its natural gas and other energy needs by way of futures contracts. Soon, state agencies and local governments might be doing the same.

That's the idea behind HF560, sponsored by Rep. Keith Downey (R-Edina). The bill would expand the use of so-called "forward pricing mechanisms" for fuel and other energy purchases to all government entities in the state.

The House State Government Finance Committee approved the bill Feb. 9 and referred it to the House Environment, Energy and Natural Resources Policy and

Finance Committee. A companion, SF1918, sponsored by Sen. Roger Chamberlain (R-Lino Lakes), awaits action by the Senate State Government Innovation and Veterans Committee.

Under current law, the ability to buy or sell future quantities of energy at a fixed price is granted specifically to the University of Minnesota and the Metropolitan Council. Although nothing technically prevents other governments and agencies from doing it, Downey said many are reluctant to do so without explicit permission.

Mike Berthelsen, the university's associate vice president of facilities management, said buying energy contracts mitigates the impact of marketplace volatility on the university's budget. In addition, he said the university saved roughly \$27.6 million on its natural gas purchases alone from 2002 to 2009.

"You're paying for price certainty, and you hope over the long term, like any good investment strategy that ... you will win financially as well," Berthelsen said.

In addition, the bill would establish an oversight process to provide for reviews of each government agency's use of forward pricing mechanisms.

Some committee members expressed concern about the review process, and about whether the bill would encourage small governmental units to try their hand at a process they don't fully comprehend.

"I'm just worried a little bit that we're going to end up with a proliferation of these programs out there with people who aren't really good at doing it," said Rep. Ryan Winkler (DFL-Golden Valley).

At Winkler's suggestion, Downey successfully amended the bill to specify that the Office of the State Auditor is responsible for developing the review process. Downey said he is open to other suggestions on tightening the bill's oversight provisions.

— N. BUSSE

Env. & Natural Resources

Options to combat invasive species

State spending to combat aquatic invasive species in fiscal year 2013 is expected to increase 18.5 percent to \$8.6 million.

Sponsored by Rep. Denny McNamara (R-Hastings), HF2153 includes a 21-day waiting period before placing a boat lift, dock or swim raft from one body of water into another; doubling civil penalties for continued violations of invasive species laws; and establishing a certification program to train inspectors to prevent the spread of aquatic species by July 1, 2015.

The House Environment, Energy and Natural Resources Policy and Finance Committee heard the long-term options for fighting aquatic invasive species from the Department of Natural Resources. No action was taken on the bill.

A companion, SF1839, sponsored by Sen. Bill Ingebrigtsen (R-Alexandria), awaits action by the Senate Environment and Natural Resources Committee.

DNR estimates to combat invasive species as zebra mussels and Eurasian milfoil range from \$8 million to \$11 million annually for boat self-inspection, to a \$550 million to \$600 million program for required boat inspections at all public and private accesses.

"These numbers are staggering," said Rep. Paul Anderson (R-Starbuck). Costs would largely be recouped by per-boat surcharges ranging from \$40 for the least expensive

solutions to \$2,300 for required inspections.

"With invasive species there are no silver bullets – you just don't stop them in their tracks," said Steve Hirsch, DNR director of ecological and water resources.

— B. GEIGER

Permit professionals bill advances

Permit applicant professionals could become part of the environmental project review process after the House Environment, Energy and Natural Resources Policy and Finance Committee approved HF2095 on Feb. 15.

Sponsored by Rep. Dan Fabian (R-Roseau), the bill also would allow companies to hire independent permit applicant professionals to help oversee projects and require state officials to identify permit deficiencies within 30 days.

DFLers objected to the bill because it could dramatically increase the amount of work for state officials. If passed, Pollution Control Agency officials would have to identify all faults in a permit application in 30 days – even if it is a complicated application that took years to develop.

Permit applicant professions would need to be licensed as an engineer by the state and have at least 10 years of experience in the type of permit that he or she is helping draft.

Rep. Denny McNamara (R-Hastings), said legislators are "naïve" if they think state agencies can't use help from the private sector.

Rep. Kate Knuth (DFL-New Brighton) noted that applications could be incomplete and that state employees would then have to spend time and money pointing out the shortcomings.

"Is the permit applicant professional's duty to the people of Minnesota or making sure the business that hired them doesn't get sued?" she said.

The bill now advances to the House Jobs and Economic Development Finance Committee. A companion, SF1567, sponsored by Sen. Bill Ingebrigtsen (R-Alexandria), awaits action by the Senate Finance Committee.

— B. GEIGER

Outdoor Heritage bill laid over

Questions over the structure of a \$14 million land acquisition near Brainerd has delayed the potential approval of almost \$100 million in Outdoor Heritage funding.

The House Legacy Funding Division voted to lay the bill over for further consideration. Division Chairman Rep. Dean Urdahl

(R-Grove City) said the bill is expected to be heard later in session.

Rep. Denny McNamara (R-Hastings) sponsors HF2086, which contains \$99.7 million in funding, including \$31.1 million for wetlands; \$24.6 million for prairie preservation; \$24.1 million for habitats; \$17.3 million for forests; and funding to fight aquatic invasive species.

"This is really an important bill," McNamara said.

Legislators were concerned about the structure of a proposed \$14 million Mississippi River Northwoods Habitat Complex Protection land purchase from Crow Wing County.

The deal, which avoids payment-in-lieu-of-taxes (PILT), raised questions from several legislators because the land would be donated back to Crow Wing County after the purchase.

Rep. David Dill (DFL-Crane Lake) said, "It seems we're getting more and more creative on how to avoid paying PILT."

The companion, SF1632, is sponsored by Bill Ingebrigtsen (R-Alexandria). It awaits action in the Senate Finance Committee.

— B. GEIGER

Health & Human Services

Childcare payment for dues passes

The House passed a bill Feb. 9 that would prevent union deductions from state child care assistance payments.

HF1766, sponsored by Rep. Kathy Lohmer (R-Lake Elmo), was passed 74-55 after a brief debate over when potential union dues would be paid by child care providers who may want to join a union. Child care providers support the bill, saying they could opt for direct payment of dues from their business checking accounts rather than garnishing their state reimbursement checks.

"No one testified against the bill," Lohmer said. "This money belongs to providers and they should do with it what they want."

Minnesota does not currently have a child care union, but Gov. Mark Dayton signed an executive order last November calling for an election. However, the vote was stalled when a Ramsey County judge issued a temporary restraining order.

DFL lawmakers said the bill is a solution to a problem that doesn't yet exist.

"This is about union power and union financing," said Rep. Steve Gottwalt (R-St.

Cloud), chairman of the House Health and Human Services Reform Committee. Child care providers said in committee that if such dues eventually become compulsory, some providers would stop taking subsidized low-income families.

The bill now goes to the Senate, where Sen. Ted Lillie (R-Lake Elmo) is the sponsor.

— S. HEGARTY

Essential health benefits criticized

With less than two years before individuals and employers choose new coverage plans as directed by the federal Affordable Care Act, legislators are trying to wade through how new required services will impact health care costs.

One step along the process is creating packages that include a list of 10 essential health benefits. These EHBs must include: ambulatory patient services; emergency services; hospitalization; maternity and newborn care; mental health and substance abuse treatment; prescription drugs; habilitative and rehabilitative services and devices; laboratory services; preventive and wellness services, including chronic disease management; and pediatric care that includes oral and vision care. Many current coverage policies don't include pediatric oral and vision care services.

Dr. James Golden, Department of Human Services' deputy assistant commissioner, told the House Health and Human Services Reform Committee Feb. 8 that Minnesota will be expected to adopt a "benchmark plan" that would serve as a floor for health care coverage. If a state chooses not to select one of four federal benchmark health plans, the state's benchmark plan will become the largest plan by enrollment in the largest product within the state's small group market.

Amy Monahan, a University of Minnesota Law School associate professor, said the benchmark package should cover the 10 categories, but not every service available within each category is required coverage. Monahan was one of 18 people nationally who studied and developed policy, criteria and methods for defining and updating the EHB.

The initial package should be developed with cost targets, such as a national average premium, she said. Think of grocery shopping. Rather than going down the aisles and putting products in your cart, only to find out you can't afford to pay the total amount at checkout, "It would be better to shop with a budget," and selectively make tradeoffs, as difficult as those choices might be, she said.

Republican committee members were

critical of the federal EHB process, which is proposed in a Dec. 16, 2011, Essential Health Benefits Bulletin published by the Center for Consumer Information and Insurance Oversight.

"This is an unproven experiment with no guarantee of medical results," said Rep. Glenn Gruenhagen (R-Glencoe).

Rep. Tina Liebling (DFL-Rochester) said although she is not "totally sold," the federal Affordable Care Act is the future of health care; a lot of other countries successfully offer government-run health care.

Rep. Mary Kiffmeyer (R-Big Lake) replied, "Be careful about other countries as role models. Many of them are going bankrupt."

— S. HEGARTY

Sex offender discharge reviewed

Clarence Opheim, a convicted sex offender who was civilly committed to the Minnesota Sex Offender Program, has been granted a provisional discharge by the courts.

Why decision-makers supported Opheim's provisional discharge was the topic of a House Health and Human Services Reform Committee hearing Feb. 15.

Human Services Commissioner Lucinda Jesson explained the difference between being "released" and a "provisional discharge," which will require Opheim to move to a halfway house where he'll have round-the-clock GPS monitoring; require an escort if he leaves the house; and be required to submit to urinalysis, polygraphs and outpatient treatment. In all, there are 32 conditions he must follow. He likely will remain under these provisions for his lifetime, unless he seeks and receives another hearing and is subsequently awarded a full release by the courts. That's not likely, according to Hennepin County Prosecutor George Widseth.

Jesson supported Opheim's provisional discharge after extensive consultation and review of the facts, she said. Some committee members asked whether Jesson's support was politically motivated, in light of a complaint filed in federal district court by clients at the Moose Lake sex offender treatment facility. The plaintiffs allege that conditions of their confinement are a disincentive to participating in treatment. Jesson denied any political motivation.

"For now, the law on the books must be followed," Gov. Mark Dayton wrote in a Feb. 8 letter to House Republican leaders. "The previous administration was able to keep all of these individuals confined indefinitely and avoid these extremely



PHOTO BY ANDREW VONBANK

From left, Dennis Benson, executive director of the Minnesota Sex Offender Program; Human Services Commissioner Lucinda Jesson; and George Widseth, a prosecutor in the Hennepin County Attorney's Office, provide a provisional discharge process review before the House Health and Human Services Reform Committee Feb. 15.

difficult decisions. In light of the aforementioned litigation, my administration does not have that option."

However, committee members shared a concern that a provisional release "outside the razor wire" does not require residents in the community where the offender will live to be notified. That's a policy issue the committee should consider, said Rep. Duane Quam (R-Byron).

Rep. Glenn Gruenhagen (R-Glencoe) said stronger laws are necessary to stop "feeding people into this program." He suggested locking the worst sex offenders behind bars with no chance of parole or instituting the death penalty.

— S. HEGARTY

Health care transparency focus

Amid allegations of fraud within the Department of Human Services in 2010 and the resulting demand for more transparency in public health care costs and payments, the House Health and Human Services Finance and Reform committees held a joint hearing Feb. 14. No action was taken. Public healthcare is nearly a \$7 billion biennial cost to state taxpayers.

Dave Feinwach, former general counsel for the Minnesota Hospital Association who was fired after raising DHS impropriety allegations, showed a series of emails, depositions and other handouts to support his theory that a DHS employee improperly

leveraged federal funds to pay for state health care costs. He also alleges that a \$30 million "donation" from UCare, a non-profit health care provider for contracted state programs, was used to help balance the state budget. The donation was essentially a refund for overpayment of Medical Assistance payments and should have been split with the federal government, he said.

DHS Commissioner Lucinda Jesson defended UCare's "donation."

"To be a repayment, you'd have to ask for it."

She said she could not find anything in the contracts to warrant HMOs legal obligation to refund DHS for excess revenues.

A federal investigation of DHS resulted. Jesson has implemented several changes to previous practices in question. Legislators are also planning to introduce bills that would address issues raised by Feinwach.

"There is legislation already jacketed. I think we will see substance coming away from this session," promised Rep. Steve Gottwalt (R-St. Cloud), chairman of the reform committee.

Some of the issues that legislators want to address include:

- setting limits on HMO's risk management reserves;
- providing better analytic tools to drive down administrative costs; and
- determining why overpayment occurs.

"Let's think not just where we are, where

we've been, but where we want to go," Jesson said. She didn't believe there was fraud but did think there was room to better negotiate contracted rates and to leverage more federal healthcare dollars. She added a department of inspector general, negotiated caps on 2011 HMO contracts and made them enter into a competitive bid process with public healthcare providers.

"We've made a fundamental shift in the way we do business with health plans, but we're not done," Jesson said.

Geoff Bartsh, vice president of public policy and government relations at Medica, said HMOs are required to provide data at both the state and federal levels and are routinely audited, but there is room for more efficiency among the reporting agencies.

— S. HEGARTY

Housing

Subsidized renters fees

Those renting under a federally subsidized program would see their interest rate on late fees come down from the current 8 percent to correspond with the federal standard, under a bill approved 133-0 by the House Feb. 13.

HF1515 would take care of an "inadvertent oversight when state statutes were updated in 2010," according to the bill's sponsor, Rep. Mary Liz Holberg (R-Lakeville).

The bill would allow landlords operating a lease under a federally subsidized tenancy program to charge late fees, but on a schedule consistent with that of federal guidelines.

It would also delay the effective dates on provisions related to tenant evictions in a foreclosed property from Jan. 1, 2013, to Jan. 1, 2015.

The bill now goes to the Senate where Sen. Scott Newman (R-Hutchinson) is the sponsor.

— L. SCHUTZ

Local Government

Making budgets less confusing

If you were to ask your city or county for an explanation of how they spend your tax dollars, they might hand you a 300- or 400-page budget document. Rep. Keith Downey (R-Edina) thinks that's too much information for the average citizen.

Downey sponsors HF1954 that would require counties and cities with

populations of more than 2,500 to publish a concise breakdown of their revenues and expenditures. He envisions a one- or two-page document that embodies a "citizen-centric" view of budgeting.

"Citizens, I think, really struggle to understand what is driving their property tax increases," Downey said. "Budget documents that are produced by local governments tend to be ... largely unintelligible to the average citizen."

The House Government Operations and Elections Committee approved the bill Feb. 14.

Under the bill's provisions, the affected local governments would have to publish four years' worth of budget information broken down by "function" (i.e. public works, public safety, general administration) and "object code" (i.e. salaries, benefits, capital costs, debt service, etc.).

Supporters include Paul Reinke, a real estate developer and Oakdale city councilman who said the bill would help citizens engage in a more meaningful way with their local governments.

"This data is already in the city financial systems, and this is about organizing it in a different manner," Reinke said.

Opponents said the bill would create a new unfunded mandate at a time when

lawmakers are trying to reduce them. They also said having a single set of reporting requirements ignored the fact that different communities have different needs and unique ways of doing things.

"It's not a proper comparison; it's not going to tell the whole story," said Susan Iverson, finance and administrative services director for the City of Arden Hills.

Scott County Auditor-Treasurer Cindy Geis said the information required by the bill wouldn't provide enough context for residents to understand where their tax dollars are going and what they're getting for them.

Approved on an 8-6 party-line vote, the bill now moves to the House State Government Finance Committee. Sen. Ted Daley (R-Eagan) sponsors the companion, SF1741, which awaits action by the Senate Local Government and Elections Committee.

— N. BUSSE

Military & Vet. Affairs

Expanded program approved

A broader spectrum of veteran-owned construction firms would be able to bid on state road projects and receive up to a 6 percent bid preference under a bill approved Feb. 13 by the House Veterans Services Division.

DAY ON THE HILL



PHOTO BY PAUL BATTAGLIA

Keith Christofferson of Brooklyn Center and Pam Thomas of Minneapolis have front-row seats during the Mental Health Day on the Hill rally in the Capitol Rotunda Feb. 14. The rally, sponsored by the Mental Health Legislative Network, a coalition of about 20 Minnesota mental health organizations, was part of the day's activity where supporters spoke to legislators about the importance of mental health funding.

Sponsored by Rep. Bob Dettmer (R-Forest Lake), HF1821 would allow veteran-owned professional and technical firms to participate in the program, in addition to construction laborers. The bill, as amended, now moves to the House Transportation Policy and Finance Committee.

Representatives of the Association of the United Veterans Legislative Caucus and the Department of Transportation spoke in favor of the bill.

"We've been working on this bill for several years," said Ralph Donais, UVLC chairman. "The current bill, in the format that we have it in now ... opens the whole job to the veterans. It used to say the veteran gets to put gravel down and concrete over it. Now it opens it up to design, drafting, all the different phases of a job."

A report to the Legislature would be due by Feb. 1 every other year regarding the biennial number and amount of contracts offered under the program. Counties also would have the ability to offer the program.

Sen. Al DeKruif (R-Madison Lake) sponsors SF1597, a companion bill which was also approved Feb. 13 as amended by the Senate State Government Innovation and Veterans Committee and sent to the Senate Transportation Committee.

— S. HEGARTY

Division approves more tax credits

The number of military retirees eligible to receive individual income tax credits would expand under a bill approved by the House Veterans Services Division Feb. 13.

Current law grants military retirees with at least 20 years of service or who are 100 percent totally and permanently disabled up to a \$750 individual income tax credit. Sponsored by Rep. Bob Dettmer (R-Forest Lake), HF1452 would also allow veterans to qualify if they are medically discharged with fewer than 20 years of service and if they qualify for a military pension.

Due to the downsizing of the U.S. military, some veterans are forced to retire prior to 20 years of service. So, those who receive a pension under the operative military reduction order would also qualify for the tax credit. Spouses of deceased veterans who receive a military pension under the Survivor Benefit Payment program would also be eligible. The credit would be effective beginning with the 2012 tax year.

About 1,100 of the 14,000 military retirees may qualify for the credit, according to Ralph Donais, chairman of the United

Veterans Legislative Council of Minnesota.

The bill was referred to the House Taxes Committee. Sen. John Carlson (R-Bemidji) sponsors SF1643, a companion bill awaiting action by the Senate State Government Innovation and Veterans Committee.

The division also approved and sent to the tax committee HF1820, sponsored by Dettmer, which would raise the income tax credit eligibility from those who earn less than \$37,500 to \$45,000. However, the credit would be incrementally reduced, adjusting for the rise in gross income level until the maximum was met. Sen. Jeremy Miller (R-Winona) sponsors SF1794, a companion bill awaiting action by the Senate Taxes Committee.

— S. HEGARTY

Public Safety

Motor vehicle tampering penalty

For offenders who repeatedly tamper with motor vehicles or commit related offenses, the penalty is worth the risk.

That was the message Duluth Police Chief Gordon Ramsay shared Feb. 9 with the House Judiciary Policy and Finance Committee.

He spoke in support of HF1043, which would establish a gross misdemeanor penalty for those who have been previously convicted or adjudicated delinquent at least two other times for motor vehicle tampering, vehicle theft, receiving stolen property, possession of burglary or theft tools or criminal damage to property.

Sponsored by Rep. Kerry Gauthier (DFL-Duluth), the committee approved the bill and sent it to the House floor. A companion, SF948, sponsored by Sen. John Harrington (DFL-St. Paul), awaits action by the Senate Judiciary and Public Safety Committee.

Under current law, unless there is an aggravating factor — such as damage or theft over a certain amount — it's only a misdemeanor to break into someone's vehicle. Ramsay said that means the cops write a ticket for motor vehicle tampering and the offender is released.

"We have had individuals do auto burglaries up to 40 times and face the same misdemeanor consequence," Ramsay said. "This is probably the most common property crime of residences throughout the state."

"Merely pulling on the door handle is not enough to be tampering, so it really is taking an additional step to get into the vehicle,"

said Rep. Debra Hilstrom (DFL-Brooklyn Center).

— M. COOK

Reporting benefit card fraud

Electronic benefit transfer cards are designed to help people in financial distress meet their everyday needs, but there is concern abuse could be happening.

Sponsored by Rep. Sarah Anderson (R-Plymouth), HF1956 would require a peace officer to report to their department every time they arrest someone who possesses multiple EBT cards. The Department of Human Services must then be notified and can use the information when assessing the person's continued benefit eligibility.

"It's about making sure that we maintain the program integrity," Anderson said. "This is just an attempt to make sure that we are not operating in silos, but instead communicating with one another so we make sure that fraud is not being committed and that the precious resources that we have can be dedicated to those individuals that need the help."

The bill was approved by the House Public Safety and Crime Prevention Policy and Finance Committee on a split-voice vote and sent to the House Health and Human Services Reform Committee.

We don't really know how much this occurs, but we want to work more collaboratively with local law enforcement and attorneys' offices, said Jerry Kerber, head of the department's Office of Inspector General.

Rep. Kurt Daudt (R-Crown) said a jailer told him this is a problem. "He indicated that almost everybody that comes into the jail has multiple EBT cards. He's been experiencing a problem where he reports it to his superiors and nothing ever happens."

Rep. Rena Moran (DFL-St. Paul) expressed concern about how this could affect a recipient who, for example, gives their card to someone else who happens to be going to the supermarket and asks them to pick up a few things. "There could be many reasons why a person could possess more than one card," she said.

A companion, SF1598, sponsored by Sen. Scott Newman (R-Hutchinson), awaits action by the Senate Judiciary and Public Safety Committee.

— M. COOK

Seeking to demonstrate silencers

Chris Stafford has a problem. The federally licensed firearm dealer in Stewartville can sell silencers; however, state law prohibits him from having the item on hand to demonstrate its capability.

"For us, as manufacturers, to sell a product in the state of Minnesota we have to be really good salespeople because they have to take our word on that product," he said. "It handicaps me in my trade."

Sponsored by Rep. Mike Benson (R-Rochester), HF1816 would allow federally licensed dealers, manufacturers or importers to possess firearm silencers for the purpose of selling them for authorized activities. Under current state statute, the possession and use of firearm silencers is prohibited, although an exception is made for certain law enforcement and wildlife control activities.

The bill was approved Feb. 9 by the House Public Safety and Crime Prevention Policy and Finance Committee — on a voice vote that appeared to be along party lines — and sent to the House floor. It has no Senate companion.

"The origin is actually coming from the manufacturers, dealers and importers to make sure that they have a level playing field to legally sell to entities that are able to purchase them: law enforcement and the DNR," Benson said.

Committee Chairman Rep. Tony Cornish (R-Vernon Center) said the bill has neither been officially supported nor opposed by law enforcement associations.

"I don't see anyone here, a law enforcement officer, saying that there is a need," said Rep. Rena Moran (DFL-St. Paul).

The bill explicitly states that the proposed change is not intended to allow personal use of silencers. Thirty-four states allow citizens to own suppressors.

Stafford said if he were to sell a silencer to someone for personal use he could face prison time, a hefty fine and the loss of his license to sell.

Also approved by the committee and sent to the House floor was HF1984. Sponsored by Rep. Peggy Scott (R-Andover), it would authorize a federally licensed firearms manufacturer to possess and use silencers "exclusively for the purposes of testing firearms manufactured" for law enforcement and military agencies. Its companion, SF1798, sponsored by Sen. Gretchen Hoffman (R-Vergas), awaits action the the Senate Judiciary and Public Safety Committee.

— M. COOK

State Government

Auditor: fiscal notes not perfect

The fiscal notes on which lawmakers rely for estimating the cost of proposed legislation aren't always transparent and reliable, a new report finds.

Fiscal notes are documents produced by state agencies to estimate the financial impact of bills before the Legislature. Since 1974, they have played a key role in the legislative process.

In its new report, the Office of the Legislative Auditor finds that while most fiscal notes are based on "plausible assumptions," many lack transparency. A minority have also been found to contain "debatable assumptions" or outright errors. For example, in one case a simple omission resulted in a fiscal note understating the cost of a bill by as much as \$25 million.

"Fiscal notes — at least some of them — have gotten a bad reputation," said Legislative Auditor James Nobles. He and his staff presented the report to the House Ways and Means Committee Feb. 13. No action was taken.

Last year, some lawmakers accused agencies of producing biased or inaccurate fiscal notes in an attempt to thwart the passage of certain bills. OLA found no evidence of this in any of the fiscal notes they examined; however, they said the fiscal note process has other problems.

Joel Alter, a program evaluation coordinator with the office, said agencies have admitted putting minimal effort into calculating fiscal notes for legislation they believe is unlikely to be passed. He said they have also had difficulty estimating the proposed cost savings of bills designed specifically to cut costs.

"We observe that agencies have struggled to estimate savings for bills that propose large-scale reforms or proposals that have little or no precedent," Alter said.

The report makes several recommendations, including:

- ensuring that agencies clearly explain the assumptions and calculations in their fiscal notes;
- more effective communication between legislators and agencies regarding the intent and language of bills; and
- a greater effort to include the likely impact on local entities in fiscal notes.

Nobles emphasized that the fiscal note process is important and should be improved, not abandoned.

"Fiscal notes are only advisory, and you can disregard them," Nobles said. "But I would hope that's not the road we go down."

— N. BUSSE

Trash debate raises stink

An argument over who should collect garbage in the Capitol Complex opened up a much bigger debate over whether state agencies should be allowed to outsource state jobs.

House Government Operations and Elections Committee members took up HF1812, a bill that would allow the Department of Administration to outsource trash and recycling collection duties in the State Capitol area. The committee approved the bill Feb. 9 and sent it to the House floor.

That work is currently performed by two department employees using a rented garbage truck. Rep. Kirk Stensrud (R-Eden Prairie), the bill's sponsor, said he doesn't think it makes sense for the state to have employees dedicated to picking up trash at a handful of state buildings.

He said it would make more sense to let the agency outsource that work to a professional waste-hauling company; however, he noted that the bill's language was permissive, so that layoffs would not necessarily be required.

"It's not my intention to get rid of employees, but I think this bill will allow the Department of Administration to have freedom and flexibility in future years," Stensrud said.

Opponents said the bill would set a dangerous precedent.

Under current law, the department cannot contract out work if there are state employees capable of performing it. Julie Bleyhl, a lobbyist representing AFSCME Council 5, said the bill would chip away at that statute, which she said protects state workers.

She also suggested it might not be a good idea to have a private company handling "potentially sensitive material" discarded by state agencies. She said the bill amounted to micromanaging.

Stensrud disagreed, saying it was the statute itself that was micromanaging the department's work.

"I think this is an option we would like to give the Department of Administration," he said.

A companion, SF1846, sponsored by Sen. Paul Gazelka (R-Bainard), awaits action by the Senate State Government and Innovation Committee.

— N. BUSSE

MORRIS THE LORIS

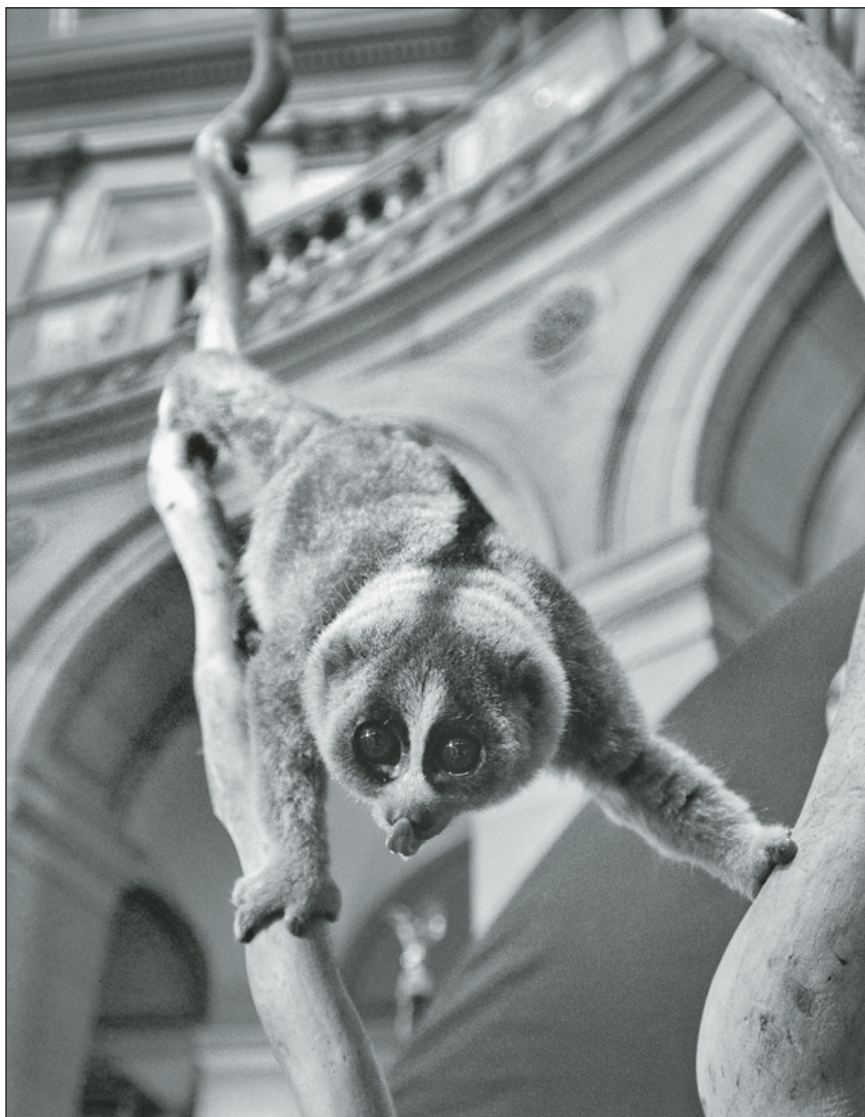


PHOTO BY ANDREW VONBANK

A slow loris performs slow acrobatics in the Capitol Rotunda Feb. 8. The primate was on display, along with other animals, as part of Minnesota Zoo Day at the Capitol.

The bill was held over Feb. 9 for possible omnibus bill inclusion.

According to a Department of Revenue fiscal analysis, staffing costs and per diem for the one-year commission would range anywhere from \$141,000 to \$889,000 depending on office space, number and type of staff and outside consulting services.

Rep. Melissa Hortman (DFL-Brooklyn Park) said the responsibility for studying tax policy belongs with the tax committee and this could be a duplication of effort.

Rep. Diane Loeffler (DFL-Mpls) agreed, adding that many times legislative reports end up sitting on a library shelf and are not acted upon.

Representatives from the Minnesota Chamber of Commerce and the Minnesota Business Partnership spoke in favor of the bill.

The companion, SF1712, sponsored by Sen. Gretchen Hoffman (R-Vergas), awaits action by the Senate State Government Innovation and Veterans Committee.

— L. SCHUTZ

Credits for venture capital

Early-stage, high-risk startup companies in Minnesota might have access to a larger pool of venture capital, under a bill that won House committee approval.

Sponsored by Rep. Keith Downey (R-Edina), HF1823 would establish a "Minnesota Business Investment Company" (MBIC) credit program. It proposes up to \$100 million of tax credits to incentivize insurance companies to invest part of their reserves in venture capital firms that fund Minnesota-based startups.

The House Jobs and Economic Development Finance Committee approved the bill Feb. 9 and referred it to the House Taxes Committee.

Similar programs already exist in 12 states, where they are commonly known as CAPCO (Certified Capital Companies) programs. Downey said the bill would help level the playing field with these other states.

"This would incentivize investment to the small business world," Downey said. "It would do so not just through a credit to the investors, but by incentivizing insurance companies to allocate a portion of their reserves in their investment strategy to small businesses in Minnesota."

In addition, the bill would expand the state's current angel investment credit program by increasing the annual limit from \$12 million to \$20 million; repealing

Taxes

Tax reform could go to commission

Minnesota's complicated tax structure lacks transparency and is in need of reform, according to Rep. Jenifer Loon (R-Eden Prairie), who proposes a commission with the goal of simplifying the code and making it more fair and equitable to all Minnesotans.

While there have been several attempts to overhaul the tax system, Loon thinks her approach would actually spur change because the commission would be directly accountable to the Legislature.

HF1822, which Loon sponsors, calls for a

15-member commission with three members appointed by the governor and six each from the House and Senate. It would include legislators, executive branch members and private citizens. The commission would be charged with evaluating the state's tax system and presenting recommendations to the Legislature by March 1, 2013. A draft bill implementing changes would then be ready for introduction in the 2014 session.

"Our tax structure is very discouraging to businesses," Loon told the House Taxes Committee, noting many studies point to the state not being competitive with its tax structure. The need for change is clear, she said.

minimum wage requirements for recipients; improving public disclosure; and tightening eligibility requirements.

Jeff Nelson, who coordinates the angel investor credit program for the Department of Employment and Economic Development, said that in just a year and a half, the program has spurred \$92 million of investment. In 2011 alone, 113 businesses were funded by investors utilizing the credit.

"There are a number of types of companies that are receiving the money, but the most common industry types are medical devices, software, biotech and clean tech," Nelson said.

Rep. Tim Mahoney (DFL-St. Paul) questioned why the state was giving tax breaks to insurance companies. If venture capital investing is such a good idea, he asked why the state doesn't just invest in its own pension funds and keep the potential profits.

Downey replied that he did not necessarily oppose that idea, but said he thought it was a separate issue. He noted that Wisconsin's public pension fund includes more high-risk investments than Minnesota's.

Sen. Geoff Michel (R-Edina) sponsors the companion, SF1774, which awaits action by the Senate Jobs and Economic Growth Committee.

— N. BUSSE

Pitting renters against businesses

Renters may be called upon to pay for the phase out of the state commercial-industrial property tax, according to opponents of a bill that would make several changes to the state's tax code.

Minnesota is only one of 10 states that provides an unqualified renters credit, according to House Taxes Committee Chairman Rep. Greg Davids (R-Preston). The credit should be reduced, he said, to more adequately reflect the actual amount reflective of property taxes paid by the property owner.

He brought his proposal (HF1914) before the committee Feb. 14 for discussion purposes only. The bill's companion, SF1596, sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits action by the Senate Taxes Committee.

The bill would reduce the renters' refund from 17 percent to 15 percent starting with tax year 2011. Additionally, it would create a separate refund table for senior and/or disabled renters and modify the maximum income eligibility requirements.

Last year's tax law lowered the renters credit refund percentage from 19 percent.

The proposed change would help fund the phase out of the state's General Levy (the commercial-industrial property tax), Davids said. This would "lower the cost of doing business in the state, so that it becomes more competitive."

However, testifiers, including Steve Peterson representing the Coalition of Greater Minnesota Cities, are concerned that, while in this biennium, the move would be paid by changes to the renters refund, the bill does not specify how the "hole" to the state's revenue would be filled in later years.

Several DFL members said renters should not bear the burden of reducing property taxes for businesses.

"It's a sad commentary on what's happening in this state," said Rep. Michael Paymar (DFL-St. Paul). "When we take it from the poor; when we take it from the disabled, there's something about our priorities here

that are really getting screwed up."

The bill would also conform the state to the federal increase in the standard deduction for married filers in tax year 2012 and retain it at the state level regardless of federal changes in the future.

It would also increase the homeowner property tax refund maximums and freeze city local government aid payments at 100 percent of pay 2012 amounts.

— L. SCHUTZ

Transportation

Creating the 'Black and Yellow Trail'

A southern Minnesota highway that extends from South Dakota to Wisconsin could get its old designation back.

Sponsored by Rep. Kim Norton (DFL-

SNOW DAY

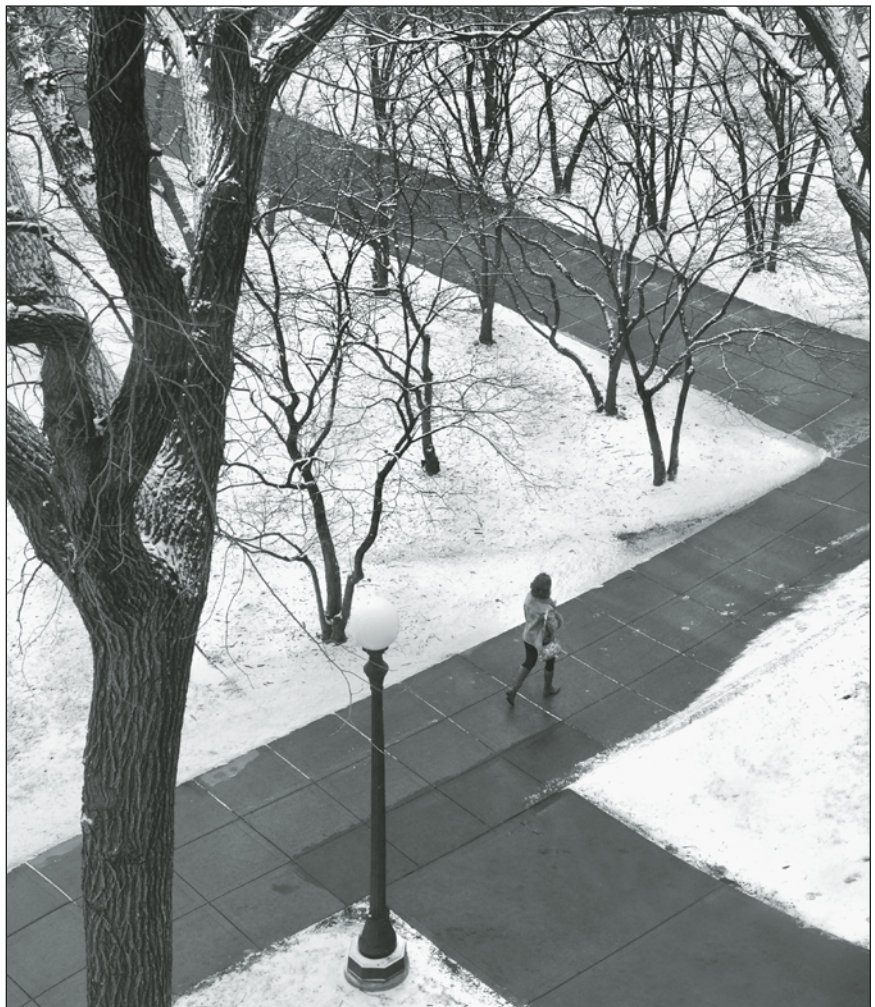


PHOTO BY ANDREW VONBANK

The grounds around the State Office Building are covered with a rare, and short-lived, dusting of snow Feb. 14.

Rochester), HF39 would again designate Trunk Highway 14 as the “Black and Yellow Trail.”

“Back in 1917 it was designated as such, and somewhere along the line ... it had fallen by the wayside,” Norton said.

The bill was held over Feb. 13 by the House Transportation Policy and Finance Committee for possible omnibus bill inclusion. A companion, SF1063, sponsored by Senate Majority Leader Dave Senjem (R-Rochester), awaits action by the Senate Transportation Committee.

Historian Ray Ricketts said the stretch is part of an early highway between Chicago and Yellowstone Park, called the “Black and Yellow Trail.”

“This is a piece of our state’s history that still closely follows its original alignment,” he said.

The Department of Transportation would be directed to design and erect signs signifying the designation; however, the signs must be paid for through non-state funding sources. Ricketts envisions signage near the respective state borders and where Highway 14 and Interstate 35 meet in Owatonna. Norton said South Dakota already designates this roadway.

Rep. Terry Morrow (DFL-St. Peter) isn’t concerned about what the road is called; rather its safety, especially where there has been talk of expanding the highway from two to four lanes.

“Given the fatality record of Highway 14 in Nicollet County, my constituents want to know not what am I doing about signage, but what am I doing about safety,” he said, adding that 220 crashes have occurred on the road in the past five years in his district, seven of them fatal. “I find it very difficult to vote for a bill putting signs on a road where we need to improve the safety of the road.”

— M. Cook

Omnibus policy bill proffered

Speed limit violations, online driver’s education training and dollars for organ donation are part of a proposed omnibus transportation policy bill.

Sponsored by Rep. Mike Beard (R-Shakopee), HF1284 is mostly what was proposed in last session’s omnibus bill (HF1068) that was awaiting floor action when session concluded.

Approved Feb. 8 by the House Transportation Policy and Finance Committee, the latest version was sent to

the House Government Operations and Elections Committee.

Potentially the most controversial part would prohibit speed limit violations of up to 10 mph over the limit in 55 mph and 60 mph zones from going on a driver’s record. Currently, a ticket does not appear on someone’s driving record if the person was driving up to 10 mph over the speed limit in a 55 mph zone, or 5 mph over the limit in a 60 mph zone.

“This is not good public safety policy,” said Rep. Frank Hornstein (DFL-Mpls). “Any kind of inference that it’s OK to go over the speed limit is problematic.”

Representatives from the state patrol and the Department of Transportation also spoke against the provision, saying, in part, the idea sends the wrong message about traffic safety laws.

“The ability to write tickets and enforce traffic laws is not impeded in the least,” Beard said, adding he’s only trying to help keep people’s insurance costs down. “I’m in favor of cutting people a little slack there.”

Sponsored by Rep. Dean Urdahl (R-Grove City), a standalone bill for this (HF537) was passed 111-20 by the House last session, but didn’t go anywhere in the Senate.

Other provisions in the bill include:

- allowing a person under age 18 to complete the classroom portion of driver’s education online through a program approved by the Department of Public Safety;
- allowing payment of driver’s license and identification card fees by credit or debit card, and authorizing driver’s license agents to impose a convenience fee;
- expanding the authority for buses to operate on freeway or expressway shoulders so that counties and towns having jurisdiction over the road can authorize the buses; and
- requiring the Driver and Vehicle Services Division of the Department of Public Safety to include a mechanism for vehicle owners to donate \$2 for organ donation educational programs as part of an in-person payment of vehicle registration taxes.

— M. Cook

Ensuring funding in a shutdown

A remedy could be established in the event legislators cannot agree on a plan to fund state roads maintenance and construction.

The House Transportation Policy and Finance Committee is expected to vote on HF1971 at its Feb. 20 meeting.

The bill would appropriate money from the Trunk Highway Fund to the Department of Transportation to cover contract costs and essential employees needed for contract administration for state road construction; road maintenance and operations; and program planning and delivery, such as preliminary engineering or project management.

The constitutionally dedicated funds come primarily from three highway user taxes: motor fuels, vehicle registration and the sale of motor vehicles.

“Because of the unusual situation last summer, we had work actually suspended, and one of the reasons given was there as no authority to expend funds on contracts that had already been signed, had already been vetted and had already been awarded,” Committee Chairman Rep. Mike Beard (R-Shakopee), the bill sponsor, said at the Feb. 13 meeting.

“The bill basically allows contracts that have already been let to continue operation and authorize the commissioner from (Minnesota) Management & Budget to have access to money to continue the contracts that are already in force.”

Tim Worke, director of the Transportation and Highway/Heavy Division for the Associated General Contractors of Minnesota, spoke in support of the bill.

“Construction is inherently schedule-driven and in this state we have a severely climate-shortened construction season,” Worke said. “When you disrupt that sequencing, there is significant repercussion downstream and throughout the schedule of the project.”

A combination of sequencing and the state government shutdown cost O’Malley Construction about 45 percent of its business in 2011, said Lori O’Malley, the company president. They subsequently had to lay off five employees _ about 23 percent of their workforce.

“The courts don’t understand what is essential in Minnesota,” said Rep. Mark Murdock (R-Ottertail).

A companion, SF1530, sponsored by Sen. Joe Gimse (R-Willmar), was scheduled to be heard Feb. 16 by the Senate Transportation Committee.

— M. Cook

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BILL INTRODUCTIONS

FEBRUARY 8 - 16, 2011

HOUSE FILES 2085 - 2343

Wednesday, Feb. 8

HF2085-Beard (R)

Transportation Policy & Finance

Publicly owned airports capital improvements funding provided, bonds issued and money appropriated.

HF2086-McNamara (R)

Environment, Energy & Natural Resources Policy & Finance
Outdoor Heritage fund money appropriated and requirements modified.

HF2087-LeMieur (R)

Commerce & Regulatory Reform
State Building Code changes made.

HF2088-Winkler (DFL)

Redistricting
Legislature; various reforms enacted.

HF2089-Bills (R)

Taxes
Apple Valley; creation of tax increment financing district authorized.

HF2090-Mack (R)

Taxes
Apple Valley; tax increment financing use authorized and authority extended.

HF2091-Anzelc (DFL)

Environment, Energy & Natural Resources Policy & Finance
Itasca County; private sale of tax-forfeited lands provided.

HF2092-Anzelc (DFL)

Agriculture & Rural Development Policy & Finance
Cellulosic biofuel facilities environmental review requirements modified.

HF2093-Sanders (R)

Jobs & Economic Development Finance
Independent contractor employee classification clarified and contractor registration pilot project provided.

HF2094-Norton (DFL)

Health & Human Services Finance
Minnesota health care program provider requirements modified for critical access dental provider clinics.

HF2095-Fabian (R)

Environment, Energy & Natural Resources Policy & Finance
Environmental permitting efficiency provided, and environmental review requirements modified.

HF2096-Anderson, P. (R)

Environment, Energy & Natural Resources Policy & Finance
Glenwood; flood hazard mitigation grant funding provided, bonds issued and money appropriated.

HF2097-Peppin (R)

Health & Human Services Reform
Child care accreditation provisions modified.

HF2098-Dill (DFL)

Environment, Energy & Natural Resources Policy & Finance
Public lands expedited exchange restrictions modified.

HF2099-Peppin (R)

Transportation Policy & Finance
Maple Grove transit station, phase 2 parking expansion funding provided, bonds issued and money appropriated.

HF2100-Kriesel (R)

Veterans Services Division
Veterans and spouses of a disabled or deceased veteran hiring and promotion preference by private employer permitted.

HF2101-Kath (DFL)

Transportation Policy & Finance
Steele County highway operations complex funding provided, bonds issued and money appropriated.

HF2102-Benson, M. (R)

Transportation Policy & Finance
Farm trucks USDOT number requirements changed.

HF2103-Lohmer (R)

Health & Human Services Reform
Abortions prohibited when fetal heartbeat is detected.

HF2104-Champion (DFL)

Environment, Energy & Natural Resources Policy & Finance
Minneapolis; 26th Avenue North Parkway funding provided, bonds issued and money appropriated.

HF2105-Anzelc (DFL)

Environment, Energy & Natural Resources Policy & Finance
Wetland replacement requirements modified.

HF2106-Winkler (DFL)

Education Finance
Perpich Center for Arts Education funding provided, bonds issued and money appropriated.

HF2107-Laine (DFL)

Government Operations & Elections
City charter commission expenses payment provided.

HF2108-Hancock (R)

Jobs & Economic Development Finance
Northland Regional Sports Center funding provided, bonds issued and money appropriated.

HF2109-Hancock (R)

Education Finance
Independent School District No. 38, Red Lake; facility construction and renovation funding provided, bonds issued and money appropriated.

HF2110-McDonald (R)

Health & Human Services Reform
Long-term care consultation requirements modified for prospective housing with services residents.

HF2111-Melin (DFL)

Judiciary Policy & Finance
Court of Appeals judges' residential eligibility requirements amended, and chief judge of the Court of Appeals directed to redesignate judges consistent with new eligibility requirements.

HF2112-Melin (DFL)

Judiciary Policy & Finance
Court of Appeals housing and mileage expense reimbursement allowed for judges living more than 50 miles from their permanent chambers.

HF2113-Abeler (R)

State Government Finance
Legislature; fiscal notes and revenue estimates information provisions modified.

HF2114-Abeler (R)

Transportation Policy & Finance
Pedestrian bridges and overpasses over trunk highways temporary signage provided.

HF2115-Abeler (R)

Transportation Policy & Finance
Trunk Highway 47 county maintenance authorized.

HF2116-Abeler (R)

Health & Human Services Reform
Patient health records copy fee prohibition provision removed, hospital safety survey information public report required, Department of Health's economics program transferred to the Department of Commerce, commissioner of health required to study possible effects of allowing for-profit HMOs to operate in the state, and patient health information release requirements modified.

HF2117-Abeler (R)

Health & Human Services Reform
Health occupation complaint processes modified, and licenses prohibited to individuals with felony-level sexual conduct convictions.

HF2118-Abeler (R)

Education Reform
K-12 education income subtraction and credit modified to apply to fees charged for extracurricular activities.

HF2119-Quam (R)

Government Operations & Elections
City's power of eminent domain outside of the city limited.

HF2120-Quam (R)

Civil Law
Personnel data sharing required by government entities except where otherwise restricted.

HF2121-Cornish (R)

Public Safety & Crime Prevention Policy & Finance
Right of individuals to keep and bear arms for defense of life and liberty and for all other legitimate purposes protected as fundamental; constitutional amendment proposed.

HF2122-Carlson (DFL)

Transportation Policy & Finance
Bottineau Boulevard Transit Way corridor funding provided, bonds issued and money appropriated.

HF2123-LeMieur (R)

Taxes
Property tax late payment penalties modified.

HF2124-Nelson (DFL)

Higher Education Policy & Finance
North Hennepin Community College; Bioscience and Allied Health Careers addition funding provided, bonds issued and money appropriated.

HF2125-Melin (DFL)

Jobs & Economic Development Finance
Renewable solar energy systems funding provided, bonds issued and money appropriated.

HF2126-Mariani (DFL)

Education Reform
State regulation exemption provided for schools.

HF2127-Myhra (R)

Education Reform
Online learning parameters modified and digital learning provided.

HF2128-Quam (R)
Health & Human Services Reform
Emergency medical personnel licensed.

HF2129-Torkelson (R)
Environment, Energy & Natural Resources Policy & Finance
Minnesota River Trail funding provided, bonds issued and money appropriated.

HF2130-Knuth (DFL)
Higher Education Policy & Finance
University of Minnesota Board of Regents or Board of Trustees of the Minnesota State Colleges and Universities system; membership of certain officials prohibited for a limited time.

HF2131-Davnie (DFL)
Transportation Policy & Finance
Minneapolis; Franklin Avenue Bridge rehabilitation funding provided, bonds issued and money appropriated.

HF2132-Lohmer (R)
Government Operations & Elections
Washington County Housing and Redevelopment Authority; jurisdiction clarified.

HF2133-Kriesel (R)
Transportation Policy & Finance
Gateway Corridor (Interstate 94 East) funding provided, bonds issued and money appropriated.

HF2134-Dettmer (R)
Environment, Energy & Natural Resources Policy & Finance
Browns Creek Trail funding provided, bonds issued and money appropriated.

HF2135-Greene (DFL)
Higher Education Policy & Finance
Minneapolis Community and Technical College workforce program renovation funding provided, bonds issued and money appropriated.

HF2136-Sanders (R)
Transportation Policy & Finance
Motor vehicle salvage titles regulated, and motor vehicle damage disclosure modified.

HF2137-Atkins (DFL)
Health & Human Services Reform
Bisphenol-A prohibition expanded in products for young children.

HF2138-Westrom (R)
Environment, Energy & Natural Resources Policy & Finance
Douglas County; Lake Oscar drainage outlet funding provided, bonds issued and money appropriated.

HF2139-Bills (R)
Veterans Services Division
Tax credit provided to employers who employ qualified veterans.

HF2140-Drazkowski (R)
Commerce & Regulatory Reform
Freedom of employment established; constitutional amendment proposed.

HF2141-Norton (DFL)
Health & Human Services Reform
State health care program participation requirement modified for volunteer dental service providers.

HF2142-Drazkowski (R)
Government Operations & Elections
Public employment paid time off conditions specified.

HF2143-Quam (R)
Health & Human Services Reform
Athletic Trainers Practice Act provisions modified, licensure provided and licensure fees established.

HF2144-Scott (R)
Government Operations & Elections
Black bear designated as the state mammal.

HF2145-Mullery (DFL)
Transportation Policy & Finance
Insurance requirement amended for limited driver's license and ignition interlock device program.

HF2146-Scott (R)
Government Operations & Elections
Metropolitan Council building plan, specification and drawing data classified; and government agency requests classified for bids and proposal data.

HF2147-Scott (R)
Government Operations & Elections
Metropolitan Area Water Supply Advisory Committee sunset date extended.

HF2148-Scott (R)
Government Operations & Elections
Water resources statute miscellaneous technical corrections made and obsolete language removed and modified.

HF2149-Simon (DFL)
Public Safety & Crime Prevention Policy & Finance
Domestic violence-related offense qualifying definition expanded.

HF2150-Anderson, S. (R)
Commerce & Regulatory Reform
Minnesota Management & Budget; public employee insurance program changes made, and temporary moratorium established to preclude employees from joining the public employee insurance program if their employer is not in the program as of the date of enactment.

HF2151-Persell (DFL)
State Government Finance
Cass Lake sanitary and storm water sewer system funding provided, bonds issued and money appropriated.

HF2152-Vogel (R)
Commerce & Regulatory Reform
Real estate licensees' responsibility specified for property management activities on real property owned by the licensee or by an entity in which the licensee has an ownership interest.

HF2153-McNamara (R)
Environment, Energy & Natural Resources Policy & Finance
Agency prepayments authorized; apprentice riders provided; provisions modified relating to aquatic invasive species, local government trail authority, enforcement, bait, prior appropriations, La Salle Lake State Recreation Area administration, easements, lands withdrawn from sale and lease provisions; reporting, plan and meeting requirements eliminated; loan program eliminated; state parks, state recreation areas and state forests added to and deleted from; private sale of state lands authorized; and civil penalties provided.

HF2154-Moran (DFL)
Government Operations & Elections
Minnesota Sunset Act council provisions modified.

HF2155-Moran (DFL)
Transportation Policy & Finance
Central Corridor light rail line property valuation increases limited.

HF2156-Swedzinski (R)
Taxes
Vesta; local government aid decertified.

Thursday, Feb. 9

HF2157-Persell (DFL)
State Government Finance
Bemidji; veterans facility establishment funding provided, bonds issued and money appropriated.

HF2158-Kiel (R)
Agriculture & Rural Development Policy & Finance
Biodiesel minimum content requirement exceptions extended.

HF2159-Swedzinski (R)
Agriculture & Rural Development Policy & Finance
Immigrant and minority microloan program established, and Rural Finance Authority provisions modified.

HF2160-Cornish (R)
Public Safety & Crime Prevention Policy & Finance
Fingerprints permitted to be taken by law enforcement for any offender interacting with the criminal justice system for any offense to eliminate a suspense record.

HF2161-Nornes (R)
Taxes
Otter Tail County; City of Vergas aggregate tax imposition authorized.

HF2162-Murray (R)
Jobs & Economic Development Finance
Greater Minnesota business development infrastructure grant program funding provided, bonds issued and money appropriated.

HF2163-McNamara (R)
Environment, Energy & Natural Resources Policy & Finance
Pollutant spill regulation provided.

HF2164-McNamara (R)
Environment, Energy & Natural Resources Policy & Finance
Water reporting and assessment requirements, waste management provisions, toxic pollution prevention requirements, stationary source standards, acid deposition control requirements and sewage sludge management modified; environmental review clarified, fees eliminated and new open air swine basin prohibition extended.

HF2165-Kieffer (R)
Taxes
Woodbury; youth athletic facility public debt issuance without a referendum authorized.

HF2166-Nornes (R)
Higher Education Policy & Finance
University of Minnesota; spending to acquire and better public land and buildings and other improvements of a capital nature authorized, bonds issued and money appropriated.

HF2167-Nornes (R)
Higher Education Policy & Finance
Minnesota State Colleges and Universities; spending to acquire and better public land and buildings and other improvements of a capital nature authorized, bonds issued and money appropriated.

HF2168-Lanning (R)
Government Operations & Elections
Minnesota statewide and major local benefit retirement plan actuarial reporting interest, salary scale, and payroll growth assumptions revised.

HF2169-Beard (R)
Government Operations & Elections
State agency rule review and reporting methods provided.

HF2170-LeMieur (R)
State Government Finance
Camp Ripley education center funding provided, bonds issued and money appropriated.

HF2171-Hackbarth (R)
Environment, Energy & Natural Resources Policy & Finance
Game and fish license, and taking and transporting of wild animals requirements modified; wolf taking provided; department authority and dues, firearm and bow discharge restrictions, predator control program, deer baiting restrictions, receipt disposition and beaver removal authority modified, and fishing regulation executive order authority eliminated.

HF2172-McElfatrick (R)
Jobs & Economic Development Finance
Construction code fund transfer to the General Fund eliminated.

HF2173-Kieffer (R)
Commerce & Regulatory Reform
Home solicitation sale definition clarified.

HF2174-O'Driscoll (R)
Commerce & Regulatory Reform
Interest-bearing deposit investments authorized and designated depositories provided.

HF2175-Kahn (DFL)
Government Operations & Elections
Constitutional amendment process modified requiring a two-thirds vote of each house of the Legislature to submit a constitutional amendment to the people, and constitutional amendment proposed.

HF2176-Paymar (DFL)
Health & Human Services Finance
Medical Assistance employed persons with disabilities program modified, asset limitation provisions changed and money appropriated.

HF2177-Peterson, S. (DFL)
Higher Education Policy & Finance
Minnesota opportunity training grants created and money appropriated.

HF2178-Lanning (R)
Commerce & Regulatory Reform
Moorhead; Bluestem Center for the Arts on-sale license allowed.

HF2179-Kiffmeyer (R)
Government Operations & Elections
Statewide and major local defined benefit retirement plan coverage for overtime salary required for unclassified state employees.

HF2180-Garofalo (R)
Education Reform
Federal adequate yearly progress measurements specified, and lowest performing elementary and high schools required to submit to a turnaround strategy.

HF2181-Brynaert (DFL)
Jobs & Economic Development Finance
FastTRAC adult career pathway program created and money appropriated.

HF2182-Melin (DFL)
Government Operations & Elections
State procurement policies amended and Buy Minnesota Act established.

HF2183-Koenen (DFL)
Jobs & Economic Development Finance
Urban initiative loan program and Greater Minnesota business development funding provided and money appropriated.

HF2184-Mahoney (DFL)
Jobs & Economic Development Finance
Bridge to Work Minnesota program created and job-training incentives provided.

HF2185-Scalze (DFL)
Jobs & Economic Development Finance
Economic development funding provided, transportation economic development program established, bonds authorized and money appropriated.

HF2186-Fritz (DFL)
Jobs & Economic Development Finance
Minnesota investment fund money appropriated.

Monday, Feb. 13

HF2187-Vogel (R)
Transportation Policy & Finance
Vehicle title bond and title issuance requirements clarified.

HF2188-Kiffmeyer (R)
Government Operations & Elections
Voter eligibility provisions for individuals under guardianship conformed to constitutional requirements and other related procedures modified.

HF2189-Davids (R)
Taxes
Rochester local sales tax revenue sharing list of cities modified.

HF2190-Beard (R)
Environment, Energy & Natural Resources Policy & Finance
Hydropower sources that may satisfy the renewable energy standard size limitation eliminated.

HF2191-Carlson (DFL)
Higher Education Policy & Finance
Graduate family medicine education programs money appropriated.

HF2192-Drazkowski (R)
Education Finance
Independent School District No. 857 Lewiston-Altura authorized to exercise remaining disability access project levy authority.

HF2193-Nelson (DFL)
Civil Law
Utility disconnection notice requirements expanded, energy service providers' notice of sale service required and utility payment by the holder of a sheriff's certificate provided.

HF2194-Gauthier (DFL)
State Government Finance
Spirit Mountain Recreation Authority water facility construction funding provided, bonds issued and money appropriated.

HF2195-McElfatrick (R)
Higher Education Policy & Finance
Itasca Community College capital improvement funding provided, bonds issued and money appropriated.

HF2196-Fabian (R)
Environment, Energy & Natural Resources Policy & Finance
Flood hazard mitigation grants funding provided, bonds issued and money appropriated.

HF2197-Eken (DFL)
Commerce & Regulatory Reform
Lottery gaming machine operation and non-lottery game conduction authorized at a gaming facility, gaming facility licensed and regulated, gaming transaction fee imposed on gaming facility and money appropriated.

HF2198-Hosch (DFL)
Health & Human Services Finance
Aliveness Project of Minneapolis money appropriated.

HF2199-Lanning (R)
Government Operations & Elections
Correctional state employees retirement plan of the Minnesota State Retirement System coverage changes implemented as recommended by the commissioner of human services.

HF2200-Ward (DFL)
Environment, Energy & Natural Resources Policy & Finance
Cuyuna Lakes State Trail funding provided, bonds issued and money appropriated.

HF2201-Scott (R)
Civil Law
Data practice provisions changed.

HF2202-Beard (R)
Environment, Energy & Natural Resources Policy & Finance
Public Utilities Commission regulatory burden study required.

HF2203-Bills (R)
Government Operations & Elections
Public employee fair share fee modified, and dues check-offs prohibited.

HF2204-Bills (R)
Government Operations & Elections
Public employee fair share fee modified.

HF2205-Howes (R)
Capital Investment
Spending authorized to acquire better public land and buildings and for other improvements of a capital nature, programs established, Cook County water facility construction district formation authorized, commissioner of natural resources authorized to make acquisitions of land or interests in land, bonds issued, previous appropriations modified and money appropriated.

HF2206-Rukavina (DFL)
Environment, Energy & Natural Resources Policy & Finance
Trespass provisions modified relating to hunting.

HF2207-McFarlane (R)
Environment, Energy & Natural Resources Policy & Finance
Boundary Waters Canoe Area Wilderness state land expedited exchange, condemnation and private sale provided.

HF2208-Kiel (R)
Transportation Policy & Finance
Trunk highway interchange funding provided, bonds issued and money appropriated.

HF2209-Banaian (R)
Government Operations & Elections
Former legislators' health insurance coverage modified, and legislator salary calculation changed for the Minnesota State Retirement System.

HF2210-Banaian (R)
Higher Education Policy & Finance
Greater Minnesota internship program established, tax credit allowed and money appropriated.

HF2211-Swedzinski (R)
Government Operations & Elections
State agency rulemaking temporary moratorium imposed.

HF2212-Franson (R)
Government Operations & Elections
Works of art in state buildings appropriation provisions repealed.

HF2213-Banaian (R)
Higher Education Policy & Finance
Minnesota State Colleges and Universities course material and information disclosure required, and MnSCU textbook task force established.

HF2214-Hancock (R)
Environment, Energy & Natural Resources Policy & Finance
Beltrami County; tax-forfeited land bordering public water public sale authorized.

HF2215-Eken (DFL)
Environment, Energy & Natural Resources Policy & Finance
Flood hazard mitigation grant funding provided, bonds issued and money appropriated.

HF2216-Hoppe (R)
Commerce & Regulatory Reform
Minnesota Comprehensive Health Association; premium rate-setting process flexibility permitted, enrollment closing in two plans permitted and benefit flexibility permitted.

HF2217-Kahn (DFL)
Commerce & Regulatory Reform
Pregnancy leave required and employment accommodations required for pregnant women.

HF2218-Kahn (DFL)
Higher Education Policy & Finance
Hennepin County Medical Center graduate family medicine education program funding provided and money appropriated.

HF2219-Slawik (DFL)
Health & Human Services Reform
Child Care Affordability Act established, child care assistance programs modified and money appropriated.

HF2220-Poppe (DFL)
Judiciary Policy & Finance
Unreasonable restraint of children level of demonstrable harm changed.

HF2221-Murphy, M. (DFL)
Redistricting
Congressional districting plan adopted for use in 2012 and thereafter, and districting principles adopted for congressional districts.

HF2222-Murphy, M. (DFL)
Redistricting
Legislative districting plan adopted for use in 2012 and thereafter, and districting principles adopted for legislative districts.

HF2223-Abeler (R)
Health & Human Services Reform
Alcohol and drug counselor and licensed counselor licensing provisions changed.

HF2224-Banaian (R)
Taxes
Taxpayers authorized to file and pay use tax with the income tax return.

HF2225-Allen (DFL)
Jobs & Economic Development Finance
Advocating Change Together appropriation transferred.

HF2226-Vogel (R)
Environment, Energy & Natural Resources Policy & Finance
Wind easement effective date elimination delayed.

HF2227-Anderson, D. (R)
Commerce & Regulatory Reform
State bank closures for holidays clarified, state bank lending limits changed to comply with federal law, and obsolete language repealed relating to deposits payable on demand.

HF2228-Wagenius (DFL)
Environment, Energy & Natural Resources Policy & Finance
Natural resources commissioner prohibited from purchasing land at more than 20 percent above estimated market value.

HF2229-Torkelson (R)
Environment, Energy & Natural Resources Policy & Finance
Reinvest in Minnesota reserve program funding provided, bonds issued and money appropriated.

HF2230-Abeler (R)
Health & Human Services Reform
Pediatric care coordination services provided, demonstration providers required to include in provider networks all providers that agree to standard contract terms, patient-centered decision making required under all Medical Assistance, managed care and county-based purchasing plans required to reduce the incidence of low birth weight, competitive bidding program established for the metro area and draft methodology report required.

HF2231-Abeler (R)
Government Operations & Elections
Federal fund statutory appropriations repealed, and federal funds received for emergency management purposes money appropriated.

HF2232-Drazkowski (R)
Health & Human Services Reform
Welfare fraud prevented, driver's license photo access allowed in welfare fraud investigations, driver's license authentic verification required prior to granting welfare benefits, drug conviction search required to determine welfare benefit eligibility and drug offenders excluded from welfare eligibility.

HF2233-Simon (DFL)
Civil Law
False claims provisions modified.

HF2234-Erickson (R)
Taxes
Homestead market value exclusion repealed.

HF2235-Davids (R)
Taxes
Minneapolis; termination date provided for local taxes.

HF2236-Westrom (R)
Health & Human Services Finance
Dental provider payment critical access modified.

HF2237-Gottwalt (R)
Health & Human Services Reform
Hospital community benefit programs and health maintenance organization collaboration plans; evidence-based strategy requirements removed.

HF2238-Benson, M. (R)
Commerce & Regulatory Reform
Service cooperatives permitted to provide group health coverage to private employers.

HF2239-Benson, M. (R)
Transportation Policy & Finance
Motor vehicle titling and license plate requirements amended and clarified for pioneer vehicles.

HF2240-Daudt (R)
Health & Human Services Reform
Minnesota Health Care Purchasing Authority established and state health care purchasing consolidated through the authority.

HF2241-Laine (DFL)
Health & Human Services Reform
Managed care plan financial reporting changes required and annual independent third-party audit required.

HF2242-Ward (DFL)
Environment, Energy & Natural Resources Policy & Finance
Aquatic invasive species provisions modified.

HF2243-Ward (DFL)
Environment, Energy & Natural Resources Policy & Finance
Furbearer trap restrictions made.

HF2244-O'Driscoll (R)
Education Finance
Permanent School Fund Advisory Committee changed into a legislative commission; commission authority granted to employ a director to oversee, manage and administer school trust lands.

Wednesday, Feb. 15

HF2245-Kriesel (R)
Jobs & Economic Development Finance
Cottage Grove; former city hall conversion to business incubator funding provided, bonds issued and money appropriated.

HF2246-Daudt (R)
Public Safety & Crime Prevention Policy & Finance
Convictions under the original criminal vehicular operation law allowed to enhance DWI offenses, and legislative oversight corrected.

HF2247-Daudt (R)
Environment, Energy & Natural Resources Policy & Finance
Night vision equipment use allowed while taking coyotes.

HF2248-Anzelc (DFL)
Environment, Energy & Natural Resources Policy & Finance
Scram mining operations rules directed to be amended by the commissioner of natural resources and the Environmental Quality Board.

HF2249-Daudt (R)
Health & Human Services Reform
Electronic benefit card transactions limited.

HF2250-Daudt (R)
Health & Human Services Reform
Residency requirements for general assistance eligibility modified.

HF2251-Anderson, D. (R)
Health & Human Services Reform
Health maintenance organizations regulatory authority shifted from the commissioner of health to the commissioner of commerce.

HF2252-Lohmer (R)
Health & Human Services Reform
Residential campus for individuals with autism plan development by the commissioner of human services instructed.

HF2253-Lohmer (R)
Health & Human Services Finance
Out-of-state residential mental health treatment allowed for children who are deaf, deafblind or hard of hearing and who use American Sign Language as their first language.

HF2254-Shimanski (R)
Commerce & Regulatory Reform
Life insurance policy accelerated benefits permitted to include long-term care coverage, and life insurance cash value use permitted to pay premiums on long-term care insurance.

HF2255-Downey (R)**Taxes**

Capital equipment exemption allowed at time of purchase.

HF2256-Anzelc (DFL)**Environment, Energy & Natural Resources Policy & Finance**

County intermediate auction sales of timber allowed.

HF2257-Bills (R)**State Government Finance**

Minnesota Zoological Garden continued operation provided for when biennial appropriations have not been acted upon and money appropriated.

HF2258-Abeler (R)**Health & Human Services Reform**

Chemical health navigation program created and residential chemical dependency treatment limited.

HF2259-Dettmer (R)**State Government Finance**

Lawful gambling net profits for military marching, color guard or honor guard units allowable per diem reimbursement increased.

HF2260-Dettmer (R)**Veterans Services Division**

Congress and the President of the United States memorialized to amend federal veterans cemetery law to expand eligibility for burial in state veterans cemeteries developed with federal funding to include allied Hmong-American and Lao-American veterans of America's Secret War in Laos.

HF2261-Dettmer (R)**State Government Finance**

Minnesota State Veterans Cemetery burial eligibility expanded to include deceased allied Hmong-American or Lao-American veterans of the American Secret War in Laos.

HF2262-Greiling (DFL)**Health & Human Services Reform**

Background checks required on hotel, motel and lodging establishment employees and volunteers of shelters serving battered women and the homeless.

HF2263-Stensrud (R)**Commerce & Regulatory Reform**

Window cleaning safety measures implemented.

HF2264-Banaian (R)**Government Operations & Elections**

Minnesota Management & Budget Department adequacy of budgeted and forecasted defined benefit retirement plan contributions report required.

HF2265-Lanning (R)**Government Operations & Elections**

Minnesota State Retirement System health care savings plan distributions specified to go to living persons and other changes of an administrative nature made.

HF2266-Lanning (R)**Government Operations & Elections**

Public Employees Retirement Association administrative changes made by cross-reference revision, annual employer supplemental contributions for the MERF division timing specified and compensating limit provision revised to comply with federal law.

HF2267-Abeler (R)**Environment, Energy & Natural Resources Policy & Finance**

Metropolitan Council required to reduce regional parks and open space funding allocation to the Three Rivers Park District.

HF2268-Abeler (R)**Higher Education Policy & Finance**

Board of Trustees of Minnesota State Colleges and Universities system policy on awarding college credit for tech-prep programs implementation required.

HF2269-Lanning (R)**State Government Finance**

Help America Vote Act funds determined and money appropriated.

HF2270-Torkelson (R)**Environment, Energy & Natural Resources Policy & Finance**

Parks and trails grant program provisions modified.

HF2271-Gauthier (DFL)**Transportation Policy & Finance**

Minneapolis to Duluth high-speed passenger rail funding provided, bonds issued and money appropriated.

HF2272-Hornstein (DFL)**Transportation Policy & Finance**

Passenger rail commissioner's duties modified.

HF2273-Torkelson (R)**Environment, Energy & Natural Resources Policy & Finance**

Minor permits and minor permit amendments automatic approval provided if timely action is not taken, adoption of water standards more restrictive than federal standards prohibited, deposit of monetary penalties from environmental violations required to be redirected to General Fund, citizen's board created and environmental review content requirements modified.

HF2274-Rukavina (DFL)**Public Safety & Crime Prevention Policy & Finance**

Original ignition interlock device program participants allowed to drive non-interlock equipped employer-owned vehicles while in the normal course and scope of employment duties and with the employer's written consent.

HF2275-Rukavina (DFL)**Higher Education Policy & Finance**

Mesabi Range Community and Technical College windmill installation money appropriated.

HF2276-Kiffmeyer (R)**Health & Human Services Finance**

Advanced diagnostic imaging services operator accreditation required.

HF2277-Mahoney (DFL)**Jobs & Economic Development Finance**

New jobs tax credit established, corporate franchise and sales and use taxes changes made and money appropriated.

HF2278-Slocum (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Lead shot use prohibited to take wolves.

HF2279-Slocum (DFL)**Commerce & Regulatory Reform**

Limitation on the use of credit information for motor vehicle insurance modified.

HF2280-Loon (R)**Commerce & Regulatory Reform**

Qualified brewer definition modified for tax credit purposes.

HF2281-Laine (DFL)**Health & Human Services Reform**

Patient record copying charge by providers decreased.

HF2282-Laine (DFL)**Public Safety & Crime Prevention Policy & Finance**

Violent felons' right to petition the court to have their firearm possession ability restored eliminated.

HF2283-McElfatrick (R)**Taxes**

Local government aid payment to cities modified.

HF2284-Winkler (DFL)**Jobs & Economic Development Finance**

Middle Class Jobs Act designated, early warning provided, sick leave modified, business subsidy disclosure requirements amended, workplace communications clarified, minimum wage requirements modified and penalties created.

HF2285-Kahn (DFL)**Environment, Energy & Natural Resources Policy & Finance**

University of Minnesota renewable development account expenditure required.

HF2286-Loon (R)**Environment, Energy & Natural Resources Policy & Finance**

Metropolitan area grant funding provided to address inflow and infiltration in the sewer system, bonds issued and money appropriated.

HF2287-Slocum (DFL)**Government Operations & Elections**

Charitable organization salary public disclosure regulated.

HF2288-McElfatrick (R)**Health & Human Services Reform**

Safe haven law expanded.

HF2289-Anderson, P. (R)**Jobs & Economic Development Finance**

Construction code transfer of funds to the General Fund eliminated, and funding provided to electrical inspections in the event of a government shutdown, and money appropriated.

HF2290-Atkins (DFL)**Commerce & Regulatory Reform**

Minnesota Insurance Marketplace Act established, powers and duties prescribed and money appropriated.

HF2291-Mariani (DFL)**Education Finance**

Adult basic education; process created for contact hours lost due to a service disruption.

HF2292-Loon (R)**Health & Human Services Reform**

Adoption records and original birth certificate access provisions modified.

HF2293-Davnie (DFL)**Education Reform**

School districts; ability to use prone restraints extended to one additional year, and data collection and reporting required.

HF2294-Abeler (R)**Health & Human Services Finance**

Group residential housing provider supplementary rate provided, general assistance program modified, and early childhood learning and child protection facilities modified.

HF2295-Drazkowski (R)**Government Operations & Elections**

Annual state expenditure report created.

HF2296-Dill (DFL)**Commerce & Regulatory Reform**

Biodiesel minimum content requirement permanent exceptions made.

HF2297-Dill (DFL)**Taxes**

Cook-Orr Hospital District levy authority modified.

HF2298-Dill (DFL)**Environment, Energy & Natural Resources Policy & Finance**

St. Louis County; tax forfeited leased land sale authorized.

HF2299-McFarlane (R)**Education Finance**

Safeschools program revenue increased.

HF2300-Greiling (DFL)**Education Finance**

School districts authorized to replace special education revenue lost to the statewide special education appropriations cap.

HF2301-Greiling (DFL)**Education Finance**

School districts authorized to levy for changes to employer contribution for teacher retirement.

HF2302-Kriesel (R)**Public Safety &****Crime Prevention Policy & Finance**

Predatory offenders prohibited from serving as hotel or motel employees, and background check required.

HF2303-Murdock (R)**Jobs & Economic Development Finance**

Wadena; street and utility improvement funding provided for infrastructure damaged by the 2010 tornado, bonds issued and money appropriated.

HF2304-Murdock (R)**Higher Education Policy & Finance**

Central Lakes College, Staples; agriculture reconfiguration and main building renovation funding provided, bonds issued and money appropriated.

HF2305-Gunther (R)**Jobs & Economic Development Finance**

Barber licenses and fees changed, penalties created and money appropriated.

HF2306-Drazkowski (R)**Government Operations & Elections**

Labor organization membership information access provided, fair share fee challenges clarified and independent review of grievances modified.

HF2307-Daudt (R)**Commerce & Regulatory Reform**

Guaranty association coverage written disclosure permitted when a policy is delivered and access expanded to accident reports to include all parties involved.

HF2308-Kieffer (R)**Commerce & Regulatory Reform**

Foreclosure consultant provisions modified.

HF2309-Beard (R)**Commerce & Regulatory Reform**

Biodiesel fuel provisions modified.

HF2310-Erickson (R)**Education Reform**

Education; obsolete statutes repealed.

HF2311-Paymar (DFL)**Jobs & Economic Development Finance**

Ford Motor Company; state funds appropriated.

HF2312-Rukavina (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Renewable solar energy; state appropriation use authorized.

HF2313-Rukavina (DFL)**Taxes**

Delinquent property tax interest rate changed.

HF2314-Howes (R)**Environment, Energy &****Natural Resources Policy & Finance**

Subsurface sewage treatment systems ordinance delayed.

HF2315-Beard (R)**Transportation Policy & Finance**

Electric vehicle registration tax increased by \$100.

HF2316-Sanders (R)**Transportation Policy & Finance**

Concrete diamond grinding and saw slurry disposal provision required in highway construction, improvement or repair contracts.

HF2317-Knuth (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Public building payment incentives established for installation of solar photovoltaic devices and money appropriated.

HF2318-Downey (R)**Taxes**

Business property taxes reduced.

HF2319-Downey (R)**Jobs & Economic Development Finance**

Small business regulatory review board created and legislative appointments provided.

HF2320-Hilty (DFL)**Government Operations & Elections**

Carlton County; tax levy authorized for cemetery purposes.

HF2321-Scalze (DFL)**Transportation Policy & Finance**

Metropolitan transit service opt-outs authorized.

HF2322-Anderson, S. (R)**Higher Education Policy & Finance**

Mandatory health care coverage expansion waiver required.

HF2323-Hortman (DFL)**Transportation Policy & Finance**

Child passenger restraint systems provisions modified to qualify for federal money and commissioner of public safety authorized to accept federal money.

Thursday, Feb. 16

HF2324-Westrom (R)**Civil Law**

Real estate title actions limitations period reduced.

HF2325-Doepke (R)**Education Reform**

School districts prohibited from holding school on the Thursday and Friday before Labor Day.

HF2326-Downey (R)**Government Operations & Elections**

Longer public notice period provided for zoning ordinance or amendment for large projects.

HF2327-Benson, M. (R)**Government Operations & Elections**

Election administration procedures for individuals who have been convicted of a felony modified.

HF2328-Beard (R)**Transportation Policy & Finance**

Air flight property tax levies, aircraft fuel taxes and aircraft registration taxes and filing fees provisions modified.

HF2329-Holberg (R)**Education Reform**

CPR training and instruction requirements clarified.

HF2330-Westrom (R)**Environment, Energy &****Natural Resources Policy & Finance**

University of Minnesota renewable energy research funding allocation date extended.

HF2331-Slawik (DFL)**Health & Human Services Finance**

Children absent days limit exception provided.

HF2332-Murray (R)**Jobs & Economic Development Finance**

Small business investment credit higher percentage provided for qualified Greater Minnesota businesses.

HF2333-Swedzinski (R)**Public Safety &****Crime Prevention Policy & Finance**

Motor fuel theft specifically included in the theft crime and permissive inference created.

HF2334-Laine (DFL)**Government Operations & Elections**

Local government employees authorized to participate in group long-term care insurance program.

HF2335-Sanders (R)**Commerce & Regulatory Reform**

Debt collection agency and registration of individual debt collector procedures amended.

HF2336-Downey (R)**Jobs & Economic Development Finance**

Business property taxes reduced, small business regulatory review board created and moratorium on rulemaking imposed by state agencies except in specified instances.

HF2337-Davids (R)**Taxes**

State general levy reduced and eliminated, additional property tax refund modified and money appropriated.

HF2338-Garofalo (R)**Commerce & Regulatory Reform**

State lottery director authorized to establish gaming machines at a licensed racetrack, gaming machine revenue fee imposed, powers and duties provided to the director and money dedicated for education.

HF2339-Gottwalt (R)**Health & Human Services Reform**

Health care compact created.

HF2340-Holberg (R)**Health & Human Services Reform**

Abortion facility licensure required.

HF2341-Peppin (R)**Health & Human Services Reform**

Abortion; prescribing physicians required to be physically present when abortion-inducing drugs are administered and criminal penalty provided.

HF2342-Davids (R)**Commerce & Regulatory Reform**

Township mutual fire insurance company combination policies regulated.

HF2343-Howes (R)**Environment, Energy & Natural Resources Policy & Finance**

Freedom to Hunt and Fish Act of 2012 enacted, availability of game and fish licenses required by electronic transaction and money appropriated.

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MINNESOTA INDEX

Doing business in Minnesota

Number of Fortune 500 companies in Minnesota in 2011	20
State rank.....	8
Minnesota companies among Forbes largest private companies by revenue in 2011	7
State rank.....	8
Estimated revenues in 2011 for Minnesota-based Cargill, the largest private firm in the country, in billions	\$110
Billions spent in 2010 in research and development by public companies in Minnesota	\$6.5
State rank.....	10
Billions spent by Medtronic	\$1.7
Billions spent by 3M.....	\$1.2
Percent, in fiscal year 2010, of Minnesota's effective business tax rate — calculated as business taxes as a proportion of private gross state product	4.4
National average, as percent.....	5
Minnesota's corporate income tax share as a proportion of total state taxes, as percent	7
Average national share, as percent	7.1
Percent of Minnesota manufacturers that experienced increased profits in 2011	30
Percent who experienced profit declines.....	40
Manufacturers that increased investment in their plant and equipment in 2011, as percent	33
Percent that decreased investment in 2011	25
Percent increase in Minnesota's agricultural, mining and manufactured exports in the third quarter of 2011 compared to one year prior.....	4
Value of exports in third quarter of 2011, in billions	\$5.1
Jobs added in the state, as estimate, between the third quarters of 2010 and 2011	38,000
Percent increase.....	1.4
Year the JOBZ program was introduced to promote development in Greater Minnesota by, in part, offering tax incentives to companies that start up or expand in targeted zones.....	2003
Estimated number of jobs that JOBZ has directly or indirectly created since its inception	19,600
Average annual wage of those jobs.....	\$35,743
For every job created by a JOBZ recipient, estimated number of jobs created elsewhere by suppliers and people spending more money in the local economy	2.1

— M. Cook

Sources: Department of Employment and Economic Development, including Positively Minnesota, Minnesota Manufacturing Business Conditions Survey and JOBZ 2010 Annual Report.

SESSION WEEKLY

REDISTRICTING SPECIAL FEATURE

POLITICS IN THE CLASSROOM

MEET THE WHIPS

A BUSHEL AND A PECK

HF2344 - HF2492

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 4 • FEBRUARY 24, 2012

Flashback to 1992, 2002

Is 'faith' health care?

Should prayer count as "health care" to exempt parents from child neglect or endangerment charges?

Rep. Phil Carruthers (DFL-Brooklyn Center) sponsored a bill to repeal the spiritual exemption in state law.

His bill came in response to the high-profile *State v. McKown* case heard by the Minnesota Supreme Court, in which the court upheld the dismissal of negligence charges filed against the parents of a 12-year-old diabetic who died in 1989. The parents were members of the Christian Science religion whose major tenets include spiritual healing.

In its 1991 opinion, the court cited the explicit language in Minnesota law that permits the good faith reliance on spiritual treatment and prayer.

"This is not an issue of freedom of religion. Adults can make a decision not to have medical care. ... Children do not have the power to make this decision," Carruthers said.

— Session Weekly Feb. 21, 1992



Tim Berceau gets pinned by Ian Stoneberg in front of the House Education Policy Committee. After testifying in support of a bill that would outlaw mixed-gender wrestling teams, the two Burnsville High School wrestlers demonstrated moves that would be considered improper off the mat. Watching the demonstration are Committee Chairman Rep. Harry Mares, left, legislative assistant Rory Koch, center, and Rep. Mark Olson.

— Session Weekly Feb. 22, 2002

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SESSION WEEKLY

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On the cover: Amy Walstien, director of education and workforce development policy at the Minnesota Chamber of Commerce, views the new legislative district maps on her tablet computer. The maps were released by a Minnesota judicial panel Feb. 21.

— Photo by Paul Battaglia

HIGHLIGHTS

FEBRUARY 16 - 23, 2012

Editor's note: Once again it has been an exceptionally busy week with bills being introduced and moving through committees. But the big news of the week was the state's newly redrawn district lines. As with last week, we will not be having a First Reading story on page 3 so as to devote room to the new district maps, which you will find on pages 11-13.

Editor's note: The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held Feb. 16-23. 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 acted on by the governor.

Agriculture

Biodiesel exemptions extended

When it comes to heavy machinery, you can't put biodiesel fuel into an engine before manufacturers engineer for it. This is especially true during harsh Minnesota winters when biodiesel fuel (a combustible liquid derived from soybean oil or animal fat) can gel and clog machine engines.

So even though newer tractors and farm implements are designed to accept grades of biodiesel fuel up to B20, there are still industries that rely on purer forms of diesel. For example, million-dollar train locomotives and trucks that haul minerals to Minnesota mines are not equipped to comply with state biodiesel mandates and therefore have been given an exemption, due to expire in May 2012.

HF2158, sponsored by Rep. Debra Kiel (R-Crookston), would extend the exemption until May 1, 2020. The House Agriculture and Rural Development Policy and Finance Committee approved the bill Feb. 22, as amended, and sent it to the House floor.

Sen. Doug Magnus (R-Slayton) sponsors a companion, SF1635, which awaits action by the Senate Agriculture and Rural Economics Committee.

The eight-year extension aligns with the average life of locomotive and mining truck engines. The bill would continue to give the



PHOTO BY PAUL BATTAGLIA

Jerry Schoenfeld, a lobbyist for the Minnesota Biodiesel Council, testifies Feb. 22 on a bill that would extend biodiesel minimum content requirement exceptions until May 1, 2020.

operators the exemptions they need until new locomotives and trucks with modernized biodiesel engines can be manufactured.

— S. HEGARTY

Loan program for new farmers

A pilot project that would provide small business loans to immigrant and minority farmers could be available beginning Aug. 1, 2012, under a bill approved by the House Agriculture and Rural Development Policy and Finance Committee Feb. 23.

HF2159, sponsored by Rep. Chris Swedzinski (R-Ghent), would grant loans up to \$10,000 to qualified borrowers. Initial funding for the revolving loan program would come from a transfer of \$225,000 in unused money in the Rural Finance Authority's Agroforestry Loan Program.

The pilot project stipulates that the funds can only be used for purchasing materials for the growing of specialty crops and livestock and may not be used for the subsequent "value-added" costs of bringing those crops and livestock products to market, such as processing and storage.

Eligible borrowers would need to be a legal

state resident; demonstrate the ability to repay the loan, which may include business training through an intermediary; and fall into one of two classifications, a protected group or a qualified noncitizen.

Because some religions do not allow for loan interest payments, an alternative fee payment could be established. Hmong, Latino and Somali farmers are some of the anticipated cultural groups who would seek the loans, according to Jim Boerboom, Department of Agriculture deputy commissioner.

The committee referred the bill to the House Commerce and Regulatory Reform Committee. Sen. Julie Rosen (R-Fairmont) sponsors SF1713, a companion that was approved by the Senate Finance Committee Feb. 23.

— S. HEGARTY

Business & Commerce

Notary public fee cap elimination

Randy Jessup owns a UPS Store in Roseville and another in St. Paul. In addition to packaging and shipping needs, his stores offer notary public services. However, they may not continue doing so because the cost-benefit ratio is not good.

Sponsored by Rep. Linda Runbeck (R-Circle Pines), HF1872 would repeal the maximum \$1 fee that can be charged for notary services. "It's sort of under the general broad category of getting government out of price setting and price controls and allowing the market to work," she said.

Approved Feb. 16 by the House Judiciary Policy and Finance Committee, the bill awaits action by the full House.

Jessup said there are about 85,000 notaries public in Minnesota, down about 15 percent from three years ago.

"One of the issues, I think, that has caused that is that the cost of notary has gone up," he said. "The registration fee with the secretary of state used to be \$40; it's now \$120. You also have to register with the county that you are doing notary in. In Ramsey County, it's an additional \$20."

Jessup said a number of store owners in the UPS system have decided, that because of the increased cost and liability concern, they're no longer offering a notary public

service. He said banks are also reducing their notary services, especially for people who are not customers.

He said the \$1 fee is a good deal for Minnesota consumers, noting a similar store in Iowa charges \$3-7 for notary public service, and other states charge \$10 or more.

A companion, SF1660, sponsored by Sen. Roger Chamberlain (R-Lino Lakes), awaits action by the Senate Judiciary and Public Safety Committee.

— M. COOK

Education

Teacher strike rights limited

Teachers could lose the ability to strike for higher pay, if a school board were to offer them a compensation raise in proportion to the district's general education formula increase established by the Legislature that year.

Those are the limits outlined in HF269, sponsored by Rep. Keith Downey (R-Edina). The House Education Finance Committee approved the bill Feb. 22. It now moves to the full House for consideration.

Downey's bill generated support from Republicans, who believe it will lend a more balanced approach to contract bargaining in schools. They say it will give school districts flexibility when facing the decision to either hold back on compensation increases or lay off teachers.

Rep. Tim Kelly (R-Red Wing) also praised the bill's goal of deterring strikes in schools.

"I lived through that, a strike in the community. And it divides, and there's just losers. There's no winners in that. So if we can avoid any strikes, that's what we should be doing," Kelly said.

Committee DFLers said Republicans are launching another legislative attack on Minnesota's teachers, whom they argue are already not paid enough.

Rep. Tom Anzelc (DFL-Balsam Township) accused Downey of being out of touch with the lives of teachers and the needs of students.

"The further away you get from the classroom, the further you get away from kids, the more inclined you are to dream up all of these things, all of these proposals, that do nothing to focus on kids," Anzelc said.

Sen. Julie Rosen (R-Fairmont) sponsors the companion, SF250, which awaits action in the Senate Education Committee

— E. SCHMIDTKE

House passes teacher insurance bill

Teachers unions currently have authority to take action on their health plans without the agreement of districts. They may enroll in programs such as the Public Employees Insurance Program unilaterally.

Sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Gary Dahms (R-Redwood Falls), HF371/SF247* would no longer allow that.

On Feb. 16, the bill was approved 71-58 by the House. It returned to the Senate where it was laid over. A different version passed 34-28 on May 14, 2011.

The bill requires that teachers unions and districts agree to health plan changes before they could become effective. A Senate amendment adopted by the House would also address any possible insurance refunds. Since districts and teachers usually split insurance costs, under this amendment, they would each receive refund money proportionate to the amount they paid.

"I think it makes it a little more fair because the school boards that are paying part of this will now have a say in how this is done," Hoppe said.

Rep. Larry Hosch (DFL-St. Joseph) argued the bill will take autonomy away from teachers, who are already cost-conscious with their insurance.

"What this bill does is take away the freedom and the flexibility of the purchasers and consumers of healthcare to go out and use market forces to their advantage," Hosch said.

Lawmakers heard similar arguments from the public during a Jan. 31 House Education Finance Committee meeting, when there was lengthy testimony on the bill.

Leaders from both districts and service cooperatives, which help school districts to buy insurance, testified in support of the bill, saying it returns equality to bargaining. Representatives of teachers unions disagreed, saying the bill would negatively impact their options for health coverage.

— E. SCHMIDTKE

Political ban for educators

Public school employees would be banned from using district resources to further any political agenda.

Sponsored by Rep. Kurt Bills (R-Rosemount), HF329 would provide that public resources intended for educational purposes cannot be directed to promote any candidate or issue. The House Education Finance Committee approved the bill Feb. 21, which now goes to the House floor.

Bills worries school employees are supporting political ideas while on the job, when they are supposed to be acting as nonpartisan educators. He referenced a policy already in place in the Lakeville School District, which barred its staff from spending district resources on political activity after it received complaints from parents.

"Schools are a place of learning, not politics for any side," Bills said.

Jan Alswager, chief lobbyist for Education Minnesota, said the bill would infringe on educators' rights.

"This bill is overreaching. ... Is that really how we want to be interpreting freedom of speech?" she asked.

John Kysylyczyn, former mayor of Roseville, pushed for more action from the committee on the issue. He asked that such use of resources be categorized as a misdemeanor. He said that by not designating this type of activity as a criminal offense, school employees are allowed opportunities that private citizens are not.

Rep. Mindy Greiling (DFL-Roseville) said that she hoped Bills would not increase the list of banned activities or consequences for school employees, saying that there is often a blurred line between stating fact and political advocacy.

Sen. Dave Thompson (R-Lakeville) sponsors the companion, SF577, which awaits action by the Senate Education Committee.

— E. SCHMIDTKE

Trust lands may see reform

A century and a half after the federal government granted Minnesota millions of acres intended to benefit public schools, some legislators are wondering where the money from that land has gone.

As outlined in the Minnesota constitution, the state must use school trust lands in a way that maximizes profit, such as leasing or selling the land. The money from those transactions should then go to a permanent fund that supports schools. Lawmakers say this isn't actually happening.

On Feb. 21, the House Education Finance Committee reviewed HF2244, sponsored by Rep. Tim O'Driscoll (R-Sartell). This bill would remove the responsibility of overseeing the land from the Department of Natural Resources, which critics say has mismanaged trust lands for years. It would transfer that duty to a bipartisan committee made of legislators from both the House and Senate.

The bill was approved by the House

TALL ORDER



PHOTO BY ANDREW VONBANK

With the help of Sen. John Carlson, left, and Rep. John Persell, Gov. Mark Dayton signs Paul Bunyan's birthday card with a giant novelty pencil. The Feb. 22 signing ceremony was done in conjunction with the seventh annual Bemidji Day at the Capitol, sponsored by the Bemidji Area Chamber of Commerce.

Environment, Energy and Natural Resources Policy and Finance Committee. It now moves to the House Government Operations and Elections Committee. Sen. Benjamin Kruse (R-Brooklyn Park) sponsors its companion, SF1889, which awaits action in the Senate Education Committee.

O'Driscoll explained that the DNR cannot manage the land because the department's purpose is to facilitate land conservation, while the trust lands are solely intended to raise money for education. With the proper management, supporters of the bill say schools could receive millions of dollars without raising taxes.

Grace Keliher, director of governmental relations for the Minnesota School Boards Association, said the DNR misuses funds from the land by bankrolling its own department with the money, rather than supporting students.

"You need to take (this bill) to the next

step and make sure that school trust lands don't become the credit card for the DNR," Keliher said.

DNR Commissioner Tom Landwehr refuted the allegation. He asked members to oppose the bill, saying that it overextends legislative responsibility and violates the state constitution.

"I'm not convinced that expanding government is a way to get increased efficiencies out of state assets," Landwehr added.

Rep. Tom Anzelc (DFL-Balsam Township) defended the DNR, citing drastic cuts over recent decades as having "starved" the department of the necessary resources to manage the lands. He also criticized the bill's approach to conservation.

"While I appreciate all of your interest in the exploitation of northern Minnesota's great resources, after a lot of struggle with this, I have concluded that this is really wrong," Anzelc said.

Rep. Denise Dittrich (DFL-Champlin), a longtime champion for trust land reform, disagreed. "If you think the current system is working, have at it. Continue on," she said.

— E. SCHMIDTKE

School ranking a possibility

Minnesota schools might face new evaluations from the Education Department, with low performers needing to submit a turnaround strategy for improvement.

Rep. Pat Garofalo (R-Farmington) sponsors HF2180 that establishes measurable areas of progress for the state's public schools. The House Education Reform Committee approved the bill Feb. 21 to move to the House Education Finance Committee. It has no Senate companion.

The bill provides that the commissioner would rank schools based on student proficiency and growth on assessments; the rate at which student disparities decrease;

and graduation statistics. Of schools that receive Title I funds, which aid schools with higher poverty rates, the 5 percent that performed the lowest will need to submit a turnaround strategy for improvement.

Under the bill, possible strategies for low-performing schools include converting into a charter school, implementing evaluation systems for staff, being replaced by a new school and transferring students to other schools in the district.

The bill prompted questions, including whether it would nullify the No Child Left Behind waiver the state recently received. Minnesota is one of 10 states with a waiver, which relieves schools from the heavily criticized education requirements of the No Child Left Behind Act.

Rep. Mindy Greiling (DFL-Roseville) said that she is concerned that the bill “puts back the federal mandate.” Garofalo responded the bill would not interfere with the waiver.

Jim Bartholomew, education policy director of the Minnesota Business Partnership, praised the bill for taking action on low-performing schools.

“This creates a structure for how the state will address concerns over those schools whose student performance consistently ranks in the bottom 5 percent,” he said.

Jan Alswager, chief lobbyist for the state’s teachers union, Education Minnesota, disagreed. She acknowledged, “Certainly there could be some changes in turnaround schools.” However, she criticized the bill’s timeline, saying it moved too quickly. She urged for more collaboration between legislators and teachers.

— E. SCHMIDTKE

Dayton signs teacher exam law

**Signed
by
the
governor**

Teachers-to-be are now required to pass a basic skills exam before receiving a license to teach in Minnesota.

Gov. Mark Dayton signed the new law Feb. 22. He vetoed an earlier version of the bill last session, but approved it this year following negotiations with legislators and stakeholders. The law is effective Feb. 23, 2012.

Previous law allowed those who have completed a teacher preparation program to receive up to three one-year licenses without passing a basic skills exam. According to the new statute, teaching candidates must produce a passing score on the exam before obtaining their licenses.

Rep. Andrea Kieffer (R-Woodbury),

who sponsors the law with Sen. Ted Daley (R-Eagan), introduced the legislation out of concern that teachers were instructing children while being potentially unable to pass the basic skills test themselves. She believes this measure will increase the quality and rigor of teachers in Minnesota.

HF1770*/SF1493/CH122

— E. SCHMIDTKE

Disabled student restraints

School employees with specific training can physically restrain out-of-control students with special needs. The authorization to do so may be renewed for the next academic year, if HF2293 passes.

Education staff uses a technique called “prone restraints” that involves holding the student face-down until he or she becomes calmer. The law states that prone restraints may only be used with the minimum amount of time and the force it takes to ensure the student or another person will not be injured.

Members of the House Education Reform Committee debated the need for these restraints Feb. 23. The committee laid the bill over so the sponsor, Rep. Jim Davnie (DFL-Mpls), can continue refining the language.

Testifiers were divided on the benefit of prone restraints for violent students with mental disabilities. Sue Abderholden, executive director at the National Alliance on Mental Illness Minnesota, asked the committee to support the bill, allowing for experts to further refine the practice.

“The solution isn’t to ban restraints at this time, as much as I don’t like them. It is to continue to develop alternatives. And I would go a step further — a more robust plan,” she said.

Other mental health advocates voiced opposition to the bill. Dan Stewart, supervising attorney at the Minnesota Disability Law Center, said prone restraints could injure students. He also claimed that, too frequently, school staff uses this as an alternative to addressing real issues surrounding disabilities.

“If we can’t stop the underlying behavior, we are only kicking the can down the road,” Stewart said.

Rep. John Benson (DFL-Minnetonka) worried about reports that education staff is frequently injured during violent outbursts. He called these injuries “intolerable” and questioned whether a solution could be found to reduce use of prone restraints, while still protecting educators on the job.

The companion is SF1917, sponsored

by Sen. Pam Wolf (R-Spring Lake Park). It awaits action in the Senate Education Committee.

— E. SCHMIDTKE

Employment

No more misclassifying employees

Unscrupulous employers sometimes label their workers “independent contractors” to avoid paying things like unemployment insurance, workers’ compensation and employment taxes.

Sponsored by Rep. Tim Sanders (R-Blaine), HF2093 is intended to solve a problem that has dogged the state for years. When employers misclassify their workers as contractors, they deny them basic benefits and protections afforded to regular employees. The state currently has no effective system for identifying employers who engage in this activity.

The bill would clarify who can be legally considered an “independent contractor.” It would further instruct the Department of Labor and Industry to implement a pilot project to register anyone performing construction services in the state who is not already licensed or registered under another section of law. This program would replace the current Independent Contractor Exemption Certificate. There would be no registration fee.

“We’ve been working on this issue for several years, and hopefully we’ll be able to bring about some resolution with this bill,” Sanders said.

The House Jobs and Economic Development Finance Committee approved the bill Feb. 16 and referred it to the House Commerce and Regulatory Reform Committee.

A 2007 report by the Office of the Legislative Auditor found that one out of every seven employers had misclassified one or more workers in 2005. That was a conservative estimate, the report stated, because it doesn’t account for employers who pay cash “under the table” or who don’t register with the unemployment system.

The report found that the practice of misclassification was highest in industries like real estate and construction, particularly the areas of roofing, drywall and residential remodeling.

Shane Paulson, a board member of the Minnesota Association of Exterior

Specialists, said his organization has concerns about the registration process, and that the program might open the door to “unwarranted and unnecessary audits.” Sanders pledged to work with the group to address their concerns.

Sen. John Pederson (R-St. Cloud) sponsors the companion, SF1653, which awaits action by the Senate Jobs and Economic Growth Committee.

— N. BUSSE

Env. & Natural Resources

Bill would cap DNR land prices

The \$14 million price tag for more than 1,800 acres of land on the Mississippi River has drawn the scrutiny of Rep. Jean Wagenius (DFL-Mpls), who wants to cap the price the Department of Natural Resources would pay to acquire land.

Wagenius sponsors HF2228, which would specify how much the DNR can pay. The House Environment, Energy and Natural Resources Policy and Finance Committee laid the bill over Feb. 21 for possible inclusion in a committee omnibus bill. There is no Senate companion.

Wagenius objects to the value placed on the land by Crow Wing County. The county assessed the land at between \$2,000 and \$2,500 per acre, but the state has budgeted to pay \$7,045 per acre — about three times the county’s assessed price.

She said legislators “have to address the interests of the taxpayer.”

The bill would cap purchases at the lower of two real estate prices — either 20 percent more than the county assessor’s estimated market value or 10 percent above the land’s appraised value. Exceptions would be allowed for when the commissioner determines the acquisition to be a “high priority,” but documentation would be required.

Bob Meier, assistant commissioner for policy and government relations with the DNR, said the department has “some problems” with the bill.

“In this day and age, we’re only interested in high-priority (land) parcels,” Meier said, adding that current law caps the price at 10 percent above the land’s appraised value.

Meier said justifying payment of higher prices would also create additional paperwork because language in the bill would require the DNR to document why the parcels are high-priority.

— B. GEIGER

Shutdown wouldn’t stop license flow

Minnesota hunters and anglers would be able to buy game and fish licenses electronically during a government shutdown if HF2343 becomes law.

Sponsored by Rep. Larry Howes (R-Walker), the bill was presented Feb. 21 to the House Environment, Energy and Natural

HISTORY LESSON



PHOTO BY ANDREW VONBANK

Visitors to the Capitol Rotunda get a chance to view Civil War artifacts on display Feb. 20 as part of History Matters Day, sponsored by the Minnesota Historical Society. The case contains the uniform and artifacts that belonged to 1st Sgt. Mathew Marvin of the First Minnesota Infantry.

Resources Policy and Finance Committee. It will be considered for inclusion in a committee omnibus bill.

The legislation is a response to the 2011 state government shutdown, after the House and Senate could not agree on a two-year budget with Gov. Mark Dayton. State services unavailable during the 21-day shutdown included purchasing fishing and hunting licenses.

"This is the third bill like this that would accommodate failure (to pass a budget)," said Rep. Rick Hansen (DFL-South St. Paul). He said a simpler solution would be to solve differences during session and avoid a shutdown.

Bob Meier, assistant commissioner for policy and government relations with the Department of Natural Resources, said passing HF2343 is important because it maintains cash flow even if the government shuts down.

Meier cited July and August, the first two months of Minnesota's fiscal year, when the DNR typically sells a total of \$8.5 million of hunting and fishing licenses. The bill would not change the per-transaction electronic license purchase fee of \$3.50.

Sen. Paul Gazelka (R-Brainerd) sponsors the companion, SF1911, which awaits action by the Senate Finance Committee.

— B. GEIGER

Health & Human Services

Health care delivery changes

The way health care would be delivered to and chosen by patients on Medical Assistance and MinnesotaCare would change under several scenarios, including pediatric care and the prevention of low-birth weights for babies, under a bill sponsored by House Health and Human Services Finance Committee Chairman Rep. Jim Abeler (R-Anoka).

HF2230 would require management for the care of children with high-cost medical conditions who are frequently hospitalized or in the emergency room to expand through the use of video or audio communication technologies in the patient's home. The goal is to reduce state-funded costs by avoiding unnecessary trips to the emergency room or hospitalization and also to improve the coordination of care between the patient and provider.

Pediatric hospital representatives said they

believe the bill would result in better patient outcomes, even though the providers may not be compensated as much for the off-site coordination of patient care.

The bill also would require the health commissioner to implement strategies to reduce the incidence of low-birth weight pregnancies and deliveries. Rep. Tom Huntley (DFL-Duluth) said low-birth weight deliveries typically cost eight times more than healthy deliveries.

Also included in the bill is Gov. Mark Dayton's executive order to establish a competitive price bidding program for Medical Assistance and MinnesotaCare patients in the seven-county metropolitan area who are not elderly or disabled. The program would have to allow for at least two managed care plans, beginning on or after Jan. 1, 2014. Patient outcomes would be measured and considered when considering competitive bids from providers.

The committee laid the bill over for possible omnibus inclusion. There is no Senate companion.

— S. HEGARTY

Stricter MFIP bills raise DFL ire

Amid shouts from protesters, proposed changes to the Minnesota Family Investment Program and harsher sanctions for the improper use of electronic benefit cards were approved by a House committee.

The Minnesota Coalition for a People's Bailout shouted, "Stop the attacks on the poor; make the rich pay more," during the House Health and Human Services Reform Committee as it approved three bills Feb. 22.

Among the provisions, HF2080, sponsored by Rep. Kurt Daudt (R-Crown), would:

- restrict EBT card use to Minnesota and four adjacent states, such as North Dakota, where state residents may cross the border to shop or seek professional services;
- reduce certain MFIP benefits from 60 months to a 36-month time limit;
- prohibit drug offenders with convictions from the past 10 years from receiving MFIP benefits;
- change when MFIP clients exit the program from 115 percent to 100 percent of the federal poverty guidelines; and
- require clients seeking to be recertified to pay for a background check.

The bill now moves to the House Public Safety and Crime Prevention Policy and Finance Committee. Sen. Michelle Benson (R-Ham Lake) sponsors SF1833, the companion, which awaits action by



PHOTO BY ANDREW VONBANK

Deb Konechne, representing the Minnesota Coalition for a People's Bailout, testifies before the House Health and Human Services Reform Committee Feb. 22 in opposition to a bill that would modify Minnesota Family Investment Program eligibility, sanctions and time limits. The bill's sponsor, Rep. Kurt Daudt, listens to the testimony.

the Senate Health and Human Services Committee.

Daudt also sponsors HF2081, which would permanently disqualify a person from receiving EBT cards in the future if that person is found to have purchased tobacco products or alcohol with the card. The committee approved the bill and referred it, as amended, to the House Judiciary Policy and Finance Committee. SF1674, a companion, is also sponsored by Benson awaits action in the Senate Health and Human Services Committee.

Rep. Kim Norton (DFL-Rochester) called the bill "inhumane" and said "An adult has made an error . . . the children are the ones that are punished."

A third bill, HF1956 sponsored by Rep. Sarah Anderson (R-Plymouth), also drew DFL criticism because of the way the bill's language was crafted.

The bill would enable law enforcement to notify the Department of Human Services when a criminal suspect is arrested and multiple EBT cards are subsequently found in their possession during the intake process. Approved by the committee, the bill was

referred to the House floor, but not before DFL members and Anderson agreed that the name of the bill, "Reporting Welfare Fraud," should be changed so it is not misconstrued. It was noted that there may be several reasons why a person possesses multiple EBT cards. Additional bill language implies the suspect is already an eligible EBT card recipient.

Rep. Susan Allen (DFL-Mpls) called the language "offensive," and said it perpetuates a stereotype that welfare fraud is prevalent. She didn't see the need for a law to enable one agency to report data to another agency. Sen. Scott Newman (R-Hutchinson) sponsors a companion, SF1598, which is in the Senate Judiciary and Public Safety Committee.

— S. HEGARTY

Registration for dental labs

Ever wonder where the materials come from that dentists use for filling your teeth or inserting dental implants?

The mystery would be solved under a bill approved by the House Health and Human Services Finance Committee Feb. 16. It would require dental laboratories to register with the Board of Dentistry and to track the origin of lab materials. It also would require that at least one technician in a dental laboratory be a Certified Dental Technician. The CDT designation is the only American Dental Association-recognized standard for dental technicians.

Sponsored by Rep. Tim Kelly (R-Red Wing) and Sen. John Howe (R-Red Wing), HF614/SF288*now goes to the House Ways and Means Committee. The Senate passed it last year 62-2.

"It's a big step in the right direction of informing the dentist and the patient what material is going to be placed in their body and where it's made," said Gary Iocco, Midwest Dental Laboratory Association president.

There would be a one-time \$20 registration fee so that the association could keep track of laboratories. The bill's previous requirement that labs be certified was changed to voluntary.

Dominic Sposeto, a lobbyist for the Minnesota Dental Association, said dentists may use several different labs depending upon what they want manufactured, such as a crown. "It gives the dentist the country of origin so information is in a patient's record," Sposeto said.

The Board of Dentistry no longer supports the bill because it would need to subsidize registration costs and certification isn't

required, according to Marshall Shragg, Board of Dentistry executive director.

"We're not sure there are any teeth to this," Shragg said.

"We want the markets to work this out, and we believe they will because this is a public safety issue," Kelly said.

Committee Chairman Rep. Jim Abeler (R-Anoka) successfully amended the bill to include HF1461, which he sponsors. It was part of an omnibus bill vetoed by the governor last year. As amended, the bill would require city, state and non-profit agency social workers to be licensed beginning in 2016. County social workers would be exempt from licensing — a sticking point last year.

SF1305, sponsored by Sen. Scott Newman (R-Hutchinson), is the companion to Abeler's bill. It awaits action by the Senate Judiciary and Public Safety Committee.

— S. HEGARTY

Hoping to restore FAIM funding

A casualty of last year's special session to balance the state budget was elimination of the annual \$250,000 to fund the Family Assets for Independence in Minnesota program which provides education, counseling and a matching savings account for low-income wage earners.

Hoping that the February budget forecast will enable a supplemental budget, Rep. King Banaian (R-St. Cloud) sponsors HF2062, which would restore \$500,000 in FAIM funding for fiscal year 2013. The House Health and Human Services Finance Committee held the bill over Feb. 16 for inclusion in a possible committee omnibus bill. The forecast is expected to be released Feb. 29.

"I'd like you to consider if there is a supplemental budget ... that this would be a priority in what you decide to restore," Banaian said.

The program is being funded through the General Fund, but alternative funding from the Temporary Assistance for Needy Families would be another option, according to Pam Johnson, research and member strategies manager for Community Action Partnership.

Members showed bipartisan support for the FAIM program, which matches each dollar of a participant's FAIM savings account with \$1.50 each in state and federal money.

"This was one of the programs out there that was a star in terms of making a difference

in people's lives," said Rep. Morrie Lanning (R-Moorhead).

A Senate companion, SF1720, sponsored by Sen. Michelle Benson (R-Ham Lake), awaits action by the Senate Health and Human Services Committee.

— S. HEGARTY

Protection screening disparities

Disparities between 86 child protection agencies might result in future legislation to streamline the collection of data and to close what legislators view as loopholes.

Members of the House Health and Human Services Reform Committee reacted Feb. 21 to a report from the Office of the Legislative Auditor that recommends more clarity in state laws regarding the screening of child maltreatment cases.

On the whole, the audit states that the agencies do an "adequate" job of screening and referrals, but committee members agreed with the auditor's recommendations for new laws and statewide rules.

Rep. Joe McDonald (R-Delano) noted that some of the state's child protection agencies allow people to anonymously file a report, even though state law requires the recording of a name and address. He also said there needs to be clearer policy regarding mental abuse, which can be just as damaging as physical abuse.

"If it's nowhere in law, I think we need to look at it," he said.

Of the 56,500 child maltreatment allegations reported in 2010, about 18,000 were referred to protective services. Richard Gehrman, executive director of Safe Passage for Children, said many pre-teen children and teenagers are not even considered because of limited resources within agencies. Also, teens may run away from an abusive situation and so case workers consider younger children more vulnerable, said Andrea Simonett, Catholic Charities homeless youth program director.

"That should be a red flag of sorts," said Rep. Kim Norton (DFL-Rochester). She said homeless teens are often the product of abusive homes and are just as vulnerable. She suggested working on legislation to address the older age group.

However, Legislative Auditor Jim Nobles said legislators should expect county agencies to "push back" if given unfunded state mandates. It boils down to who is paying the bulk of the services. Counties paid 57 percent

Highlights continued on page 15

House incumbent pairings

This decade's Minnesota redistricting shuffle pairs 32 incumbent House members in redrawn districts. Of the seats, six are paired Democrats, seven pair incumbent Republicans and three pair a Democrat and a Republican. It should be noted, however, that three incumbents who are paired with members of their same party have announced they will not be seeking reelection. Additionally, there are 15 open seats with no incumbent legislators.

District 4B



Rep. Paul Marquardt
(DFL-Dilworth)



Rep. Kent Eken
(DFL-Twin Valley)

District 5A



Rep. Larry Howes
(R-Walker)



Rep. John Persell
(DFL-Bemidji)

District 5B



Rep. Carolyn McElfattrick
(R-Deer River)



Rep. Tom Anzelc
(DFL-Balsam Township)

District 8B



Rep. Mary Franson
(R-Alexandria)



Rep. Mark Murdock
(R-Ottertail)
(Won't seek re-election)

District 11B



Rep. Roger Crawford
(R-Mora)



Rep. Bill Hilty
(DFL-Finlayson)

District 17A



Rep. Lyle Koenen
(DFL-Clara City)



Rep. Andrew Falk
(DFL-Murdock)

District 18B



Rep. Glenn Gruenhagen
(R-Glencoe)



Rep. Ron Shimanski
(R-Silver Lake)

District 23B



Rep. Paul Torkelson
(R-Nelson Township)



Rep. Tony Cornish
(R-Vernon Center)

District 35B



Rep. Branden Petersen
(R-Andover)



Rep. Peggy Scott
(R-Andover)

District 38B



Rep. Carol McFarlane
(R-White Bear Lake)



Majority Leader Matt Dean
(R-Dellwood)

District 39A



Rep. Bob Dettmer
(R-Forest Lake)



Rep. Bob Barrett
(R-Shafer)

District 41A



Rep. Tom Tillberry
(DFL-Fridley)



Rep. Kate Knuth
(DFL-New Brighton)

District 56A



Rep. Mark Buesgens
(R-Savage)
(Won't seek re-election)



Rep. Pam Myhra
(R-Burnesville)

District 61A



Rep. Frank Hornstein
(DFL-Mpls)



Rep. Marion Greene
(DFL-Mpls)

District 63B



Rep. Jean Wagenius
(DFL-Mpls)



Rep. Linda Slocum
(DFL-Richfield)

District 66A



Rep. Alice Hausman
(DFL-St. Paul)



Rep. Mindy Greiling
(DFL-Roseville)
(Won't seek re-election)

Want to know more?

About the 2012 redistricting court decision

<http://www.mncourts.gov/?page=4469>

How we got from there to here: the House Redistricting Committee

<http://www.house.leg.state.mn.us/comm/committee.asp?comm=87016>

Who represents me until 2013

<http://www.gis.leg.mn/OpenLayers/districts/>

Equal representation for 5,303,025

The political stakes don't get any higher than the reorganization of the state that happens every 10 years after the census.

In the simplest terms, redistricting is dividing the state into districts containing an equal population (a 2 percent variance is allowed) to ensure that all residents have an equal voice in the lawmaking process.

According to 2010 census figures, Minnesota added 348,446 people for an increase of 7.8 percent from 2000. This brings our population total to 5,303,025. How this population is distributed across the state, however, is cause for the lines to be redrawn.

The recent census shows that the western parts of the state have shown significant population declines, while counties situated in a line from St. Cloud to Rochester experienced growth.

While it's the Legislature's job to adjust the political lines, its track record for successfully doing so hasn't been so good. Every decade since 1913, the courts have played a significant role in determining the state's new political lines. This time around has been no exception.

After Gov. Mark Dayton and the Legislature could not reach agreement on new maps, the task fell to a five-judge panel. Their maps were released on Feb. 21.

With the full Legislature up for election this fall, the scramble now begins as members assess their new district lines, which, in some cases, will mean reassessing their political future.


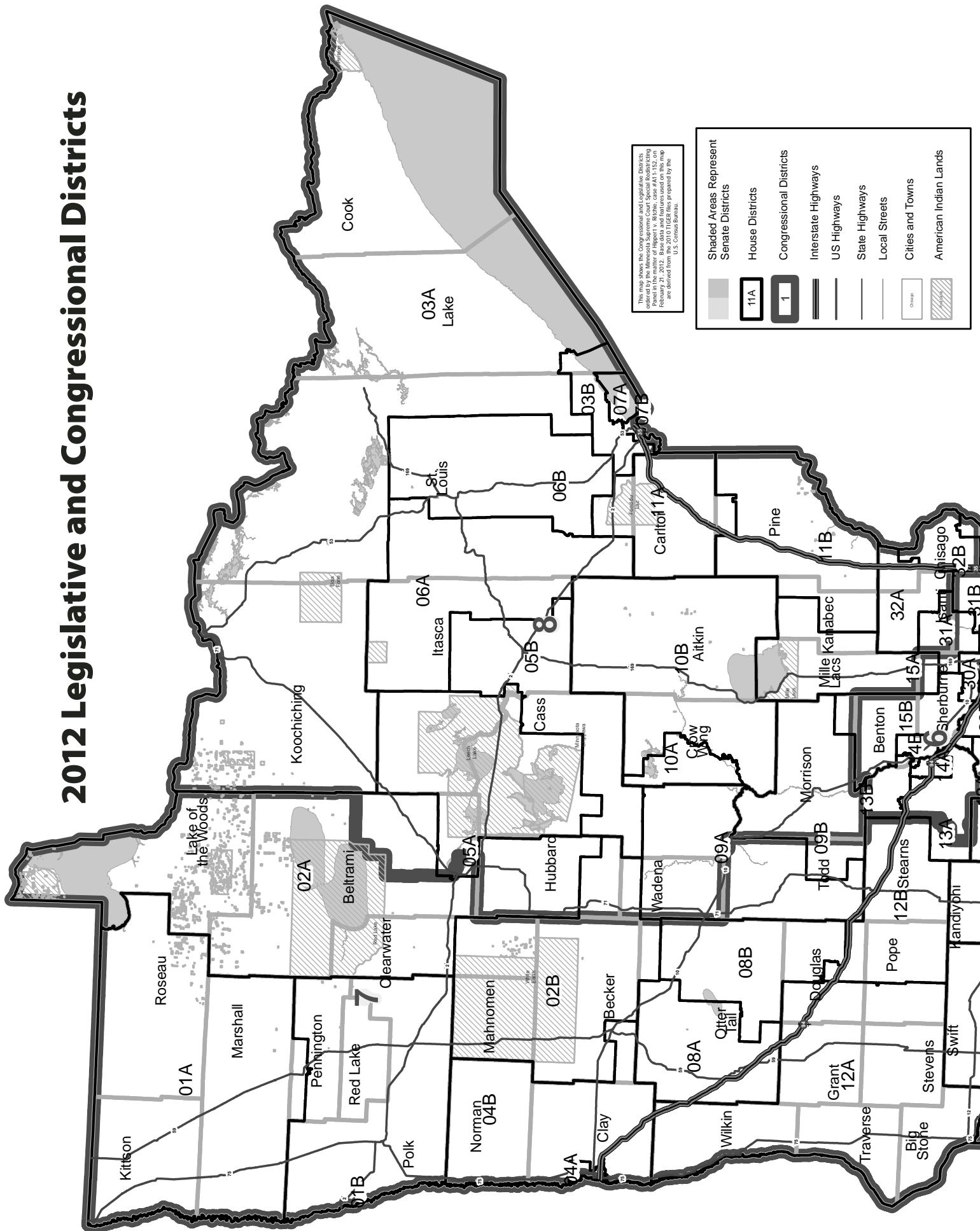
This decade's Minnesota redistricting shuffle pairs 32 incumbent House members in redrawn districts. Of the seats, six are paired Democrats, seven pair incumbent Republicans and three pair a Democrat and a Republican. It should be noted, however, that three incumbents who are paired with members of their same party have announced they will not be seeking reelection. Additionally, there are 15 open seats with no incumbent legislators. 



PHOTO BY ANDREW VONBANK

From left: Reps. Erin Murphy, Alice Hausman and John Lesch and Sen. Mary Jo McGuire scrutinize the newly released district maps Feb. 21.

2012 Legislative and Congressional Districts



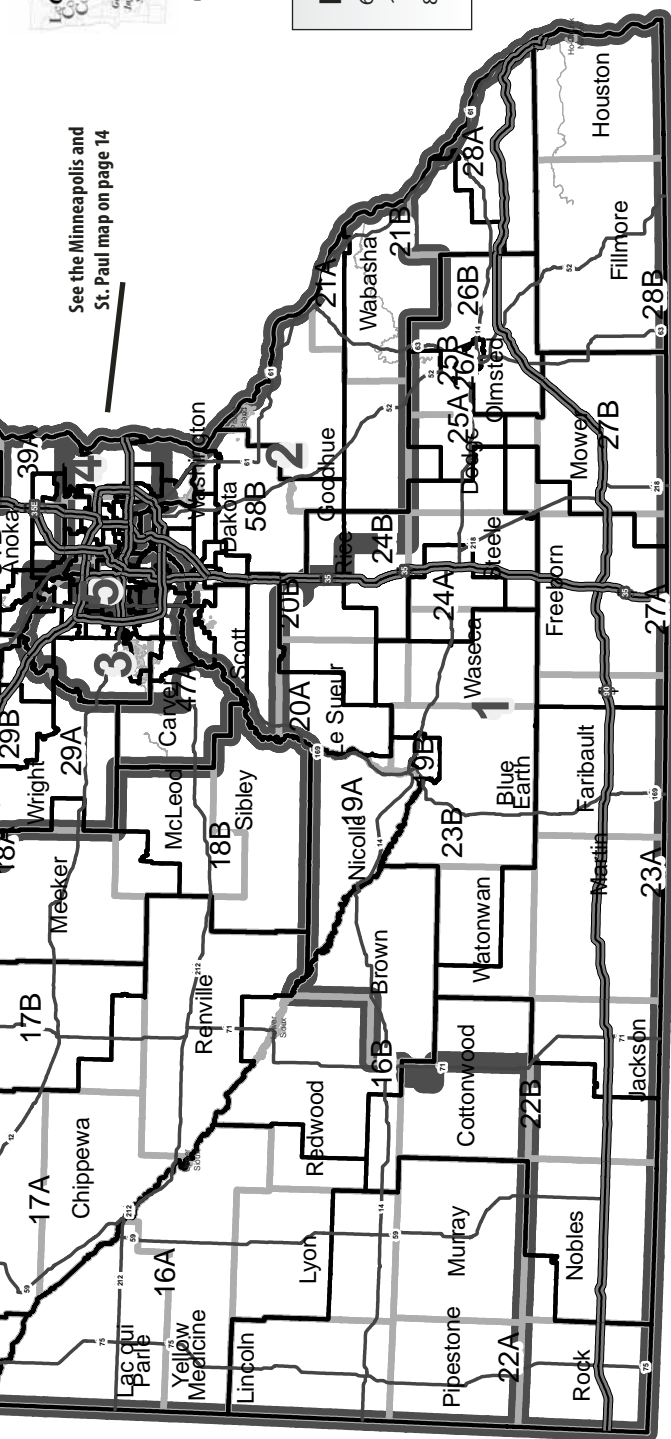
See the Minneapolis and St. Paul map on page 14

Legislature makeup

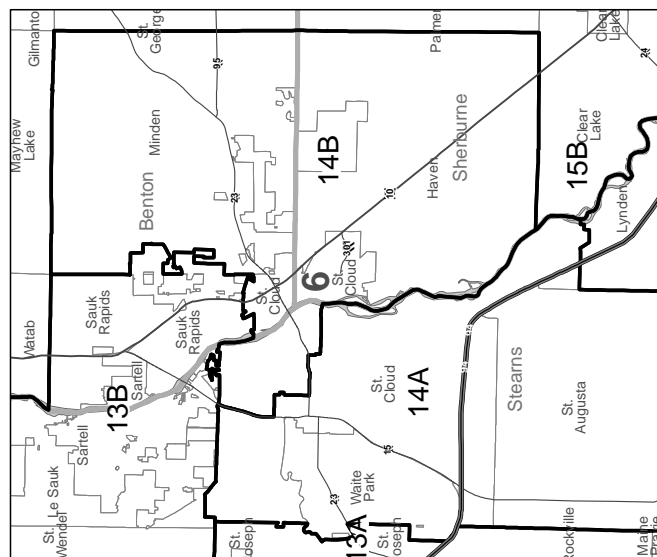
 67 State Senate Districts

 134 State House Districts

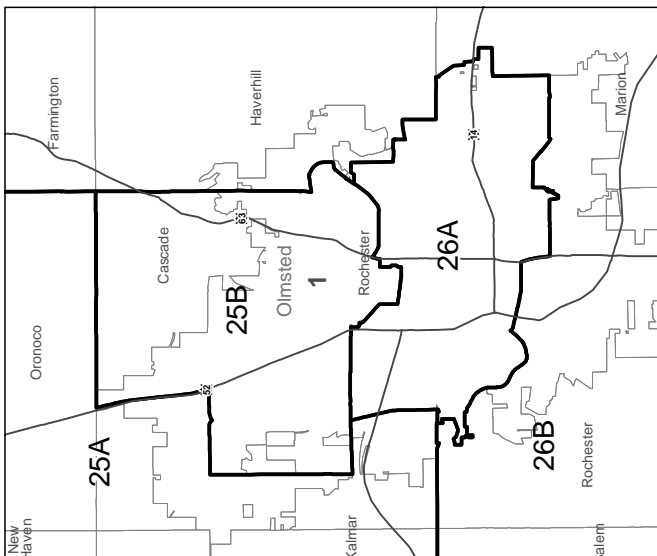
 8 Congressional Districts



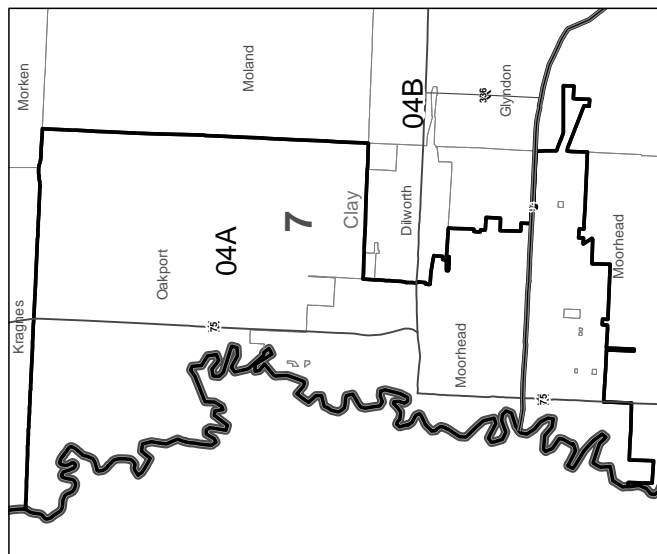
St. Cloud



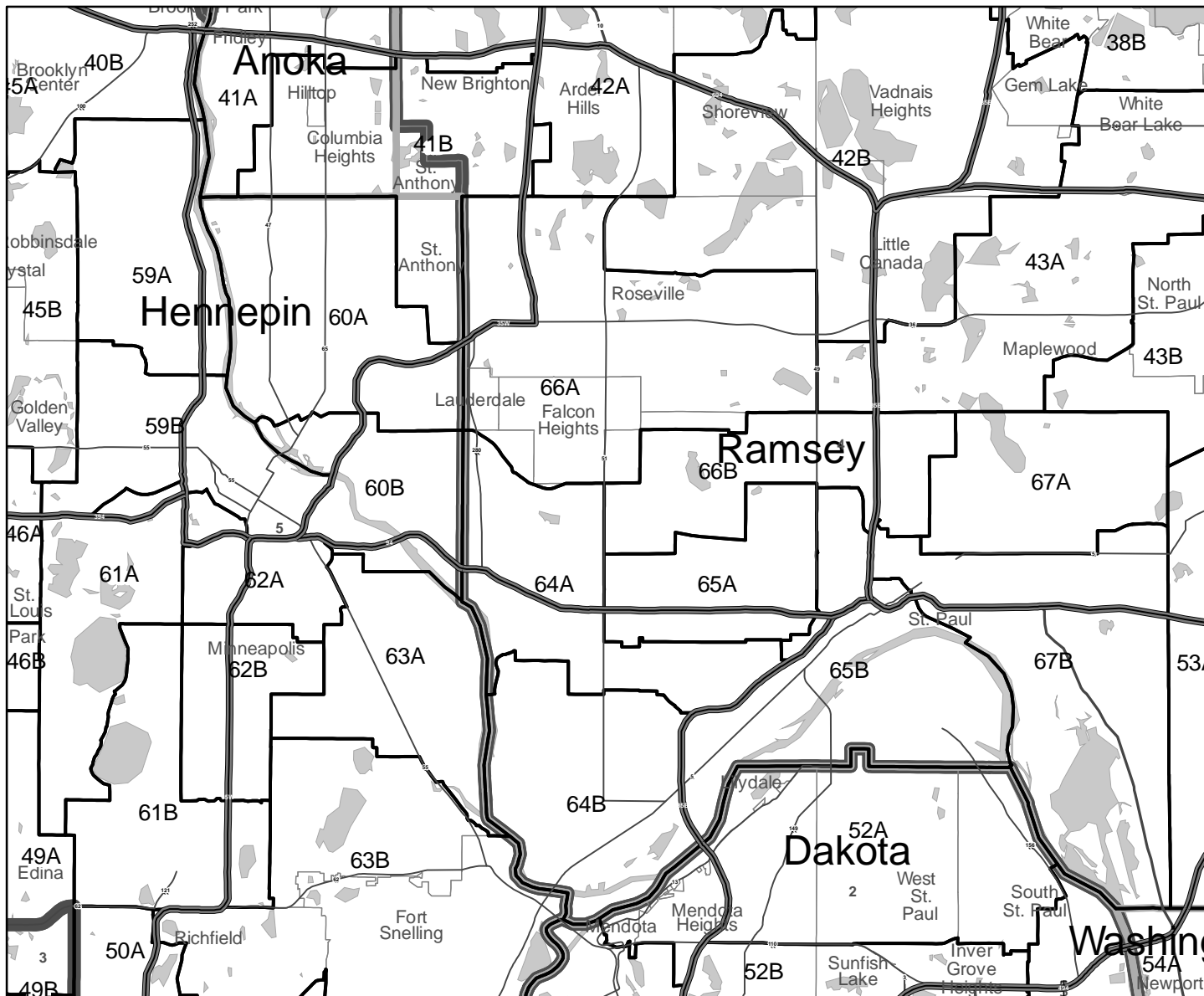
Rochester



Moorhead



Minneapolis and St. Paul



STORY BY LEE ANN SCHUTZ
 GRAPHICS COURTESY OF THE LEGISLATIVE
 COORDINATING COMMISSION GEOGRAPHIC
 INFORMATION SERVICES
 DESIGN BY PAUL BATTAGLIA

of 2010 child welfare costs, compared to 27 percent from federal funding and 10 percent from state funding.

The committee took no action on the report.

— S. HEGARTY

Higher Education

Internships for rural businesses

Greater Minnesota businesses could establish ties with post-secondary students and get tax credits for hiring up to five interns annually.

Rep. King Banaian (R-St. Cloud) sponsors HF2210 that would create a Greater Minnesota Internship Program. The program calls for partnerships with the University of Minnesota, Minnesota State Colleges and Universities system and private colleges and universities.

The bill's goal would be to help stop the retreat of young adults from Greater Minnesota to the Twin Cities metropolitan area, Banaian told the House Higher Education Policy and Finance Committee. The committee approved the bill Feb. 21 and forwarded it to the House Taxes Committee.

The bill could provide employers with a tax credit of up to \$1,250 a year. Employers may receive credit for up to five interns each year.

The bill's price tag is estimated to be \$1.25 million annually plus an estimated administrative fee of 1 percent — or nearly \$2.53 million during the two-year state budget period. If approved, the program would be administered by the Minnesota Office of Higher Education.

Banaian said that 70 percent of the students attending St. Cloud State University go on to work in the Twin Cities metropolitan area. "You've all seen the demography and what's projected to happen in this state over the next 10 to 15 years," he said.

His legislation could provide intern opportunities for juniors or seniors in college programs related to the employer's business. The employer tax credit would equal 40 percent of the intern's pay up to \$1,250. Participating employers could not qualify for more than five interns in a taxable year.

A companion bill, SF1869, sponsored by Sen. Jeremy Miller (R-Winona), is scheduled for a Feb. 22 hearing in the Senate Committee on Higher Education.

— B. GEIGER

Local Government

Land use bill heads to floor

Opponents of frac sand mining are among those concerned about a bill that would restrict local governments' ability to put the brakes on land developments.

Sponsored by Rep. Mike Beard (R-Shakopee), HF389 would restrict the ability of cities, counties and townships to adopt interim ordinances — also known as "land use moratoria" — that can delay for up to two years development projects for which a complete land use application is pending.

Beard said the goal is to protect developers who are playing by the rules from being blindsided by moratoria that can wear them down financially. Opponents say the bill would harm local officials' ability to protect their communities.

The House Government Operations and Elections Committee voted 9-5 to approve the bill and send it to the House floor. Sen. Ray Vandever (R-Forest Lake) sponsors the companion, SF270, which awaits action by the Senate Local Government and Elections Committee.

Beard successfully amended the bill with a delete-all amendment that represents a compromise between the bill's supporters and its opponents in city and county governments.

Under the new provisions, local governments would have 30 days to adopt an interim ordinance after receiving a complete land use application. Adopting an interim ordinance would require a two-thirds vote by the local governing body, and the ordinance would be limited to one year, with no extensions.

Patrick Hynes, representing the League of Minnesota Cities, said this version is a "workable compromise" compared to the old language, which the league opposed. He added that they would still prefer to keep the current law.

Some say the bill is still too restrictive of local governments. Bobby King, an organizer for the Land Stewardship Project, said the bill would tie the hands of local governments who might be struggling to fully consider the implications of something like large-scale sand mining in their communities within the bill's 30-day time frame.

"We believe local governments need to be fully empowered to react when something unanticipated and potentially harmful is proposed in their community," King said.

The bill also includes several changes related to park dedication and other fees.

— N. BUSSE

Public Safety

Sex offender's discharge

A convicted sex offender awaits a provisional discharge from the Minnesota Sex Offender Program in St. Peter; however, the move did not trigger a community notification. The apparent loophole in the law was enough to have the House declare an urgency Feb. 20, so members could pass a bill to require community notification of sex offenders released from the program.

Under current law, law enforcement is only required to provide community notification if a sex offender is released from a halfway house into a community.

The House voted 127-1 to pass HF2394*/SF1994, sponsored by Rep. Kathy Lohmer (R-Lake Elmo) and Sen. Warren Limmer (R-Maple Grove). The Senate Judiciary and Public Safety Committee amended the bill on Feb. 21, and it passed the Senate 61-0 Feb. 23.

Clarence Opheim, 64, must be discharged from MSOP within 15 days of the Feb. 10 court order, according to MSOP Executive Director Dennis Benson.

He is the first person in Minnesota to receive a provisional discharge and one of 635 clients in the treatment program, which has locations in Moose Lake and St. Peter. He was civilly committed to the program after serving his prison term for sexually abusing multiple children.

"As such, Mr. Opheim's release, and the lack of public notification, creates a potentially dangerous situation for the public and children who will be unaware of his presence," House Speaker Kurt Zellers (R-Maple Grove) and Majority Leader Matt Dean (R-Dellwood) wrote in a Feb. 17 letter to Gov. Mark Dayton.

— S. HEGARTY

More fingerprints more cases solved

There are situations when fingerprinting is required of a suspect — most are related to felonies, gross misdemeanors or targeted misdemeanor arrests or charges. However, sometimes the step is inadvertently overlooked. Law enforcement officials say more open criminal cases could be resolved if fingerprints could be better linked to cases.

Rep. Tony Cornish (R-Vernon Center) sponsors HF2160 that would permit fingerprinting a suspect arrested for any offense.

"The fingerprint is our way to associate all records that need to be connected with that individual," said Katie Engler, legal analyst for the Bureau of Criminal Apprehension.

She said the bill only allows for fingerprinting a suspect re-entering the criminal justice system who was previously involved in an incident that would have required the procedure, but where it was overlooked.

The House Data Practices Subcommittee approved the bill Feb. 20 and moved it to the House Civil Law Committee. The bill has no Senate companion.

Rep. Mary Liz Holberg (R-Lakeville) raised concerns that the bill's provisions would open the door to fingerprinting for more incidents. Before the bill reaches the next committee, she would like to see a greater safety net cast, to ensure that local officials follow a standard similar to one set by the BCA.

— L. SCHUTZ

'Crime of violence' definition

The Minnesota County Attorneys Association would like to add a few felony-level crimes to the list of offenses deemed to be a "crime of violence" — a designation that restricts a felon's ability to own or possess firearms.

HF1665, sponsored by Rep. Glenn Gruenhagen (R-Glencoe), would add felony-level convictions for fifth-degree assault, domestic assault and domestic assault by strangulation to the list of offenses described as "crime of violence."

Under current law, a person convicted of a "crime of violence" is not entitled to ship, transport, possess or receive a firearm or other dangerous weapons. The law also provides various crime victim notification rights if an alleged offender is arrested or charged with a "crime of violence."

The House Public Safety and Crime Prevention Policy and Finance Committee approved the bill Feb. 21 and referred it to the House Judiciary Policy and Finance Committee.

The companion, SF2057, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action in the Senate Judiciary and Public Safety Committee.

— S. HEGARTY

Fugitive unit and search warrants

To save time and perhaps nab more fugitives, officers from the Minnesota Department of Corrections Fugitive Apprehension Unit would like the ability to apply for search warrants.

Current law prohibits them from doing so and results in pulling an officer off other duties from the agency with primary jurisdiction.

That would change under HF1938, which was laid over Feb. 21 for possible inclusion in a House Public Safety and Crime Prevention Policy and Finance Committee omnibus bill. Committee Chairman Rep. Tony Cornish (R-Vernon Center) sponsors the bill. The companion, SF2028, sponsored by Sen. John Harrington (DFL-St. Paul), awaits action in the Senate Judiciary and Public Safety Committee.

The unit arrests an annual average of 400 convicted felons with outstanding warrants and assists the U.S. Marshals fugitive task force, according to Cari Gerlicher, DOC director of the Office of Special Investigations. The search warrants are necessary for locating cell phones that aid in capturing a fugitive, Gerlicher said.

Cornish called the bill an "efficiency measure."

— S. HEGARTY

Domestic violence penalties

As part of a domestic assault in July 2011, a man in Hopkins held his wife against a wall by her chest and neck during an argument and then threw her to the floor.

Following the man's arrest, Jason Hutchison, the prosecuting attorney for Hopkins, reviewed the man's criminal history to see if he had been previously convicted of a qualified domestic violence-related offense that would have allowed Hutchison to start the case as a gross misdemeanor, rather than a misdemeanor.

Qualified domestic violence-related offenses include: murder; violating an order for protection, harassment restraining order or no-contact order; stalking; domestic assault; or criminal sexual conduct. Hutchison found none of these in the man's past.

"What was brought to my attention by one of the police detectives was that this particular suspect had been convicted of female genital mutilation in 2000 for which he was on probation until 2001," Hutchison told the House Public Safety and Crime Prevention Policy and Finance Committee



PHOTO BY ANDREW VONBANK

Amy Sweasy, senior attorney with the Hennepin County Attorney's Office, testifies before the House Judiciary Policy and Finance Committee Feb. 16 in support of a bill that would modify the penalty for criminal neglect of a vulnerable adult. The bill's sponsor, Rep. Steve Gottwalt, listens to the testimony.

Feb. 16.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park), HF2149 would add to the list of a qualified domestic violence-related offense the crime of female genital mutilation against a family or household member.

Approved by the committee, the bill awaits action by the House Judiciary Policy and Finance Committee. A companion, SF1657, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the Senate Judiciary and Public Safety Committee.

"People who commit acts of FGM, a felony, and are convicted for those acts, should have those convictions used against them when they perpetrate other acts of violence on their families and family members," Hutchison said.

— M. COOK

Vulnerable adult neglect penalties

A change that supporters believe is long overdue and could be a model for the rest of the nation has garnered the support of a House committee.

Sponsored by Rep. Steve Gottwalt (R-St. Cloud), HF1945 would create a new felony crime for intentional deprivation of a vulnerable adult, such as with food, clothing,

shelter or health care, when the caregiver “is reasonably able to make the necessary provisions.”

“Many of us have heard the horrendous stories about abuse of vulnerable adults and the fact that (the perpetrator) can only be charged with a gross misdemeanor,” Gottwalt said. He noted that the provider community, prosecutors and other “major players” worked together on the final product to make sure there were no unintended consequences to people caring for those in difficult situations. “This language is going to end up being a model for the nation,” he said.

Approved by the House Public Safety and Crime Prevention Policy and Finance Committee Feb. 23, it was sent to the House Ways and Means Committee.

Hennepin County Attorney Mike Freeman called current penalties inadequate. “A gross misdemeanor is the most serious penalty and that does not mean any jail time ... particularly in situations where we’d see the intentional neglect results in amputation, when we find maggots, infected ulcers, when we see people left to rot in their own waste for weeks at a time.” He noted it’s currently a two-year felony for animal cruelty and five years for child neglect.

The bill provides for three affirmative defenses:

- the person employed by a facility is unable to “reasonably make the necessary provisions due to inadequate staffing levels, inadequate supervision, or institutional policies”;
- the defendant operates or manages a facility and did not knowingly or intentionally permit an employee to permit the criminal act; and
- where the caregiver “was acting reasonably and necessarily to provide care to another identified vulnerable adult.”

Rep. Tina Liebling (DFL-Rochester) supports the bill, but is concerned about the affirmative defenses. “The state has to prove beyond a reasonable doubt every element of the offense. When you put the burden on the defendant to come forward with something and prove it by a preponderance you may be in fact requiring the defendant to prove that the defendant is not guilty, which is unconstitutional. ... I’ve seen statutes invalidated for that very thing.”

A companion, SF1586, sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action by the Senate Finance Committee.

— M. Cook

Recreation & Tourism

Saints ballpark gets hearing

Supporters made their case Feb. 23 for \$27 million in state bonding for a new regional ballpark in downtown St. Paul and \$14.5 million to upgrade an events center in Mankato.

Rep. Tom Hackbarth (R-Cedar) sponsors HF1677, which would fund the state’s half of a proposed \$54 million baseball facility in St. Paul. The House Jobs and Economic Development Finance Committee laid the bill over for possible inclusion in its bonding recommendations.

The ballpark, which would house the St. Paul Saints as well as high school and college teams, would be located on an abandoned industrial site in Lowertown. The plan is to sell the 30-year-old Midway Stadium and use the money to help defray the cost of the new facility.

St. Paul Mayor Chris Coleman said the project has the support of the local business community, who see it as key to creating a vibrant downtown.

“Clearly there are job opportunities in the construction of the stadium ... but we also understand this as a jobs measure to continue to recruit companies that want to come into St. Paul,” he said.

House Capital Investment Committee Chair Rep. Larry Howes (R-Walker) said he supports the project “99 percent,” and that the current field is in bad condition. He said the project represented a legitimate use of public money.

“It’s not just government’s job to fund the things that are necessary, but it’s also helpful if we enhance communities and make life more pleasant,” Howes said.

The bill has no Senate companion.

The committee also laid over HF1883, sponsored by Rep. Kathy Brynaert (DFL-Mankato). The bill would authorize \$14.5 million in bonds to help fund a \$31 million expansion and renovation of Mankato’s regional event center.

Jonathan Zierdt, president and CEO of Greater Mankato Growth, Inc., said the project will allow for more conventions, performances and sporting events that will enhance the local economy. It would also provide a permanent, year-round home to Minnesota State University, Mankato’s men’s and women’s hockey teams.

Sen. Kathy Sheran (DFL-Mankato) sponsors the companion, SF1516, which

awaits action by the Senate Capital Investment Committee.

— N. Busse

State Government

‘Flattening’ bureaucracy

A proposed study would look at “flattening” state agencies internal management structure to reduce unnecessary bureaucracy.

Rep. Mike Benson (R-Rochester) sponsors HF1813, which proposes contracting for one or more studies on possible internal reorganization of several major state agencies, as well as the Minnesota State Colleges and Universities system. The goal would be to determine whether their top- and middle-management structures are as efficient as they could be.

The House Government Operations and Elections Committee approved the bill as amended by Benson and referred it to the House State Government Finance Committee.

Benson said the goal of the bill is to examine issues like how many layers of management a decision has to go through, and how best to empower employees by pushing responsibility to the lowest possible levels of an organization.

“My hope is that when you go into (Driver and Vehicle Services), that the person there closest to the job can be empowered to make decisions rather than have to go in the back room and ask a supervisor,” Benson said.

David Post, a senior consultant with IBM, said reorganization efforts aren’t always easy and can often be highly political, but they can generate huge cost savings when done correctly.

Some DFL committee members said the bill was unnecessary, and would authorize potentially costly contracts with private vendors for work many agencies are already undertaking internally.

“How much of this is sort of code for layoffs and outsourcing and offshoring?” asked Rep. Frank Hornstein (DFL-Mpls).

Laura King, MnSCU’s chief financial officer, said she hoped MnSCU would be excluded from the bill’s provisions. She said the system has already scaled down its administrative staff and generated significant productivity increases through its own initiatives.

Sen. Carla Nelson (R-Rochester) sponsors the companion, SF1650, which awaits action

by the Senate State Government Innovation and Veterans Committee.

— N. BUSSE

No rulemaking for two years?

State agencies would be stripped of their rulemaking authority for two years, with few exceptions, under a bill that won committee approval.

Rep. Chris Swedzinski (R-Ghent) sponsors HF2211 that would prohibit agencies from creating any new rules between July 1, 2012, and June 30, 2014. The House State Government Finance Committee approved the bill Feb. 16 and sent it to the House Commerce and Regulatory Reform Committee.

Rules differ from laws in that they are developed by agency staff, often through lengthy processes and usually in consultation with various stakeholders. Lawmakers typically delegate rulemaking powers to state agencies in cases where they believe professional expertise is needed in order to effectively implement laws.

Supporters of the bill argue agencies' use of rulemaking authority is out of control and has become a hindrance to economic growth. Mike Hickey, representing the National Federation of Independent Businesses, said the use of rulemaking has grown exponentially since the 1960s.

"The point of this bill is to try to take a time out on the burden of rules and regulations that have been increasing over the last several decades," Hickey said.

The bill provides for a handful of exceptions, such as in the case of situations that pose a threat to public safety or health or that involve court orders or federal requirements.

Opponents argue that far from helping businesses, the bill could throw them into chaos. John Rajkowski, director of governmental relations for the Department

CAPITOL HUNT



PHOTO BY PAUL BATTAGLIA

Donovan and Laura Rodriquez, from left, of Maplewood, and Samuel Holweger of Woodbury, plan their strategy for a Capitol scavenger hunt Feb. 20

of Labor and Industry, said the bill would damage the health care and construction industries by preventing important updates to rules that govern their operations.

Similarly, Department of Natural Resources Assistant Commissioner Bob Meier said the bill would prevent the department from establishing any hunting and fishing seasons for two years. Instead, he said lawmakers would have to do the

work themselves, debating things such as how many deer or moose per square mile is a reasonable limit, which firearms should be allowed in certain zones and numerous other policy issues.

Sen. Ted Lillie (R-Lake Elmo) sponsors the companion, SF1631, which awaits action by the Senate State Government Innovation and Veterans Committee.

— N. BUSSE

Frequently called numbers		
Area code 651		
House Public Information Services	House Research	Senate Index
175 State Office Building 296-2146	600 State Office Building 296-6753	110 Capitol 296-2887
Toll-free 800-657-3550	Senate Information	Senate Counsel, Research and Fiscal Analysis
Chief Clerk of the House	231 Capitol 296-0504	G-17 Capitol 296-4791
211 Capitol 296-2314	Toll-free 888-234-1112	Governor's Office
House Index	Secretary of the Senate	130 Capitol 201-3400
211 Capitol 296-6646	231 Capitol 296-2344	
Meeting Call line, House 296-9283	Voice mail/order bills 296-2343	

Collaboration over discipline

Whips rely on communication as session moves forward

By ERIN SCHMIDTKE

The title of “whip” originally referred to the man who kept the hounds “whipped in” during a hunt. Nearly 100 years since the term became a part of American politics, its meaning has evolved.

Today, the role is more associated with collaboration than discipline. Rep. Larry Hosch (DFL-St. Joseph) is a minority whip. He said, “I think if you do your job right, you get to a point where you don’t have to twist arms, but you’re able to come to a consensus as a caucus with good communication.”

Whips have several different responsibilities within the House. When a vote is approaching, especially on a controversial bill, whips gauge support and relay that information to the leader. Whips are also responsible for counting members’ votes on a bill.

Oftentimes, the role requires strategizing with other leadership within the caucus. That’s something Rep. Melissa Hortman (DFL-Brooklyn Park) appreciates.

“I like having the opportunity to sit down in a smaller group and let [the minority leader] know my thoughts on things. And the role of a whip is like the role of a state rep., with the caucus being our district. The

job is to listen and let our leader know what the caucus is thinking and feeling,” she said.

Within the caucuses, whips may or may not be elected. The Republican caucus has one majority whip and six assistant whips. Only the majority whip, Rep. Rod Hamilton (R-Mountain Lake), was elected. The six assistant whips volunteered for their positions. In the DFL caucus, the four minority whips were appointed by the minority leader. Their party does not have any assistant whips.

Whips work with each other to ensure that knowledge is shared across a party. Hamilton has incorporated that into his philosophy. “If you go in with the mentality about communication and preparation, that makes the job easy,” he said.

Whips frequently need to speak with other members about issues. Because this biennium has brought many new members to the House, being in a position of whip makes it easier to become acquainted with freshmen legislators. Rep. Ron Shimanski

(R-Silver Lake), an assistant whip, said, “With 72 [Republican] members, approximately 30 of them being freshmen, it takes us a while to get around and be acquainted. It’s allowed me that personal contact.”

Being a whip means helping other whips, too. The need for mobility and rapid communication is critical on the House floor. Whips are often seated near the group of members they’ve been assigned to monitor, or on aisles so the majority or minority leader is readily accessible. That’s important, especially for Hamilton.

He highlighted his relationship with Rep. Tim Sanders (R-Blaine), who is an assistant whip. When moving quickly is required on the House floor, Sanders frequently helps Hamilton, who has been diagnosed with multiple sclerosis.

This position has a number of challenges. The logistics the whips must manage can occasionally become a problem. Hosch and Shimanski both cited counting votes before an official floor session as a frustrating part of the job, especially when members are away from the Capitol and difficult to reach. However, it’s a small price for a position they enjoy.

“One of the things I don’t like is a day-to-day office job that has predictability and a boring atmosphere,” Hosch said. “This job definitely doesn’t have that.” 🐾

Republican whips



Majority Whip
Rod Hamilton

Assistant Majority Leaders



Kurt Daudt



Bob Gunther



Joe Hoppe



Tim Kelly



Jenifer Loon



Paul Torkelson

Democratic whips



Deputy Minority Leader
Debra Hilstrom

Minority Whips



Melissa Hortman



Larry Hosch



John Lesch



Terry Morrow

BILL INTRODUCTIONS

FEBRUARY 20 - 23, 2012

HOUSE FILES 2344 - 2492

Monday, Feb. 20

HF2344-Gruenhagen (R)

Health and Human Services Reform

Health insurance-related taxes and assessments consolidated.

HF2345-Gruenhagen (R)

Commerce & Regulatory Reform

Federally nonqualified health plan sales permitted to Minnesota residents.

HF2346-Gruenhagen (R)

Health & Human Services Reform

Financial responsibility for hospital-acquired infections specified.

HF2347-Gruenhagen (R)

Commerce & Regulatory Reform

Small employer health insurance market expanded.

HF2348-Abeler (R)

Health & Human Services Finance

Return on taxpayer investment methodology and practices for human services and corrections programs study and recommendation development money appropriated.

HF2349-Gruenhagen (R)

Commerce & Regulatory Reform

Insurance agents regulated and "facilitate enrollment" defined.

HF2350-Fabian (R)

Environment, Energy & Natural Resources Policy & Finance

Scopes allowed on muzzleloaders.

HF2351-Fabian (R)

Agriculture & Rural Development Policy & Finance

Donated venison exempted from food law regulations.

HF2352-Quam (R)

Taxes

Rochester; lodging tax authority increased, and food and beverage tax authority repealed.

HF2353-Hackbarth (R)

Government Operations & Elections

Publicly funded shooting ranges accessibility required.

HF2354-Sanders (R)

Commerce & Regulatory Reform

Plumbing requirements modified relating to sump pumps and drain tiles.

HF2355-Daudt (R)

Health & Human Services Reform

Individual who is related definition modified to include great-grandparent, great-aunt, and great-uncle.

HF2356-Daudt (R)

Commerce & Regulatory Reform

Workers' Compensation Reinsurance Association compliance with the open meeting law and the Data Practices Act required.

HF2357-Nelson (DFL)

Taxes

Brooklyn Park; special tax increment financing rules provided.

HF2358-Quam (R)

Taxes

Historic structure rehabilitation tax credit sunset extended.

HF2359-Quam (R)

Government Operations & Elections

Dodge County; county recorder appointive process provided.

HF2360-O'Driscoll (R)

Government Operations & Elections

Public Employees Retirement Association; minimum monthly salary amount increased for plan coverage eligibility.

HF2361-Mahoney (DFL)

Jobs & Economic Development Finance

Angel investment tax credit changes made and data practices exemption added.

HF2362-Mazorol (R)

Civil Law

Uniform Community Property Rights at Death Act adopted.

HF2363-Mahoney (DFL)

Jobs & Economic Development Finance

Minnesota Science and Technology Authority money appropriated.

HF2364-Benson, M. (R)

Transportation Policy & Finance

Legislative routes removed from the trunk highway system.

HF2365-Wardlow (R)

Government Operations & Elections

Fallen Firefighters Memorial Day designated date changed.

HF2366-Kriesel (R)

Veterans Services Division

Special veterans' plates service branch designs added.

HF2367-Runbeck (R)

Jobs & Economic Development Finance

Seasonal municipal workers' unemployment benefit eligibility modified.

HF2368-Runbeck (R)

Government Operations & Elections

Voter approval required for lease financings.

HF2369-Benson, M. (R)

Jobs & Economic Development Finance

Permit management and coordination provided, and centralized electronic accessibility to permit applications and documentation required.

HF2370-Hackbarth (R)

Environment, Energy & Natural Resources Policy & Finance

Underground high-voltage transmission line cost allocation regulated.

HF2371-McNamara (R)

Environment, Energy & Natural Resources Policy & Finance

State parks and recreation areas continued operation provided for when biennial appropriations have not been enacted.

HF2372-Kiel (R)

Environment, Energy & Natural Resources Policy & Finance

Board of Water and Soil Resources wetland restoration funding provided; bonds issued.

HF2373-Cornish (R)

Public Safety & Crime Prevention Policy & Finance

Felony of fraudulent or other improper finance statements extended to include retaliation against a sheriff or county recorder for performance of official duties regarding real property.

HF2374-Kiffmeyer (R)

Health & Human Services Finance

Nursing facility rate equalization modified.

HF2375-Schomacker (R)

Health & Human Services Finance

Nursing facilities and the elderly waiver program rate increases provided.

HF2376-LeMieur (R)

Education Finance

School food service fund equipment purchase approval process simplified.

HF2377-Nornes (R)

Higher Education Policy & Finance

Tuition reciprocity payments account established, tuition reciprocity payments and transfers modified, and appropriations transferred.

HF2378-Vogel (R)

Transportation Policy & Finance

Design-build projects approved under pilot program completion authorized.

HF2379-Gottwalt (R)

Health & Human Services Reform

Licensing moratorium exception provided for adult foster care homes, and certification requirements established.

HF2380-Greiling (DFL)

Education Reform

Resident pupils temporarily placed in a care and treatment center allowed to continue to participate in district extracurricular activities.

HF2381-Runbeck (R)

Taxes

Property tax statements and notices modified.

HF2382-Barrett (R)

Taxes

Combined receipts tax phased out.

HF2383-Barrett (R)**Education Finance**

St. Croix River Education District; building lease levy alternative uses permitted.

HF2384-Barrett (R)**Jobs & Economic Development Finance**

Electrical inspections required to continue in the event of a government shutdown.

HF2385-Kath (DFL)**Education Reform**

Teacher unrequested leave of absence provisions modified.

HF2386-Hancock (R)**Environment, Energy &****Natural Resources Policy & Finance**

Heartland Trail and Itasca State Park trail connection established.

HF2387-Gauthier (DFL)**Transportation Policy & Finance**

Greater Minnesota transit funding provided; bonds issued.

HF2388-Carlson (DFL)**Taxes**

Lien withdrawal notice requirements modified.

HF2389-McNamara (R)**Environment, Energy &****Natural Resources Policy & Finance**

State trail acquisition and development funding provided; bonds issued.

HF2390-Torkelson (R)**Environment, Energy &****Natural Resources Policy & Finance**

State park and recreation area acquisition funding provided; bonds issued.

HF2391-Murphy, M. (DFL)**Government Operations & Elections**

Volunteer firefighter relief association; state auditor volunteer working group 2011-2012 recommendations implemented.

HF2392-Dettmer (R)**Government Operations & Elections**

Anoka County Housing and Redevelopment Authority powers and jurisdiction provided.

HF2393-McElpatrick (R)**Environment, Energy &****Natural Resources Policy & Finance**

Wetland Conservation Act modified.

HF2394-Lohmer (R)**Health & Human Services Reform**

Minnesota sex offender program; community notification required when a person is released from the program.

HF2395-Anderson, P. (R)**Environment, Energy &****Natural Resources Policy & Finance**

General permit use authorized and clarified.

HF2396-Benson, M. (R)**Higher Education Policy & Finance**

University of Minnesota and Mayo Foundation Partnership funding provided.

HF2397-Benson, M. (R)**Capital Investment**

Chester Woods State Trail appropriation availability extended.

HF2398-Anderson, P. (R)**Agriculture & Rural Development****Policy & Finance**

Agricultural pesticide, plant, nursery law, inspection, enforcement, food, animal, grain, and weight and measure provisions modified; and Dairy Research, Teaching, and Consumer Education Authority established.

HF2399-Hausman (DFL)**Transportation Policy & Finance**

Rail capacity improvement funding provided; bonds issued.

HF2400-Quam (R)**Environment, Energy &****Natural Resources Policy & Finance**

Minnesota State Arts Board; distribution method for funds to regional art councils modified.

HF2401-Hilty (DFL)**Education Finance**

Maximum effort debt service loans early repayment authorized.

HF2402-Davids (R)**Taxes**

Medical device exemptions clarified.

HF2403-Marquart (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Flood hazard mitigation grant funding provided; bonds issued.

HF2404-Scott (R)**Government Operations & Elections**

Metropolitan Council staggered, four-year terms provided for members.

HF2405-Hilty (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

State nursery plant stock sale allowed to soil and water conservation districts.

HF2406-Swedzinski (R)**State Government Finance**

Marshall; Minnesota Southwest Regional Amateur Sports Facility funding provided and bonds issued.

HF2407-Swedzinski (R)**Higher Education Policy & Finance**

Southwest Minnesota State University funding provided for the design of a science lab renovation; bonds issued.

HF2408-Abeler (R)**Health & Human Services Finance**

Disability services parental contributions modified, state agency hearings modified relating to the personal care assistance program, assessment and support planning modified, congregate rate reductions modified, housing with services consultation modified, Community First Choice Option developed, foster care licensing moratorium modified, and residential settings for home and community-based services modified.

HF2409-Shimanski (R)**Public Safety & Crime Prevention****Policy & Finance**

Police civilian review uniform authority procedures provided.

HF2410-Mack (R)**Environment, Energy &****Natural Resources Policy & Finance**

Minnesota Zoo funding provided for asset preservation, exhibit renewal, and master plan design and implementation; bonds issued.

HF2411-Lanning (R)**Government Operations & Elections**

Teachers Retirement Association; deferred annuity augmentation rates revised for deferred annuitants.

HF2412-Gottwalt (R)**Health & Human Services Reform**

Managed care plan financial reporting changes made, and an annual independent third-party audit required.

HF2413-Hackbarth (R)**Environment, Energy &****Natural Resources Policy & Finance**

Energy resources and funding for renewable development distributed, and improvement funds provided for energy conservation & renewable development account for qualifying solar energy projects on public buildings.

HF2414-Atkins (DFL)**Commerce & Regulatory Reform**

Business corporations not allowed the power to make corporate independent political expenditures.

Wednesday, Feb. 22
HF2415-Cornish (R)**Public Safety & Crime Prevention****Policy & Finance**

Victim notification regarding offenders by Department of Corrections permitted to include electronic notification in addition to written notification.

HF2416-Rukavina (DFL)**Health & Human Services Finance**

MinnesotaCare coverage of private duty nursing, nursing home or intermediate care facilities, and personal care attendant services required, and federal home health aides certification in underserved areas by commissioner of health required.

HF2417-Anzelc (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Snare tending requirements modified.

HF2418-Howes (R)**Commerce & Regulatory Reform**

Lawful gambling net profits contribution to 501(c)(19) organizations allowed by licensed organizations.

HF2419-Garofalo (R)**Education Finance**

90 percent aid payments required for charter schools in their first three years.

HF2420-Woodard (R)**Education Reform**

Charter school provisions modified.

HF2421-Allen (DFL)**Civil Law**

Preadoptive and adoptive child placement proceedings modified.

HF2422-Hamilton (R)**Commerce & Regulatory Reform**

Arden Hills stadium construction, electronic pull-tabs and bingo authorized; public infrastructure improvement funding provided; bonds issued.

HF2423-Hamilton (R)**Health & Human Services Finance**

ICF/DD care contingent rate reductions repealed.

HF2424-Mullery (DFL)**Taxes**

Land-banked property tax exemptions modified.

HF2425-Abeler (R)**Health & Human Services Finance**

Mental health physician assistants classified as mental health professionals for purposes of Medical Assistance.

HF2426-Dettmer (R)**Public Safety & Crime Prevention
Policy & Finance**

Peace Officer's Memorial repairs money appropriated.

HF2427-Champion (DFL)**Jobs & Economic Development Finance**

Minneapolis; historic Masonic Temple at the Hennepin Center for the Arts renovation funding provided; bonds issued.

HF2428-Beard (R)**Transportation Policy & Finance**

Freight railroad operation-related economic development study and report to the Legislature by commissioners of transportation and economic development directed.

HF2429-Mazorol (R)**Jobs & Economic Development Finance**

Technology corporate franchise tax certificate transfer program established.

HF2430-Urdahl (R)**Legacy Funding Division**

Agency rulemaking website access money appropriated.

HF2431-Banaian (R)**Government Operations & Elections**

Sunset Advisory Committee contract entrance authorized, and agency reporting on outcome-based budgets criteria specified.

HF2432-Hoppe (R)**Commerce & Regulatory Reform**

Liquor off-sale license for growlers authorized.

HF2433-Garofalo (R)**Legacy Funding Division**

At least 40 percent of the arts and cultural heritage funding required to be devoted to programs for school-age children.

HF2434-Nornes (R)**Environment, Energy &
Natural Resources Policy & Finance**

Water diversion or sale standards set.

HF2435-Woodard (R)**Public Safety & Crime Prevention
Policy & Finance**

Fusion center to assist with detection, prevention, and investigation of, and response to criminal and terrorist activities provided.

HF2436-Woodard (R)**Taxes**

County purchase sales tax eliminated.

HF2437-Smith (R)**Ways & Means**

Correctional facility settlement of claims against the state provided for.

HF2438-Moran (DFL)**Transportation Policy & Finance**

School bus safety and standards provisions modified, and type III vehicles used for transporting students standards abolished.

HF2439-Kahn (DFL)**Government Operations & Elections**

Bond security requirements modified.

HF2440-Murphy, E. (DFL)**Health & Human Services Finance**

Sexual violence prevention demonstration grants money appropriated.

HF2441-Loon (R)**Commerce & Regulatory Reform**

Defensive driving refresher course requirements modified.

HF2442-Persell (DFL)**Commerce & Regulatory Reform**

Petroleum inspection fee revenue use clarified.

HF2443-Downey (R)**Jobs & Economic Development Finance**

Unemployment benefit eligibility and duration modified, wage support provided for persons with disabilities, exceptions provided for persons who are starting a business, and money appropriated.

HF2444-Winkler (DFL)**Taxes**

Foreign source income preferences eliminated, foreign royalty subtraction repealed, domestic corporation definition expanded, JOBZ tax benefits modified, corporate franchise tax rates reduced, income apportionment modified, foreign operating corporations repealed, special apportionment formula repealed for mail order businesses, Minnesota Science and Technology Authority expanded, public research infrastructure grant program established, expanded research plan required, and public postsecondary research partnership established.

HF2445-Winkler (DFL)**Health & Human Services Reform**

Acetaminophen pill packaging requirements established.

HF2446-Winkler (DFL)**Jobs & Economic Development Finance**

Emergency employment development program established, wage subsidies provided, Middle Class Jobs Act designated, Grow Minnesota Development Authority established, early warning provided, sick leave modified, business subsidy disclosure requirements amended, workplace communications clarified, minimum wage requirements modified, and money appropriated.

HF2447-Scalze (DFL)**Civil Law**

Office of Administrative Hearings judge authorized to perform marriages.

HF2448-Kiel (R)**Government Operations & Elections**

Collective bargaining agreement employee group insurance contract requirements modified.

HF2449-Lesch (DFL)**Public Safety & Crime Prevention
Policy & Finance**

Crimes of violence provisions modified.

HF2450-Simon (DFL)**Commerce & Regulatory Reform**

Commercial business filing requirement exception provided.

HF2451-Gauthier (DFL)**Public Safety & Crime Prevention
Policy & Finance**

Employers required to post employee protections under the Minnesota Human Rights Act, and certificate of compliance and filing fee time period increased.

HF2452-Gunther (R)**Higher Education Policy & Finance**

Minnesota State University, Mankato; International Renewable Energy Technology Institute funding provided; bonds issued.

HF2453-Greiling (DFL)**Government Operations & Elections**

Conference committee communications required to be open to the public, and budget negotiations required to be open to the public.

HF2454-Lenczewski (DFL)**Taxes**

Corporate franchise base expanded and rate reduced, and single-sales apportionment accelerated.

HF2455-Gruenhagen (R)**Government Operations & Elections**

Montgomery authorized to convey property for less than market value.

HF2456-Abeler (R)**Health & Human Services Reform**

Continuing care policy provisions amended, disability services and licensing provision changes made, home and community-based service standards established, and payment methodologies established.

HF2457-Hosch (DFL)**Health & Human Services Reform**

Cooper/Sams volunteer ambulance program verification requirements modified.

HF2458-Torkelson (R)
Government Operations & Elections
Advisory inspection process created.

HF2459-Kieffer (R)
Commerce & Regulatory Reform
Wine educator licensure created.

HF2460-Norton (DFL)
Jobs & Economic Development Finance
Severe impairment to employment provisions changed and definitions modified.

HF2461-Westrom (R)
Environment, Energy & Natural Resources Policy & Finance
Coyote hunting allowed from aircraft & snowmobiles.

HF2462-Erickson (R)
Environment, Energy & Natural Resources Policy & Finance
Mille Lacs walleye harvest five-year management plan legislative approval required.

HF2463-LeMieur (R)
Commerce & Regulatory Reform
Alcoholic beverages special licensing purchase authorized until the state is able to issue the necessary card.

HF2464-Davids (R)
Taxes
Liquor reporting requirements modified.

HF2465-Daudt (R)
Jobs & Economic Development Finance
Cambridge; street reconstruction project grant funding provided; bonds issued.

HF2466-Daudt (R)
Government Operations & Elections
Referendum by petition provided in an orderly annexation proceeding, and stay required for final annexation.

Thursday, Feb. 23

HF2467-McFarlane (R)
Government Operations & Elections
White Bear Lake Volunteer Fire Department Relief Association retired member death benefits payment from the special fund authorized.

HF2468-Vogel (R)
Education Finance
School district pension subtraction repealed.

HF2469-Peterson, S. (DFL)
Government Operations & Elections
Metropolitan Council members staggered terms provided.

HF2470-Cornish (R)
Public Safety & Crime Prevention Policy & Finance
Criminal intelligence data classified under the Data Practices Act.

HF2471-Atkins (DFL)
Jobs & Economic Development Finance
South St. Paul floodwall extension funding provided; bonds issued.

HF2472-Atkins (DFL)
Jobs & Economic Development Finance
South St. Paul floodwall extension predesign & design funding provided; bonds issued.

HF2473-Banaian (R)
Transportation Policy & Finance
Transportation public-private partnership pilot program and related regulations established.

HF2474-Murray (R)
Commerce & Regulatory Reform
Contractor recovery fund changes made.

HF2475-Hoppe (R)
Commerce & Regulatory Reform
Telecommunications regulations streamlined; civil penalties, rate regulations, regulatory requirements, and technical provisions modified.

HF2476-Holberg (R)
Civil Law
Child support 20-year survival judgments provisions eliminated.

HF2477-Slawik (DFL)
Environment, Energy & Natural Resources Policy & Finance
State mineral leases eminent domain authority eliminated.

HF2478-Davnie (DFL)
Education Reform
Minneapolis School Board membership updated to conform with Laws 2006, and member removal by majority vote of board authorized.

HF2479-Johnson (DFL)
Jobs & Economic Development Finance
St. Paul youth jobs corps program money appropriated.

HF2480-Winkler (DFL)
Taxes
Income and corporate franchise taxation foreign source income preferences eliminated, foreign royalties subtraction repealed, domestic corporations definition expanded; JOBZ tax benefits and apportionment of income modified; corporate franchise tax rates reduced; foreign operating corporations and mail order businesses special apportionment formula repealed; and school aid payment & property tax recognition shifts repaid.

HF2481-Morrow (DFL)
Higher Education Policy & Finance
Student course material cost reduction encouraged.

HF2482-Howes (R)
Commerce & Regulatory Reform
Construction loan changes made, and general liability loan provisions modified.

HF2483-Eken (DFL)
Government Operations & Elections
Public employee defined contribution plan in-service distributions authorized at age 66.

HF2484-Fabian (R)
Environment, Energy & Natural Resources Policy & Finance
Wolf hunting provisions modified; predator control program modified.

HF2485-Howes (R)
Jobs & Economic Development Finance
Housing funding provided, Minnesota Housing Finance Agency authorized to issue housing infrastructure bonds; bonds issued.

HF2486-Ward (DFL)
Health & Human Services Finance
Health professional education loan forgiveness program requirements amended.

HF2487-Hackbarth (R)
Environment, Energy & Natural Resources Policy & Finance
Metropolitan Council funding provided for regional park and open-space land acquisition and improvements; bonds issued.

HF2488-Greiling (DFL)
Education Finance
Early childhood education funding proportionately increased when the basic formula allowance increases.

HF2489-Davids (R)
Taxes
Tobacco taxation provisions modified, and definitions clarified.

HF2490-Franson (R)
Health & Human Services Reform
Health care compact created.

HF2491-Kelly (R)
Public Safety & Crime Prevention Policy & Finance
Domestic abuse no contact order provided as a criminal order, and proceeding provisions modified.

HF2492-Falk (DFL)
Taxes
Canby; special tax increment financing district created.

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MINNESOTA INDEX

A Bushel and a Peck

Number of liters contained in one bushel plus one peck	44.04
Number of Minnesota farms in 2007, the last farm census year.....	80,992
In 2002	80,839
In 1997	78,755
Year the next census will be taken.....	2012
Number of farmland acres in 2007.....	26,917,962
In 2002	27,512,270
In 1997	27,560,621
In 2007, number of farms between 1 and 9 acres.....	3,687
Number between 50 and 179 acres.....	25,679
Number 2,000 acres or larger.....	1,924
In 2007, number of farms owned by families or individuals	70,055
Number owned by corporations	2,848
State inventory of beef cows in 2007	399,768
In 1997	395,059
State inventory of milk cows in 2007	459,752
In 1997	554,274
2012 Dairy Day at the Capitol.....	Feb. 21
Number of hogs and pigs sold in Minnesota in 2007	22,815,512
Number sold in 1997	12,814,319
Bushels of corn used for grain in 2007, in billions.....	1.138
Bushels used for grain in 1997, in millions.....	796
Average bushel price for corn in first 9 months of fiscal 2010-11	\$4.97
Average bushel price in fiscal 2009-10	\$3.47
Average bushel price in fiscal 2007-08	\$4.13
Bushels of soybeans grown in 2009, in millions.....	284
Amount of irrigated agricultural crops, in acres.....	506,000
Average annual rainfall in Minnesota, in inches.....	26
State ranking in agricultural exports	7
Amount of agricultural exports, in billions.....	\$4.28

—S. HEGARTY

Sources: National Agriculture Statistical Service, U.S. Department of Agriculture; Minnesota Department of Agriculture's 10 Reasons to Dairy in Minnesota; Minnesota Milk Producers Association.

SESSION WEEKLY



DNR TAKES ON THE XBOX
SURPLUS QUICKLY GOES TO IOUs
SKOL VIKINGS
FAMILY CALLS MURDOCK HOME

HF2493 - HF2631

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 5 • MARCH 2, 2012

Flashback to 1992 and 2002

No need for a helmet law

House members, in effect, told the U.S. Congress that they'd rather make their own laws, thank you.

The House Transportation Committee approved a resolution calling on Congress to back off its effort to coerce states into adopting motorcycle helmet laws.

At stake is up to \$11 million in funding earmarked for state transportation projects. If Minnesota and 24 other states don't change their laws to require all motorcyclists to wear helmets, the federal government won't take away that money; but it will make states spend it for motorcycle education and safety programs.

Minnesota only requires riders under age 18 to wear helmets.

Rep. Terry Dempsey (R-New Ulm), chief sponsor of the resolution, has several times in the past successfully fought mandatory helmet legislation.

The federal highways bill also calls for uniform seat belt and child restraint laws, which the state has adopted.

— Session Weekly March 6, 1992

State casino rejected

A proposal to establish a state-run casino in partnership with the state's Native American tribes was voted down in a House committee.

Sponsored by Rep. Dave Bishop (R-Rochester), the measure would have imposed a 40 percent tax on revenue generated at the casino minus the amount paid out as prizes. The tax revenue would then be split 50/50 between the state and the tribes.

The Minnesota State Lottery would operate the casino, and if it were located in the Twin Cities metropolitan area, it could generate as much as \$500 million annually, said Lottery Director George Andersen.

Rep. Bill Hilty (DFL-Finlayson) said that gambling revenue is an unfair way to deal with real needs in the state and that all should contribute if an issue is deemed worthy of public funds.

Bishop said that gambling revenue amounted to a user fee, not a tax.

— Session Weekly March 1, 2002

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SESSION WEEKLY

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On the cover: Fourth-graders from Bel Air Elementary School in New Brighton sing patriotic songs during a Feb. 24 performance in the Capitol Rotunda.

— Photo by Andrew VonBank

Angling for more participation

DNR looks for ways to get more anglers and hunters into the great outdoors

By BOB GEIGER

Family togetherness experienced in the joy of catching, cleaning and cooking fresh fish or hunting game is losing out to the latest electronic gadget or video game release.

Between 2000 and 2010, participation rates of Minnesotans hooked on fishing or hunting decreased as a growing percentage of state residents made other choices on how to spend their leisure time. This has caught the attention of the Department of Natural Resources, which has proposed recruitment and retention efforts in HF2171, sponsored by Rep. Tom Hackbarth (R-Cedar).

The bill opens the door for the DNR to encourage outdoor activities, focusing on efforts to recruit and retain anglers, hunters and trappers of all ages.

Programs include retaining existing participants and expanding the amount of information available online in a variety of languages, particularly Spanish, to Minnesota's increasingly diverse population.

Great outdoors – a great moneymaker

Minnesota's hunting and fishing industry employs 55,000 people and generates \$5.8 billion in annual spending, according to the Congressional Sportsmen's Foundation and National Assembly of Sportsmen's Caucuses.

That \$5.8 billion includes \$1.6 billion in wages, \$430 million in federal taxes and \$415 million in state taxes.

Bottom line: Lifestyle choices are having an impact on the Minnesota State Constitution-protected livelihood of hunting and fishing.

"We have a problem right now because we are not selling enough hunting and fishing licenses in the state of Minnesota," Hackbarth recently told the House Environment, Energy and Natural Resources

Policy and Finance Committee meeting. The committee spent two meetings this week reviewing the bill. No action has yet been taken.

How can this lack of participation in the outdoors be in the land of 10,000 lakes?

"It's the Xbox kids; getting them off the couch and outdoors," said Bob Meier, DNR director of policy and government relations.

While DNR officials cite electronics as a likely cause of decreased hunting and fishing participation, the department maintains an Internet presence that contains high-tech tools to promote hunter recruitment and retention.

Jay Johnson, hunter recruitment and retention coordinator with the DNR's Fish and Wildlife Division, said recruitment and retention efforts begin with awareness of the outdoors sport, and progress through interest, trial and continuing participation in and support of the activity.

Among the DNR's online offerings is a Google Earth Hunter Walking Trail application, a click-by-county tool that can be accessed at <http://www.dnr.state.mn.us/hunting/hwt/index.html>. Another is a Recreation Compass, which features 15

Did you know?

Hunting and fishing are protected by Article XIII, Section 12 of the Minnesota State Constitution.

Adopted in 1998, it states, "Hunting and fishing and the taking of game and fish are a valued part of our heritage that shall be forever preserved for the people and shall be managed by law and regulation for the public good."

layers of lakes and rivers, forests and parks, water trails and water access locations. It is available at <http://www.dnr.state.mn.us/maps/compass.html>.

Ed Boggess, director of the DNR's Fish and Wildlife Division, said the department is adding more electronic features for anglers

and hunters who like to stay connected with the world.

For example, some state parks now offer Wi-Fi. "If you can't beat them, join them," Boggess said.

But getting outside is more

than just about recreation.

"One of the main things is we recognize that outdoor recreation is tied to a healthy lifestyle ... There's also a pretty direct tie between environmental conservation and supporting stewardship of those resources," Boggess said.

Declining participation

The decline in hunting and fishing participation in these popular Minnesota outdoor sports is falling as Minnesota's population rises.

Between 2000 and 2010, Minnesota's population increased 7.8 percent, from 4.9 million to 5.3 million, according to the U.S.



"We have a problem right now because we are not selling enough hunting and fishing licenses in the state of Minnesota."

— Rep. Tom Hackbarth
(R-Cedar)

First Reading continued from page 3

Census Bureau. Participation rates must keep pace with population increases to stay even. And census data indicates that Minnesota is below that threshold.

Declining participation has spurred conservation leaders to characterize the dip as a “long-term concern from both a cultural and resource management perspective.”

“It’s extremely important to keep the community engaged in outdoor activities for a number of reasons. We want to keep that community engaged so conservation remains important to the citizens of Minnesota,” said DNR Commissioner Tom Landwehr.

According to a September 2011 report from the DNR and Minnesota Management & Budget, year-to-year retention rates for licensed anglers and hunters averaged 72 percent and 84 percent, respectively, between 2000 and 2010.

During that period, the number of licensed

anglers 16 and older increased by 21,777 to just over 1.2 million – up just 1.8 percent over 10 years, according to the report.

The number of licensed Minnesota hunters fell by nearly 2.2 percent, or 11,612, to 524,854 from 2000 to 2010.

In terms of participation, the percentage of Minnesotans 16 and up licensed to fish has fallen from 40 percent in the late 1960s to 29 percent – with the steepest decline among adults ages 25 to 44.

Among hunters, participation held steady at 16 percent from the mid-1980s to mid-1990s before falling to 13 percent in 2010 – with the steepest declines coming from Minnesotans aged 16 to 44.

Boggess said the DNR is able to spend up to 5 percent of Heritage Enhancement Fund money generated by the Minnesota State Lottery for fishing and hunting retention and recruitment. That currently totals \$408,500 a year.

The DNR can bolster state funding by


On the prowl for wolf

One part of the DNR bill that is likely to increase hunting and trapping license sales is a wolf hunting season.

The bill includes a wolf-hunting license for \$26, with plans to sell up to 6,000 licenses for hunters and trappers to take a maximum of 400 wolves starting in late 2012 or early 2013.

Until recently, wolves had been protected by the federal Endangered Species Act. Minnesota took over management of the state’s estimated 3,000-wolf pack on Jan. 27 after the species was removed from the endangered species list.

applying for grants from private partners including the Recreational Boating and Fishing Foundation and National Shooting Sports Foundation he says.

Sen. Bill Ingebrigtsen (R-Alexandria) sponsors a companion, SF1943, which awaits action by the Senate Environment and Natural Resources Committee. 

LITTLE MAN



PHOTO BY ANDREW VONBANK

Four-year-old Garrett Hosch sits in his father’s chair and listens to the proceedings on the House floor Feb. 29. Garrett is the son of Rep. Larry Hosch.

HIGHLIGHTS

FEBRUARY 23 - MARCH 1, 2012

Editor's note: The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held Feb. 23-March 1. 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 acted on by the governor.

Agriculture

Food safety regs in bill

Several amendments were added onto an agricultural omnibus bill before it was approved by the House Agriculture and Rural Development Policy and Finance Committee March 1.

HF2398, sponsored by Rep. Paul Anderson (R-Starbuck), was referred to the House Civil Law Committee.

The largest addition to the bill is referred to as the Food Safety Bill, which moves enforcement of food safety regulations into a new chapter of law and grants authority for the Minnesota Department of Agriculture to issue civil penalties under the new chapter, in addition to criminal or administrative penalties.

Other amendments would:

- enable the remaining portion of a 2010 Lutheran Social Services appropriation for disaster and mental health relief in rural communities to be expanded to more counties;
- exempt feed distributors who produce and use their own feed from being charged an inspection fee on the portion they use themselves; and
- allow a county to charge and collect a civil penalty of up to \$1,000 per violation from public land owners who do not control obnoxious weeds on their land.

This last amendment was offered by Committee Chairman Rep. Rod Hamilton (R-Mountain Lake), who said farmers are complaining that thistles on land managed by the Department of Natural Resources are spreading to their properties. Private land owners can be fined.

"What's good for the goose is good for the gander," Hamilton said.

Sen. Doug Magnus (R-Slayton) sponsors the Senate companion, SF2061 which awaits

action by the Senate Agriculture and Rural Economics Committee.

— S. HEGARTY

Feed inspections become law

Signed
by
the
governor

A new law will allow the Department of Agriculture to inspect non-medicated feed operations and to issue a voluntary Good Manufacturing Practice certificate, which at least three foreign countries now require.

When the federal Food Safety Modernization Act of 2011 was passed, the issuance of GMP certifications for non-medicated feed stopped until new stricter federal rules can be adopted, which has not yet happened. There is no such certificate offered at the state level.

Now, countries such as Brazil and Mexico are requiring the certificates from either a state or federal government before accepting imports of non-medicated feed. Some feed manufacturers said the lack of acquiring a certificate has stopped trade to those countries and hurt their business. The new law will provide for state inspections so that import routes can reopen. When the U.S. Food and Drug Administration implements its new rules and certificate, the state certification program will cease.

Minnesota exports \$4.8 million of feed to Brazil annually.

Rep. Chris Swedzinski (R-Ghent) and Sen. Gary Dahms (R-Redwood Falls) sponsor the law, which was signed by Gov. Mark Dayton on March 1, and is effective the next day.

HF1926*/SF1527/CH124

— S. HEGARTY

Bonding

Environmental, flood requests heard

Sixteen bonding bills totaling \$132.1 million in environmental projects were laid over Feb. 29 by the House Environment, Energy and Natural Resources Policy and Finance Committee, and will be considered for inclusion in the committee's bonding recommendations.

Funding for flood hazard mitigation

comprises \$69.1 million, or 52.3 percent, of the requests.

Grants provided by the state provide up to 50 percent of flood mitigation project costs. Projects considered this year came from across the state, and some carry high price tags.

Rep. Jean Wagenius (DFL-Mpls) asked how much the state plans to spend on flood mitigation.

"I know there's concern that this is a never-ending issue, but there is light at the end of the tunnel," said Kent Lokkesmoe, director of capital investment for the Department of Natural Resources. He estimates needed statewide flood mitigation costs at about \$100 million.

Of the seven flood-relief bills, the most expensive is HF2020, sponsored by Rep. Morrie Lanning (R-Moorhead), which would provide \$20 million for mitigation projects near Moorhead.

Other flood mitigation requests include:

- HF2196, sponsored by Rep. Dan Fabian (R-Roseau), which would provide \$17 million to help protect Oslo, a city of 330 residents located 19 miles north of Grand Forks, N.D. along the Red River;
- HF2215, a \$13 million appeal, sponsored by Rep. Kent Eken (DFL-Twin Valley), to help Bear Park in the Sandhill Watershed District, Climax, Felton, Nielsville, Shelly and Upper Becker Dam in the Wild Rice Watershed District; and
- HF2403, a \$9.2 million request, sponsored by Rep. Paul Marquart (DFL-Dilworth), for the Redpath and North Ottawa projects in the Bois de Sioux Watershed District.

The Minnesota Zoo is requesting \$20 million in HF2410, sponsored by Rep. Tara Mack (R-Apple Valley): \$15 million for asset preservation and \$5 million for new projects.

— B. GEIGER

Push is on for Nicollet Mall renovation

Minneapolis business leaders told a House committee that renovation of the Nicollet Mall is key to recruiting talented employees to Minnesota.

Sponsored by Rep. Bobby Joe Champion (DFL-Mpls), HF1400 would authorize \$25 million in bonding to fund the state's half of a proposed \$50 million renovation of

the downtown Minneapolis mall area.

The House Jobs and Economic Development Finance Committee laid the bill over Feb. 28 for possible inclusion in its bonding recommendations.

Built in the 1960s, Nicollet Mall is home to some of the state's largest corporations. It has numerous retail outlets and restaurants and hosts a variety of civic events. The mall and its surrounding area host an estimated 140,000 workers on a daily basis.

Sarah Harris, chief operating office of the Minneapolis Downtown Improvement District, said the mall currently suffers from significant deterioration. She said it was built with materials that are not well-suited to Minnesota's climate, and that it is used to an extent that was never envisioned.

Collin Barr, Midwest region president for Ryan Companies, called the Nicollet Mall Minnesota's "front porch to the world," and said investing in it would pay dividends for the whole state.

"Firms like U.S. Bank, Target Corporation, General Mills, Cargill and Medtronic all use Nicollet Mall as a key recruiting tool when

recruiting talent and other businesses to grow here in Minneapolis," Barr said.

Sen. Linda Higgins (DFL-Mpls) sponsors the companion, SF1108, which awaits action by the Senate Capital Investment Committee.

— N. BUSSE

Business & Commerce

Scam regulation could increase

Scam and fraud regulations in Minnesota could soon intensify. Lawmakers are hoping to stop these crimes before they happen.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), HF343 would require telecommunications providers and money transmitters to change their policies to help the state prevent fraud. The bill received bipartisan support in the House Commerce and Regulatory Reform Committee, which sent it to the House floor Feb. 29.

Atkins said that fraud affects innocent Minnesotans on a regular basis.

"You can't go a week without seeing it in the news," he said.

Under the bill, telecommunication companies would need to cooperate with state government by surrendering customer account information that could be helpful in a criminal investigation. Customers could also direct telecom providers to block international activity in their accounts.

Money transmitters would have to combat fraud by enacting anti-scam policies, paying anti-fraud fees, and increasing communication with consumers regarding outgoing money transfers.

The committee heard testimony from Jim Arlt, the director for the Alcohol and Gambling Enforcement Division of the Department of Public Safety. His mission is to investigate foreign giveaway and lottery scams in Minnesota, which cost residents millions of dollars each year. Arlt said that since 2007, his department has received over 100,000 complaints related to fraud.

"We got tired of telling people there was nothing they could do. ... There are things we could and should do," he said.

REAL KEEPER



PHOTO BY ANDREW VONBANK

Carolyn Peterson sits in the gallery Feb. 29 with a 5-foot green foam walleye as a visual aid in support of a bill that would provide funding for Maplewood's Fish Creek Natural Area Greenway. The House Environment, Energy and Natural Resources Policy and Finance Committee held the bill over Feb. 29 for possible inclusion in its bonding recommendations to the House Capital Investment Committee.

Arlt explained that scammers are often part of organized crime rings. They target senior citizens, who may not realize that the people asking them for money are criminals.

"One family had to stop their mother from sending money by cutting her phone line and flattening her tires," Arlt said. The woman lost over \$800,000. Arlt voiced support for the bill, saying it would provide a "one-stop shop" for victims of scams.

The bill's companion, SF227, is sponsored by Sen. Linda Scheid (DFL-Brooklyn Park). It awaits action by the Senate Judiciary and Public Safety Committee.

— E. SCHMIDTKE

Discount for mature drivers clarified

Depending on their insurance policy, mature drivers may be eligible for a 10 percent premium discount if they take an eight-hour defensive driving course to help update their skills. However, a participant who loses the discount because they didn't take a four-hour refresher course every three years may find they need to retake the eight-hour course again.

HF2441, approved by the House Commerce and Regulatory Reform Committee Feb. 28, would clarify state statute so that a person 58 years and older who successfully completes a retaking of the original course or a refresher course more than three years from the date the person last was eligible for the premium reduction is entitled to reinstatement.

Sponsored by Rep. Jenifer Loon (R-Eden Prairie) the bill awaits action by the full House.

The companion, SF1542, sponsored by Sen. Paul Gazelka (R-Brainerd), awaits action by the full Senate.

— L. SCHUTZ

Education

Pooling resources program proposed

A proposed pilot program would allow districts to pool resources, with increased student achievement in mind.

Rep. Sondra Erickson (R-Princeton) and Sen. Al DeKruif (R-Madison Lake) sponsor HF755/SF946*, which would establish a five-year pilot project managed by the Education Department. Groups of schools would apply for the program, with three to six selected to participate. The department would then monitor the project for successful results and recommend whether it should be continued.

The House Education Finance Committee

laid the bill over Feb. 23 for possible improvements. It was passed 36-25 by the full Senate last year.

Erickson explained that this bill would give teachers an opportunity to try innovative ideas in the classroom.

"It is an opportunity to allow school districts to absolutely raise achievement and improve learning," she said.

Rep. Tom Anzelc (DFL-Balsam Township) said the bill is redundant, citing current statute that already allows for cross-school collaboration. He claimed that some districts, especially in Greater Minnesota, are already innovating on a cooperative level.

"I think they'd say, you know, we pretty much can do this now. ... I hope we don't throw up any barriers," Anzelc said.

Erickson maintained the need for this bill, saying that previous education legislation is too restrictive and has produced a chilling effect in schools.

"(Educators) have signaled to me that, because we are such controllers of what they do, we need to give them a professional directive that they can," Erickson said.

Kevin McHenry, government relations director for the department, said smaller districts would have a difficult time meeting the application deadline. McHenry said that larger districts have more resources, which gives them an advantage in applying for the program. Erickson refuted this claim.

Rep. Carlos Mariani (DFL-St. Paul) praised the bill, saying it addresses issues that face schools throughout Minnesota in a measurable way.

"It's clearly a strong message from us, encouraging relationships and expanding opportunities in our state," Mariani said.

— E. SCHMIDTKE

Dayton signs conference bill

Signed
by
the
governor

High schools will now be able to more quickly get help from the Minnesota State High School League in arranging conference membership.

Previously, if a high school needed to join a conference, it had to spend 180 days on its own as part of a "good faith" effort to become part of one before the league stepped in to assist it. The new law, signed March 1 by Gov. Mark Dayton, and is effective the next day, reduces the wait to 90 days.

Rep. Paul Anderson (R-Starbuck) and Sen. Joe Gimse (R-Willmar) are the sponsors.

HF1585*/SF1322/CH125

— E. SCHMIDTKE

Private school choice options

Low-income students in poorly performing schools could have increased access to private school education.

HF273, sponsored by Rep. Kelby Woodard (R-Belle Plaine), proposes that these students could leave failing public schools to attend more effective private schools, with the state picking up the bill. On Feb. 29, members of the House Education Finance Committee debated whether this strategy would really help Minnesota kids.

Private school choice programs offer struggling families options, said Patrick Wolf, professor at the University of Arkansas. He described a study he conducted that showed positive results from similar choice programs in Milwaukee. Wolf cited outcomes including higher graduation rates and academic growth.

"Parents love them. And they deliver education more efficiently and tend to enhance, not undermine, the public purposes of education," Wolf said.

Rep. Jim Davnie (DFL-Mpls) disagreed. He referred to a 2005 Milwaukee Journal Sentinel investigation that detailed poor management and even criminal activity in private schools that received state funding in Wisconsin. He worries similar malfeasance could occur with the aid of Minnesota public money. Davnie also questioned Wolf's analysis of data, saying that the study results instead showed private schools in choice programs to be less effective than public schools.

Rep. Linda Slocum (DFL-Richfield) also voiced concern about the bill, explaining that private school teachers in Minnesota do not need to have licenses to instruct students. She said extending public money to unlicensed teachers is counter to a number of recently enacted education bills, which emphasized teacher accountability and knowledge.

Rep. Branden Petersen (R-Andover) expressed frustration with members' hesitancy to support the bill.

"For the life of me, I cannot understand exactly what the problem is with letting the least fortunate among us make decisions about their kids' education. Maybe I'm too simple of a guy," Petersen said.

The bill was laid over for more work. Sen. Sean Nienow (R-Cambridge) sponsors the companion, SF388, which awaits action in the Senate Education Committee.

— E. SCHMIDTKE

Arts money for schools?

A bill that would require 40 percent of Legacy Fund money to be spent for school arts encountered turbulence Feb. 28, when some members of the House Legacy Funding Division questioned whether the bill interfered with the mission of the Legacy Act.

Sponsored by Rep. Pat Garofalo (R-Farmington), HF2433 would dedicate at least 40 percent of the Arts and Cultural Heritage Fund to arts-related programs in public and non-public schools. The bill was laid over for possible inclusion in the division's omnibus bill.

"My opinion on this is that children come first," Garofalo said. He faced questions from several members about how his bill fits with the constitutional amendment that funds arts, arts education and access to preserve the state's history and cultural heritage.

"What you're trying to do is take General Fund reductions and make it up with legacy funding," Rep. Jean Wagenius (DFL-Mpls) said.

Rep. Ryan Winkler (DFL-Golden Valley) said the bill represents the latest effort to funnel constitutionally dedicated funds for other purposes.

Garofalo defended the bill as an attempt to allocate money to students on a per-pupil basis and let school districts decide how best to use the money to promote arts.

When Wagenius asked whether he would spend money from the state's General Fund to pay for arts, Garofalo replied he would only if Wagenius agreed to an equal amount of spending reductions to make up for the arts expenditures.

The bill has no Senate companion.

— B. GEIGER

School start compromise proposed

With Minnesota's short summer, there's a continual debate over school start dates — school officials want local control over school calendars, while resort owners and the agricultural sector say starting school before Labor Day would impact their businesses.

Rep. Connie Doepke (R-Orono) hopes her bill, HF2325, is a compromise.

The Flexible Learning Year bill would allow school districts to begin school before Labor Day, but would prohibit school from being held on the Thursday and Friday before Labor Day.

"It is all about giving locally elected school boards the ability to adopt a school calendar that best meets the needs of their community, while recognizing the need for an extended

holiday at the end of the summer," Doepke told the House Education Reform Committee Feb. 28. The committee approved the bill and moved it to the House floor.

Two unlikely allies have joined in their support of the bill — Education Minnesota, which represents most of the state's teachers, and the Minnesota Business Partnership. However, resort owners have been successful in keeping Minnesota as one of five states that don't start before Labor Day.

"We've been at this issue for a long, long time. We've tried compromise; we've been through four governors, four presidents and here we go again," said Joel Carlson, who represents the Congress of Minnesota Resort Owners.

He said the argument that pre-Labor Day starts improve school performance and test scores has not been proven.

Among DFLers supporting the bill is Rep. Kim Norton (DFL-Rochester), who sponsored a similar measure in the past. "I'm a little surprised that you don't think that the summer gap can make a difference. I think there is plenty of data that it can impact student scores. I hope we continue to do what is best for the students."

Rep. Mark Murdock (R-Ottertail) lives and owns a business in "Lake Country." He can't support the bill, he said, because of how it would negatively impact the Main Street businesses in his area.

The companion, SF1892, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Education Committee.

— L. SCHUTZ

Transitioning from high school to work

By the ninth grade, all young people should be making plans for what they'll do after graduating from high school.

"It is projected that 70 percent of the jobs will require some form of post-secondary education ... students need to know their options, and without a plan it is hard to know what is next," said Bryan Lindsley, executive director of the Governor's Workforce Development Council, during the Feb. 28 House Education Reform Committee.

Rep. Carol McFarlane (R-White Bear Lake) and Sen. Carla Nelson (R-Rochester) sponsor HF1272/SF1073*, which encourages school districts to seek funding and develop a plan for helping students make a successful transition to post-secondary education and employment. The committee approved the bill and it now awaits action on the House floor. The Senate passed the bill 48-12 on Feb. 20.

The measure comes from the council established to "forge practical solutions to Minnesota's workforce challenges." It is part of its All Hands on Deck report recently submitted to the governor.

McFarlane emphasized this is a recommendation and not a mandate. Rep. Tom Tilberry (DFL-Fridley) is concerned that with tight school budgets, rural schools would have a hard time implementing a program that may need more school counselors.

The bill, however, has bipartisan support.

"I really think it is necessary, and most schools are trying to accommodate what is in the bill," said Rep. Sandra Peterson (DFL-New Hope). "Many of our students graduate with no idea of what courses they need. It is a whole different world today, and the jobs are very different. ... It is just time we do this."

— L. SCHUTZ

Elections

Voter ID alternative gets hearing

A plan to institute a photo ID requirement for voters remains controversial among lawmakers, but members of a House committee got their first glimpse at a possible bipartisan alternative Feb. 28.

Secretary of State Mark Ritchie appeared before the House State Government Finance Committee to demonstrate the use of electronic poll books. The technology consists of laptop computers containing updated voter registration data and photos provided by Driver and Vehicle Services. Proponents say providing electronic poll books for polling places would allow for the verification of voters' identities without subjecting them to a photo ID requirement.

"It allows us to accomplish the very important task of bringing visual verification of voters into the polling place," Ritchie said. He added, "It's something that can be done very easily and relatively quickly."

Supporters say electronic poll books represent a less burdensome alternative to the photo ID law proposed by Republican lawmakers. Instead of requiring all voters to obtain a government-issued photo ID card with a current address on it, the electronic poll books would simply utilize the state's current voter registration system, but with the added benefit of being able to identify voters visually.

Some doubt the value of such a system,



PHOTO BY PAUL BATTAGLIA

Secretary of State Mark Ritchie holds up a poll book during a Feb. 28 demonstration for the House State Government Finance Committee. Supporters say electronic poll books would allow for visual voter verification and simplify the check-in process during elections.

however. Rep. Keith Downey (R-Edina) asked what the point is of making photos available at the polling places if there's no photo ID requirement for voters.

"Under the premise of a photo ID requirement, I think this makes great sense. Absent photo ID, I can't imagine we'd be sticking people's photos on poll books," he said.

The committee took no action. There are currently no bills moving through the House that would implement electronic poll books. Rep. Mike Benson (R-Rochester) said there is "still a lot of work to be done" on how best to roll out such a system.

— N. BUSSE

Health & Human Services

Teen parent child care exemption

Teen parents who attend alternative programs to earn a high school diploma and are given child care assistance while in classes are exempt from a maximum 10-day absenteeism rule. However, legislation passed during the 2011 special session will eliminate the exemption beginning Jan. 1, 2013.

Under the new law, child care providers

would only be paid for up to 10 days that a child is absent from their care, excluding holidays. Deborah Bennett, child care director at the Anoka-Hennepin School District 11, said all of the children in the district's alternative program missed more than 10 days last year. Several reasons were cited, such as transportation problems, court hearings, personal illness, social service appointments and preschool visitations.

HF2331, sponsored by Rep. Nora Slawik (DFL-Maplewood), would give counties the option to allow teen parents to exceed the 10-day absence limit. Proponents said rescinding the law would help avoid unintended consequences, where the parent might bring a sick child to day care to avoid going over the limit or leave the child in an unsafe situation.

The House Health and Human Services Finance Committee laid the bill over Feb. 29 for possible inclusion in an omnibus bill. A Senate companion, SF2157, is sponsored by Sen. Julie Rosen (R-Fairmont).

— S. HEGARTY

Adult group home reforms proposed

The Association of Residential Resources in Minnesota, an association of 150 providers

supporting people with disabilities, is suggesting several legislative changes to the adult foster care program and services for persons with disabilities.

ARRM's recommendations are part of its "Blueprint for Reform" and can be found in HF1979, sponsored by Rep. Joe Schomacker (R-Luverne). The House Health and Human Services Reform Committee approved the bill as amended Feb. 29 and referred it to the House Government Operations and Elections Committee.

Provisions include:

- developing an optional certification for adult foster care homes that serve persons with mental illness;
- establishing a task force to review and make recommendations on pilot projects for home and community-based services for people with disabilities; and
- allowing foster care homes to care for clients temporarily in "respite care" when regular clients are away from the home for a period of time.

Julie Ring, policy analyst for the Association of Minnesota Counties, said the AMC supports the concept of a task force but would like to see more county representation, such as one metropolitan and one rural representative.

Alice Hulbert, the parent of an adult with disabilities who lives in a group home she owns and leases to a provider, opposed several of the proposed provisions. She said some of the reforms would loosen licensing regulations and may result in a lower quality of care.

Sen. Scott Nienow (R-Cambridge) sponsors SF1699, a companion bill that awaits action by the Senate Health and Human Services Committee.

— S. HEGARTY

Higher Education

HEAPR should be priority

Although the amount of capital investment allocations are unknown, the House Higher Education Policy and Finance Committee recommended Feb. 28 that the bulk of bonding dollars the Minnesota State Colleges and Universities system and the University of Minnesota do receive should go toward asset preservation and replacement.

Officials from MnSCU and the university emphasized higher education asset preservation and replacement projects

in capital budget requests made before the committee in late January and early February. MnSCU's \$278.7 million capital investment request includes \$110 million for HEAPR, or 39.5 percent of its total. The university's HEAPR request of \$90 million represents 43 percent of its \$209.1 million capital investment request.

In his bonding proposal, Gov. Mark Dayton recommended \$20 million in HEAPR for both the university and MnSCU, a number that Committee Chairman Rep. Bud Nornes (R-Fergus Falls) deemed "insufficient" saying they should be funded "at the highest amount possible."

According to the committee, any extra money designated for higher education should then go toward project priorities that have been established by MnSCU and the university.

— B. GEIGER

Hockey money could aid elsewhere

Some members of a House committee objected to a plan to use leftover bond money from a hockey center renovation to fund new capital projects at St. Cloud State University.

Sponsored by Rep. King Banaian (R-St. Cloud), HF1960 would authorize \$4.8 million in 2008 state bond appropriations intended for the National Hockey Center on the campus to be instead spent on asset preservation and repair projects.

The House Higher Education Policy and Finance Committee approved the bill Feb. 23 and forwarded it to the House Capital Investment Committee. A Senate companion, SF1574, sponsored by Sen. John Pederson (R-St. Cloud), awaits action by the Senate Capital Investment Committee.

Some members questioned the proposed financing structure.

"With MnDOT, if a project comes in under budget they don't get to build another road," said Rep. Terry Morrow (DFL-St. Peter).

Rep. Jeanne Poppe (DFL-Austin) questioned whether using bonds originally granted for the hockey center for unrelated projects opens the door for similar financial approaches by other colleges or universities.

"It is a change in how we would use these funds," said Steve Ludwig, St. Cloud State vice president for administrative affairs.

— B. GEIGER

Local Government

Haulers could sue over lost customers

Trash haulers could be given legal recourse against cities that take away their customers.

Rep. Kirk Stensrud (R-Eden Prairie) sponsors HF2084 that would apply in situations where municipalities either limit the number of waste haulers who can serve their residents or start collecting the waste themselves. Companies forced to surrender their customers could seek compensation for their lost business, under the proposal.

"This bill will protect the small-business owner and entrepreneur who provides waste services to our communities throughout the state," Stensrud said.

The House Government Operations and Elections Committee approved the bill Feb. 28 and referred it to the House Civil Law Committee. Sen. Julianne Ortman (R-Chanhassen) sponsors the companion, SF1664, which awaits action by the Senate Judiciary and Public Safety Committee.

Willie Tennis, owner of Tennis Sanitation, said the City of Maplewood took away 20 percent of his business when it decided to mandate a single trash-hauling company for the entire city. He said his customers opposed the change and were satisfied with the services he provided.

"We didn't do anything wrong," Tennis said, adding that he faces the prospect of laying off workers for the first time.

Opponents say the issue is complicated by the fact that local governments are required by law to ensure waste collection services are provided to their constituents.

White Bear Lake City Manager Mark Sather said municipal waste contracts benefit haulers by guaranteeing them business. He said cities need to be able to organize waste hauling services in ways that promote efficiency and maximize benefits for the customers.

Trudy Richter, representing the Solid Waste Management Coordinating Board, said the ability to sue cities for organizing waste collection would "hold taxpayers hostage" by discouraging cities from managing waste services more effectively.

"It's a very slippery slope," she said.

— N. BUSSE

City seeks to avoid bankruptcy

The northern community of Tamarack has a population of less than 100. It could be facing bankruptcy if the state doesn't

step in to provide a little financial cushion.

Their problems stem from a sewer system the city installed in the 1990s.

"They acted on advice that should have been reliable ... and installed a system that was too big for their needs," by a contractor that did shoddy work, Rep. Carolyn McElfattrick (R-Deer River) told the House Property and Local Tax Division Feb. 29. It turned out the monthly charge to those hooked up to the service is greater than expected.

City officials were able to pay off the construction loans, and had to raise fees in 2007 to pay operational expenses. "With a quarter of the town's hookups delinquent on their fees, the operational costs are consuming all the city finances," McElfattrick said. The town could be facing bankruptcy by the end of the year.

She sponsors HF2283 that would provide an additional \$12,000 in local government aid in 2013 to provide a "respite" for the town as it figures out how to pay the costs and plan for a replacement system more adequately sized to the town's needs. The bill was approved and moved to the House Taxes Committee.

Rep. Tim Mahoney (DFL-St. Paul) questioned the wisdom of the state stepping in to help solve a problem of a system built with federal funds.

"The town can't afford to maintain the system," he said. "For you to come here and ask for us to maintain a system that doesn't work, that was paid for by the tax dollars and there is absolutely no plan for the next 20 years for what kind of system to put in, much less how to pay for it, begs a question ... but I won't ask it."

The companion, SF2077, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Local Government and Elections Committee.

— L. SCHUTZ

Military & Vet. Affairs

Burial rights for Hmong, Lao vets

About 400 allied veterans from the "American Secret War" in Laos during the 1950s, who currently live in Minnesota, would be eligible for burial in the Minnesota Veterans Cemetery in Little Falls, under a bill approved by a House division Feb. 27.

HF2261 would expand burial rights to

Highlights continued on page 12

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The disappearing budget surplus

Unpaid debts to schools mean the state's \$323 million surplus is fleeting

By Nick Busse

Minnesota's economy is improving and the state budget has begun its slow climb toward solvency.

That's the gist of this year's February Economic Forecast, which predicts a \$323 million surplus for the rest of the current two-year budget cycle. But despite the good news, top budget officials warned that the state still has a stack of IOUs it needs to pay.

"That anticipated \$323 million balance does not stick around long," Minnesota Management & Budget Commissioner Jim Schowalter said Feb. 29.

Last December, MMB announced a projected \$876 million surplus — the first in nearly five years. That money was used to shore up the state's cash flow account and

mostly go to pay back K-12 school districts, which the state borrowed from during the course of the last several budget cycles. It's not a matter of choice; current law requires the K-12 buyback before any new spending can take place. In effect, this zeroes out not only the current surplus but any future ones until the full \$2.7 billion is paid back.

"It's going to be a while before we have a positive forecast balance, even if we have good news," Schowalter said.

Still, overall the forecast seems to point toward better days for Minnesota. State Economist Tom Stinson said unemployment is falling, wages are growing, consumer confidence is up and the risk of another recession has dropped.

"Generally, things look good. The economy appears to be strengthening," he said.

Barring certain global events such as an oil crisis triggered by Iran or a messy end to Europe's sovereign debt crisis, Stinson said he expects several years of steady economic

growth. He noted that Minnesota's unemployment rate is significantly lower than the national average.

"At this point, the economy appears to be

positioned for growth in 2012," Stinson said.

That's not to say the state is out of the woods yet. A \$1.1 billion budget shortfall is projected for the next fiscal biennium — a figure that rises to nearly \$2.2 billion once inflation is factored in. And that's not counting the \$2.4 billion that will still be owed to the schools.

Perhaps owing in part to these mixed messages, Republicans and DFLers had very different reactions to the forecast.

House Speaker Kurt Zellers (R-Maple Grove) called the projected surplus "very good news," and credited Republicans' hawkish fiscal policies with balancing the budget and restoring confidence to the private sector.

"This is good fiscal management by the House and Senate Republican caucuses," Zellers said.

House Minority Leader Paul Thissen (DFL-Mpls) chided the Republicans for "giddiness" over a forecast that shows a long-term structural deficit awaiting the next Legislature.

"Had we balanced the budget in a responsible way ... without borrowing billions from our schools, I would argue Minnesota would be a lot better off," Thissen said.

For his part, Gov. Mark Dayton said the forecast shows mainly that the state's economy is in recovery mode. He said neither he nor the Legislature deserves any credit for the improved forecast, and emphasized that there's still more work to be done.

"We're still however a long ways from getting out of our financial hole," Dayton said.

Surplus or no surplus, the lack of a projected budget deficit this year means lawmakers won't have to duke it out in another protracted budget battle with the governor. Zellers and Senate Majority Leader David Senjem (R-Rochester) reaffirmed their commitment to end session early this year, most likely sometime in April.

"The earlier, the better," Senjem said. 🐼



PHOTO BY PAUL BATTAGLIA

Minnesota Management & Budget Commissioner Jim Schowalter explains the February Economic Forecast at a Capitol briefing Feb. 29. State Economist Tom Stinson and State Budget Director Margaret Kelly listen in the background.

budget reserves, both of which had been severely drained during several years of tight budgets.

Schowalter said the new surplus will



PHOTO BY PAUL BATTAGLIA

Col. Chuechou Tchang, national chairman of Special Guerrilla Units veterans, testifies Feb. 27 on a bill that would ask Congress and the U.S. President to amend federal veterans cemetery laws to expand eligibility to include allied Hmong-American and Lao-American veterans of America's secret war in Laos for burial in state veterans cemeteries.

include deceased Hmong-Americans and Lao-American veterans, many of whom were recruited in their homeland and trained by the U.S. Central Intelligence Agency during the Vietnam War. After the war, many of the soldiers were relocated to the United States.

However, federal law does not currently grant former Hmong and Lao CIA operatives' burial rights in state and national cemeteries so the bill is contingent upon HF2260, a state resolution requesting that federal laws be changed.

The House Veterans Services Division approved both bills, sponsored by Rep. Bob Dettmer (R-Forest Lake). The division referred the resolution to the House floor and referred HF2261 to the House State Government Finance Committee. Neither bill has a Senate companion.

Speaking through an interpreter, retired Col. Chuechou Tchang said they were trained to fight alongside American soldiers and were told to retrieve U.S. casualties at all costs. "We paid the price to be here. Allow us

to rest in honor with our deceased brothers."

Between 1975 and 1982, more than 53,000 Hmong and Laotian refugees resettled in the United States and many gained U.S. citizenship. An estimated 8,000 veterans remain in the U.S. and are now between 70 and 85 years of age.

Mike McElhiney, legislative director for the Department of Veterans Affairs, said that while the department appreciates the sacrifices made by the American-Hmong and American-Lao veterans, the proposed legislation may open the door to other groups from subsequent wars and conflicts to receive similar state and federal benefits.

"We don't want to set a precedent where we single out just one population," McElhiney said. The department remains neutral on the issue, he added.

The bill would also permit burial in any future state veteran cemeteries, such as the one planned in Fillmore County.

— S. HEGARTY

Help with hiring a veteran

A private employer would be allowed to give veterans preference in hiring and promotion practices under a bill approved by the House Veterans Services Division Feb. 27.

HF2100 would make the veterans preference voluntary for private employers, who could also extend the benefit to the spouse of a disabled or deceased veteran. Some publicly funded agencies currently are allowed to give veterans hiring preference.

Although the federal Civil Rights Act considers voluntary veterans preference in employment as discriminatory, it is permitted if allowed under state or local laws. Therefore, granting preference in hiring and promotion under these circumstances would not violate state or local equal employment opportunity law, according to the provision.

Rep. John Kriesel (R-Cottage Grove) sponsors the bill, which was referred to the House Commerce and Regulatory Reform Committee.

Sen. Ted Daley (R-Eagan) sponsors a companion, SF1599, that awaits action on the Senate floor.

— S. HEGARTY

Public Safety

County attorneys with guns bill

State statute prohibits local government employees, other than licensed peace officers, from carrying firearms. A few more people could be added to that list.

Passed 116-15 by the House Feb. 29, HF1829 would allow a county attorney or assistant county attorney to carry a firearm on duty provided they have a state-issued permit to carry. A county attorney could still restrict an assistant county attorney from carrying while on duty.

Rep. Tony Cornish (R-Vernon Center), the bill's sponsor, emphasized it was not a "knee-jerk reaction" the Dec. 15 Grand Marais incident in which Cook County Attorney Tim Scannell was allegedly shot by Daniel Schlienzy after the latter was convicted of third-degree criminal sexual conduct, and that it had been brought to him a week before the shooting. However, the incident brought attention to the measure.

"Not all county attorneys, maybe not even the majority, will exercise this privilege under this legislation," Cornish said. He added that there are "a lot of judges that are packing heat



PHOTO BY PAUL BATTAGLIA

Rep. Tony Cornish explains a Senate amendment to HF1467, a bill that would, in part, change state law governing the use of force in self defense. The House repassed the bill 85-47 Feb. 29.

under their robes and approve of this also for the county attorney.”

The bill would not supersede a judge’s right to ban firearms from their courtroom or courtroom complex.

“The concern about security in county courthouses throughout the state remains a very serious problem, particularly the inconsistency,” said Rep. Sheldon Johnson (DFL-St. Paul). “This bill in no way deals or addresses that issue in any kind of manner. It’s an issue we’re going to have to keep paying attention to.”

The bill now goes to the Senate, where Sen. Bill Ingebrigtsen (R-Alexandria) is the sponsor.

— M. Cook

Prosecutor assault penalty

Prosecutors filing a complaint do so on behalf of the state. They are also the ones who must stand up in court and proclaim that a defendant is guilty of a crime and then prove so beyond reasonable doubt.

Doing their job sometimes gets them viewed as the cause of all the defendant’s problems, and retribution could occur.

Added protection from the state could be forthcoming.

Sponsored by Rep. Tony Cornish (R-Vernon Center), HF1879 was passed 130-1 by the House Feb. 29. It now awaits action by the Senate Judiciary and Public Safety Committee.

Sen. Dave Thompson (R-Lakeville) is the Senate sponsor.

The bill would add enhanced penalties for causing the death of or assaulting a prosecutor while that person is engaged in their official duties. It would also add “prosecuting attorney” to the a list of protected occupations — which now includes a peace officer and jail or prison guard — under the first-degree murder or assault and fourth-degree-assault statutes.

“It’s important from a societal standpoint to make it clear ... that the laws of

this state will be enforced, and if you shoot the embodiment of those who we expect to enforce these laws there will be an added penalty and you will be held accountable for that added assault or added crime against the state,” Rice County Attorney Paul Beaumaster told a House committee in January. Beaumaster is president of the Minnesota County Attorneys Association.

Rep. Tina Liebling (DFL-Rochester) voted for the bill, but expressed concern that other lawyers or court personnel are not included in the bill.

“Sometimes you get people who are there as victims and may be angry at a defense lawyer or who are there on a civil case who may be angry at a lawyer that’s not a prosecuting attorney,” she said.

— M. Cook

Gun law expansion goes to governor

At what point should a person be permitted to use lethal force in self defense or to protect their properties?

That is the primary question in a gun debate that ended with the House repassing HF1467 85-47 Feb. 29.

The House passed the bill 79-50 last session, but it was amended before being passed 40-23 by the Senate Feb. 23. It now awaits action by Gov. Mark Dayton, who has threatened to veto the bill, but met with Rep. Tony Cornish (R-Vernon Center) Tuesday to discuss the proposal. Cornish and Sen. Gretchen Hoffman (R-Vergas) are the bill sponsors.

The bill would, in part, change state law governing the use of force in self defense, including that an individual using deadly force is presumed to possess a reasonable belief that there exists an imminent threat of substantial or great bodily harm or death. As amended by the Senate, gun owners are not entitled to the presumption if the person fired on is believed to be a law enforcement officer.

Proponents say the bill better lets law-abiding citizens defend their property and stand their ground. Opponents argue that the bill would essentially allow a person to shoot first and ask questions later.

“I think this bill is wrong; I think it’s reckless; I think we should renounce it; I think we should reject it,” said Rep. Michael Paymar (DFL-St. Paul), who noted that most law enforcement leaders have spoken against the bill, and noted that people already have the right to use deadly force in some cases.

Rep. Diane Loeffler (DFL-Mpls) cited three unintentional shootings in Minneapolis as evidence the bill could produce more, such as those that could kill or injure children.

“Zero of the stories you heard on the floor have anything to do with the Castle Doctrine and its application,” Cornish responded.

The bill also defines and delimits the authority of peace officers to disarm law abiding individuals during a state of disaster declared by the governor, and requires Minnesota to recognize a permit-to-carry issued by any other state, provided that the permit holder conforms to Minnesota’s pistol carry laws while carrying a pistol within Minnesota.

— M. Cook

No-contact order clarification

A bill receiving committee approval aims to clear up some confusion about domestic abuse no contact orders. These orders were created by a 2000 law.

“Domestic abuse no contact orders is a criminal order,” said Rep. Tim Kelly (R-Red Wing), who sponsors HF2491. “We’re not changing that; we’re simply stating that in the definition so it relieves some of the

ambiguity in statute right now.”

The bill also aims to clarify that an order can be initiated at the same hearing as a pretrial release or sentencing proceeding.

Approved Feb. 28 by the House Public Safety and Crime Prevention Policy and Finance Committee, the bill was sent to the House Judiciary Policy and Finance Committee. A companion, SF2134, sponsored by Sen. Bill Ingebrigtsen (R-Alexandria), awaits action by the Senate Judiciary and Public Safety Committee.

Liz Richards, director of advocacy and systems change at the Minnesota Coalition for Battered Women, said a 2010 law made some statutory changes including the moving of domestic abuse no contact orders from one section of family law into the criminal statute.

Since then there has been much confusion and concern about the statute, including the process set forth, she said. “These changes deal with the procedural questions.”

— M. COOK

Notification loophole closed

Signed
by
the
governor

Residents near where a pedophile will soon be living must now be notified by law enforcement about his or her discharge into their community, closing what some said was a loophole in the notification law.

The law is in response to the court-ordered discharge of Clarence Opheim, the state’s first sex offender discharged from the Minnesota Sex Offender Program in St. Peter. Following nearly 20 years in the treatment program, Opheim is due to be transferred to a halfway house, where he will be required to meet 32 rules of his discharge. Previously, community notification was not required unless the person was being released from the halfway house.

Sponsored by Rep. Kathy Lohmer (R-Lake Elmo) and Sen. Julianne Ortman (R-Chanhassen), the law is effective Feb. 24, 2012.

HF2394*/SF1994/CH123

— S. HEGARTY

Omnibus corrections bill OK’d

Victims who would like to be informed when their offender is released from prison or a secure hospital could be notified electronically.

This is one of four provisions in an omnibus Department of Corrections bill approved Feb. 28 by the House Public Safety and Crime Prevention Policy and

Finance Committee. Sponsored by Rep. Tony Cornish (R-Vernon Center), HF2415 awaits action by the House Ways and Means Committee.

“The most powerful healing tool for a victim is information,” said Lydia Newlin, victim assistance program manager for the Corrections Department. “This just clarifies ... kind of gets us modernized into where we’re at today with allowing victims to request notification.”

Newlin said most victim notification is an opt-in procedure, and current law requires that to be done by writing a request to the corrections commissioner. A federal grant has helped the department develop a new electronic system called Minnesota Choice, which, in part, provides victims a choice in how they want to be notified.

Also in the omnibus bill is:

- HF1938, sponsored by Cornish, which would allow the Department of Corrections’ Fugitive Apprehension Unit to apply for a search warrant;
- HF1958, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), which would bar offenders convicted of murder, manslaughter, criminal sexual conduct, assault, drive-by shooting, assault, robbery, arson and other specified crimes from participating in the Challenge Incarceration Program; and
- HF1959, sponsored by Hilstrom, which would eliminate an annual performance report from the Department of Corrections, instead reverting back to a biennial report. This is expected to save the department approximately \$8,000.

A companion to HF2415, SF2084, sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action by the Senate Finance Committee.

— M. COOK

State Government

E-Verify for state workers

A federal system that checks whether employees are eligible to work in the United States might be checking all new state employees.

Rep. Steve Drazkowski (R-Mazeppa) sponsors HF1976 that would require new hires in all three branches of state government to submit to a check through the E-Verify system, which is run by the U.S. Department of Homeland Security.

The House State Government Finance Committee approved the bill Feb. 23 and sent it to the House floor. Sen. Al DeKruif (R-Madison Lake) sponsors the companion, SF1842, which awaits action by the Senate State Government Innovation and Veterans Committee.

E-Verify cross-checks data from federal agencies to determine whether someone is a U.S. citizen or is otherwise authorized to work legally in the country. Supporters say it’s a useful tool that provides instantaneous verification, but opponents question the system’s reliability.

“This is a system with errors,” said Carolyn Jackson, lobbying coordinator for the American Civil Liberties Union of Minnesota.

Jackson cited a 2010 report from the U.S. Government Accountability Office that found E-Verify is vulnerable to identity theft and information fraud. She said the U.S. Social Security Administration found 17.8 million records with discrepancies related to information used by E-Verify.

Drazkowski acknowledged that the system has had problems in the past, but said studies show that “this technology has been improving over time.” He said only 0.3 percent of people deemed ineligible by E-Verify are later confirmed to be work-authorized.

Benjamin Gerber, a policy manager with the Minnesota Chamber of Commerce, said the chamber opposes the bill because it prefers a federal solution to immigration issues as opposed to a piecemeal state-by-state approach.

— N. BUSSE

Outsourcing restrictions eased

State agencies would have an easier time outsourcing state jobs, under a bill that won committee approval.

Rep. Steve Drazkowski (R-Mazeppa) sponsors HF1975 that would remove a number of statutory restrictions on outsourcing. It would allow, but not require, state agencies to enter into service contracts regardless of whether state employees are able and available to perform the work.

The House State Government Finance Committee approved the bill Feb. 28. It now moves to the House Ways and Means Committee. A companion, SF2090, sponsored by Sen. Dave Thompson (R-Lakeville), awaits action by the Senate State Government Innovation and Veterans Committee.

THUMBS UP TO MINNESOTA



PHOTO BY ANDREW VONBANK

Rep. Dean Urdahl, foreground, introduces 2011 Miss Minnesota Natalie Davis from Dassel during the Feb. 23 House floor session.

Drazkowski said the bill would simply “untie the hands” of Gov. Mark Dayton and his commissioners and allow them to carry out state functions using a mix of public and private employees as they see fit. Opponents see potential risks, however.

Rep. Ryan Winkler (DFL-Golden Valley) said outsourcing could make the state dependent on contractors for work that might be better performed internally.

“Once the functions are gone, it’s almost impossible or extremely expensive to rebuild it and bring it back in-house again,” he said.

Rep. Steve Simon (DFL-St. Louis Park) objected to a provision that would remove a legal requirement that agencies consider rehiring laid off state workers before entering into contracts with private vendors.

“I don’t think it’s too much to ask that we at least give them a crack at doing the job that they once did,” Simon said.

Curt Yoakum, legislative director for the Department of Administration, said the department is concerned the bill could undermine the state’s own internal efforts to boost efficiency and productivity. He said reforms initiated last year have already resulted in several million dollars’ worth of savings.

“The department’s own efforts at reform ... depend largely on the trust and engagement of state employees,” Yoakum said.

The bill was laid over at the request of Rep. Phyllis Kahn (DFL-Mpls), who said she plans to offer an amendment that would ban

legislators from benefitting personally from state contracts.

— N. BUSSE

Minnesota Youth Council established

A council of teenagers could soon be advising the Legislature on issues affecting Minnesota youth.

Rep. Paul Marquart (DFL-Dilworth) sponsors HF1708 that would establish a Minnesota Youth Council. The House Government Operations and Elections Committee approved the bill Feb. 23 and sent it to the House floor.

The council currently exists under the auspices of the Minnesota Alliance With Youth, a nonprofit group. Supporters say establishing the council in state law would create a meaningful link between young people and legislators, giving youth a “direct voice” under the Capitol dome.

“This would legitimize, formalize and kind of institutionalize youth input into the legislative process,” Marquart said.

Thirty-six members between the ages of 13 and 19 would be appointed to the council to serve two-year terms. Within the council, an advisory committee would be established to work with lawmakers on youth-related legislation. The House and Senate would each appoint one Republican and one DFL legislative liaison to work with the committee.

Sarah Dixon, the alliance’s president and CEO, said any costs associated with the

council would be supported completely by her organization.

“The Minnesota Alliance With Youth believes strongly that young people need to be at the table; we also believe that the state of Minnesota needs young people at the table,” Dixon said.

Esther Lee, Chaska High School senior, said it’s important for youth to not be overlooked by policymakers.

“The state-sponsored effort will make it possible for the effective and powerful youth voice to be heard across the state of Minnesota and also this nation as well,” she said.

Sen. Keith Langseth (DFL-Glyndon) sponsors the companion, SF1435, which awaits action by the Senate State Government Innovation and Veterans Committee.

— N. BUSSE

Transportation

Restored pioneer vehicles clarified

Automobile restorers can easily invest tens of thousands of dollars restoring vehicles dating back to the Great Depression and before. They want the title to reflect the accuracy of their work.

Sponsored by Rep. Mike Benson (R-Rochester), HF2239 would, in part, change the title application and type issued for the vehicle. Approved Feb. 27 by the House Transportation Policy and Finance Committee, the amended bill awaits action on the House floor. A companion, SF2202 sponsored by Sen. Carla Nelson (R-Rochester), awaits action by the Senate Transportation Committee.

What happens now, Benson said, is when an owner seeks a new title they receive one saying the car is a reconstructed vehicle, it will have a Vehicle Identification Number that doesn’t correspond to numbers previously on the vehicle and the year on the title will be the year the vehicle was restored, not its manufactured year.

“The bill’s intent is to correct that and create a titling process that allows for cars that are manufactured from 1935 or before to have a pioneer plate and a title that says restored, rather than reconstructed, and has the proper numbers that are already stamped on the block,” Benson said.

Vicki Albu, vehicle services program director with the Driver and Vehicle Services Division of the Public Safety Department,

said the answer is complex because the vehicle must be described accurately, in part, for insurance purposes. "The problem comes when either the body or the frame or some major component part of the vehicle is not from the same model year and make of the vehicle. What do you call it? ... These are handled on a case-by-case basis."

"No collector in this business is going to cheat by putting the wrong motor in a car," said Gary Hoonsbeen, who has been restoring vehicles since the 1940s. He said three people he knows of have received notification letters saying they did not restore, but rather reconstructed the vehicle and could only receive a collector's plate.

"We want the name of the original manufacturer of the car clearly on the title; we want to retain the vehicle's original identification number ... and we want to recognize on our titles the year that the car was originally manufactured," Hoonsbeen said. "We feel these are historical vehicles, not just collectors, and the reason we have pioneer plates is to recognize that place in history."

— M. Cook

Freight rail economic study sought

Railroads can be the economic driver for rural communities. But there may be more that can be done to or for these railroads to make these small towns across the state more viable.

Sponsored by Rep. Mike Beard (R-Shakopee), HF2428 would direct the Transportation and Employment and Economic Development departments to conduct a study about the economic impacts of freight rail and ways to maximize economic development. Results would be due the Legislature by Jan. 15, 2013.

The bill was held over Feb. 29 by the House Transportation Policy and Finance Committee for possible omnibus bill inclusion. A companion, SF1960, sponsored by Sen. Joe Gimse (R-Willmar), awaits action by the Senate Finance Committee.

"We have over 20 railroads in this state that move over 235 million tons of freight each year. For many manufacturers they're a vital link to the customers around the country and around the world," Beard said. "I believe a study can help us identify some other opportunities, some things that are hazards that we may want to avoid in the future and help us create more jobs."

Rep. Terry Morrow (DFL-St. Peter) spoke

REGIONAL BALLPARK



PHOTO BY ANDREW VONBANK

Supporters of a bill that would provide funding for a regional ballpark on the edge of downtown St. Paul cover one of the hearing room chairs with St. Paul Saints memorabilia during a Feb. 23 meeting of the House Jobs and Economic Development Finance Committee. The proposed ballpark would be home for the minor league team.

about the benefits of the Minnesota Prairie Line Inc. in south-central Minnesota, including how it helped an ethanol plant triple its output because the end product could be shipped by train, rather than just truck, "This is exactly the kind of thing that we should be talking about," he said.

"Any way you can add to this economic

base on these short lines to maintain their integrity for the future is a good thing," said Bob Zelenka, executive director of the Minnesota Grain and Feed Association.

MnDOT would authorize funds from the Minnesota Rail Service Improvement program for the study.

— M. Cook

Skol Vikings!

New plan for 'People's Stadium' in downtown Minneapolis is unveiled

The Minnesota Vikings could one day be playing at a new site that is less than a football field away from their current field.

Gov. Mark Dayton, team representatives and political leaders unveiled a plan March 1 for a new \$975 million stadium to be built largely in the parking lot of the current Metrodome site.

Under the plan, \$427 million of the cost would be paid by the team, \$398 million by the the state and \$150 million by Minneapolis. The state's share would come from an expansion of charitable gambling to include electronic pull tabs, while the city portion would come from the redirecting of some convention center and hospitality taxes.

It is expected the team would need to play one year at TCF Bank Stadium at the

University of Minnesota during the new stadium construction.

"We are pleased that those representatives of the Vikings, the City of Minneapolis and the state have successfully completed their negotiations to build a new stadium at the Metrodome site. We will now be working to finalize language for a new bill that will implement the proposed agreement," Rep. Morrie Lanning (R-Moorhead), the lead House negotiator, said in a statement.

The actual stadium bill is expected to be introduced on Monday with many committee hearings likely to follow.

Before any shovels go into the ground, approval will be needed from both the Legislature and the Minneapolis City Council, neither of which is guaranteed.

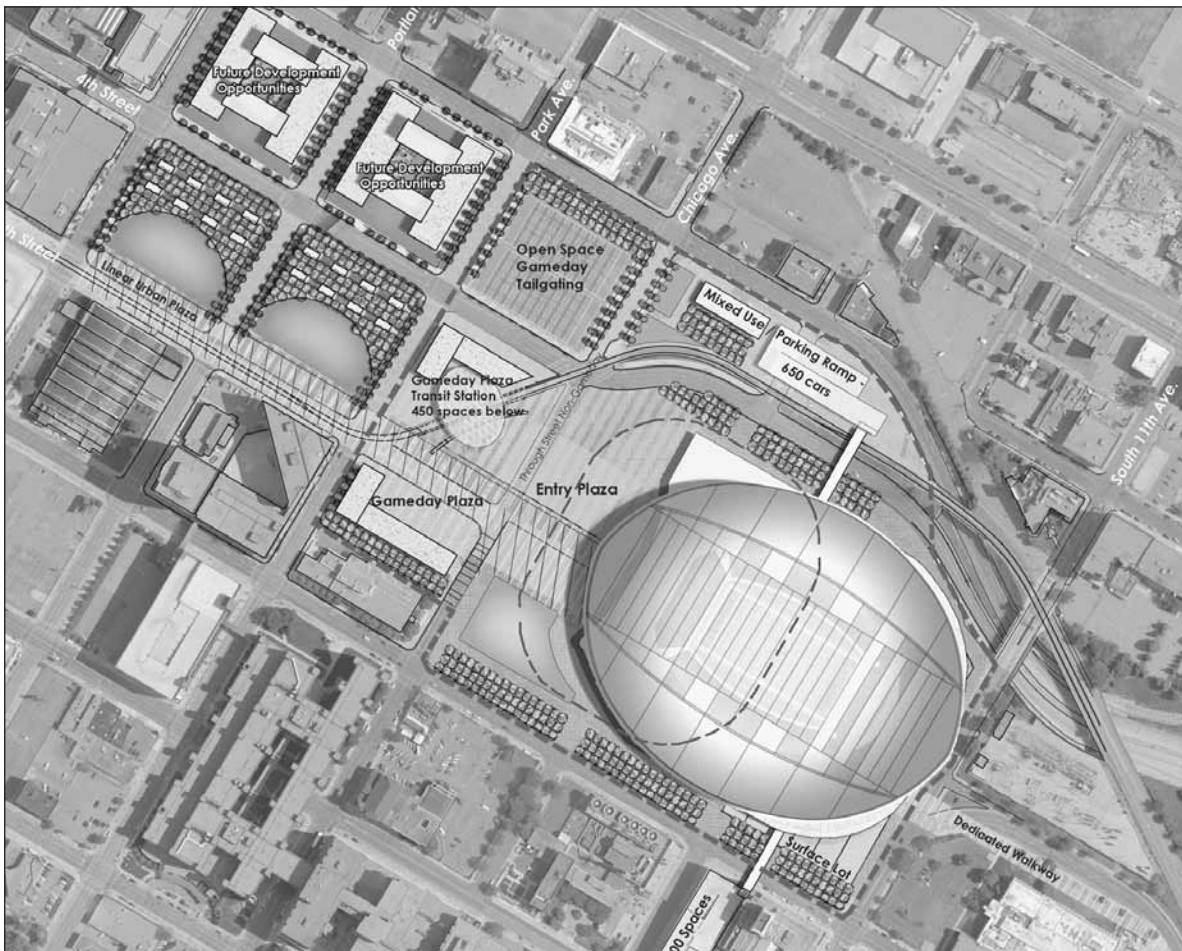
— M. Cook



PHOTO BY ANDREW VONBANK

Rep. Morrie Lanning, the lead House negotiator, speaks at a March 1 press conference unveiling a new stadium plan for the Minnesota Vikings.

Proposed Minneapolis Vikings stadium site



Map courtesy of the Minnesota Vikings

Dashed line indicates the current footprint of the Hubert H. Humphrey Metrodome.

Family calls him back home

Murdock leaves with better understanding of the district he has served

By **LEE ANN SCHUTZ**

A lot can change in four years.

When Rep. Mark Murdock (R-Ottertail) ran for office in 2008, it took a family commitment to make it happen. Everyone helped with his campaign, and after he was elected, his son and daughter-in-law took over duties of running the family hardware store. But now, three grandchildren later, the younger Murdocks can use some grandparent help.

“Three-and-a-half years ago the family demands were there, but not like they are now,” said Murdock who announced he will not seek re-election. “Family comes first ... it always comes first.”

Murdock’s other son is starting a new business, and wants dad’s help. And then there is his 95-year-old mother in Owatonna with whom he would like to spend more time.

“It’s time for me to go home,” he said.

Located in the north central part of the

state, District 10B is a mix of lake country and farming interests with an aging population. Murdock said the people are easy to work with, and his duties as representative afforded him the chance to make some good friends. He will miss his day-to-day constituent contact — working to address their issues.

While the district is primarily Republican, Murdock said he represents people who affiliate themselves with the Independence and DFL parties. “There’s a difference between being a politician and a representative,” he said. He’d like to consider himself the latter.

Murdock remembers one of the first bills he championed — it had to do with the manufactured home industry — and it wasn’t to be the last on the subject with a district that is home to several manufactured home construction facilities. He became the “watch dog” for the manufactured home people, he said.

His goal this session is to get state help for Wadena to rebuild its community center, which was destroyed in a 2010 tornado. He sponsors HF1804, which would appropriate \$4.75 million for the project. The bill awaits action in the House Jobs and Economic Development Finance Committee. He serves on the House Education Reform Committee and would like to see some reform regarding teacher tenure. “I’m concerned about retaining good quality teachers.”

There have been times when Murdock has been frustrated with the gridlock he’s experienced in the Legislature. “But it’s how our system works. That’s the checks and balances,” he said. However, he complimented Gov. Mark Dayton for his willingness to reach out to Republicans.

The new District 10B will be a geographically large challenge for whoever takes over the House seat — and his advice to that person?

“Your constituents are the ones who send you here. They are your No. 1 priority,” he said. It means promptly responding to their e-mails or phone calls. “I try to respond within a day or two,” he said. “It’s all about your constituents and that they can trust the job you are doing down here.” He received some good “freshmen” advice from a colleague during his first term — to sit back, watch, listen and learn. “I took that advice. I speak when I have something to contribute. The more you learn, the more you know and your confidence grows. The main thing is to tell the truth. ... if you don’t know, don’t be afraid to say so.”

Murdock came to the House with a goal of reaching across party lines and he’s proud of his work, and the friends that he has made.

“It’s been a huge learning experience. It probably ranks right up there with coming out of high school and going into college. ... I love my district and the state of Minnesota, but it’s time to move on.” 🐕



PHOTO BY ANDREW VONBANK

During his time in the House, Rep. Mark Murdock became a self-described “watch dog” for the manufactured home industry, a business sector that employs many in his district.

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. 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, tours of the Capitol are free of charge with a suggested donation of \$5 per person.

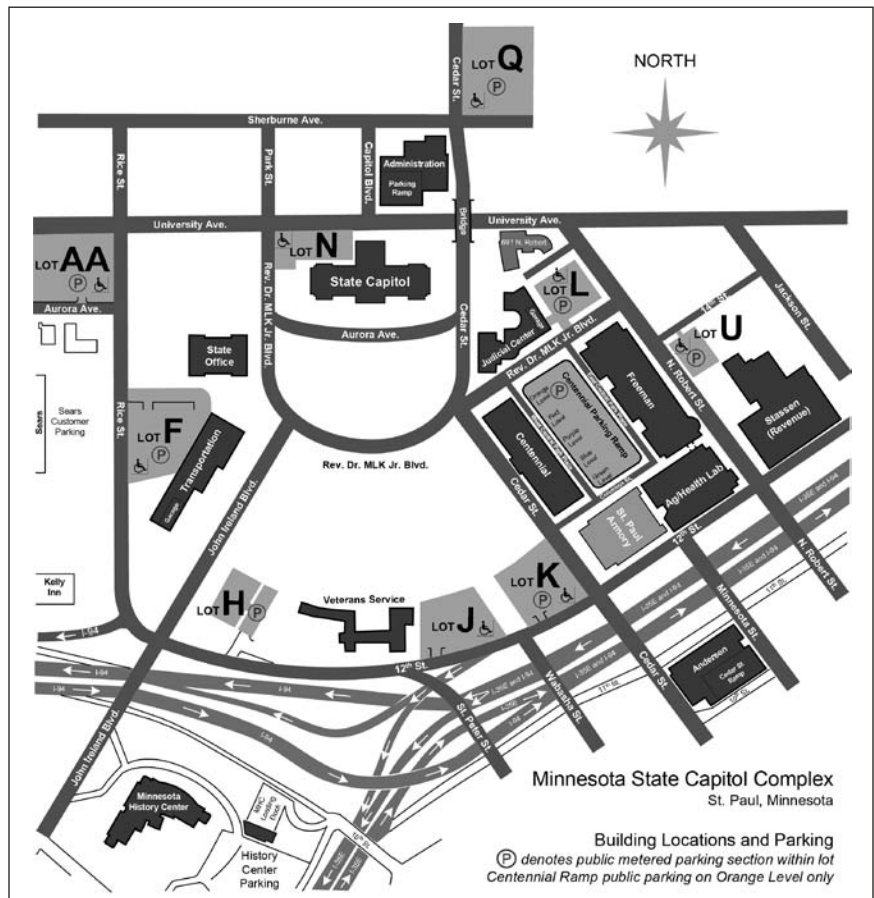
The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. A special events guide is available upon request.

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 27 - MARCH 1, 2012

HOUSE FILES 2493 - 2631

Monday, Feb. 27

HF2493-Anderson, B. (R)

Veterans Services Division

Noncompetitive appointment of disabled veterans in the classified service provided.

HF2494-Anderson, B. (R)

Veterans Services Division

State award issuance to Minnesota National Guard nonmembers allowed.

HF2495-Anderson, B. (R)

Veterans Services Division

Veterans removal hearing board appointment procedure modified.

HF2496-Anderson, B. (R)

Environment, Energy & Natural Resources Policy & Finance

Local approval required before state disposal facility permit issuance.

HF2497-Hansen (DFL)

Taxes

Dakota County Community Development Authority tax increment financing district subject to special rules creation authorized.

HF2498-Champion (DFL)

Public Safety & Crime Prevention Policy & Finance

Vulnerable adult financial exploitation statute of limitations extended.

HF2499-Runbeck (R)

Commerce & Regulatory Reform

For-profit public benefit corporations incorporation provided.

HF2500-Sanders (R)

Commerce & Regulatory Reform

Debt settlement services agreements laws changed.

HF2501-Hackbarth (R)

Commerce & Regulatory Reform

State lottery director authorized to establish gaming machines at a licensed racetrack, gaming machine revenue fee imposed, and powers and duties provided to the director; Minnesota First fund established and money dedicated for education and the financing and construction of a stadium for the Minnesota Vikings and a ballpark for the St. Paul Saints; tax rates on lawful gambling modified; linked bingo and electronic pull tabs provided; clarifying conforming, and technical changes made; and money appropriated.

HF2502-Bills (R)

Commerce & Regulatory Reform

Gold and silver coin designated as official legal tender.

HF2503-Vogel (R)

Health & Human Services Finance

Willmar Community Behavioral Health Hospital closure date extended.

HF2504-Drazkowski (R)

Environment, Energy & Natural Resources Policy & Finance

Goodhue County; public sale of tax-forfeited land bordering public water authorized.

HF2505-Mullery (DFL)

Civil Law

Post office box number designation permitted in the annual report of the conservator.

HF2506-Loon (R)

Education Finance

School district reserved staff development revenue allocation requirement stricken.

HF2507-Dettmer (R)

Higher Education Policy & Finance

Safety officer survivor graduate study education benefit authorized.

HF2508-Barrett (R)

Public Safety & Crime Prevention Policy & Finance

State-controlled substance schedules aligned with federal controlled substance schedules, Board of Pharmacy's controlled substance regulation authority modified and penalties provided.

HF2509-Rukavina (DFL)

Health & Human Services Finance

Health professional education loan forgiveness program requirements amended.

HF2510-Anzelc (DFL)

Health & Human Services Reform

Physician drug dispensation licensure in pharmacies located in health professional shortage areas authorized.

HF2511-Kriesel (R)

Veterans Services Division

Military personnel and veterans exempted from firearms safety certificate requirement.

HF2512-Gauthier (DFL)

Transportation Policy & Finance

State Patrol escort services contract service rates adjusted.

HF2513-Hackbarth (R)

Environment, Energy & Natural Resources Policy & Finance

Venison donation program eliminated.

HF2514-Slocum (DFL)

Jobs & Economic Development Finance

City of Richfield; new arterial street grant funding provided, bonds issued and money appropriated.

HF2515-Hausman (DFL)

Environment, Energy & Natural Resources Policy & Finance

Reinvest in Minnesota (RIM) critical habitat match funding provided, bonds issued and money appropriated.

HF2516-McNamara (R)

Environment, Energy & Natural Resources Policy & Finance

Natural resources acquisition and development funding provided, bonds issued and money appropriated.

HF2517-Shimanski (R)

Transportation Policy & Finance

Other motor vehicle license plates placement clarified.

HF2518-Davids (R)

Jobs & Economic Development Finance

Spring Grove; alley renovation funding provided, bonds issued and money appropriated.

HF2519-Dill (DFL)

Environment, Energy & Natural Resources Policy & Finance

St. Louis County; public and private sale of tax-forfeited land bordering public water authorized.

HF2520-Franson (R)

Health & Human Services Finance

Legislative approval required before federal fund acceptance by the commissioner of health for purposes of establishing, implementing or maintaining a health-related surveillance system or registry.

HF2521-Franson (R)

Health & Human Services Reform

Health care provider participation in the state public health care programs as a condition of participation in the state employee health plans requirement repealed.

HF2522-Franson (R)

Health & Human Services Reform

Minor consent modified for health procedures and records.

HF2523-Franson (R)

Health & Human Services Reform

Vaccines manufactured with or containing human DNA informed consent required.

HF2524-Hosch (DFL)

Jobs & Economic Development Finance

City of St. Joseph; regional community center funding provided, bonds issued and money appropriated.

HF2525-Schomacker (R)

Health & Human Services Finance

Nursing facility rate increase provided for health information technology costs.

HF2526-Kelly (R)

Jobs & Economic Development Finance

Red Wing; Sheldon Theatre funding provided, bonds issued and money appropriated.

HF2527-Mazorol (R)

Civil Law

Uniform Electronic Legal Material Act approved by the National Conference of Commissioners on Uniform State Law enacted.

HF2528-Mazorol (R)**Transportation Policy & Finance**

Accident reports involving damage to state-owned infrastructure transportation provisions modified.

HF2529-Lohmer (R)**Health & Human Services Finance**

Living skills training program funding provided for persons with intractable epilepsy and money appropriated.

HF2530-Kiel (R)**Education Reform**

Probationary teachers; school board notification date changed by one month.

HF2531-Shimanski (R)**Civil Law**

Parenting plan mediation development required.

HF2532-Barrett (R)**Health & Human Services Reform**

Electronic prescribing of controlled substances allowed.

HF2533-Johnson (DFL)**Commerce & Regulatory Reform**

Broadband equipment allowed a credit for installation.

HF2534-Winkler (DFL)**Health & Human Services Reform**

Voluntary registry establishment required, and information release required for purposes of firearms background check.

HF2535-O'Driscoll (R)**Taxes**

St. Cloud; local sales and use tax modified.

HF2536-Anderson, P. (R)**Jobs & Economic Development Finance**

Wage credits eliminated for family members of business owners.

HF2537-Crawford (R)**Taxes**

Construction stimulation temporary authority time period extended.

HF2538-Runbeck (R)**Taxes**

Enterprise zone and economic development power technical, minor and clarifying changes made and obsolete provisions eliminated.

HF2539-LeMieur (R)**Agriculture & Rural Development Policy & Finance**

Wetland Conservation Act exemption modified for agricultural land subject to federal requirements.

HF2540-Barrett (R)**Education Finance**

School district state aid new source created for districts with below average revenue.

HF2541-Runbeck (R)**Government Operations & Elections**

Vikings stadium; National Football League privately owned stadium provided in Minneapolis, statewide business property tax phased out and bonds issued.

HF2542-Nelson (DFL)**Taxes**

Outside district expenditures modified.

HF2543-Knuth (DFL)**Health & Human Services Reform**

Children's products containing harmful chemicals reporting required.

HF2544-Loon (R)**Commerce & Regulatory Reform**

Travel insurance offer and dissemination regulated.

HF2545-Sanders (R)**Government Operations & Elections**

Absentee ballot envelope certificate modified.

HF2546-Buesgens (R)**Legacy Funding Division**

State Capitol restoration funding provided, bonds issued and money appropriated.

HF2547-Leidiger (R)**Government Operations & Elections**

Light rail; city, county and town approval required prior to construction.

HF2548-McElfatrick (R)**Jobs & Economic Development Finance**

Construction code fund; fee deposit collected into an account and funds appropriated annually.

HF2549-Holberg (R)**Civil Law**

Government data practice provision added for public access to government data online.

HF2550-Abeler (R)**Health & Human Services Finance**

Health care bill of rights continuity of care provision modified.

HF2551-Runbeck (R)**Jobs & Economic Development Finance**

Unemployment compensation benefit amount calculation changed.

HF2552-Westrom (R)**Environment, Energy & Natural Resources Policy & Finance**

Trespass law modified.

HF2553-Hoppe (R)**Commerce & Regulatory Reform**

Wealth-related claims practices regulated.

HF2554-Mariani (DFL)**Education Finance**

Career and technical levy eliminated.

HF2555-Kiffmeyer (R)**Health & Human Services Reform**

Sunset review changes implemented, agency requirements changed, posting required for felony or gross misdemeanor and malpractice settlements or judgments for a regulated practitioner, regulated practitioner information required, fund transfer prohibited and money appropriated.

HF2556-Diill (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Lake County; tax-forfeited land public sale provided.

HF2557-Franson (R)**Health & Human Services Reform**

Early hearing detection and intervention program, heritable and congenital disorder tests, the birth defects information system, occupational diseases reporting, the trauma registry, the traumatic brain and spinal cord injury registry, the cancer surveillance system and the lead surveillance system written consent required before information is submitted.

HF2558-Franson (R)**Government Operations & Elections**

Legislative Commission on United Nations Agenda 21 established.

HF2559-Petersen, B. (R)**Transportation Policy & Finance**

County state-aid highway funds regulated.

HF2560-Scott (R)**Transportation Policy & Finance**

Metropolitan Council proportional distribution required for any transit reductions.

Wednesday, Feb. 29

HF2561-Liebling (DFL)**Judiciary Policy and Finance**

Public defender representation right extended to persons appealing misdemeanor convictions and post-conviction proceedings, and money appropriated.

HF2562-Banaian (R)**Government Operations & Elections**

Initiative and referendum procedures and penalties provided; constitutional amendment proposed.

HF2563-Anderson, B. (R)**Taxes**

City of Clearwater; local sales tax revenue use modified.

HF2564-Shimanski (R)**Agriculture & Rural Development Policy & Finance**

Agritourism activity immunity from civil liability created.

HF2565-Gruenhagen (R)**Environment, Energy & Natural Resources Policy & Finance**

Public waters and shoreland debris removal clarified.

HF2566-LeMieur (R)**State Government Finance**

Charles A. Lindbergh House asset preservation funding provided, bonds issued and money appropriated.

HF2567-LeMieur (R)**Jobs & Economic Development Finance**

Todd County senior citizens center funding provided, bonds issued and money appropriated.

HF2568-Murphy, M. (DFL)**Government Operations & Elections**

Judicial branch added to the state postretirement option program.

HF2569-Mazorol (R)**Commerce & Regulatory Reform**

Debt management and settlement exemption for attorneys at law clarified.

HF2570-Scott (R)**Transportation Policy & Finance**

Anoka County; county state-aid highway system county road designation changed without local approval.

HF2571-Norton (DFL)**Health & Human Services Finance**

Dental services for the disabled expanded.

HF2572-Hosch (DFL)**Public Safety & Crime Prevention Policy & Finance**

New fire department establishment temporary moratorium imposed.

HF2573-Dettmer (R)**Higher Education Policy & Finance**

College savings plan contingent account holder definition modified.

HF2574-Torkelson (R)**Higher Education Policy & Finance**

University of Minnesota fisheries laboratory funding provided, bonds issued and money appropriated.

HF2575-Vogel (R)**Jobs & Economic Development Finance**

Department of Employment and Economic Development business advocate established.

HF2576-Anzelc (DFL)**State Government Finance**

Wheeler's Point community sanitary sewer collection and treatment system funding provided, bonds issued and money appropriated.

HF2577-Torkelson (R)**Education Finance**

Independent School District No. 88, New Ulm onetime fund transfer permitted.

HF2578-Leidiger (R)**Government Operations & Elections**

Metropolitan Council guidelines and plans made advisory.

HF2579-Gottwalt (R)**Education Reform**

Students with dyslexia and related disorders' needs met.

HF2580-Loon (R)**Education Reform**

Parents empowered to request school district intervention in a persistently low-performing school.

HF2581-Anderson, P. (R)**Agriculture & Rural Development Policy & Finance**

Agriculture; food law enforcement provided, technical and conforming changes made, obsolete provisions repealed and penalties imposed.

HF2582-Gunther (R)**Jobs & Economic Development Finance**

Unemployment insurance federal conformity, policy and other housekeeping changes made.

HF2583-Davids (R)**Taxes**

City of Maple Grove; soil deficiency tax increment financing district subject to special rules creation authorized.

HF2584-Kiffmeyer (R)**Government Operations & Elections**

Minnesota defined benefit retirement plans; contribution rate reductions or benefit improvements limited and funding recommendation required from plan administrators.

HF2585-Kriesel (R)**Public Safety & Crime Prevention Policy & Finance**

Statewide Radio Board authority expanded and updated to include the latest emergency communication technologies, Statewide Radio Board authorized to elect to become a statewide emergency communication board, tribal governments included in regional radio board structure and comprehensive authority provided under board to address all emergency communications.

HF2586-Slawik (DFL)**Environment, Energy & Natural Resources Policy & Finance**

State park fee discounts expanded for disabled individuals.

HF2587-Garofalo (R)**Health & Human Services Finance**

Health professional education loan forgiveness program requirements amended.

HF2588-Quam (R)**Environment, Energy & Natural Resources Policy & Finance**

Olmsted and Wabasha counties; Lake Zumbro restoration funding provided, bonds issued and money appropriated.

HF2589-Peppin (R)**Government Operations & Elections**

Hennepin County; watershed districts required to get municipal approval before acquiring property in the municipality.

HF2590-Rukavina (DFL)**Environment, Energy & Natural Resources Policy & Finance**

St. Louis County; private sale of state land authorized.

HF2591-Howes (R)**Taxes**

Bloomington; tax increment financing district extension allowed.

HF2592-Persell (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Electric fish barriers funding provided, bonds issued and money appropriated.

HF2593-Falk (DFL)**Education Finance**

Sparsity revenue modified for a school district that has ended an academic pairing agreement.

HF2594-Falk (DFL)**Education Reform**

Independent School District No. 402, Hendricks dissolved.

HF2595-Scott (R)**Commerce & Regulatory Reform**

Dram shop insurance requirements exemption clarified for farm wineries.

HF2596-Doepke (R)**Education Reform**

Commissioner of education prohibited from enforcing unadopted rules.

HF2597-Franson (R)**Health & Human Services Reform**

MFIP applicant and participant drug testing required.

HF2598-Kelly (R)**Public Safety & Crime Prevention Policy & Finance**

Red Wing; west fire station and training facility funding provided, bonds issued and money appropriated.

HF2599-Kriesel (R)**Commerce & Regulatory Reform**

Antifreeze aversive agent use required.

HF2600-Garofalo (R)**Environment, Energy & Natural Resources Policy & Finance**

Minneapolis; educational and cultural facility funding provided to preserve and renovate a facility for students, tourists and Minnesota residents; bonds issued and money appropriated.

HF2601-Hancock (R)**State Government Finance**

Bemidji; Northern Minnesota Veterans Home funding provided, bonds issued and money appropriated.

HF2602-Abeler (R)**Health & Human Services Reform**

Child care support provisions modified.

HF2603-Abeler (R)**Health & Human Services Reform**

Civil commitment chemical use assessment requirements modified.

HF2604-Quam (R)**Education Finance**

Permissible fund transfer expanded.

HF2605-Lohmer (R)**Education Finance**

Home-schooled student shared time aid clarified.

HF2606-Hausman (DFL)**Jobs & Economic Development Finance**

St. Paul; University Enterprise Laboratories building expansion funding provided, bonds issued and money appropriated.

HF2607-Hosch (DFL)**Taxes**

Established religious order sales and use exemptions modified.

HF2608-Anderson, B. (R)**Veterans Services Division**

Vehicles bearing special veteran license plates allowed to park free of charge in public parking facilities.

HF2609-Davids (R)**Taxes**

Nursing home and boarding care home purchases exempted.

HF2610-Hackbarth (R)**Government Operations & Elections**

Rental housing inspections provided and criminal penalty imposed for a false report.

HF2611-Hackbarth (R)**Environment, Energy & Natural Resources Policy & Finance**

Primitive firearm hunting season provided and shotgun use area modified.

HF2612-Woodard (R)**Taxes**

Public safety radio communication systems exemption expanded.

HF2613-Westrom (R)**Taxes**

Agricultural land located within five townships of the owner's home allowed to be included in the agricultural homestead.

HF2614-Mahoney (DFL)**Government Operations & Elections**

Administrative law judge and compensation judge mandatory retirement age changed.

HF2615-Hansen (DFL)**Agriculture & Rural Development Policy & Finance**

Pesticide gross sales fee increased, proceeds dedicated to updating pesticide applicator education and certification, and money appropriated.

HF2616-Paymar (DFL)**Commerce & Regulatory Reform**

Injured employees permitted a civil remedy if an employer willfully or repeatedly violates safety laws.

Thursday, March 1**HF2617-Abeler (R)****Health & Human Services Reform**

Health-related licensing boards required to post information on regulated individuals.

HF2618-Howes (R)**Health & Human Services Reform**

Hospitals required to develop staffing levels for direct care registered nurses.

HF2619-Kriesel (R)**Veterans Services Division**

Special veterans' plates service branch designs added.

HF2620-Howes (R)**Higher Education Policy & Finance**

University of Minnesota invasive species research center funding provided, bonds issued and money appropriated.

HF2621-Kelly (R)**Education Reform**

Special or independent school districts made subject to mayoral control.

HF2622-Howes (R)**Capital Investment**

Bemidji State University funding provided, bonds issued and money appropriated.

HF2623-Smith (R)**Judiciary Policy & Finance**

Juvenile delinquency case period for continuance without adjudication extended.

HF2624-Beard (R)**Transportation Policy & Finance**

Local bridge over the Minnesota River between Carver and Scott counties funding provided, bonds issued and money appropriated.

HF2625-Peppin (R)**Education Finance**

Independent School District No. 728, Elk River, equity revenue adjusted by the metro equity region factor for students residing in the region.

HF2626-Lohmer (R)**Health & Human Services Reform**

Automated drug distribution system authorized.

HF2627-Gottwalt (R)**Health & Human Services Reform**

Electronic claims and electronic transaction requirement changed.

HF2628-Gottwalt (R)**Health & Human Services Reform**

Provider peer grouping requirements modified.

HF2629-Anderson, B. (R)**Veterans Services Division**

Resolution; Congress and the President of the United States memorialized to formally recognize the Khmer Freedom Fighters.

HF2630-Drazkowski (R)**Civil Law**

Regulatory taking compensation provided which do not arise to the level of taking under constitutional analysis, and attorney fee payment authorized.

HF2631-Shimanski (R)**Transportation Policy & Finance**

County state-aid highways and municipal state-aid street, construction support, and finance operation contingent appropriations provided and money appropriated.

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MINNESOTA INDEX

Exploring Minnesota

Billions in gross sales generated by the state's travel and tourism industry in 2010...	\$11.32
Millions per day, on average.....	\$31
Estimated number of full- and part-time jobs associated with state travel/tourism in 2010.....	235,258
Percent of all private sector employment	11
Wages earned by those employees, as approximate in billions.....	\$4
State sales tax collected from the state's travel/tourism industry in 2010, in millions.....	\$732.2
Percent of total state sales tax revenues.....	17
Approximate number of domestic tour operators that offer Minnesota trips.....	280
State rank in U.S. state tourism office budgets	30
Millions from General Fund used to fund Explore Minnesota Tourism in fiscal year 2011	\$8.85
Millions in fiscal year 2012	\$8.39
Gross sales generated for every \$1 invested in state tourism marketing.....	\$53
Wages generated per \$1 invested.....	\$20.40
State and local taxes generated per \$1 invested	\$4.60
Percent increase in occupancy rates in Minnesota lodging from 2010 to 2011	3.9
Increase from 2009 to 2010	6.5
National average increase in 2011	4.4
Percent increase in revenue in Minnesota lodging from 2010 to 2011	8.8
Increase from 2009 to 2010	7.7
National average increase in 2011	8.8
Percent increase in sales at Minnesota leisure and hospitality businesses from 2000 to 2010	40
Percent of all travel/tourism dollars spent by guests on shopping and recreation (each).....	25
Percent on food.....	24
Percent on lodging.....	14
Percent on transportation	12
Month for the first Minnesota Museums Month, a new statewide celebration of museums, designed to highlight museum resources and attract more visitors	May 2012

—M. Cook

Sources: Explore Minnesota Tourism, including: Annual Report 2011; 2012 Tourism and the Economy Brochure; Feb. 15, 2012, EMT Express; and 2011 Lodging Performance Changes for Minnesota, the U.S., the Region and Minnesota Areas.

SESSION WEEKLY



**WHEN THE RULE IS THE LAW
KNUTH AND EKEN MOVE ON
A MODEL OF HEALTH CARE DELIVERY
EMERGENCY! MOVE OVER, PLEASE**

HF2632 - HF2758

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
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Flashback to 1992 and 2002

Fighting terrorism a plate at a time

After the 9/11 terrorist attacks, Minnesota considered a \$22 million appropriation in fiscal year 2003 to fund various public safety functions related to prevention of and response to potential terroristic threats to the state.

The bill, HF2622, sponsored by Rep. Rich Stanek (R-Maple Grove), was amended to allow residents to purchase "United We Stand" license plates with revenue from the plate sales going directly to the federal government to fund the fight against terrorism worldwide.



A prototype of a license plate to help fund anti-terrorism measures.

A representative from the Rewards for Justice program explained to the House Judiciary Finance Committee that the license plate idea was adopted by 30 states. The program is a registered federal non-profit, operated by State Department personnel.

Some House members were concerned with the state sending money to the federal government. Rep. Debra Hilstrom (DFL-Brooklyn Center) wondered if language could be added that the program could be altered if the state determines the money isn't going where it is supposed to.

The committee approved the bill.

— Session Weekly March 8, 2002

Cutting the waste

Minnesotans discard some 4 million tons of solid waste annually — nearly a ton for every person living in the state. Rep. Jean Wagenius (DFL-Mpls) sponsors a bill, HF779, to set a statewide goal of reducing packaging waste by 25 percent by July 1, 2005. If the goal is not reached, manufacturers would pay a 1 cent per package advance disposal fee on all "non-exempt" packages.

The measure also targets toxins used in products which end up in landfills. Manufacturers would pay a fee when they use any of 20 specified toxins to make their products.

"In 1970, we all thought landfills were a good idea. We called them 'sanitary' landfills. Nobody understood that these landfills were leaking into the water," she said.

— Session Weekly
March 6, 1992

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SESSION WEEKLY

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On the cover: Noch Veng, a member of the Rochester International Khmer Assembly and former Khmer Freedom fighter in Cambodia, salutes members of the House Veterans Services Division March 5 as he is recognized by the division. A group of 37 Khmer veterans attended the meeting in support of a bill asking Congress and the U.S. President to recognize the role of the Khmer veterans during the Vietnam War.

— Photo by Paul Battaglia

The RULE of law

Lawmakers consider reigning in agencies' rulemaking powers

By Nick Busse

Jerry Zubay knows the cost of regulations. As a restaurant owner, he has a veritable army of government entities policing, inspecting and picking apart every aspect of his business.

"I don't have anybody there from the nuclear waste commission; other than that, pretty much everybody has their sights on me," Zubay said.

His experiences with regulators range from the annoying — having to pay a master electrician to install a lock box on a light switch located 12 feet off the ground — to the comical. One agency insisted that he install a sprinkler system inside of his new 6,500-pound wood-burning pizza oven, then changed their mind and told him to put a garden hose next to it in case of emergencies.

Zubay said the rules and regulations he has to follow, while well-intentioned, are costly, time-consuming and ultimately harmful to his business. And during his 40 years in the industry, he said the problem has worsened as new rules are piled on top of old ones.

"I'm not impugning these people or their departments; they're doing their job. But when they're doing their job, I can't do my job," Zubay told a Senate committee Feb. 22.

The over-reach of government is not a new complaint from the business community. But what many might not realize is that the rules that apply to businesses often come not from elected officials, but rather from professional regulators at state agencies. This happens through a process known as "administrative rulemaking."

Here's how rulemaking works: Let's say lawmakers want to protect the public from tainted food. Rather than spend time at the Legislature debating how to do this, they enact a law delegating that authority to experts at the Health Department.

Health officials study the issue, meet with stakeholders and take input from the public before finally adopting a set of administrative rules that describe how to safely cook, store and serve food.

For people like Zubay, those rules take on the full force of law. And oftentimes there's not just one code for them to follow, but many.

In Zubay's case, there are health codes, building codes, liquor regulations and many others.

An 'avalanche' of rules

Administrative rules have been around since the early 20th century, and are generally considered part and parcel to governing a complex society. But as they've accumulated over the course of many decades, some have argued these rules have become a barrier to economic growth as well as basic freedoms.

The problem isn't just the number of rules — which now rival statutes in terms of sheer volume. Rep. Mike Beard (R-Shakopee) said the problem is also that lawmakers and the public aren't kept in the loop about what he calls "an avalanche of rulemaking."

"We're beleaguering our poor citizens with

rules they don't even see coming until they see the flashing lights in the mirror or they get the nasty letter in the mail saying, 'you've been summoned and you're being fined,'" he said.

Beard said lawmakers often don't find out when agencies adopt rules that are handed down by the federal government, or that they promulgate on their own authority without any direction from the Legislature. He said legislators often find out what agencies are up to only after hearing a complaint from an angry constituent.

"You have a trucker, for instance, that gets pulled over on a logbook violation that six months ago didn't exist. ... Where'd that rule come from? These things — they keep happening" he said.

Beard is one of many Republican lawmakers who have come forward this year with bills that would reform administrative rulemaking. The proposals they've laid out range from strengthening legislative oversight of rulemaking (Beard's HF2169) to imposing a two-year moratorium on new rules

"We're beleaguering our poor citizens with rules they don't even see coming until they see the flashing lights in the mirror or they get the nasty letter in the mail saying, 'you've been summoned and you're being fined,'"

— Rep. Mike Beard
R-Shakopee

(HF2211), sponsored by Rep. Tom Hackbarth (R-Cedar).

But as lawmakers are finding out, curbing agencies' rulemaking power isn't as easy or simple as it might seem.

Technocrats or experts?

Critics of rulemaking contend that legislators have given up too much power to the executive branch. One lawmaker who hopes to correct this is Rep. Doug Wardlow (R-Eagan).

Wardlow sponsors HF1831 that would require legislative approval of rules that have a significant economic impact. The bill is meant to address what he calls "the soft tyranny of unelected technocrats."

"What happens when you have this

First Reading continued on page 4

multiplication of rules and delegation of legislative authority to unelected civil servants? It undermines the rule of law and undermines representative democracy,” he said at a Jan. 31 hearing.

Many struggling small business owners and frustrated legislators would probably agree. In practice, however, greater legislative oversight over administrative rulemaking comes at a price.

Delegating rulemaking authority to the executive branch allows legislators to farm out the technical aspects of lawmaking to people who are experts in their respective fields. Putting that responsibility back in lawmakers’ hands could mean forcing them to hash out issues like how many walleye anglers should be allowed to take from specific lakes, how thick protective liners underneath landfills should be, and how to update the diagnostic codes used by insurance companies and health care providers.

Even if lawmakers wanted to review every administrative rule handed down by agencies, critics argue it would be logistically impossible. Michelle Beeman, an assistant commissioner at the Pollution Control Agency, said legislators would quickly find themselves bogged down with highly technical issues.

“Those are the details that are in our rules that, really, the Legislature shouldn’t be bothered with. You want those engineers and experts to be the ones wrestling with it,” Beeman told a House committee Jan. 31.

Moreover, agencies argue they’re being falsely maligned as power-hungry bureaucrats when in fact they’re only doing what the Legislature asked of them.

“These rules are put together for safety and health reasons, not just because we’re trying to hurt small businesses,” said John Rajkowski, director of governmental relations for the Department of Labor and Industry.

“Those are the details that are in our rules that, really, the Legislature shouldn’t be bothered with. You want those engineers and experts to be the ones wrestling with it.”

— Michelle Beeman
Pollution Control Agency
Assistant Commissioner

Finding a compromise

Proposals to require legislative approval of rules or stop rulemaking altogether appear to be moving slowly through the House. But Beard’s bill, HF2169, appears to be gaining momentum.

Beard supports a less aggressive approach.

His bill would strengthen the Legislature’s ability to object to proposed rules and create a more thorough process for reviewing the ones already in place.

“I want the Legislature to be more engaged,” Beard said.

Technically, lawmakers already have the power to legislate away any

administrative rule they disagree with. They rarely use that power, however, and Beard

said many legislators aren’t even aware that it exists. If nothing else, he hopes his bill can rectify that situation.

Critics warn that even Beard’s bill is flawed, in that it asks lawmakers to take on a seemingly unreasonable task: reviewing hundreds of chapters of administrative rules. Beard isn’t fazed.

“We’re going to have homework to do, that’s right. But it’s time we stopped whining and stepped up and realized that we’re part of the solution,” he said.

Perhaps not surprisingly, the executive branch tends to resist intrusions on its authority. Both Gov. Mark Dayton and former Gov. Tim Pawlenty have vetoed efforts to place even modest limitations on rulemaking. Beard said he’s hopeful his bill, which has bipartisan support, will be received differently. 🍷



PHOTO BY PAUL BATTAGLIA

Rep. Michael Beard, left, and lobbyist Lisa Frenette discuss HF2169 with members of the House State Government Finance Committee March 6. The bill would increase legislative scrutiny of administrative rules.

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HIGHLIGHTS

MARCH 1 - 8, 2012

Editor's note: The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held March 1-8. 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 acted on by the governor.

Business & Commerce

Ombudsman for small businesses

Small-business owners who need help navigating the state's regulatory structure might soon be able to appeal to an ombudsman for help.

Rep. Bruce Vogel (R-Willmar) sponsors HF2575 that would establish a "small business advocate office" within the Department of Employment and Economic Development. It would provide "one-stop access" for assistance with obtaining licenses, meeting regulatory requirements and resolving disputes with state agencies.

The House Jobs and Economic Development Finance Committee laid the bill over for possible omnibus inclusion March 6. It has no Senate companion.

Vogel said the new office would help small-business owners get permit applications processed in a timely manner. The bill specifies that DEED would create the position using existing staff rather than hiring new employees.

"What we want to do is create a position or a person in the department that will focus on helping people through the process," Vogel said.

He said it would be similar to an ombudsman position that already exists in the Department of Transportation, as well as one with the City of Edina. He noted that Gov. Mark Dayton has proposed creating a similar office.

— N. BUSSE

Civil Law

Judge could decide relocation costs

Current law provides for relocation assistance funds for those whose property

is acquired by a local jurisdiction through eminent domain.

Most of the time the process "works pretty well," with an acceptable agreement able to be reached by the parties involved, said Kirk Schnitker, an attorney specializing in eminent domain issues. He told the House Civil Law Committee March 5 that HF1833, sponsored by Rep. Denise Ditttrich (DFL-Champlin), would provide an opportunity for an administrative judge hearing, if an agreement can't be reached.

"Relocation appeals are scarce. It happens once or twice a year and the (court) costs are minimal. Most cases are done in a day," Schnitker said.

The bill would provide for a contested case hearing to determine whether a person is eligible to receive relocation assistance in the first place, if it is denied by the acquiring authority. The administrative law judge's determination of the amount of the assistance would be final.

The committee approved the bill and moved it to the House floor.

The companion, SF1620, sponsored by Sen. Benjamin Kruse (R-Brooklyn Park), awaits action on the Senate floor.

— L. SCHUTZ

Consumers

Contractor roles contested

Contractors could be banned from negotiating with insurance companies on behalf of homeowners who are filing a claim for weather damage.

This is outlined in a bill brought before the House Commerce and Regulatory Reform Committee March 6. HF2553, sponsored by Rep. Joe Hoppe (R-Chaska), would draw a clear line between the role of contractors and adjustors, who work with homeowners in assessing damage on their houses when they file a claim with an insurance company.

Bob Johnson, president of the Insurance Federation of Minnesota, said the bill was necessary for the insurance marketplace. He believes that contractors who act as representatives for homeowners present a problem. He accused these contractors of "sidestepping the law," saying it

"muddies the waters" of insurance claims.

Contractors testified in opposition to the bill. They argued it would create additional work for them and damage their consumer relationships, which they spend years building. They added that insurance adjustors don't have the construction background necessary to make knowledgeable assessments, which will result in consumers spending far more than is necessary.

Chris Parrington, an attorney with Skjold-Parrington who represents homeowners, supported the contractor's role in the insurance claim process.

"I think this bill is nothing more than a wolf in sheep's clothing, and it will be devastating to consumers," he said.

Rep. Joe Atkins (DFL-Inver Grove Heights) received applause from dozens of contractors in the audience when he said that he would enlist the help of his friend, who is a contractor, when making a homeowner's insurance claim.

Hoppe offered to negotiate between the Insurance Federation of Minnesota and stakeholders in the contracting industry.

"I think that the spirit of the bill is right, but ... if we can't find peace in the valley, then we'll have to go back to the drawing board," Hoppe said. The committee approved the bill and sent it the House floor, with Hoppe's insistence that it will receive modifications before seeing a vote.

Sen. Gary Dahms (R-Redwood Falls) sponsors SF2137, the companion bill that awaits action in the Senate Commerce and Consumer Protection Committee.

— E. SCHMIDTKE

Regulations for liquor industry

The House Commerce and Regulatory Reform Committee reviewed legislation March 7 that would regulate the alcohol industry in Minnesota. Both bills were laid over for possible inclusion in an omnibus liquor bill.

HF2459, sponsored by Rep. Andrea Kieffer (R-Woodbury), would create licensure guidelines for wine educators. These educators teach others about the different aspects of wine, as well as how to taste and order it.

Jennifer Chou, who worked with Kieffer

to develop the bill, is a wine educator at Angel Share Wine Partners. She hopes the licensure requirements outlined in the bill will “weed out anyone who’s not serious about wine.”

Rep. Linda Slocum (DFL-Richfield) questioned the need for a \$250 license fee for educators. She compared that fee to the \$60 she paid for a five-year license as a teacher. Kieffer argued that the bill was necessary to regulate the industry, despite her reluctance to create barriers in business.

Sen. Dan Hall (R-Burnsville) sponsors the companion, SF2337, which awaits action by the Senate Commerce and Consumer Protection Committee.

Sponsored by Rep. Joe Hoppe (R-Chaska), HF2432 would allow liquor stores to sell beer in growlers, if that beer is only otherwise available in a keg.

Joe Bagnoli, a lobbyist for the Minnesota Licensed Beverage Association and the Minnesota Municipal Beverage Association, said the bill would help small brewers sell a wider range of products. Bagnoli said that would boost the craft beer industry, which is rapidly growing.

“We’re the epicenter of that and we’re trying to keep it going in Minnesota,” he said.

Tom Agnes, liquor operations manager for the City of Brooklyn Center, added that this would increase both freshness of beer and use of environmentally-friendly packaging, which he says cans don’t provide.

Jason Alvey, owner of specialty beer store Four Firkins, expressed concern that the bill was too limiting for liquor store owners. He hopes the bill will allow for growler sale of beer that is available in other forms besides kegs.

“We want to open it up and have more options available,” Alvey said.

The bill’s companion is SF2087, sponsored by Sen. Chris Gerlach (R-Apple Valley). It awaits action by the Senate Commerce and Consumer Protection Committee.

— E. SCHMIDTKE

Education

Q-Comp might extend to principals

School districts in Minnesota have the choice to sign up for the alternative compensation pay program, commonly known as Q-Comp, that financially rewards teachers based on merit. That pay option may extend to principals, too.

Rep. Sondra Erickson (R-Princeton) sponsors HF1510 that would allow funds

MALL LUNCHERS



PHOTO BY PAUL BATTAGLIA

With snow on the ground, and mid-50 degree temperatures in the air, Katie Knutson, left, and Megan Kelly, both of St. Paul, enjoy lunch March 6 from one of the food trucks that made their first appearance to the Capitol mall.

to be available to principals if schools meet the same requirements they do to earn Q-Comp for teachers. To become part of the alternative pay program, districts must work with staff and the education commissioner to develop student improvement strategies and evaluation systems for educators.

Erickson argues principals are as important as teachers in student achievement and deserve to be rewarded if they make a positive impact on their schools. The House Education Reform Committee approved the bill and sent it to the House Education Finance Committee March 1. It has no Senate companion.

“I want principals to be rewarded for extraordinary work. ... If we don’t, we are saying they don’t count for student achievement,” Erickson said.

Roger Aronson is legal counsel for both the Minnesota Association for Secondary School Principals and the Minnesota Elementary School Principals’ Association. He said the bill brings fairness and inclusion to Q-Comp by sending a clear message to school administrators

that the state values their good work.

Jan Alswager, chief lobbyist for Education Minnesota, said principals have other opportunities for financial reward, and that Q-Comp is not the right incentive for them.

“Q-Comp was designed for teachers who are willing to step up and take leadership positions, which principals should be willing to do by virtue of their jobs,” Alswager said.

Rep. John Benson (DFL-Minnetonka), voiced concerns that Q-Comp money would be diverted from its intended use, when funds are already scarce.

Erickson argued that the core of Q-Comp remains in place with the bill, which she said keeps student achievement as a high priority.

“My bill is not about the money. The goal is to make sure (staff) is working as one,” she explained.

— E. SCHMIDTKE

PSEO expansion sought

Post-secondary enrollment options for high-school aged students could become available to a broader range of learners, starting this year.

PSEO is a program that allows juniors and seniors to take college courses as a substitute for their schools' classes. Current statute limits enrollment in the program to high-achieving students. Rep. Dean Urdahl (R-Grove City) believes that students who don't meet that requirement should have the chance to take one PSEO course, with the opportunity to continue in PSEO if they are successful.

His bill, HF2025, would also incorporate vocational and technical education into PSEO by encouraging secondary and post-secondary institutions to form educational partnerships with local entrepreneurs. The bill would establish a task force to advise the Legislature how to best include career and technical education into instruction.

The House Education Reform Committee approved the bill on March 6, sending it to the House Education Finance Committee.

Proponents explained that expanding PSEO would make it more inclusive for Minnesota students. Tony Simmons, program director at the High School for Recording Arts, hopes the bill would decrease the academic achievement gap, especially minority students and those whose parents did not attend college.

"I can say to you, from experience, that creating a college-going culture by use of PSEO makes a huge difference," Simmons said.

Rep. Carlos Mariani (DFL-St. Paul) also supports the bill, but stressed caution when moving forward in the legislative process. He noted that the Senate companion allows for further opening of PSEO, allowing for-profit schools to qualify as PSEO-approved colleges.

"I know a number of these institutions and greatly appreciate what they do and the quality of their work. But I also know a number of them who are the opposite," Mariani said.

Rep. Andrea Kieffer (R-Woodbury) also spoke in support of the bill, which continues to limit PSEO to high school juniors and seniors. She worried that increasing the program to those in younger grades would open college courses to students who are not prepared.

Sen. Gen Olson (R-Minnetrissa) sponsors the companion, SF1531. It awaits action by the Senate Higher Education Committee.

— E. SCHMIDTKE

Dayton signs adult ed bill

Signed
by
the
governor

Learners who have completed adult basic education programs will be monitored for reliance on certain state aid.

Gov. Mark Dayton signed this into law March 8. Rep.

Tim Kelly (R-Red Wing) and Sen. Carla Nelson (R-Rochester) sponsor the bill.

Pursuant to federal changes, the law will require organizations providing adult basic education to track student outcomes so the state can analyze program effectiveness. These education programs help adults become literate and obtain skills needed for employment. They also work with students so they may earn their high school diplomas or equivalency certificates.

The new law expands standing state and federal requirements, which mandate that adult basic education programs must measure student and graduate employment, literacy skills and secondary and postsecondary education completion. The new law adds an additional category: learners' participation in the diversionary work program, Minnesota Family Investment Program and food support education and training program. These programs help low-income individuals, especially families, find employment.

The law is effective March 9, 2012, and is in effect through the 2020-2021 school year. HF1484/SF1213*/CH130

— E. SCHMIDTKE

No pay for felony-charged teachers

School districts may suspend with pay teachers who are charged with felonies. That could soon change to an unpaid suspension.

On March 6, the House Education Finance Committee approved HF2651, which would authorize districts to withhold pay from teachers during any time they face an ongoing felony charge. If a teacher is found not guilty, districts must then reimburse the compensation the teacher would have received during that time.

Rep. Jenifer Loon (R-Eden Prairie) sponsors the bill. She is concerned that schools are paying salaries to potential felons, with no way of getting the money back if the suspended teacher is convicted.

Loon explained that in the cases she has reviewed, teachers who are charged with felonies are frequently the subject of investigations surrounding criminal sexual conduct with students. She urged the committee to support the bill as a reasonable protective measure for Minnesota schools.

Grace Keliher, director of governmental relations for the Minnesota School Board Association, agreed.

"No school district would be forced to reward wrongdoing in the case that a teacher has been found to have committed a felony that would result in termination," she said.

Jan Alswager, chief lobbyist for Education Minnesota, claimed that the bill may have unintended consequences. Alswager described a case where a teacher faced a felony charge when a disgruntled student placed marijuana in her briefcase. She added that the bill could place undue stress on teachers who may be innocent.

Rep. Tom Anzelc (DFL-Balsam Township) also opposed the bill. He argued that felony charges take months to resolve, which is too long for a teacher's family to go without the money.

"We get to come here in a nice, warm building in January and walk around here like we're big shots, and that classroom teacher may not be able to survive (foregoing) a paycheck without serious financial harm to the family," Anzelc said.

The bill now awaits action by the House Education Finance Committee. It has no Senate companion.

— E. SCHMIDTKE

Elections

Voting under guardianship

Individuals under guardianship could face changes to their voter eligibility status.

Rep. Mary Kiffmeyer (R-Big Lake) sponsors HF2188 that would clarify voting rights with regard to those under guardianship. She said the goal is to ensure that individuals who are not competent to vote are denied eligibility, while competent individuals aren't denied.

The impetus for the bill stems from a 2010 incident in Crow Wing County in which a group of mentally disabled adults were allegedly manipulated into voting by their caregivers. The father of one of the affected individuals claims in an affidavit that his son is not mentally competent to vote and thus should have been denied.

Under a 2003 law, individuals under guardianship are presumed to be eligible to vote unless a court declares them otherwise. Kiffmeyer's bill would reverse this by delineating between individuals under "limited guardianship," who would

be presumed to be eligible, and those under regular guardianship, who would be presumed to be ineligible.

The House Government Operations and Elections Committee approved the bill March 1 and referred it to the House Judiciary Policy and Finance Committee. Sen. Paul Gazelka (R-Brainerd) sponsors the companion, SF1753, which awaits action by the Senate Local Government and Elections Committee.

Kiffmeyer said the bill is needed to clarify current law and to protect vulnerable adults from those who would use them to commit voter fraud. Opponents argue it's unfair to presume people under guardianship to be incompetent, and said the burden should be on the courts to determine when they're ineligible.

"Persons with disabilities, even when within the court process and under court supervision, should be presumptively thought to possess the right to vote," said Bob McLeod, an attorney who was involved in drafting the 2003 legislation.

— N. BUSSE

Voter ID amendment heard

A proposal to let Minnesotans vote on whether to require government-issued photo identification cards for voters had its first committee hearing March 8.

Rep. Mary Kiffmeyer (R-Big Lake) sponsors HF2738 that proposes amending the state's constitution to require photo ID for voting. The House Government Operations and Elections Committee approved the bill and moved it to the House Ways and Means Committee.

Kiffmeyer said a photo ID requirement would ensure the integrity of the state's elections as well as the opportunity for all eligible voters to cast their ballots. She said that while voting is sacred, a voter's identity is not.

"Who you are and where you live is a matter of the public right to know," Kiffmeyer said.

The Legislature passed a voter ID requirement in 2011, but Gov. Mark Dayton vetoed it. Kiffmeyer's bill would put the question directly to voters, bypassing the governor's approval. Under the delete-all amendment offered by Kiffmeyer, the following question would be posed to voters on this November's ballot:

"Shall the Minnesota Constitution be amended to require all voters to present valid photo identification on election day and that the state provide free identification to eligible voters?"

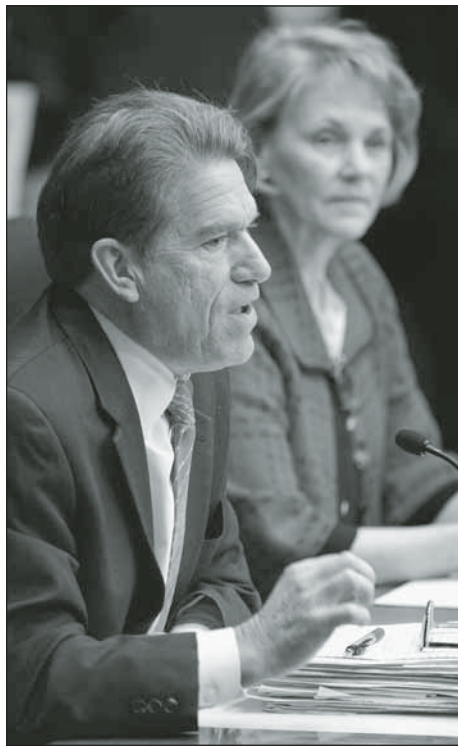


PHOTO BY ANDREW VONBANK

Secretary of State Mark Ritchie, left, answers questions from members of the House Government Operations and Elections Committee March 8 during discussion of a bill that proposes a constitutional amendment to require voters to show a photo ID. Rep. Mary Kiffmeyer, the bill's sponsor and a former secretary of state, listens to the testimony.

If approved by a majority of voters, it would fall on the next Legislature to pass enabling legislation spelling out exactly how the photo ID requirement would be implemented.

Secretary of State Mark Ritchie testified in opposition to the bill. He said approximately 84,000 Minnesotans currently vote who do not possess a current photo ID. He also said the 550,000 Minnesotans who currently register on Election Day would now be forced to cast a provisional ballot. Based on experiences in other states, he said one-third of those provisional ballots might not be counted.

"This procedure is a radical change to our election system and I think we need to think about it carefully," he said.

Kiffmeyer said the bill would allow those who vote by absentee ballot to continue doing so, with no additional identification requirements. Rep. Ryan Winkler (DFL-Golden Valley) said that would create two different ID verification standards. He said bill was "inviting legal challenges."

Meanwhile, Rep. Steve Simon (DFL-St. Louis Park) said he feared the bill

would spark an "arms race" of partisan constitutional amendments.

"If you do this, there will be very little restraint or no restraint the next time Democrats control the House and Senate," Simon said.

Sen. Scott Newman (R-Hutchinson) sponsors the companion, SF1577, which awaits action by the Senate Rules and Administration Committee.

— N. BUSSE

Employment

Bridges to Work bill gets hearing

A plan to let Minnesotans collecting unemployment benefits participate in a new on-the-job training program was laid over by a House committee.

Rep. Tim Mahoney (DFL-St. Paul) sponsors HF2184 that would establish a "Bridge to Work Minnesota" pilot program. It would allow up to 5,000 unemployed workers to receive up to eight weeks of paid training with an employer without losing their unemployment insurance benefits.

Under the provisions, employers would pay the participants a stipend equal to or greater than the state's hourly minimum wage. Up to 25 hours per week of paid training would be authorized, and the employers would have to agree to hire the individuals for at least 90 days after the training period ends.

Mahoney said the bill would benefit employers by letting them pay someone minimum wage while training them for a \$20-\$25 per hour job. For the workers, it represents a chance to re-enter the workforce.

"For the unemployed worker, they get a foot in the door for a possible job, as well as valuable on-the-job training. They also get a paycheck," Mahoney said, adding that similar programs have been implemented in Georgia and Texas.

The House Jobs and Economic Development Finance Committee laid the bill over for possible omnibus inclusion. Sen. Ken Kelash (DFL-Mpls) sponsors the companion, SF1940, which awaits action by the Senate Jobs and Economic Growth Committee.

Rep. Larry Howes (R-Walker) said he'd like to find a way for people who have exhausted their unemployment benefits to be eligible for the program too.

— N. BUSSE

Dayton, DFL jobs plan heard

Some key elements of Gov. Mark Dayton's jobs plan got their first hearing in a House committee March 1.

The House Jobs and Economic Development Finance Committee took up four DFL-sponsored bills representing portions of the job creation proposal outlined by Dayton and DFL lawmakers at a Jan. 11 press conference.

Rep. Tim Mahoney (DFL-St. Paul) sponsors HF2277 that would create a "Jobs Now" tax credit to incentivize employers to hire new workers. Qualified employers could apply for a credit of between \$1,500 and \$3,000 for each unemployed worker, veteran or recent graduate that they hire, up to a maximum of 16 employees. It would expire June 30, 2013, and the credits could only be claimed after the employees had worked for 12 consecutive months.

Ben Kyriagis, president of World Trade Network, Ltd., called the bill a "modest, reasonable jobs plan." He said bipartisan passage of the bill would send a message to businesses and consumers that the state's leaders are serious about creating jobs.

The bill also contains a proposal to tax online retail purchases — the so-called "Amazon" or "affiliate nexus" tax. That provision will be discussed by the House Taxes Committee, where the bill was sent without recommendation.

Meanwhile, three other bills were laid over for possible omnibus bill inclusion:

- HF2186, sponsored by Rep. Patti Fritz (DFL-Faribault), which would appropriate an additional \$10 million for the Minnesota Investment Fund, which provides grants for business development;
- HF2181, sponsored by Rep. Kathy Brynaert (DFL-Mankato), which would fund a \$4.5 million Fast Training, Resources and Credentialing (FastTRAC) program to provide worker training for careers in high demand; and
- HF2185, sponsored by Rep. Bev Scalze (DFL-Little Canada), which would authorize \$25.2 million in transportation economic development bonding.

— N. BUSSE

Env. & Natural Resources

BWCA land swap bill held over

The proposed condemnation of state-owned lands in the Boundary Waters Canoe Area Wilderness and exchanging the land for federal land outside the area sparked divergent ideas on how to boost revenues from Minnesota's school trust lands.

HF2207, sponsored by Rep. Carol McFarlane (R-White Bear Lake), was laid over March 6 by the House Environment, Energy and Natural Resources Policy and Finance Committee for possible inclusion in an omnibus bill.

McFarlane's bill would condemn about 36,000 acres of state-owned land in the BWCA and exchange it for federally-owned land outside the wilderness area. The sale or leasing of that land could bolster funding to the state's school trust fund. Some of the federal land lies in the Superior National Forest.

"This is a huge priority for the department and the State of Minnesota to sell the land," said Bob Meier, director of policy and government relations for the Department of Natural Resources.

Rep. Jean Wagenius (DFL-Mpls) said the state should use the estimated \$100 million the federal government could pay for the wilderness land to help fund K-12 education.

Rep. David Dill (DFL-Crane Lake), whose district includes the BWCA, said, "We should mine, log and lease the hell out of that land" to generate revenue rather than counting on lease revenue to fund education.

Rep. Bill Hilty (DFL-Finlayson) said, "If we're really concerned about children, let's adequately fund education."

A group of 41 environment and conservation groups submitted a letter opposing the plan. Justin Fay, legislative coordinator for the Sierra Club, said his group opposes the condemnation of BWCA land and subsequent exchange because the federal government provides better protection.

Sen. John Carlson (R-Bemidji) sponsors the companion bill, SF1857, which awaits action by the Senate Environment and Natural Resources Committee.

— B. GEIGER

Water conservation optional

Mandated conservation rate structures for public water suppliers could evaporate.

Sponsored by Rep. Tim O'Driscoll

(R-Sartell), HF1923 would eliminate a 2008 law that requires water suppliers to more than 1,000 people adopt conservation rate pricing to encourage conservation through block rates, seasonal rates and excess use rates.

The bill was approved March 6 by the House Environment, Energy and Natural Resources Policy and Finance Committee. The bill now advances to the full House.

Rather than mandating conservation rate structures, the bill would mandate public water suppliers to encourage voluntary water conservation measures. Water utilities would need to put "demand reduction measures" in place by Jan. 1, 2015.

"Conservation still exists, but you have another option," said Craig Johnson, intergovernmental relations representative for the League of Minnesota Cities.

The bill faced opposition from committee DFLers, who contend that it weakens water conservation efforts when drought conditions exist in much of the state.

Sen. John Pederson (R-St. Cloud) sponsors the companion bill, SF1560. It was laid over Jan. 31 for possible inclusion in an omnibus bill by the Senate Environment and Natural Resources Committee.

— B. GEIGER

Permitting process could speed up

The full House will decide whether to allow independent permit applicant professionals to draft environmental review applications.

Sponsored by Rep. Dan Fabian (R-Roseau), HF2095 would allow licensed professional engineers with at least 10 years of experience on projects they are helping draft permit applications for to speed up the Pollution Control Agency's permitting process.

The bill was approved March 5 by the House Ways and Means Committee. A companion, SF1567, sponsored by Sen. Bill Ingebrigsten (R-Alexandria), passed the Senate 47-16 on March 8.

Several DFLers objected to the bill because it would require PCA officials to approve or deny permit applications within 30 days. Agency officials have argued that a quick turnaround would force swift decisions on complex applications that sometimes take years to develop.

Rep. Jean Wagenius (DFL-Mpls) said that the proposed legislation is "not a bill that's ready to go to the floor." She claimed the bill should be returned to the House Environment, Energy and Natural Resources

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

Policy and Finance Committee to clarify language.

Among language she claimed to be vague is that applications and draft permits submitted by permit application professionals “shall be deemed complete and approved unless the terms and conditions in the permit application and draft permit ... fail to comply with applicable statutes and rules.”

Rep. Tom Rukavina (DFL-Virginia) disagreed. Rukavina said permits for developments in northeastern Minnesota often take up to five years to complete.

“You and I will be great-grandparents or dead before there’ll be a copper or nickel mine,” said Rukavina, referring to PolyMet Mining Corp.’s proposed copper, nickel and precious metals development on the Mesabi Iron Range.

— B. GEIGER

Wolf hunting gets committee OK

Wolves in Minnesota should beware because a plan to hunt them has begun to make its way through the committee process.

Creation of wolf hunting season and Department of Natural Resources’ efforts to recruit anglers and hunters were approved the House Environment, Energy and Natural Resources Policy and Finance Committee March 1. Containing these provisions, HF2171, awaits action by the House Government Operations and Elections Committee.

Sponsored by Rep. Tom Hackbarth (R-Cedar), the bill would create a wolf hunting season starting later this year. It provides for taking up to 400 of the estimated 3,000 wolves in the state. Up to 6,000 licenses to hunt wolves would be sold for \$26 each, plus a \$4 fee to enter a lottery to win a wolf hunting license.

To encourage increased participation in state fishing and hunting, the DNR would be authorized to spend up to 5 percent of Heritage Enhancement Fund money generated by the Minnesota State Lottery. That totals \$408,500 a year.

Falling participation rates among Minnesota anglers and hunters has caused the DNR to propose so-called retention and recruitment of outdoor sports participants.

A Senate companion, SF1943, sponsored by Sen. Bill Ingebrigtsen (R-Alexandria), is awaiting action by the Senate Environment and Natural Resources Committee.

— B. GEIGER

Game & Fish

Youth gun training at police ranges

Police shooting ranges and other publicly owned facilities could be made to open their doors to youth receiving firearms safety training.

Rep. Tom Hackbarth (R-Cedar) sponsors HF2353 that would require any publicly owned shooting range to be made available to youth pursuing their firearm safety certification. The House Government Operations and Elections Committee approved the bill March 7 and sent it to the House floor.

The shooting range must be made available during “hours reasonable for youth participants,” and ranges could charge a fee for any costs directly incurred, under the provisions.

Hackbarth said many youth in the Twin Cities metropolitan area have trouble finding access to a gun range so that they can finish their firearms safety certification.

Rob Boe, public safety project coordinator for the League of Minnesota Cities, said it might be difficult for some law enforcement ranges to accommodate youth activities. He said some police ranges are located in secure areas, and that police training schedules could be disrupted.

Supporters argued it’s only fair for facilities built with public money to open their doors to help education youth.

“We need to encourage young people to know how to shoot properly and safely,” said Rep. Dean Urdahl (R-Grove City).

Hackbarth said he planned to bring forward an amendment on the House floor that would address any concerns from law enforcement.

There is no Senate companion.

— N. BUSSE

Health & Human Services

DHS policy bill amended

Several health policy provisions that stalled on the House floor last year are back in a bill that’s considered the Department of Human Services’ policy bill.

DHS policies regarding continuing care, the Telephone Access Minnesota fund, comprehensive assessment and case management plans, chemical and mental health care and changes to the Medical

Assistance and MinnesotaCare programs are included.

HF1994 was approved, as amended, by the House Health and Human Services Reform Committee March 6 and referred to the House Civil Law Committee. Rep. Steve Gottwalt (R-St. Cloud) sponsors the bill.

Rep. Kim Norton (DFL-Rochester) successfully amended the bill that would require the Health Services Advisory Council to review treatments for autism spectrum disorder. The council would make recommendations to the DHS commissioner by the end of the year about authorization criteria for services based on existing evidence. Although similar language was in last year’s bill, it was removed in conference committee at the urging of the Senate, Norton said.

Sen. David Hann (R-Eden Prairie) sponsors SF1804, a companion that awaits action by the Senate Judiciary and Public Safety Committee.

— S. HEGARTY

Dual track policy bill debated

A House committee approved a health care policy bill that contains two conflicting continuing care proposals.

HF2456 is the Department of Human Services’ continuing care policy bill. However, the Association of Residential Resources in Minnesota, a consortium of 150 providers supporting people with disabilities, had proposed its own bill based on a set of working group recommendations and industry experience.

Rep. Jim Abeler (R-Anoka) merged the ARRM proposals into HF2456, which he sponsors, with hope that a mutually-agreed upon piece of legislation will raise to the surface. The bill was approved as amended by the House Health and Services Reform Committee March 6 and sent to the House Civil Law Committee.

Sen. Sean Nienow (R-Cambridge) sponsors SF2234, a companion which awaits action by the full Senate.

New statewide standards and payment methods would be created under the bill to comply with new federal health care laws. A sample framework for calculating new payment rates was created by the department, but ARRM members said the proposed data used to create the framework doesn’t adequately reflect the work done by a working group and that estimated “shadow rates” would cause drastic cuts in fees for some provider services.

For example, Homeward Bound serves 60 people with severe disabilities through department waivers.

"We have run some initial shadow rates on a website that the department has created. The numbers are catastrophic for Homeward Bound," said CEO Don Priebe, who estimated a 7.5 percent cut in revenue under the proposal.

"People with the most severe disabilities are going to suffer the most because they're the ones who are the most dependent on service," Priebe said.

The other challenge to compromise is that, in light of the state budget constraints, proposals must be revenue neutral. "It has to do no harm," Abeler said.

Rep. Tina Liebling (DFL-Rochester) said staying budget neutral is difficult.

"We can't afford to waste a single dollar, but we have real needs for real people that we gotta pay for and I think that has been kind of dumped in your lap Rep. Abeler. I'd be glad to help if I could. This is a tough problem and I hope we can figure out a good way to solve it without really hurting some folks," Liebling said.

— S. HEGARTY

Website transparency for licensees

More public transparency regarding the licensing and malpractice of licensed health professionals is the goal of a bill that resulted from a list of recommendations by the Sunset Advisory Commission.

HF2555 would require each health-related licensing board to post on its website the name and business address of each licensed individual who:

- was convicted of a felony or gross misdemeanor during the previous 10 years;
- had a malpractice judgment in any state within the past 10 years; and
- received disciplinary or corrective action or restricted privileges in any state.

Rep. Mary Kiffmeyer (R-Big Lake) sponsors the bill, which the House Health and Human Services Reform Committee approved as amended March 6 and referred to the House Civil Law Committee. A companion, SF2304 sponsored by Sen. Terri Bonoff (DFL-Minnetonka), referred to the Senate Government Innovation and Veterans Committee.

In addition, the bill would add a civil penalty to a person, health care facility, business or organization that fails to report misconduct to the Board of Medical Practice. Also, fees collected by licensing boards could

PAPER TRAIL



PHOTO BY ANDREW VONBANK

A plethora of bills and bill supplements line the wall outside the hearing room March 6 prior to a meeting of the House Health and Human Services Reform Committee.

only be used to pay the costs associated with board duties and any surplus would be prohibited from being transferred to the General Fund. In the event that more money is collected than is necessary to recover expenses, the respective board would need to propose a fee reduction.

— S. HEGARTY

Higher Education

Student health coverage options

Students attending the University of Minnesota are required to have health coverage; however, the plans need to meet criteria similar to the university

plan that was crafted with student input and has no deductible and caps out-of-pocket expenses at \$2,000 annually.

The mandate to make sure students are adequately covered is well-intentioned, but can create a hardship, according to Brett Rabe, a nontraditional student in the School of Veterinary Medicine.

As a parent of three children and no longer on an employer's health plan, he got medical coverage through the American Veterinary Medical Association at a \$3,500 annual cost difference from the university's plan. He sought a waiver from the university, however it was denied because the plan did not meet the university's criteria.

Rabe wrote his concern to Rep. Sarah Anderson (R-Plymouth).

"It seems frivolous to me that the university is absolutely insisting that I spend \$14,000 more over the next four years for coverage that isn't even as good as what the AVMA is offering," he stated.

Anderson sponsors HF2322, which states that if the university requires students to have health coverage, they must also allow a waiver and allow students to select from a broader range of options, including plans offered by associations.

The Minnesota State Colleges and Universities system has no similar requirement.

The bill was held over by the House Higher Education Policy and Finance Committee March 6 for possible omnibus bill inclusion. A companion, SF2329 sponsored by Sen. Terri Bonoff (DFL-Minnetonka), awaits action by the Senate Higher Education Committee.

Sue Jackson, director of student health benefits at the university, said Rabe's plan was denied a waiver because there was a significant issue with the mental health and prescription coverage, and deductible levels.

Anderson said the Legislature's hands are statutorily tied when dealing with the university, and is frustrated that the issue could not be worked out in any other way.

"They should be allowed to have the coverage that works for their family," she said.

Rep. Tom Rukavina (DFL-Virginia) agreed. "It is a shame that this bill should have come here. You'd think with all the great minds at the U, common sense would have prevailed."

— L. SCHUTZ

MnSCU budget-impasse bill

If most state government operations shut down like they did in 2011, the Minnesota State Colleges and Universities system might be able to keep operating.

Sponsored by Rep. Bud Nornes (R-Fergus Falls), HF1990 was held over March 1 by the House Higher Education Policy and Finance Committee for possible inclusion in its omnibus bill. A Senate companion, SF1780, sponsored by Sen. John Carlson (R-Bemidji), awaits action on the Senate Floor.

"I'm not crazy about auto-pilot bills, but I think this is an exception," said Rep. Terry Morrow (DFL-St. Peter). He told committee members about speaking with MnSCU students a week before the shutdown, when he was repeatedly told such a shutdown would delay students' education plans by a year.

The bill was amended to require MnSCU to repay Minnesota Management & Budget for budgetary services provided during a budget impasse.

— B. GEIGER

Housing

Changes for motor home statutes

Motor home owners can affix their vehicles to land and change the property designation from "vehicle" to "real estate." Owners can even get a mortgage on the home. But if they want to change back to "vehicle" status and sell the home, that part isn't so easy.

Rep. Mark Murdock (R-Ottertail) hopes to create a legal process that will assist owners who are returning their homes to being vehicles. His bill would especially help those who are hoping to sell their motor homes. Under HF1595, the title of the property would be tied to the home, not the land, which is necessary for a sale.

The House Ways and Means Committee approved the bill March 5 and sent it to the House floor. The companion is SF1416, which Sen. Michelle Fischbach (R-Paynesville) sponsors. It awaits action in the Senate Judiciary and Public Safety Committee.

"I think this is a pretty good bill, because I see some of the inequities that developed because of the problem you're trying to address," said Rep. Tom Rukavina (DFL-Virginia). However, he questioned the need for the Department of Public Safety to address motor homes' legal status, as the bill provides. Rukavina worried the department is already too occupied with other issues.

Mark Brunner, president of the Manufactured & Modular Home Association of Minnesota, responded that he did not foresee a problem, as the state reviews 15-20 cases like this per year.

— E. SCHMIDTKE

Military & Vet. Affairs

Termination hearing time limit

In cities or counties where there are civil service boards or merit system authorities, a military veteran employed in a public service job has certain rights before he or she can be terminated. The employer must first notify the employee, which starts the clock ticking

— within 60 days, the employee can request a hearing.

Where there is no board or authority, a three-person panel is appointed. The employee chooses one representative to serve on the panel; the employer chooses one representative; and, the third panelist is a mutually agreed upon person.

A bill approved by the House Veterans Services Division March 5 would change the process to ensure a timely hearing. HF2495 would require the employee being terminated to identify within the 60 days who they want to represent them before the three-person panel. In some instances, hearings have been delayed for months or years because the employee did not provide a name.

If the employee does not produce a panel representative within the 60 days, they waive the right to a hearing and all other remedies available for reinstatement of employment.

Rep. Bruce Anderson (R-Buffalo Township) sponsors the bill, which was referred to the House floor. Sen. Doug Magnus (R-Slayton) sponsors SF2316, a Senate companion.

Under current law, only the veteran can appeal a panel's decision. A second provision in the bill would also enable the employer to appeal.

— S. HEGARTY

Amending honor guard stipend law

Honor guards are entitled to be paid up to \$50 each time they provide services at the funeral of a deceased veteran. Current funding sources are the Support Our Troops account and charitable gambling operations at veteran service organizations. The Department of Veterans Affairs implemented a priority payment system after running short of funds one year. Honor guards where charitable gambling proceeds help pay the honor guard expenses were put on a wait list to be paid at the end of the year.

Rep. Dean Urdahl (R-Grove City) doesn't believe that's fair. He sponsors HF1903, which would no longer give the commissioner of veteran's affairs the right to give payment priority to honor guard units that do not have charitable gambling operations.

"We should not tie the burial with gambling," Urdahl said. Passed 128-0 by the House on March 1, it now moves to the Senate, where Sen. Mike Parry (R-Waseca) is the sponsor.

— S. HEGARTY

MARCH MUSHERS



PHOTO BY PAUL BATTAGLIA

Former Rep. Frank Moe completes an eight-day, 380-mile dog sled journey from Grand Marais to St. Paul March 8. Moe collected more than 12,500 petition signatures to bring awareness to potential mining pollution near the Boundary Waters Canoe Area Wilderness.

Resolution to affirm Khmer soldiers

The Khmer Freedom Fighters of Cambodia supported and defended U.S. military troops during the Vietnam War, yet the U.S. government has never officially recognized them as U.S. veterans, although many became naturalized citizens.

Rep. Bruce Anderson (R-Buffalo Township) sponsors HF2629, a resolution that would allow the state to officially recognize the Khmer Freedom Fighters and the Cambodian people for their support and defense of U.S. military forces. The resolution also urges the U.S. President, Congress and all other state legislatures to do the same.

The House Veterans Services Division approved the resolution March 5 and referred it to the House floor. The companion, SF2314, sponsored by Sen. Mike Parry (R-Waseca) awaits action by the Senate State Government Innovation and Veterans Committee. Thirty-seven Khmer Freedom Fighter representatives were on hand to witness the division's approval.

The soldiers fought alongside American soldiers to defend the rights of Cambodians and became American refugees after the war. Today, about 8,000 of these freedom fighters and their descendants live in Minnesota.

— S. HEGARTY

Public Safety

Selling forfeited firearms to dealers

Signed
by
the
governor

Federally licensed firearms dealers will be able to get weapons in another way.

Effective Aug. 1, 2012, law enforcement agencies will be permitted to sell forfeited firearms to these dealers.

Under current law, any contraband weapons that are subject to summary forfeiture must be destroyed, unless they are used by the appropriate law enforcement agency for training purposes.

As stated in statute, 70 percent of the sale proceeds would go to the law enforcement agency, 20 percent to the prosecuting agency and 10 percent to the state's General Fund.

Rep. Mike LeMieur (R-Little Falls) and Sen. Paul Gazelka (R-Brainerd) sponsor the law.

HF1468/SF1371*/CH127

— M. COOK

Forfeiture changes signed into law

Signed
by
the
governor

A number of changes to the state's forfeiture provisions that were proposed by a working group of key stakeholders has become law.

Rep. Tony Cornish (R-Vernon Center), who sponsors the law with Sen. Dave Thompson (R-Lakeville), said The Institute for Justice and associations representing law enforcement, public defenders and county attorneys all agreed to the changes.

Among its provisions, the law, effective Aug. 1, 2012, will:

- require a law enforcement officer to provide a forfeiture receipt when seizing an off-highway vehicle;
- make it mandatory, instead of permissive, for officers to secure seized property and prevent waste;
- prohibit employees of law enforcement agencies or the prosecuting authority and their relatives from purchasing forfeited items seized by the agency;
- amend the conciliation court jurisdiction law to increase the monetary limit to \$15,000 of certain claims the court may hear; and
- allow the owner of a seized vehicle — unless it's being held for investigatory purposes — to regain the item pending the forfeiture's outcome by posting a bond or giving security equal to the property value. Law enforcement can currently veto this.

The provision that created the most controversy in committee calls for the striking of Hmong, Somali and Spanish from the list of languages required in printing

the forfeiture notification. Instead, the notification must only be printed in English and printing in other languages could be done at an agency's discretion.

Opponents said the change might not ensure that people's rights are protected, it will put an extra burden on a non-English speaking property owner and it could potentially create lawsuits about due process.

In addition to mandate relief, proponents said it does not prohibit a local law enforcement agency from printing the notification in multiple languages, especially languages that reflect the diversity of a geographic area. They also note that agencies would likely do the right thing to protect themselves from potential litigation.

HF1535/SF1240*/CH128

— M. Cook

Adding drugs to DWI crime

When a woman behind the wheel was passed out after inhaling an air duster and crashed into another car before careening into a Duluth bakery, she could only be charged with careless driving.

She pleaded guilty to the crime in drug court and got some treatment.

"Through this, I discovered that if we were to actually proceed to trial in this case, we could not have charged her with a DWI because the chemical (she was using) is not a prohibited substance under the DWI statute," said Ryan Morris, an investigator with the Duluth Police Department.

Speaking to the House Public Safety Policy and Crime Prevention Policy and Finance Committee March 1, Morris also told of pulling over a driver weaving across the road. Because the man was under the influence of synthetic marijuana, he, too, could only be charged with careless driving because the substance does not fall under state DWI statute.

Sponsored by Rep. Kerry Gauthier (DFL-Duluth), HF1719 would allow authorities to charge such drivers with a more serious DWI. The bill would modify DWI laws to include being under the influence of a drug or knowingly under the influence of a substance that affects a person's ability to drive.

Approved March 1 by the committee, it was sent to the House Judiciary Policy and Finance Committee. Sen. John Harrington (DFL-St. Paul) sponsored companion bill SF2220. It is before the Senate Judiciary and Public Safety Committee.

"The spirit of this (bill) is to keep our roads safe and to keep impaired drivers off the road

no matter what they're impaired by," Morris said.

Assistant Wright County Attorney Shane Simonds said possibly getting a DWI is more of a deterrent, multiple DWI charges can lead to greater penalties for each subsequent infraction and they involve mandatory chemical assessments.

Rep. Bill Hilty (DFL-Finlayson) expressed concern about an unintended consequence of someone becoming too impaired to drive simply by taking prescribed or over-the-counter medication. "It seems too broad to me," he said.

"People are advised by their physician, by the pharmacist, by the label not to drive," Gauthier said.

— M. Cook

Synthetic drug deterrence approved

A plan to help keep synthetic or designer drugs off the streets and out of neighborhoods received the approval of a House committee.

In addition to enhancing the penalty for selling these substances to a felony, HF2508, sponsored by Rep. Bob Barrett (R-Shafer), would expand the list of synthetic substances and grant the Board of Pharmacy expedited rulemaking authority to handle new chemical formulas used by drug producers.

Hennepin County Sheriff Rich Stanek said the bill would "send a clear message that these substances are not safe or legal."

Approved March 1 by the House Public Safety and Crime Prevention Policy and Finance Committee, the bill was sent to the House Government Operations and Elections Committee. There is no Senate companion.

The bill piggybacks on a 2011 law that added substances known as 2C-E and 2C-I, "plant food," "bath salts" and synthetic cannabinoids to the Schedule I drugs in the controlled substances chapter of state law, and made a gross misdemeanor to sell synthetic marijuana and a person in possession of such a substance will be guilty of a misdemeanor.

Cody Wiberg, executive director of the Board of Pharmacy, said last year's law has had a positive effect in the war on drugs. "A lot of shops that were selling these drugs are no longer selling them. But there are few shop owners who do not seem to have gotten the message."

Barrett said two primary groups use these drugs. "There are young people who are experimenting and may not know what these drugs are and what the harmful effect

of these drugs are, and there are older drug users who see these synthetic drugs as the ultimate high because of the fact that they are much more powerful. Often these drugs have been called cocaine on steroids."

Stanek said a federal report released in December estimated that slightly more than one in 10 high school seniors have used synthetic marijuana.

Supporters said making it felonious to sell synthetic drugs will hopefully make some sellers decide what they're doing isn't worth the potential price of a \$10,000 fine and five years in prison.

With the money they're bringing in, it's currently worth it for these shops to pay the fine for a misdemeanor, said Duluth Police Chief Gordon Ramsay.

— M. Cook

Dayton vetoes 'Castle Doctrine' bill

**Vetoed
by
the
governor**

Siding with most of Minnesota's law enforcement and public safety organizations, Gov. Mark Dayton disengaged a bill that would have expanded

citizens' rights to use deadly force.

"The MN Police and Peace Officers Association, the MN Chiefs of Police and the MN Sheriffs Association represent the men and women who risk their lives every day and night to protect the rest of us. When they strongly oppose a measure, because they believe it will increase the dangers to them in the performance of their duties, I cannot support it," Dayton wrote in his March 5 veto letter.

Sponsored by Rep. Tony Cornish (R-Vernon Center) and Sen. Gretchen Hoffman (R-Vergas), the bill would have, in part, changed state law governing the use of force in self-defense, including that an individual using deadly force is presumed to possess a reasonable belief that there exists an imminent threat of substantial or great bodily harm or death. Gun owners would not have been entitled to the presumption if the person fired on was believed to be a law enforcement officer.

Proponents said the bill would better let law-abiding citizens defend their property and stand their ground. Opponents argued that the bill would essentially allow a person to shoot first and ask questions later.

The bill also would have defined and delimited the authority of peace officers to disarm law abiding individuals during a state of disaster declared by the governor, and would have required Minnesota to recognize

TRADES RALLY



PHOTO BY PAUL BATTAGLIA

Members of Minnesota's building trades rally at the Capitol March 6. Speakers urged legislators to pass a bonding bill and a Vikings' stadium bill to spur construction jobs.

a permit-to-carry issued by any other state, provided that the permit holder conforms to Minnesota's pistol carry laws while carrying a pistol within Minnesota.

The latter provision was also of concern to the governor.

"Making all permits issued by other states and governmental jurisdictions valid in Minnesota would allow people to carry guns here under the considerably lower standards for the issuance of permits of some other states," Dayton wrote.

Furthermore, the state's top elected official noted someone can already use deadly force to defend themselves, provided that use constitutes "reasonable force."

"That, I believe, is a reasonable standard," Dayton wrote.

Cornish said the bill won't be brought back this year for an override attempt, but he will try to get it passed next session.

HF1467*/SF1357/CH126

— M. Cook

State Government

Reform bills passed

The House passed a slew of mostly small state government reform bills March 1.

Rep. Keith Downey (R-Edina) sponsors

HF545*/SF1600 that would require state agencies to plan for possible federal insolvency and/or dramatically reduced federal payments in their budgets. The bill passed 74-57 and now moves to the Senate, where Sen. Ted Daley (R-Eagan) is the sponsor.

Federal funds comprise 28.6 percent of the state's total biennial budget, or \$17.8 billion. Downey said that with the federal debt at record-high levels and partisan gridlock in Washington, D.C., the bill is urgently needed. He called it a "common-sense risk management technique."

Critics included Rep. Ryan Winkler (DFL-Golden Valley), who accused the bill's supporters of "fear mongering."

Rep. Doug Wardlow (R-Eagan) sponsors HF1560*/SF993 that would give administrative law judges the final say in contested cases involving rules prescribed by state agencies. The current practice is to refer the judge's report to the relevant agency, which issues a final decision that can then be brought to an appellate court.

Wardlow said state agencies have been granted too much authority in regard to administrative procedures. He said powers that should belong only to the legislative and judicial branches of government now belong to "technocrats" in the executive branch.

"All this bill does is take the authority of the agencies to rewrite decisions of administrative law judges away," Wardlow said.

Critics called the measure a "radical step" and argued it would not solve any practical problems.

The bill, passed 70-62, now goes to the Senate where Sen. Scott Newman (R-Hutchinson) is the Senate sponsor.

Other bills passed include:

- HF1812*/SF1846, sponsored by Rep. Kirk Stensrud (R-Eden Prairie) and Sen. Paul Gazelka (R-Brainerd), which would permit the Department of Administration to outsource waste management duties in the State Capitol complex. It passed 69-63 and now goes to the Senate.
- HF212/SF134*, sponsored by Rep. Mike Beard (R-Shakopee) and Sen. Claire Rolbing (R-Jordan), which would remove a statutory age limit for public employee interns. It passed 77-55 and now awaits gubernatorial action.
- HF1850*/SF2253, sponsored by Downey and Sen. Julianne Ortman (R-Chanhassen), which would increase the maximum award for a gain-sharing program designed

to incentivize state employees to find cost savings. It passed 91-39 and awaits Senate action.

— N. BUSSE

Taxes

Small-businesses exemption

The idea for allowing small-business owners to get an upfront exemption on the sales tax they would otherwise pay on capital equipment purchases is not a new one. The problem legislators have run into over the years is how to pay for it.

Businesses currently have three-and-a-half years from the date of purchase or lease to file a claim to be reimbursed for the sales tax they paid.

“A lot don’t apply for the refund, because they don’t know about it, or they are just busy keeping their doors open,” Rep. Dan Fabian (R-Roseau) told the House Taxes Committee March 1.

He sponsors HF1842, which would provide the upfront exemption beginning July 1, 2012. The bill was held over for possible inclusion in a committee omnibus bill.

Rep. Ann Lenczewski (DFL-Bloomington) said the concept has had bipartisan support over the years, but it has never made it to law, largely because of the upfront cost to the state.

Since this is an allowed exemption already, this could be considered a “shift of revenue,” said Rep. Pat Garofalo (R-Farmington). “It’s a matter of timing.”

According to a Department of Revenue analysis, the bill would have an \$8.6 million impact on the General Fund in 2013 and slowly decrease for the three years needed to accommodate reimbursements on business equipment purchases made in 2012.

The companion, SF1670, sponsored by Sen. Amy Koch (R-Buffalo), awaits action by the Senate Taxes Committee.

— L. SCHUTZ

Transportation

Move-over law change proposed

Moving over, when practical, for an emergency vehicle parked alongside a road with its lights activated may no longer be a requirement in Minnesota.

However, it would still be encouraged.

Rep. Mike Beard (R-Shakopee) sponsors HF1955 that would clarify the state’s move-over law so that a driver must slow down to a safe speed for conditions, and, if possible, move the vehicle to the lane furthest away from the parked emergency vehicle on a roadway having two lanes in the same direction.

Approved March 5 by the House Transportation Policy and Finance Committee, which Beard chairs, the bill was sent to the House Public Safety and Crime Prevention Policy and Finance Committee. There is no Senate companion.

“Our primary interest is that you move over where practical and safe, but in lieu of that, you can slow down to comply with the spirit of the law and keep the folks on the shoulder safe in the process,” Beard said.

Beard said anecdotal research has indicated since the move-over law was enacted, the number of incidents has increased. He hopes to have firm numbers for the bill’s next committee stop. Additionally, driving in different parts of the country last summer, Beard said he noticed that signs in other states were similar to what Minnesota now uses except that they read “move over” or simply “slow down.”

“They don’t seem to have the same panicky, knee-jerky reaction that we have in Minnesota where it says ‘move over or else’ is what the implication is. I thought in order to come into conformance, especially on our interstate system, with all the other states around else that we should add the words ‘or slow down’ to the law as it exists.”

The Department of Public Safety said there would be no cost to implement the law, and the Department of Transportation, to keep costs at zero, has indicated they would leave current signs as is.

— M. COOK

Providing contingent appropriations

Last year’s state government shutdown nearly forced a scheduled one-year, \$18 million road reconstruction project in Forest Lake to extend into a second year.

“On that project we had a freeway interchange removed, and we were only partially done building a new one when everything stopped,” said Washington County Engineer Wayne Sandberg. “Had the shutdown gone even one more week, we would have jeopardized our completion date, and it would have become a two-year bridge closure. As it was, we still spent nearly \$200,000 in additional construction costs and county

staff time managing the additional project complexities during the shutdown.”

Sponsored by Rep. Ron Shimanski (R-Silver Lake), HF2631 would provide contingent state-aid related statutory appropriations if another shutdown were to occur.

Approved March 5 by the House Transportation Policy and Finance Committee, the bill awaits action by the House Ways and Means Committee. The companion, SF2172, sponsored by Sen. John Sterling Howe (R-Red Wing), awaits action by the Senate Transportation Committee.

“Because of constitutional requirements that local highway systems shall be maintained, there’s an obligation for cities and counties to continue their operation during a government shutdown,” Shimanski said. “There are certain roles that MnDOT trunk highway and state-aid staff performs in order for the project to continue operation, such as material certification, plan review and testing.”

Sandberg noted that the money comes from user taxes that are constitutionally dedicated, not the state’s General Fund.

“Keeping these monies flowing from the highway user tax distribution fund back to locals so they can carry out their mission is the goal,” Sandberg said. He added that keeping local resources available may also be necessary to ensure a local match is on hand to receive federal funds for a project.

Rep. Mike Nelson (DFL-Brooklyn Park) commented that this is another of the “plethora” of continuing appropriations bill he’s heard this session. “It’s almost like we’re planning for Shutdown 2.0,” he said. “This takes the pressure off us having to do our job.”

— M. COOK

Frequently called numbers

Area code 651

House Public Information Services	296-2146
Toll-free	800-657-3550
Chief Clerk of the House	296-2314
House Index	296-6646
Senate Information	296-0504
Toll-free	888-234-1112
Secretary of the Senate	296-2344
Voice mail/order bills	296-2343
Senate Index	296-5560

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.

Reforming Mahnomen County

White Earth Nation prepares to deliver health care to tribal members

By SUE HEGARTY

Counties have been the state's vehicle for delivering health and human services for years, but the White Earth Nation in northern Minnesota is on track to become the first sovereign nation to take over those responsibilities for its own community.

"It's just a really cool moment in time when we turn back something that (the White Earth Nation will) do well at. Seldom do we get to celebrate a moment like this. We mostly face challenges. We don't get to celebrate successful moments," said Rep. Jim Abeler (R-Anoka), chairman of the House Health and Human Services Finance Committee.

The White Earth Nation received legislative authority last year to provide human services to Mahnomen County residents. The county is entirely located within reservation boundaries, although about 55 percent of county residents are non-tribal.

Transferring authority for service delivery, such as child welfare, chemical dependency and employment, could save the state millions of dollars in Medical Assistance health care costs, say proponents because the federal government reimburses sovereign nations 100 percent for Medical Assistance costs, according to Monte Fox, White Earth health director.

"That's where our savings is going to be for the state," Fox said.

About 70 percent of Mahnomen County's current case load is American Indian. The Department of Human Services estimates it may save up to \$4 million by shifting MA services from the county to the White Earth Nation.

Rep. Kent Eken (DFL-Twin Valley) represents the county. He said counties, in general, are being asked to provide services with less funding and the potential savings to the state was the driving force.

"Whenever something this precedent-setting is attempted, we have to be careful," he said.

Others would argue that the cost to taxpayers is the same, regardless of whether it is state or federal funding.

"I guess when I think of savings, I think of costs going down, not changing where the money comes from.

I would think you'd also be looking at some overall cost savings from how you would structure this as well," said Rep. Mary Kiffmeyer (R-Big Lake).

Any financial gain to the state may be overshadowed by operating dual delivery systems.

"Mahnomen County is not going away," said Karen Ahmann, county board chairwoman.

Abeler said he hopes that the White Earth Nation can deliver a more culturally sensitive approach to social services, resulting in stronger client recoveries and less need for ongoing care, which would result in total cost savings.

The White Earth Nation needed the administrative expertise to administer healthcare programs, such as determining

eligibility. They currently have 42 nurses and 21 mental health professionals among the community. In addition, 29 members have experience working with some of the state information systems.

"The tribe got to the point where they can assume responsibility," said Vern LaPlante, Department of Human Services' tribal relations coordinator.

The complete transfer of services is projected by this fall or early next year.

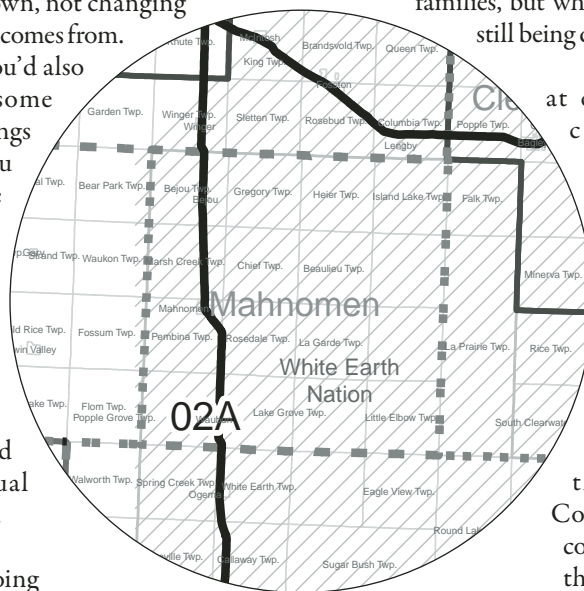
There are still several details to work out, such as determining which residents would be served by the White Earth Nation and who would continue to receive county services. The White Earth Nation proposes to deliver health and human services to tribal members and their families, but who would qualify is still being determined.

"We don't look at color. We don't categorize our services by race," Ahmann said. Also, the White Earth Nation health and human service location would be located in Becker County, rather than Mahnomen County. Ahmann is concerned that after the transfer, county staff may have to screen clients "at the door and that's

a very uncomfortable place to be."

Despite the hurdles, Ahmann said, "We really do want to work with the tribe to make the quality of life better in the county."

After the transfer of services is complete, the White Earth Nation may assume similar responsibilities in Becker and Clearwater counties, which also have high concentration of American Indian communities.



Mahnomen County is located in the northwest corner of the state.

Continuing his public service

Eken running for open Senate seat to avoid race with close friend

By ERIN SCHMIDTKE

Rep. Kent Eken (DFL-Twin Valley) was looking ahead to November's election when he got a surprise. Redistricting pitted him against his close friend, Rep. Paul Marquart (DFL-Dilworth).

"We never expected we'd actually be in the same district. But what excites me about running for the Senate is that I'm not going to be serving with Paul in the House, but he's going to be my teammate in the same district," said Eken. He hopes to replace retiring Sen. Keith Langseth (DFL-Glyndon).

Eken and Marquart are already planning to campaign together. Eken has even offered Marquart the shared use of his donkeys, which live on the Eken family farm when they are not participating in campaign parades. One of them, Floyd B. Olson, is named after Minnesota's first Farmer-Labor governor.

Marquart shares Eken's enthusiasm for the upcoming months.

"I have an excellent senator in Keith

Langseth, and it would be real special to have Kent as my senator, also," Marquart said.

As a Senate candidate, Eken's goals as a legislator will remain the same. During his decade as a state representative, he has been a staunch advocate for Greater Minnesota. He cites education funding, flood mitigation and property tax reform as issues that heavily impact rural areas.

"It shouldn't matter where you live. Everybody, every child deserves to have a good, quality education. Every citizen deserves to have access to affordable health care. Every community deserves to have good roads, bridges and infrastructure for economic prosperity," Eken said.

One of the first bills he sponsored was the fixed cost revenue bill, which would financially weigh the first 500 students in a school district more heavily than any additional students.

Eken, a former high school social studies and economics teacher, explained that every

district has fixed costs it can't avoid. Those costs become easier to bear when spread across a high number of pupils, which Eken believes is a disadvantage for small, rural schools. Though the bill hasn't passed, Eken hopes to pursue efforts like this in the Senate.

To Eken's disappointment, the Legislature's focus on Greater Minnesota is the part of politics that he has seen change the most since he first entered office. He hopes to mend what he calls a "systematic dismantling" of local aid for less wealthy areas of the state.

Along with his rural roots, another driving force for Eken is his family. His brother, who was diagnosed as mentally disabled during childhood, had two options for care: move to a faraway institution, or stay at home and receive little education.

"I remember dad saying that neither one of those two options was acceptable," Eken said.

His brother's diagnosis led Eken's parents to become activists for those with mental disabilities. This effort eventually led his father into politics as a state representative in the 1970s and 80s, where he worked on behalf of those needing long-term medical care.

"Even if you're mentally gifted or mentally disabled, everybody deserves a chance. And that was kind of my dad's principal and he never even dreamed of going into politics. He never went to college and was a farmer. But that led him into politics and that was what led me into it as well," Eken said.

Eken incorporated his father's energy into his own political life, making long-term care a key political issue for himself. When his father developed Alzheimer's disease and needed to live in a nursing home, the issue became even more personal.

Now, Eken says his biggest accomplishment as a legislator is his work to ensure that type of care is readily accessible in all parts of the state. That's one issue he hopes to continue as a senator.

"A lot needs to be done between now and November. But it's going to be a lot of fun," Eken said. 🐼



PHOTO BY ANDREW VONBANK

Rep. Kent Eken said he will remain a "staunch advocate" for Greater Minnesota, if he is elected to the Senate.

Renewable energy advocate

Knuth proud of her accomplishments in the House

By Bob Geiger

Redistricting mapped the decision by Rep. Kate Knuth (DFL-New Brighton) to step down from the House after three terms.

"When the maps came out, it made me reassess my direction. I never planned on being a legislator for my career," said Knuth, whose District 50B was changed dramatically, and paired her with Rep. Tom Tillberry (DFL-Fridley).

A conservation biologist, Knuth recently finished her doctoral coursework and is starting work on her thesis while coordinating the Boreas Environmental Leadership Program at the University of Minnesota's Institute on the Environment.

An environmental advocate, Knuth said, "I came in wanting to get good work done, and within a few months of getting elected, we passed the renewable energy standard," which requires state electric utilities to generate 25 percent of power from renewable resources by 2025.

Other significant renewable energy laws passed in 2007 included the Next Generation Energy Act and the Midwestern Greenhouse Gas Reduction Accord. "We were really making great progress," Knuth said.

However, since the 2010 election that gave Republicans control of the House and Senate, she said, "It's been very frustrating to see a shift from an, 'OK, we're going to create opportunity for this state by solving this problem'" attitude to climate and energy becoming political "wedge" issues.

Part of that legislative change is a focus on issues that divide rather than bring Minnesotans together, said Knuth, citing the proposed constitutional amendment defining marriage. "I don't really think it's good for the civic fabric of Minnesota for people to have to choose sides on issues that really don't impact the basic day-to-

day governance and future of the state."

The legislation Knuth is most proud of is the Toxic Free Kids Act, which requires the Department of Health to create lists of "chemicals of high concern" and "priority chemicals" that can harm children. Passed in 2009, that law also requires the Pollution Control Agency to recommend safer alternatives to priority chemicals.

"I'm really proud of a number of energy bills that I either authored or worked on that I think put Minnesota on a renewable

energy path," said Knuth. She advised the legislators who end up serving the New Brighton, Arden Hills and Shoreview after this fall's election to work hard to represent the communities.

"Being an advocate for my community has been something I'm proud of. I think it's a good legislator who works hard to open up the office for their constituents, and I worked really hard to be out in the community; door-to-door, surveys and meetings. I helped people who have not really been part of this process to access it in different ways," Knuth said.

She will miss people, colleagues and staff the most after her term ends.

"I love that I can walk around in my community and every two blocks point to a house and tell you about the person who lives there. There's not another job where you get to know the people in your community that well. The retired men who sit in the coffee shop next to my house; the manager of the Cub Foods in New Brighton; or the director of the high school marching band who was director when I was drum major," she said.

When Knuth leaves the House, the 134-member body also will lose the color orange.

"It's my favorite color and I've worn orange every day since I was in high school. I had two orange prom dresses made specially when I was in high school, because you couldn't buy them at the time," Knuth said.

"People know it. It's my brand. My constituents know it; my colleagues know it; people link to me when they see orange." 🍊



PHOTO BY ANDREW VONBANK

After three terms, Rep. Kate Knuth announced she will not seek re-election.

BILL INTRODUCTIONS

MARCH 5 - 8, 2012
HOUSE FILES 2632 - 2758

Monday, March 5

HF2632-Winkler (DFL)

Transportation Policy & Finance

Golden Valley deputy registrar office reinstatement directed.

HF2633-Atkins (DFL)

Commerce & Regulatory Reform

Bulk wine purchase and use by farm wineries permitted.

HF2634-Torkelson (R)

Environment, Energy &

Natural Resources Policy & Finance

Subsurface sewage treatment systems alternative local standards provided.

HF2635-Abeler (R)

Higher Education Policy & Finance

Minnesota State Colleges and Universities institutions timely presidential appointments required.

HF2636-Woodard (R)

Taxes

Monthly sales tax liability accelerated payments eliminated.

HF2637-Buesgens (R)

Legacy Funding Division

State Capitol building renovation, restoration and repair money appropriated.

HF2638-Anderson, D. (R)

Commerce & Regulatory Reform

Portable electronics insurance sale regulated.

HF2639-Kiffmeyer (R)

Government Operations & Elections

Voters required to present photographic identification, photographic identification provided to voters at no charge, equal verification standards required for all voters and constitutional amendment proposed.

HF2640-Dettmer (R)

Veterans Services Division

Pay differential law amended as it applies to school district employees who are members of the National Guard or any other reserve unit.

HF2641-Kieffer (R)

Taxes

Corporate franchise tax eliminated.

HF2642-Hausman (DFL)

Environment, Energy &

Natural Resources Policy & Finance

Nonferrous metallic mineral mining financial assurance provided.

HF2643-McDonald (R)

Taxes

Tax increment financing definitions modified.

HF2644-Kiffmeyer (R)

Government Operations & Elections

Voters required to present photographic identification, photographic identification provided to voters at no charge, equal verification standards required for all voters and constitutional amendment proposed.

HF2645-Erickson (R)

Education Finance

School district cooperative facilities grants limited.

HF2646-Murphy, E. (DFL)

Health & Human Services Reform

Public health improvement account created, statewide health improvement program provisions modified, funding provision program for health impact assessments established and money appropriated.

HF2647-Myhra (R)

Education Finance

Public data definition relating to agreements involving payment of public money clarified.

HF2648-Kelly (R)

Environment, Energy &

Natural Resources Policy & Finance

Goodhue Pioneer Trail funding provided, bonds issued and money appropriated.

HF2649-Kelly (R)

Environment, Energy &

Natural Resources Policy & Finance

Land acquisition for Mill Towns State Trail and expansion of Goodhue County Lake Byllesby Park funding provided, bonds issued and money appropriated.

HF2650-Beard (R)

Environment, Energy &

Natural Resources Policy & Finance

Renewable development account regulated.

HF2651-Loon (R)

Education Reform

Teachers charged with felonies suspensions without pay authorized.

HF2652-Murray (R)

Taxes

Internal Revenue Code changes conformed.

HF2653-Urdahl (R)

Legacy Funding Division

American Civil War and the Dakota Conflict sesquicentennial commemoration activities money appropriated.

HF2654-Mahoney (DFL)

Jobs & Economic Development Finance

Small business investment tax credit for 2012 increased.

HF2655-Davids (R)

State Government Finance

Film investment tax income credit provided.

HF2656-Howes (R)

Commerce & Regulatory Reform

Building and construction contracts regulated, and certain agreements to insure prohibited.

HF2657-Winkler (DFL)

Government Operations & Elections

Lobbyists or principals related to model legislation, and principals and public officials related to scholarship funds requirements added.

HF2658-Doepke (R)

Education Reform

Individualized learning schools creation provided; site-governed school, postsecondary enrollment options, and charter school provisions modified.

HF2659-Morrow (DFL)

Government Operations & Elections

Executive branch officers, legislators and legislative staff insider trading based on nonpublic information prohibited.

HF2660-Morrow (DFL)

Higher Education Policy & Finance

Open-access textbook task force established, and plan for improved use of open-access textbooks required.

HF2661-Erickson (R)

Transportation Policy & Finance

City of Isle; Malone Island Bridge funding provided, bonds issued and money appropriated.

HF2662-Davnie (DFL)

Education Finance

Special education tuition bill-back procedure phased out and serving school made responsible for all special education costs.

HF2663-Dill (DFL)

Environment, Energy &

Natural Resources Policy & Finance

Lake County private sale of tax-forfeited land authorized.

HF2664-Kriesel (R)

Environment, Energy &

Natural Resources Policy & Finance

Persons age 55 and older allowed to hunt with a crossbow.

HF2665-Fritz (DFL)

Health & Human Services Reform

Nursing personnel staffing reports required.

HF2666-Fritz (DFL)

Health & Human Services Reform

Nursing personnel staffing reports required in medical clinics.

HF2667-Fritz (DFL)

Higher Education Policy & Finance

Minnesota State Academy for the Deaf; free tuition provided for graduates.

HF2668-Holberg (R)

Civil Law

Fiscal note unofficial data classified.

HF2669-Hornstein (DFL)**Taxes**

Income and corporate franchise tax structure modified.

HF2670-Gruenhagen (R)**Commerce & Regulatory Reform**

Minnesota Comprehensive Health Association; individual health insurance market guaranteed issue provided and related changes made.

HF2671-Davids (R)**Transportation Policy & Finance**

Motor fuel excise tax rate reduced during periods of high prices.

HF2672-Gruenhagen (R)**Judiciary Policy & Finance**

Death penalty for capital offenses authorized; statutory framework provided, including procedures and criteria for imposition of death penalty; Board of Pardons authorized to hear petitions for commutations of death penalty sentences; automatic appellate review provided for death penalty cases; appointment of attorneys provided in death penalty cases; and administrative framework provided for implementing death penalty.

HF2673-Hornstein (DFL)**Government Operations & Elections**

Metropolitan governance task force study established and recommendations made.

HF2674-Lohmer (R)**Health & Human Services Reform**

Abortion; licensure required for certain facilities.

HF2675-Peppin (R)**Health & Human Services Reform**

Prescribing physician required to be physically present when abortion-inducing drugs are administered.

HF2676-Howes (R)**Health & Human Services Finance**

Abortion; grant eligibility modified for abortion alternative programs.

HF2677-Kiel (R)**Education Reform**

Principal evaluation provisions modified.

HF2678-Winkler (DFL)**Health & Human Services Finance**

Early childhood, kindergarten through grade 12, and higher education provisions modified; early learning and higher education gap scholarship programs established; fiber optic infrastructure grant program established; money appropriated for a public school's fiber optic infrastructure grant program; schedule implemented to repay the school aid payment shift; accessibility increased to career and technical education; bonds issued and money appropriated.

HF2679-Abeler (R)**Health & Human Services Reform**

Payment rate-setting methodologies established for home and community-based waiver services.

HF2680-Shimanski (R)**Judiciary Policy & Finance**

Jury selection limitation removed on voter list data received by courts.

HF2681-Shimanski (R)**Environment, Energy &****Natural Resources Policy & Finance**

Brownston; flood hazard mitigation funding provided, bonds issued and money appropriated.

HF2682-Koenen (DFL)**Environment, Energy &****Natural Resources Policy & Finance**

Granite Falls; flood hazard mitigation funding provided, bonds issued and money appropriated.

HF2683-Gottwalt (R)**Commerce & Regulatory Reform**

Unified personal health premium account administration permitted and task force created.

HF2684-Peppin (R)**Government Operations & Elections**

Lobbying principal reports modified.

HF2685-Beard (R)**Transportation Policy & Finance**

Metro Transit service fare increases required.

HF2686-Holberg (R)**Taxes**

Metropolitan area transit and paratransit capital expenditure provided and obligations authorized.

HF2687-Holberg (R)**Transportation Policy & Finance**

Bridge inspection regulated.

HF2688-McFarlane (R)**Taxes**

Capital equipment exemption allowed at time of purchase.

HF2689-McFarlane (R)**Taxes**

Sales tax eliminated on purchases by political subdivisions.

HF2690-Davids (R)**Taxes**

Individual income, corporate franchise, estate, property, sales and use, special, mineral, and various taxes and tax-related provision changes made.

HF2691-Davids (R)**Taxes**

Taxation; policy, technical, administrative and other changes made to estate, property, sales and use, special and various taxes and tax-related provisions.

HF2692-Hornstein (DFL)**Government Operations & Elections**

State banking service increased use of community financial institutions provided.

HF2693-Runbeck (R)**Government Operations & Elections**

Legislative reporting requirements modified for political subdivisions.

HF2694-Runbeck (R)**Government Operations & Elections**

Arbitration factors specified.

HF2695-Runbeck (R)**Commerce & Regulatory Reform**

Publicly owned broadband systems prohibited.

HF2696-Beard (R)**Transportation Policy & Finance**

Metropolitan Council; formula changed for assistance to cities and towns with replacement transit service.

HF2697-Holberg (R)**Health & Human Services Reform**

Newborn screening program provisions changed.

HF2698-Abeler (R)**Jobs & Economic Development Finance**

Visible Child Act created, Interagency Council on Homelessness and the State Interagency Coordinating Council duties modified and visible child plan developed.

HF2699-Loeffler (DFL)**Taxes**

State general levy; first \$150,000 excluded in value of each commercial-industrial property.

Wednesday, March 7

HF2700-Greiling (DFL)**Government Operations & Elections**

Associated business modified relating to campaign finance and public disclosure.

HF2701-Holberg (R)**Civil Law**

Expedited data requests provided, subcontract filing with government entity required and other miscellaneous changes made.

HF2702-Slocum (DFL)**Commerce & Regulatory Reform**

Low-profit limited liability company creation and operation provided.

HF2703-Daudt (R)**Judiciary Policy & Finance**

Civilly committed sex offender name changes regulated.

HF2704-Daudt (R)**Government Operations & Elections**

State primary date changed from August to June, and primary elections conducted by a political subdivision date changed in some circumstances.

HF2705-Mazorol (R)**Commerce & Regulatory Reform**

Closing agents regulated and licensed attorneys and direct employees of licensed attorneys exempted from the licensing requirements for closing agents.

HF2706-Kriesel (R)**Public Safety & Crime Prevention Policy & Finance**

Automobile theft and financial crime prevention grant awards expanded and funds transferred.

HF2707-Lenczewski (DFL)**Taxes**

Marriage penalty in the standard deduction and foreign operating corporations eliminated; foreign royalties deduction repealed.

HF2708-Holberg (R)**Transportation Policy & Finance**

Priced highway lanes requirements modified.

HF2709-Morrow (DFL)
Higher Education Policy & Finance
Postsecondary course materials information requirements modified.

HF2710-McElfatrick (R)
Health & Human Services Reform
Well regulation modified to include bored geothermal heat exchangers.

HF2711-Quam (R)
Government Operations & Elections
Open meeting law exceptions expanded to include social media participation in a forum generally open to public participation.

HF2712-Runbeck (R)
Health & Human Services Reform
Primary services areas designation and ambulance service assignment by local units of government permitted.

HF2713-Liebling (DFL)
Health & Human Services Reform
Smoking prohibited in residences that provide foster care to children.

HF2714-Woodard (R)
Education Finance
Charter school accountability and success fostered, and money appropriated.

HF2715-Schomacker (R)
Health & Human Services Reform
Critical access nursing facility designation created and money appropriated.

HF2716-Schomacker (R)
Health & Human Services Finance
Nursing facility moratorium exceptions modified.

HF2717-Schomacker (R)
Health & Human Services Finance
Nursing facility Medicare certification modified.

HF2718-Peppin (R)
Environment, Energy & Natural Resources Policy & Finance
Mississippi River management plan modified, minimum standards for future critical area ordinance approval provided and classifications within the Mississippi River corridor critical area provided.

HF2719-Gunther (R)
Commerce & Regulatory Reform
Minnesota alcohol license requirement exemption provided for out-of-state small craft brewers in limited circumstances.

HF2720-Banaian (R)
Government Operations & Elections
State government budget preparation requirements changes made.

HF2721-Abeler (R)
Health & Human Services Finance
Medical Assistance spend-down requirements modified.

HF2722-Mazorol (R)
Government Operations & Elections
Municipal employee liability regulated.

HF2723-Woodard (R)
Public Safety & Crime Prevention Policy & Finance
Criminal records expungement for individuals who have received stays of adjudication or diversion authorized, expungements without petitions authorized in cases where charges were dismissed against a person upon prosecutorial approval and with victim notification, persons petitioning for expungement required to provide a copy of the criminal complaint or police report, and opening of expunged records without a court hearing authorized in limited circumstances.

HF2724-Eken (DFL)
Environment, Energy & Natural Resources Policy & Finance
Utilities joint venture authority expanded to include Indian tribes.

HF2725-Sanders (R)
Commerce & Regulatory Reform
Industrial loan and thrift companies regulations modifications.

HF2726-Runbeck (R)
Health & Human Services Finance
County fees modified for licensing inspections.

HF2727-Mariani (DFL)
Rules & Legislative Administration
Prekindergarten through grade 12 education policy provided, including general education, education excellence and special programs.

HF2728-Abeler (R)
Rules & Legislative Administration
Human services legal provisions changed; human services licensing, licensing data and the Office of Inspector General provisions modified; and Human Services Background Studies Act amended.

HF2729-Loon (R)
Education Finance
Parent-child home program funding provided and money appropriated.

HF2730-Lanning (R)
Commerce & Regulatory Reform
Ladder Out of Poverty Task Force renamed and extended, and its duties modified.

HF2731-Torkelson (R)
Environment, Energy & Natural Resources Policy & Finance
Community energy technical assistance and outreach assessment and grant required.

HF2732-Sanders (R)
Commerce & Regulatory Reform
Electrical licenses modified.

HF2733-Anderson, B. (R)
Government Operations & Elections
Research and development facilities and uses established as conditional uses.

HF2734-Anderson, B. (R)
Environment, Energy & Natural Resources Policy & Finance
Resolution; President and Congress memorialized to enact legislation and take other federal government action related to interim storage of used nuclear fuel.

HF2735-Franson (R)
Taxes
City aid base increased for cities.

HF2736-Murdock (R)
Transportation Policy & Finance
Junked vehicle eligible buyer class expanded.

HF2737-Murphy, E. (DFL)
Commerce & Regulatory Reform
Health plans required to cover contraceptive methods, sterilization, and related medical services, patient education, and counseling without enrollee cost-sharing, and exceptions provided.

HF2738-Kiffmeyer (R)
Government Operations & Elections
Voters required to present photographic identification, photographic identification provided to voters at no charge, equal verification standards required for all voters and constitutional amendment proposed.

HF2739-Murphy, E. (DFL)
Commerce & Regulatory Reform
Minnesota Health Benefits Exchange created and its functions and duties specified.

HF2740-Torkelson (R)
Transportation Policy & Finance
Redwood County; Ramsey Park Swayback Bridge restoration funding provided, bonds issued and money appropriated.

HF2741-Anderson, P. (R)
Agriculture & Rural Development Policy & Finance
Ethanol minimum content dates extended.

HF2742-Morrow (DFL)
Taxes
Real property definition modified.

Thursday, March 8

HF2743-Mariani (DFL)
Education Reform
Improved academic achievement of all students provided.

HF2744-Cornish (R)
Public Safety & Crime Prevention Policy & Finance
Predatory offender community notification law clarified by adding cross-references.

HF2745-Loon (R)
Health & Human Services Reform
Adoption records and original birth certificates access provisions modified.

HF2746-Abeler (R)
Health & Human Services Finance
Medical Assistance payment procedures modified for multiple services provided on the same day, and federally qualified health center health care home certification process modified.

HF2747-Murray (R)
Environment, Energy & Natural Resources Policy & Finance
Cooperative utilities under the integrated resource planning process reporting obligations modified.

HF2748-Atkins (DFL)
Taxes
Sale and purchase definition relating to amusement devices modified.

HF2749-Abeler (R)
Commerce & Regulatory Reform
Auto insurance claims practices regulated.

HF2750-Abeler (R)
Health & Human Services Reform
Criminal history records check authorized for nursing licensure applicants.

HF2751-Dettmer (R)
Environment, Energy & Natural Resources Policy & Finance
Gifts of land repayments provided when lands are sold.

HF2752-Daudt (R)
Taxes
Department of Revenue's role eliminated in setting property valuations for green acres and rural preserves.

HF2753-Hornstein (DFL)
Transportation Policy & Finance
Electric-assisted bicycle regulated as bicycle rather than motorized bicycle.

HF2754-Howes (R)
Capital Investment
State Capitol repair and restoration improvement funding provided, bonds issued and money appropriated.

HF2755-Loeffler (DFL)
Commerce & Regulatory Reform
Motorcycle owners required to bear the economic costs of their injuries not caused by others, motorcycle owners required to comply with the motor vehicle insurance requirements that apply to other motor vehicles and motorcycle riders required to wear helmets subject to an exception.

HF2756-Hamilton (R)
Agriculture & Rural Development Policy & Finance
4-H and Future Farmers of America grant funding provided and money appropriated.

HF2757-Abeler (R)
Jobs & Economic Development Finance
Hard-to-employ Minnesotans grant program established for jobs innovation and money appropriated.

HF2758-Downey (R)
Ways & Means
General Fund spending limits established for fiscal years 2014 and 2015 that freezes state spending at fiscal years 2012 and 2013 spending levels.

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www.twitter.com/MNHouseInfo

MULTI-TASKING



PHOTO BY ANDREW VONBANK

Rep. Chris Swedzinski holds his 5-month-old daughter, Adeline, while working in the House Chamber March 1.

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MINNESOTA INDEX

Chug-a-chug, chug-a-chug, choo-choo

Number of railroads in Minnesota.....	19
Total mileage of track.....	4,393
State rank.....	8
Railroad employees in state, as estimate.....	4,222
State rank.....	13
Wages paid to those employees, in millions.....	\$305.4
Estimated number of railroad retirees in Minnesota.....	15,149
Year the first train operated between St. Paul and St. Anthony (now Minneapolis)	1862
State rank in the movement of iron ore by train	1
State rank for farm product movement by train	3
State rank for food product movement by train	4
Times more freight that a railroad car typically handles compared to a large truck.....	3
Tons of product carried by a 100-car unit train	10,000
Times, as approximate, more fuel efficient railroads are than trucks	3
Percent emissions from locomotives, as approximate compared to trucks.....	33
Millions in local property taxes paid by railroads to local units of government in 2010.....	\$28.9
Year the Hiawatha Line, the state's first light-rail line, opened between the Mall of America and downtown Minneapolis.....	2004
Length of the line, in miles	12
Top speed for the line.....	55 mph
Length, in miles, of the Northstar Commuter Rail Line, that provides service between Big Lake and downtown Minneapolis	40
Stops in Minnesota for Amtrak's Empire Builder, which runs daily between Chicago and Seattle	6
Miles it takes a fully loaded freight train traveling at 50 mph to come to a full stop.....	1.5
Approximate number of signalized railroad-highway grade crossings in Minnesota	1,300
Times higher the chance of death or serious injury from a motor vehicle/train crash vs. other highway collisions.....	11
Grade crossing train/vehicle crashes, deaths in Minnesota in 2009	35, 4
Respective numbers in 1974.....	289, 28

— M. COOK

Sources: Minnesota Regional Railroads Association; Department of Transportation Freight, Rail and Waterways Division; Testimony Feb. 29 before the House Transportation Policy and Finance Committee; Northstar Corridor Development Authority.

SESSION WEEKLY



KIFFMEYER, SCALZE EYE THE SENATE
A PRICKLY SITUATION IN FARMERS' FIELDS
SMOKIN' THE NUMBERS
TOO MANY LAWYERS?

HF2759 - HF2912

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 7 • MARCH 16, 2012

Flashback to 1992 and 2002

Too many lawyers

Does Minnesota have too many lawyers? Rep. Steve Dille (IR-Dassel) thinks so. That's why he's sponsoring HF2839 that would require a plan to eliminate the state subsidy to the University of Minnesota Law School.

Dille said the state should not pay to produce lawyers — "A product that in my mind is in oversupply."

The state currently pays 33 percent of the law school's operating costs, with students picking up the rest through tuition.

Rep. Tony Kinkel (DFL-Park Rapids) said that Dille was setting a "dangerous precedent" that wouldn't do a thing to limit the number of lawyers. He asked whether the next step would be to take the state subsidy away from other programs, such as teaching — another field in which some people think there is an oversupply.

— Session Weekly March 13, 1992

Vacancy at Summit Avenue address

In light of a recent budget agreement that trims \$175,000 from Gov. Jesse Ventura's \$2.2 million security budget, Ventura has announced he will move out of the Governor's Residence to save money.

If he does, it will be the first time a governor has not lived in the Summit Avenue mansion since it was donated to the state in 1965.

Sam Grabarski, chair of the Governor's Residence Council, said that such a move would reflect poorly on the state as foreign dignitaries would need to stay in hotels. High-profile guests such as Eleanor Roosevelt, Al and Tipper Gore, Mikhail Gorbachev, Kevin Garnett and Jack Nicholson have stayed at the home.

If the mansion is closed, the state could save about \$100,000 in security costs and \$550,000 annually in operating costs.

It would mean, however, that hundreds of school children and others would not have the opportunity to tour the house.

— Session Weekly March 15, 2002

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SESSION WEEKLY

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On the cover: Paul Linquist, *right*, and Barry Waters, groundskeepers with the Department of Administration's Plant Management, begin the spring cleanup of the Capitol gardens March 14, a day that record high temperatures were recorded across the state.

— Photo by Paul Battaglia

HIGHLIGHTS

MARCH 8 - 15, 2012

Editor's note: The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held March 8-15. 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 acted on by the governor.

Arts & Entertainment

Sesquicentennial bills OK'd

Nearly 150 years after the fighting ended, the American Civil War and Dakota Conflict are back in the news.

Two bills that would provide a total of \$30,000 for special radio programming about the disputes were laid over March 14 by the House Legacy Funding Division for possible inclusion in an omnibus bill.

Rep. Paul Torkelson (R-Nelson Township) sponsors HF2830 and HF2831 that would provide for the funding. Neither bill has a Senate companion.

Both bills would use funding from the Legacy Amendment's Arts and Cultural Heritage Fund. HF2830 would appropriate \$15,000 to the Association of Minnesota Public Educational Radio Stations for programming to commemorate the conflicts.

HF2831 would provide \$15,000 to Minnesota Public Radio for the same purpose.

The action on Torkelson's bills follows the March 13 layover of two other bills regarding the conflicts.

Those bills, sponsored by Rep. Dean Urdahl (R-Grove City), are HF2653 and HF2832. Neither has a Senate companion.

HF2653 would appropriate \$100,000 to the Minnesota Historical Society for activities surrounding the sesquicentennial.

HF2832 would funnel \$50,000 to the Minnesota Public Television Association to complete two documentaries about the events and create a website that could be used for educational purposes.

— B. GEIGER

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

Tax credit for movies

Supporters of a new tax credit hope to lure the film industry — and its money — to Minnesota.

Rep. Greg Davids (R-Preston) sponsors HF2655 that would establish a 25 percent income tax credit for investing in film projects in the state. The House State Government Finance Committee approved the bill March 13 and sent it to the House Taxes Committee. A companion, SF2455 sponsored by Sen. Ted Daley (R-Eagan), awaits action by the Senate Taxes Committee.

Under the provisions, an individual or corporate taxpayer would be allowed an income tax credit equal to 25 percent of a qualified investment in a film production project in the state. Lucinda Winter, executive director of the Minnesota Film and TV Board, said the bill is intended to re-energize the state's stagnant film industry.

"The reason for this, to be honest, is because our industry is in a state of contraction," she said. "Other states, territories and jurisdictions are growing, and we are not."

The credit would serve as a companion



PHOTO BY PAUL BATTAGLIA

Lucinda Winter, executive director of the Minnesota Film and TV Board, describes a bill March 13 that would establish a 25 percent income tax credit for investing in film projects in the state.

Committee deadline No. 1

Designed to help stem the flow of bills that are introduced each year, March 16, marks the first of the Legislature's three committee deadlines.

To be considered after today, a bill or its companion must have passed through all policy committees to which it was referred in at least one body.

The second deadline, March 23, requires bills to have passed through committees in the other body for them to receive further consideration. The third deadline, March 30, is for committees to act favorably on major appropriation and finance bills.

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

to the existing "Snowbate" program, which provides a 15-20 percent reimbursement for film production expenditures in the state. Winter said other states have programs similar to Snowbate, but fund them at higher levels. She said the proposed income tax credit might give Minnesota a competitive edge.

"There are very few states that have this," she said.

Supporters include Rep. Steve Simon (DFL-St. Louis Park), who said he had the chance to visit the set of "A Serious Man" — the Coen brothers movie filmed in Bloomington — and saw firsthand the economic boon that film productions provide.

"You see the economic effects. You see the catering trucks, you see the lighting equipment, you see the other vehicles ... Those are real people and real jobs," Simon said.

Opponents include Rep. Ryan Winkler (DFL-Golden Valley), who said he sees no larger public purpose for the bill other than to add to the "endless string of industry carve-outs" lawmakers have put into the state's tax code.

— N. BUSSE

Official state pipe band

A pipe band whose performances honor fallen firefighters and veterans could receive a state designation.

Rep. Joe Atkins (DFL-Inver Grove

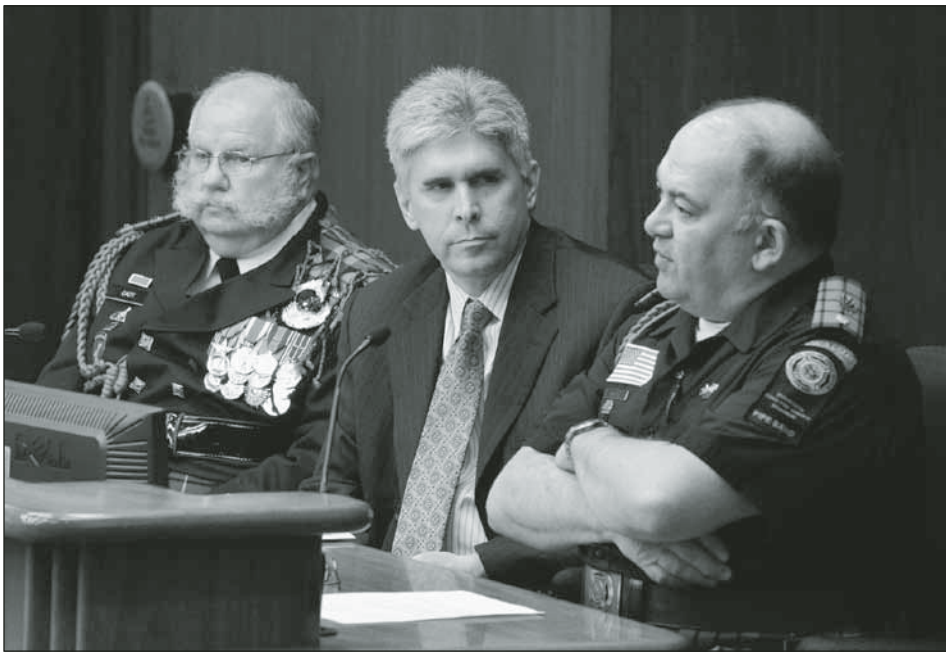


PHOTO BY ANDREW VONBANK

Richard Cady, left, event coordinator for the Minnesota State Fire Service Memorial Pipe Band, and Pipe Major/Director of Music Lynn Ista testify before the House Government Operations and Elections Committee March 9 in support of a bill sponsored by Rep. Joe Atkins, center, that would designate an official state pipe band.

Heights) sponsors HF1517 that would honor the Minnesota State Fire Service Memorial Pipe Band as the state's official pipe band. The group of kilt-wearing, British military-style bagpipers and drummers performs free of charge at various memorial services, fundraisers and open houses.

The House Government Operations and Elections Committee approved the bill March 9 and sent it to the House floor. It has no Senate companion.

Atkins said he's usually skeptical of bills proposing official state designations, but he made an exception in this case because he believes in the group's mission. He said they're seeking the honor because they think it will "make a more meaningful experience for the families and organizations that they serve."

Lynn Ista, the band's director and "pipe major," said the group was formed in 2002 and has performed at a variety of memorial services, National Guard deployments and other firefighter and military-related events.

"We are a public service band, and we do not charge to perform for the fire service, the military, our veterans or community," Ista said. "We are very honored to do this."

Committee Chairwoman Rep. Joyce Peppin (R-Rogers) voted against the measure, saying she generally did not support official state designation bills. Supporters included Rep. Duane Quam (R-Byron), who said the

band's public service merited the designation.

"There's a higher character to this band, and I could see that it would be right and proper that you would be an official band," Quam said.

— N. BUSSE

Public building artwork limited

Current law allows for up to 1 percent of the cost of constructing or altering a state facility to be devoted to artwork (prisons are excepted). Rep. Mary Franson (R-Alexandria) sponsors HF2212 that would cap the maximum allowable art expenditures at \$100,000 per building.

The House Government Operations and Elections Committee approved the bill as amended March 14 and sent it to the House State Government Finance Committee. There is no Senate companion.

Supporters argue that art is better funded by the private sector. The bill originally proposed eliminating the statute that allows for art expenses in state buildings, but Franson successfully offered a delete-all amendment that proposes the \$100,000 cap as a compromise.

"I believe that \$100,000 is a reasonable limit and a reasonable contribution from the taxpayers to this program," Franson said, adding, "We do have to be frugal with our taxpayer dollars."

Opponents point out that the current

program is optional, not mandatory. Sue Gens, executive director of the Minnesota State Arts Board, said the current statute has resulted in only \$8.3 million of state spending on art over the last 25 years.

"It's a small investment. If we added up the value of all of those pieces of art today, it would be well over the \$8.3 million bottom line," she said.

Rep. Phyllis Kahn (DFL-Mpls) successfully amended the bill to exclude art projects that are designed to address safety and security concerns. As an example, she said a sculpture garden might be built outside a state building to thwart potential terrorist attacks using vehicles rigged with explosives.

Rep. Bev Scalze (DFL-Little Canada) successfully offered an amendment that specifically excludes the Capitol Building from the \$100,000 cap. She said plans to renovate the Capitol might entail significant expenditures to restore the building's many works of art.

— N. BUSSE

Bonding

Legacy funds for Capitol revamp

Using Legacy Fund revenue to pay for a \$241 million restoration of the State Capitol was met with skepticism March 13.

Rep. Mark Buesgens, (R-Savage) proposes using Arts and Cultural Heritage revenues to pay for extensive remodeling and restoration of the 107-year-old building. Arts and Cultural Heritage is one of four funds created by the 2008 Legacy Amendment.

HF2546, sponsored by Buesgens, would use revenue from that fund, which totaled \$52.6 million in 2012, to pay for the work on the Capitol over six years. A different Buesgens approach, tapping \$30 million from the fund from 2014 to 2021, is contained in HF2637.

Both bills were laid over for possible omnibus bill inclusion. Sen. Julianne Ortman (R-Chanhassen) sponsors SF2171, a companion for the six-year plan. It awaits action by the Senate Capital Investment Committee. HF2637 has no Senate companion.

Buesgens testified that the restoration fits the state constitution because it preserves Minnesota's history and cultural heritage. "Clearly, the argument that you can't use these funds for capital projects doesn't hold water," he said. However, Buesgens added

that Gov. Mark Dayton favors bonding to pay for the restoration.

David Kelliher, director of public policy and community relations for the Minnesota Historical Society, said Buesgens' bills raise questions about the initial intent of the Legacy Amendment.

"I see this as a two-part test," said Kelliher. "It does preserve Minnesota's history." He said they fail the second part of the test — whether the bill supplements, rather than substitutes, traditional sources of funding.

Additionally, if cultural heritage is the primary hurdle, "the state owns a rich stock of historic buildings around the state of Minnesota" that are in need of restoration, Kelliher said.

Asked by Rep. David Dill (DFL-Crane Lake) his opinion on using Legacy funds to restore the State Capitol, Division Chairman Rep. Dean Urdahl (R-Grove City) said he preferred bonding.

— B. GEIGER

St. Cloud civic center expansion

St. Cloud has sought funding for an expansion of its civic center for five consecutive legislative sessions. They're hoping this will finally be the year.

Rep. King Banaian (R-St. Cloud) sponsors HF1337 that would authorize \$10.1 million in bond proceeds to help expand the St. Cloud River's Edge Convention Center. The money would go toward adding 35,000 square feet of additional exhibit space and several facility improvements.

Banaian called the civic center expansion a "very, very important project" for St. Cloud and for the people of central Minnesota. He joked that the bill is "becoming an old standard" at the Legislature.

"Each year that we've been to the Capitol, this bill has either been in the governor's request or in the Legislature's request. We just haven't had them both happen at the same time," he said.

St. Cloud Mayor Dave Kleis said the project has made incremental progress since the first bonding request was made in 2008. He said the city took advantage of low interest rates to fund some of the project itself, and is now asking the Legislature for money to finish the job.

"There is no possible way we can finish this project on our own," Kleis said.

Teresa Bohnen, president of the St. Cloud Area Chamber of Commerce, said the project is very important to the local business community, which sees the civic center as a catalyst for private investment.

The House Jobs and Economic Development Finance Committee laid the bill over March 13 for possible inclusion in the committee's bonding recommendations. Sen. John Pederson (R-St. Cloud) sponsors the companion, SF292, which awaits action by the Senate Capital Investment Committee.

— N. BUSSE

Environment priorities

Twenty-six environmental bills seeking \$226.5 million in bond proceeds were approved March 14 by the House Environment, Energy and Natural Resources Policy and Finance Committee, but questions lingered about why virtually every bill heard by the committee is being forwarded to the House Capital Investment Committee for consideration.

"It looks like there has been a great deal of prioritization — and that is none. Are

all these bills forwarded to the bonding committee and they'll straighten it out there?" said Rep. Rick Hansen (DFL-South St. Paul).

Hansen added that many bills sponsored by DFLers weren't heard, and thus will not be considered. "So much for the committee process."

Among the larger requests are:

- HF2389, sponsored by Committee Chairman Rep. Denny McNamara (R-Hastings), which would provide \$26.6 million for state trail acquisition and development;
- HF2229, sponsored by Rep. Paul Torkelson (R-Nelson Township), which would provide \$25 million for the Reinvest in Minnesota reserve program;
- HF2020, sponsored by Rep. Morrie Lanning (R-Moorhead), which would provide \$20 million for flood mitigation and improvements in Moorhead;
- HF2410, sponsored by Rep. Tara Mack (R-Apple Valley), which would provide \$20 million for projects at the Minnesota Zoo; and
- HF2372, sponsored by Rep. Debra Kiel (R-Crookston), which would provide \$13.1 million in bonding for wetland mitigation.

Also making the list is HF2592. Sponsored by Rep. John Persell (DFL-Bemidji) it calls for a yet-to-be-determined amount to build electric Asian carp barriers at two lock and dam facilities on the Mississippi River.

All bills except HF2020 have companions awaiting action by the Senate Capital Investment Committee.

— B. GEIGER

Budget

Dayton unveils supplemental budget

Gov. Mark Dayton unveiled a \$59.4 million supplemental budget plan that would fund additional jobs, natural resources and human services programs by closing corporate tax loopholes.

"As I've said throughout my term, my priorities are first the people of Minnesota and secondly providing good jobs for all of them. My supplemental budget addresses those two priorities," Dayton said at a March 12 press conference.

The plan includes \$43.9 million in new General Fund spending in the current biennium, as well as another \$15.5 million



PHOTO BY PAUL BATTAGLIA

St. Cloud Mayor Dave Kleis, left, holds up a brochure March 13 outlining details of a \$10.1 million bond request to help expand the St. Cloud River's Edge Convention Center. Teresa Bohnen, president of the St. Cloud Area Chamber of Commerce, and Rep. King Banaian, who sponsors the proposal, look on.

from non-General Fund sources. Minnesota Management & Budget Commissioner Jim Schowalter said the plan is “self-balancing” and would not draw down the state’s budget reserves or impact current forecasted spending.

Key parts of the proposal include:

- \$35 million for a “Jobs Now” tax credit that would pay businesses to hire unemployed workers, recent graduates and veterans (all spending would occur in the next fiscal biennium);
- \$6.4 million for medical education research;
- \$5.9 million for personal care assistant funding;
- \$4.7 million for emergency medical care like dialysis and chemotherapy; and
- \$4 million annually to help control the spread of aquatic invasive species.

To pay for the additional spending, the governor is proposing to cut tax credits for Minnesota companies operating overseas, extend the state’s sales tax to online purchases (the so-called “affiliate nexus” provision), and increase hunting and fishing license fees.

Full details of the plan can be found on Minnesota Management & Budget’s website.

— N. BUSSE

Business & Commerce

Scrap vehicle verification required

Last summer, the auto theft unit of the St. Paul Police Department uncovered nearly a dozen illegal tow truck drivers stealing cars and scrapping them for cash at a rogue scrap metal processor.

“In some cases the vehicles had been scrapped within hours of being stolen,” said Kenneth Reed, an assistant chief with the department’s Major Crimes Division. “To date, there are 17 defendants and over 86 stolen motor vehicles involved,” he said.

Sponsored by Rep. Carol McFarlane (R-White Bear Lake), HF1901 would establish more regulations on scrap vehicle purchases in hopes of providing extra consumer protection.

In addition to obtaining a seller’s proof of identification and a statement of the right to sell the vehicle, the bill states that any vehicle bought without a title may not be destroyed or dismantled for seven days. There would be no hold period if a valid title exists.

“That will give law enforcement the opportunity to investigate reports of stolen

cars and hopefully get them returned to the rightful owner before the vehicle is destroyed,” McFarlane said. Scrap yards do not have to physically hold the vehicle on their property; rather they can create a purchase agreement with the seller that contains information already required by law and then finalize the transaction and take delivery a week later. Dealer-to-dealer and insurance companies-to-dealer sales would be exempt.

Approved March 12 by the House Transportation Policy and Finance Committee on a split-voice vote, the bill awaits action by the House Commerce and Regulatory Reform Committee. The Senate companion, SF2411, sponsored by Sen. John Harrington (DFL-St. Paul), awaits action by the Senate Commerce and Consumer Protection Committee.

“We hope that this does not place any unnecessary and erroneous obstacles to anybody in the industry who is legally buying and selling cars for scrap or their parts,” McFarlane said.

Representing the Minnesota Chapter of the Institute of Scrap Recycling Industries, Paul Cassidy disagrees, saying the potential change is unnecessary and would increase administrative costs. “Criminals are being prosecuted and the current law works,” he said.

He said scrap metal processors would like to work with law enforcement on a faster, more efficient reporting system. Because there is “terrible two-way communication between the law enforcement community and our industry,” he suggested creation of a centralized database that scrap recyclers can use to identify stolen vehicles.

— M. COOK

Civil Law

Making buyout agreements public

A recent \$255,000 buyout of Burnsville-Savage-Eagan Independent School District 191 human resource director raised the ire of residents. They have questions about the “why” behind the buyout that they cannot get answered.

At an ISD 191 school board listening session, attended by an overflow crowd, the board said they could not respond to questions because of the Minnesota Data Practices Act. In the future, terms of any similar buyout would be public information, under a bill sponsored by Rep. Pam Myhra (R-Burnsville).

“People want their questions answered ...

the school board wants to be transparent, but there are constraints in the law,” Myhra said during a March 12 House Data Practices Subcommittee meeting.

HF2647, as amended, would address buyout and settlement agreements of certain employees making the reasons for the agreement public information.

Don Gemberling, of the Minnesota Coalition of Government Information, pushed for strengthening the language. He wanted to tighten loopholes to prevent lawyers from finding “new ways” to interpret the law.

“I am always amazed at the creativity of government lawyers,” he said.

The bill moved out of the House Civil Law Committee March 14. It now awaits action by the full House.

SF2409, the companion, is sponsored by Sen. Dan Hall (R-Burnsville). It awaits action in the Senate Education Committee.

— L. SCHUTZ

Volunteer liability issues clarified

Families with loved ones deployed overseas have access to volunteers for help with household projects through the Beyond the Yellow Ribbon program.

A bill that started out as a measure to protect these volunteers from possible lawsuits over their work could also provide some protection for those who are the recipients.

When the bill was first heard in the House Civil Law Committee, HF1819, sponsored by Rep. Bob Dettmer (R-Forest Lake), provided civil immunity to program participants. However, Rep. John Lesch (DFL-St. Paul) was concerned that there wasn’t adequate protection for the person for which the work was being performed.

If something were to happen, such as a tree that a volunteer was removing fell on a house, the homeowner may lack recourse, he said. “And if they have to rely on their own homeowner’s insurance for coverage, they may find their rates increased.”

In response, Dettmer brought forward an amendment March 12 to make clear that liability would still exist if “damage results from willful and wanton or reckless acts or omissions by either the person providing services or the recipient of the services.”

Rep. Melissa Hortman (DFL-Brooklyn Park) didn’t think the bill completely addressed the liability issues for the homeowner. “They are still left out in the cold, if they have work done by someone who does not have insurance.”

Lesch successfully offered an amendment to add military service status to state law that designates unfair discriminatory practices. The amended bill was approved and now awaits action by the full House.

Its companion, SF1642, sponsored by Sen. Mike Parry (R-Waseca), awaits action by the Senate Judiciary and Public Safety Committee.

— L. SCHUTZ

Conservator offered some anonymity

Appointment of a conservator to administer an estate can create a volatile family situation, so much so that some have actually been shot.

“A guardian can be looked at as an evil-doer,” Rep. Joe Mullery (DFL-Mpls) told the House Civil Law Committee March 12. He sponsors HF2505, which would afford some protection for those who professionally take on the guardianship role. “If they are going to be subjecting their lives to danger,” fewer will be willing to take on the role,” he said.

The bill would allow a conservator the option to use a post office box number as their means of contact in the annual report.

It was approved and sent to the House Judiciary Policy and Finance Committee. It has no Senate companion.

— L. SCHUTZ

Liability limit for nonprofit events

Signed
by
the
governor

When a nonprofit organization hosts an event on public land or waters, they are required to have liability coverage. The policy cost depends on the amount needed.

A new law, signed by Gov. Mark Dayton on March 15, will cap the total liability of the state or a municipality at \$1 million, rather than \$1.5 million.

Dill said the law will provide that the total liability of the state or a municipality may not exceed \$1 million in total if the claims involve nonprofit corporations engaged in or administering outdoor recreational activities funded or operating under a government-issued permit. He said it will make it easier for an organization to purchase needed insurance for events, such as ice-fishing contests.

Rep. David Dill (R-Crane Lake) and Sen. Julianne Ortman (R-Chanhassen) are the sponsors. The law is effective March 16.

HF32/SF1183*/CH131

— L. SCHUTZ

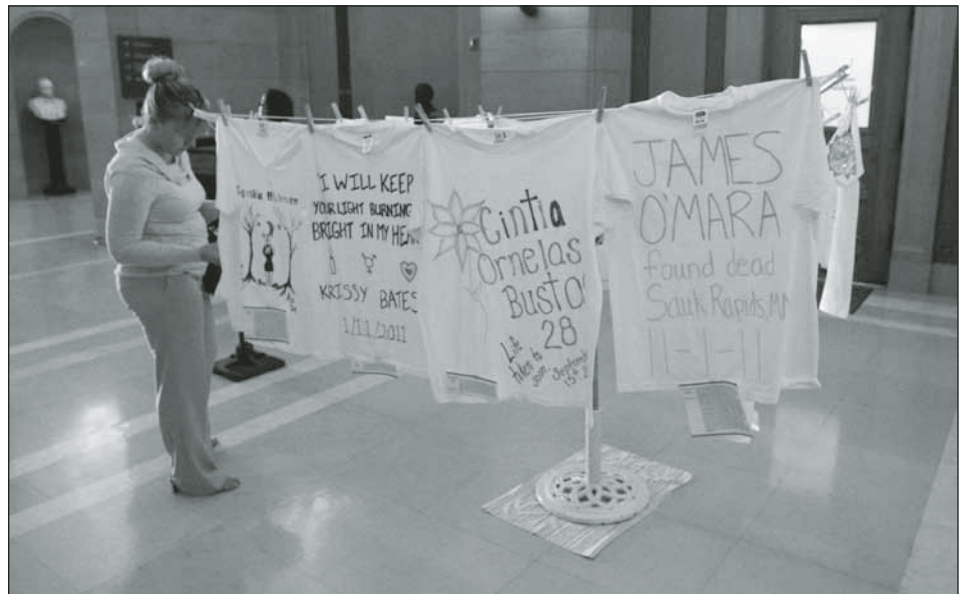


PHOTO BY PAUL BATTAGLIA

Amanda Jayne Reichert reads a story attached to one of the shirts making up the Minnesota Coalition of Battered Women's Clothesline Project. The project, set up as a memorial to victims and survivors of domestic violence, involves designing shirts to remember the women and children murdered as a result of domestic violence and child abuse.

Consumers

Firework regs could be lifted

Fireworks shops just across Minnesota's borders in neighboring states may get some competition.

Rep. John Kriesel (R-Cottage Grove) sponsors HF1774, which would expand the types of fireworks available to Minnesotans. The bill would legalize fireworks containing 75 grams or less of chemical mixture per tube, with 500 grams or less for multiple tubes in a single firework. That could include some fireworks intended to be shot into the air, while keeping display pyrotechnics, like those used at concerts or city festivals, illegal for average citizens.

The House Commerce and Regulatory Reform Committee approved the bill and sent it to the House floor March 14. Sen. Michael Jungbauer (R-East Bethel) sponsors the companion, SF1694, which awaits action by the Senate Judiciary and Public Safety Committee.

Kriesel said that the bill would decriminalize a product that is meant to be enjoyed. He asserted that Minnesota loses tax dollars to other states that legally sell a range of consumer fireworks.

Proponents of the bill argued that in cases where these fireworks were legalized, use increased but injury rates decreased. Mark Lazarchic, owner of Renaissance Fireworks, said that current law also hurts businesses

like his, because it bars them from selling products Minnesotans can get in other states. He added that risky behavior involving fireworks occurs regardless of legality.

“You can't regulate crazy. Crazy is going to happen,” he said.

Eden Prairie Fire Chief George Esbensen opposes the bill. He warned that permitting the sale of more fireworks would increase accidents, especially for children who are not aware of the potential dangers. He also said that emergency responders throughout the state are overtaxed and would be unable to handle additional fires that could happen if fireworks regulations were lifted.

“I think that's a huge mistake. If you step outside, you'll see a very brown environment and a very warm environment,” he said.

Rep. Denise Dittrich (DFL-Champlin) suggested offering safety classes and license opportunities for fireworks users, like the state does with firearms, as an alternative to the bill. She said this strategy would “not make criminals out of kids just trying to have fun.”

— E. SCHMIDTKE

Individual insurance reform sought

Minnesotans without access to employer benefits might be able to pool money from multiple sources to buy health insurance.

Under HF2683, sponsored by Rep. Steve Gottwalt (R-St. Cloud), those without insurance would be able to put money into

a trust account from multiple employers, family and other sources. The bill would also mandate a task force with the purpose of creating a website to provide comparative information about insurance for consumers.

The House Commerce and Regulatory Reform Committee approved the bill March 13 and sent it to the House Taxes Committee. Sen. David Hann (R-Eden Prairie) sponsors its companion, SF2313, which awaits action by the Senate State Government Innovation and Veterans Committee.

Gottwalt claims the bill would help part-time employees, many of whom hold more than one job and would not otherwise be able to afford insurance. He said this tool is necessary to address the rising price of health coverage, as no process is in place for Minnesotans to pool their money without the help of cost-prohibitive legal counsel.

Rep. Tom Anzelc (DFL-Balsam Township) disagrees with Gottwalt, predicting that this bill could result in more confusion and less insurance availability for those who need it. He also questions how the bill would interact with state programs like Medical Assistance.

"I see a Minnesota that's sicker, not healthier," he said.

Rep. Joe Atkins (DFL-Inver Grove Heights) also voiced dissent, saying that other programs currently in place achieve the same goal as Gottwalt's bill.

— E. SCHMIDTKE

Education

House passes school shift repayment

The House passed a measure March 15 that would repay a portion of the money owed to schools by the state on a 74-59 vote.

The most contentious portion of HF2083, sponsored by Rep. Pat Garofalo (R-Farmington), involves the education funds withheld by the state that were used to balance its budget and help end the 2011 state government shutdown.

House members agree that money must go back to the schools, but have different ideas on where it should come from. The bill would draw from the \$1 billion the state is projected to have in reserve.

Republicans lauded the bill as prudent fiscal management. Garofalo said the state has a responsibility to repay debts with the money it keeps in reserve. He accused DFLers of creating an education budget crisis during their time in the majority.

GRAND VIEW

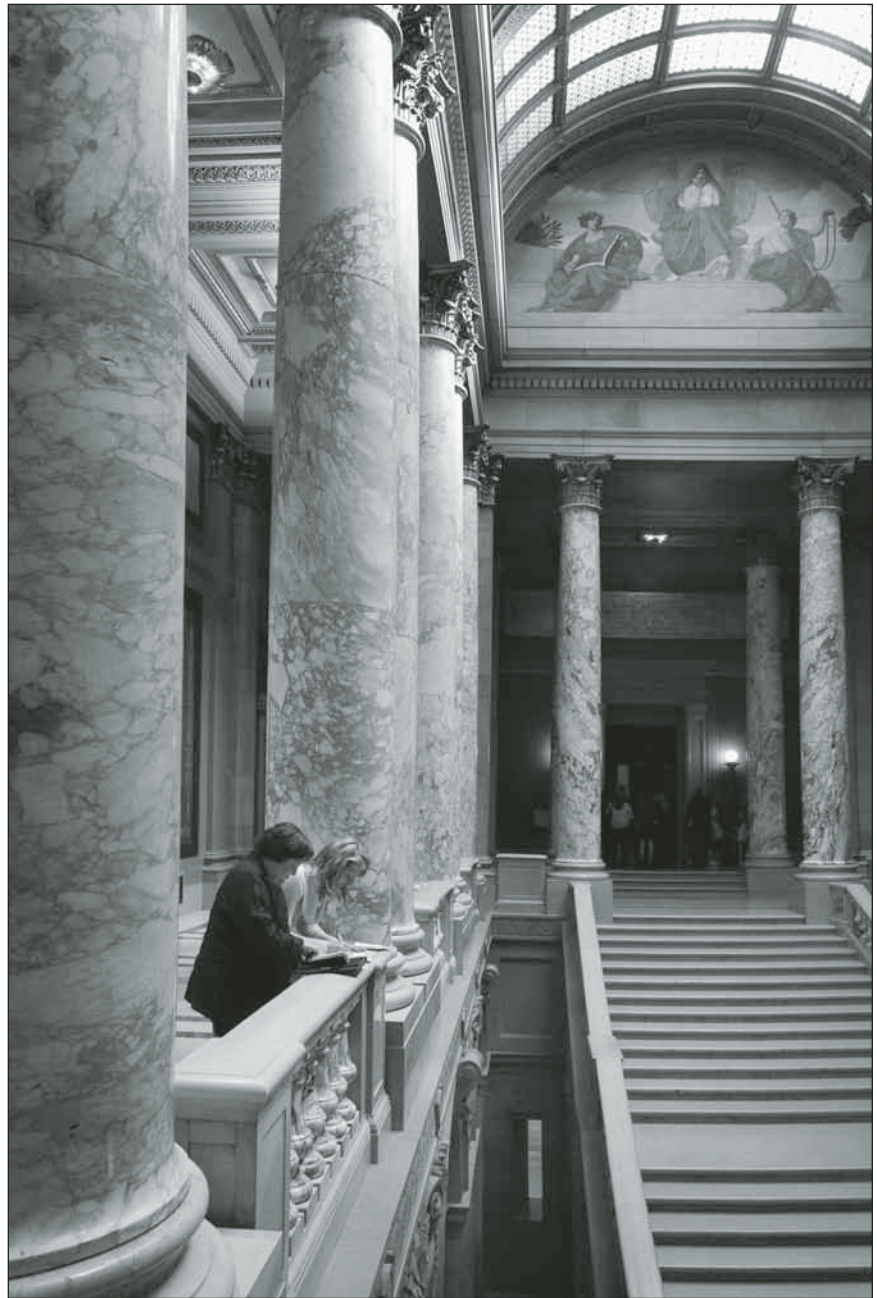


PHOTO BY ANDREW VONBANK

Overlooking the Capitol Grand Staircase, Kathryn Zuspan, left, and Alice Hulbert, both from Edina, check schedules March 13 during a day of visiting legislators and attending committee hearings.

"What do you hear from Democrats? Phony-baloney reasons about why they won't pay schools back," he said.

DFLers disputed Garofalo's claims, blaming the school shift on Republicans' budgeting during the previous session.

DFLers unsuccessfully offered three amendments, including two that would fund repayment with a tax increase for corporations that keep money in overseas accounts.

Republicans opposed that alternative, saying that raising taxes on companies would hurt the state economy.

DFLers disapprove of paying debt with reserve funds, which they said the state will need for emergencies in 2013. They said their amendments would have continuously paid schools on a long-term basis, which they asserted the Garofalo plan does not do.

"We should say to every kid in the state, 'We owe you \$2 billion. We're sorry. If only

we had adopted the DFL plan, we might have been able to pay you back,” said Rep. Ryan Winkler (DFL-Golden Valley).

The bill now goes to the Senate, where Sen. Gen Olson (R-Minnetrista) is the sponsor.

— E. SCHMIDTKE

Technical education funding increase

Rep. Carlos Mariani (DFL-St. Paul) sponsors a bill that would remove dollar caps for career and technical education services in Minnesota, increasing the amount of funding these programs could receive by approximately \$10 million per year. These vocational programs teach subjects like agriculture, business and technology.

On March 13, the House Education Finance Committee laid over HF2554 for possible inclusion in a later bill. Sen. LeRoy Stumpf (DFL-Plummer) sponsors the companion, SF2041. It awaits action by the Senate Education Committee.

Mariani explained that vocational programs help students achieve success in both high school and later in life.

“Career and technical education is the kind of education that increases focus on promoting the skills we recognize are needed for both economic recovery and also for alignment with emerging, new economic opportunities in the global age,” Mariani said.

Funding this education would help students acquire skills like time management and critical thinking, he said.

Debbie Belfry, career development director with the Bloomington Public School District cited higher graduation rates for those involved in such programs. She also praised the relationships students develop with local entrepreneurs through those classes.

The bill received bipartisan support in the committee.

“In my part of the state, we have career and technical jobs and vocational jobs going afield because people don’t have the correct skills, so I strongly support this bill,” said Rep. Paul Anderson (R-Starbuck).

— E. SCHMIDTKE

Parent-child home program

A plan to fund a parent-child home program using money meant for early childhood education scholarships turned controversial in the House Education Finance Committee on March 14.

Rep. Jenifer Loon (R-Eden Prairie) sponsors HF2729 that would allocate \$250,000 for a parent-child home program

grant. In these programs, instructors visit families at home to help parents teach and interact with their children, especially in areas that build literacy skills for school readiness. The grant that would fund this program is intended for low-income families with children ages 3 to 4.

Committee members moved the bill to the House Ways and Means Committee. Sen. Terri Bonoff (DFL-Minnetonka) sponsors the companion, SF2107, which awaits action by the full Senate.

Loon said that programs like this assist children in need and help families facing poverty improve their economic status. Judy Halper, CEO of Jewish Family and Children’s Services of Minneapolis, testified that in-home training with parents also increases children’s graduation rates and brain development.

The Department of Education criticized the bill, which would draw funding from a \$4 million scholarship program established by the Legislature last year. Kevin McHenry, government relations director, said that lawmakers instructed the department to develop a plan to allocate the money. He opposed the bill because it would reduce the already limited budget for the program, which is undergoing development.

Committee Chairman Rep. Pat Garofalo (R-Farmington) objected to department protests.

“I stand up for the legislative branch as a coequal partner in government. If the department is of the opinion that they can get out the truck and drive over us on this issue, they are sadly mistaken and in a bad place to be,” Garofalo said.

Rep. Mindy Greiling (DFL-Roseville) agreed with the department, saying that the bill robs one program to fund another. She said that she hopes to see new funding for this program instead.

“I just violently oppose taking this tactic. Violently. ... My whole stomach churns to think about us taking this sort of a tactic,” she said.

— E. SCHMIDTKE

Mayoral control of metro schools

Mayors of St. Paul and Minneapolis could take control of school districts within their cities by appointing a board of education and chief executive officer, as well as an education advisory committee of stakeholders within the community.

Rep. Tim Kelly (R-Red Wing) sponsors HF2621, which would allow for exactly that.

The House Education Reform Committee approved the bill March 8 and sent it to the House Government Operations and Elections Committee. Sen. Geoff Michel (R-Edina) sponsors the companion, SF2306, which awaits action by the Senate Education Committee.

Kelly argued that the bill would add “another tool in the toolbox” that could contribute to student achievement. He explained that the goal is to increase stability in leadership within Twin Cities’ metropolitan area schools. Proponents of the bill said the mayor could lend a more central voice of authority and accountability for the districts.

“I am a co-author of the bill because I think this is a good discussion to have. ... I think it would bring some additional benefit to the Minneapolis and St. Paul school districts,” said Rep. Kelby Woodard (R-Belle Plaine).

Educators and administrators spoke against the bill, saying that little evidence is available to show this change would lead to student achievement. The committee also read a letter from Minneapolis Mayor R. T. Rybak, which stated his concern with the bill’s approach to education improvement in the metro area.

Rep. John Benson (DFL-Minnetonka) voiced opposition, emphasizing the need for local school control.

“I just have a sense that some of us who live in other communities are sitting out here and telling people who deal with this every day, we know better than you,” he said.

— E. SCHMIDTKE

Rulemaking changes proposed

The education commissioner would need to receive legislative approval to adopt new academic standard rules.

This is the core idea of HF1847/SF1656*, sponsored by Rep. Sondra Erickson (R-Princeton) and Sen. Carla Nelson (R-Rochester). The bill would allow the commissioner to continue to review and revise school standards and benchmarks, but would require specific legislation to authorize those revisions as official rules.

The House Education Reform Committee approved the bill March 13 and sent it to the House floor. The Senate passed it 39-26 March 1.

Erickson explained that the bill would create a necessary conversation about how rules are created and affect schools on a daily basis.

“The reason that I am carrying this legislation

is not necessarily because I agree with it. But I want to have a discussion about what I see happening not only in the area of teaching, but in our classrooms,” Erickson said.

She added that she would prefer fewer rules that allow teachers to meet knowledge-based guidelines in ways that fit their students’ needs best.

Education Department administrators asserted that current rulemaking is already effective. Government Relations Director Kevin McHenry said that the rulemaking process is intended to avoid the political arena, relying on input from citizens instead.

Rep. Mindy Greiling (DFL-Roseville) said she opposes legislative involvement in rulemaking, except in the case of complicated or political issues in education. She suggested that rulemaking be restricted to the duration of the legislative session, so that lawmakers may have a chance to more easily review rule changes.

Karen Effrem, president of Education Liberty Watch, urged committee members to support the bill as a countermeasure to executive and federal involvement in education.

“It’s very important for the people’s representatives to weigh in,” she said.

— E. SCHMIDTKE

Elections

Voter eligibility for felons

Following the 2008 elections, nearly 80 individuals in Minnesota were convicted of voter fraud. Almost all of them were convicted felons who were out on probation and didn’t know they weren’t allowed to vote.

Making sure offenders are informed of their voter eligibility status is the primary goal of a bill that won committee approval March 13.

Rep. Mike Benson (R-Rochester) sponsors HF2327 that contains the recommendations of the bipartisan Task Force on Election Integrity established by Gov. Mark Dayton in 2011. The task force studied options for preventing fraudulent voting by felons who have lost their civil rights.

The crux of the bill is to improve the notification system for people in the correctional system. It would require the Department of Corrections to share certain data with the Office of the Secretary of State, which would then notify individuals on probation or supervised release of their

ineligibility status. After they serve out their sentence and have their civil rights restored, they would be notified that they are eligible to vote again.

The bill would also reduce the penalty for registering to vote while ineligible from a felony to a misdemeanor. If a ballot is actually cast, then it would still be a felony.

The House State Government Finance Committee approved the bill and sent it to the House Ways and Means Committee. Sen. Roger Chamberlain (R-Lino Lakes) sponsors the companion, SF2043, which awaits action by the Senate Judiciary and Public Safety Committee.

Benson said the bill is designed to make sure felons don’t accidentally end up back in jail for a crime they didn’t know they were committing — a needless and expensive proposition, both for the individuals and for the state.

“The last thing we want to do is to send them back to prison at \$90 a day,” Benson said.

— N. BUSSE

Health & Human Services

Sharing information to prevent fraud

A canceled driver’s license could lead to a loss of state assistance benefits.

Sponsored by Rep. Steve Drazkowski (R-Mazeppa), HF2232 would require the Department of Public Safety, on a monthly basis, to share with the Department of Human Services information on people who have had their driver’s license or state identification card canceled. Also forwarded would be information on people whose temporary legal presence has expired.

Furthermore, every six months the state court administrator would forward to the Department of Human Services the names of persons convicted of a felony drug crime.

“We’re going to ask the Department of Human Services to review that data and compare that against the 800,000 Minnesotans who are signed up for the variety of welfare programs that we offer in this state, and to follow through and use their normal due process that they use within their agency — which I understand is very extensive — to remove people who are illegally or improperly signed up for these programs,” Drazkowski said.

Approved March 14 by the House Transportation Policy and Finance Committee, the bill awaits action by

the House Judiciary Policy and Finance Committee. A companion, SF1877, sponsored by Sen. Gretchen Hoffman (R-Vergas), awaits action by the Senate Health and Human Services Committee.

Vicki Kunerth, deputy inspector general at the Human Services Department, is responsible for fraud and abuse investigations. She said the U.S. Attorneys Office and the Department of Homeland Security have told them that procuring false identifications to enroll in welfare programs is a common occurrence. “So we expect to find quite a number,” she said at the March 12 meeting.

After the department conducts its own investigation, Kunerth said they would expect to refer cases to the respective county attorney for prosecution.

Pat McCormack, director of Driver and Vehicle Services Division of the Public Safety Department, said if someone can’t prove who they say they are the division can revoke their driving privileges or ID card for possible fraud, but can’t take any criminal action.

— M. COOK

Abortion clinic inspection proposed

Abortion clinics aren’t subject to the same licensing and inspection requirements as hospitals and surgery centers. Rep. Mary Liz Holberg (R-Lakeville) sponsors HF2340 that would change that.

The bill would require a clinic or health center that performs at least 10 abortions per month, including nonsurgical abortions, to be licensed and inspected by the Health Department.

The House Health and Human Services Reform Committee approved the bill on a 14-6 vote March 14 and referred it to the House Government Operations and Elections Committee. Sen. Claire Robling (R-Jordan) sponsors a companion, SF1921, which awaits action by the Senate Finance Committee.

Under the bill, patient data would be protected by data privacy laws and inspections would not require advance notice.

Andrea Rau, a legislative associate for Minnesota Citizens Concerned for Life, said the bill is needed to help insure that women’s health is protected through the use of clean facilities and proper procedures.

A Philadelphia case involving a doctor who allegedly delivered seven babies alive and then used a scissors to sever their spinal cords in unclean conditions was the catalyst for the proposed legislation, according to Rau.

The provision could affect an estimated seven clinics that perform 98 percent of the

LIFE LESSON



PHOTO BY PAUL BATTAGLIA

Matt Schafer, state government relations director for the American Cancer Society, learns CPR from Jolyn Florin March 12 in the State Office Building. The American Red Cross and the American Heart Association offered free CPR training as part of "Heart Day on the Hill," which is designed to promote legislation that would require schools to offer CPR training to all students before they graduate from high school.

abortions in the state.

Opponents said the bill singles out abortion clinics and holds them to a different standard than other types of clinics that don't require licensing and inspection, such as those that perform colonoscopies.

Holberg said the fiscal impact will be challenging. A preliminary fiscal note estimates a \$300,000 cost for the department to promulgate rules concerning licensing and inspections.

— S. HEGARTY

State compact bill advances

States are being asked to join a Healthcare Compact to discuss how to minimize federal influence over state healthcare policies.

HF2339 would allow the state to join other states in requesting that Congress return each state's Medicaid contributions to be managed as each sees fit. Sponsor and Committee Chairman Rep. Steve Gottwalt (R-St. Cloud) said March 13 that the state could use block grants to redirect the funds without federal strings attached.

The House Health and Human Services Reform Committee approved the bill. It now awaits action by the full House.

"We cannot defend the status quo. The current system is not sustainable," said Dan Tripp, national field director for the Healthcare Compact Alliance. Tripp said

the current Medicaid program is on track to become insolvent by 2025.

American Indian and Veterans Affairs programs would not be included in the states' initiative.

The bill is a "philosophical step" toward state sovereignty and does not specify who would be covered or what benefits would be included, Tripp said.

Rep. Sandra Peterson (DFL-New Hope) said allowing some states to opt out of the federal health care program may serve to "hasten Medicaid's demise."

Other states that have joined the compact include Georgia, Oklahoma, Missouri and Texas.

Sen. David Hann (R-Eden Prairie) sponsors SF1933, a companion bill that awaits action by the full Senate.

— S. HEGARTY

Planning for federal health changes

Since the Patient Protection and Affordable Care Act was passed in March 2010, states have been preparing to offer public health care in a competitive market; meanwhile, the U.S. Supreme Court is hearing testimony on the constitutionality of the new legislation.

In addition, Republican candidates for president are vowing to repeal the law if they're elected in November.

House Majority Leader Matt Dean

(R-Dellwood) wants to stay ahead of the curve by having a state plan in place if significant changes occur to the delivery, eligibility or financing of federal Medicaid services. He sponsors HF1918 that would direct the Health, Human Services and Commerce departments to develop a plan to restructure and reform Medical Assistance, MinnesotaCare and other state health care programs if major federal changes result. A report would be due to the legislature by Dec. 15, 2012.

The House Health and Human Services Reform Committee approved the bill March 14 and referred it to the House Health and Human Services Finance Committee. It has no Senate companion.

Rep. Kim Norton (DFL-Rochester) said it's likely that significant changes would be made to the law anyway and that planning for possibilities would be a waste of finances and human capital.

Rep. Steve Gottwalt (R-St. Cloud), committee chairman, said the plan could help legislators in a bipartisan way to know what happens to federal health care laws between when they adjourn this year and return to session next January. Then they would be prepared to have a health care budget discussion, said Rep. Duane Quam (R-Byron).

— S. HEGARTY

Repealing HMO regulations

A requirement that Minnesota health maintenance organizations participate in a bid process to provide services for state health care clients would be modified under a bill approved by a House committee March 13.

Rule 101 currently requires HMOs to participate in Medical Assistance and MinnesotaCare programs if they want to provide health plans for state and local government employees.

HF1166 would exempt HMOs from the requirement and would repeal a provision that requires them to participate in Medical Assistance and MinnesotaCare as a condition of receiving a certificate of authority from the health commissioner to operate as an HMO.

Rep. Steve Gottwalt (R-St. Cloud) sponsors the bill, which was approved by the House Health and Human Services Finance Committee as amended and referred to the House floor. Gottwalt said removing the requirements would invite exploration of new service delivery models. But minority caucus members said not requiring participation may result in a lack of access to services in rural

areas of the state where there are fewer choices.

Rep. Tina Liebling (DFL-Rochester) said it also may mean that Minnesota won't comply with a federal law that will require there be a choice of more than one health plan for consumers.

Kathryn Kmit, director of policy and government affairs for the Minnesota Council of Health Plans, said Minnesota is the only state that requires all HMOs to be non-profit and to bid on providing Medical Assistance and MinnesotaCare services. Two of the plans are exclusive to public service programs and it's unlikely that they would discontinue serving this population.

SF1145, a companion sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Health and Human Services Committee.

— S. HEGARTY

MA billing for volunteer dentists

Dentists who voluntarily treat patients on Medical Assistance at the Good Samaritan Dental Clinic in Rochester, who are not otherwise enrolled as Medical Assistance service providers, would be able to treat and bill the program under the clinic's auspices.

The clinic provides emergency dental services to Olmsted County residents and is staffed by volunteer dentists, hygienists and community members.

The House Health and Human Services Finance Committee approved HF2094 on March 8. It is sponsored by Rep. Kim Norton (DFL-Rochester), and now goes it to the House floor. A companion, SF1626, sponsored by Sen. Carla Nelson (R-Rochester), awaits action by the full Senate

— S. HEGARTY

Local Government

Watershed districts vs. cities

Watershed districts might soon have to seek local approval before acquiring real estate — at least in one county.

Rep. Joyce Peppin (R-Rogers) sponsors HF2589 that would forbid watershed districts from buying land unless the local city or township adopts a resolution in support. The change would only impact watershed districts in Hennepin County, although Peppin said she is open to expanding the bill's reach statewide.

The House Government Operations

and Elections Committee approved the bill March 9 and referred it to the House Environment, Energy and Natural Resources Policy and Finance Committee. A companion, SF2370 sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action by the Senate Local Government and Elections Committee.

Jerry Hertaus, Greenfield mayor, said that when watershed districts purchase land, it can impact cities' comprehensive land use plans as well as their local tax base. He said there is concern that some local watershed management organizations, whose boards are city-appointed, will be dissolved and taken over by watershed management districts, whose board members are appointed by counties and who have their own special taxing powers.

Derek Asche, water resource manager for the City of Plymouth, said cities want to make sure their plans are in sync with the watershed management plans.

"This is about the ability of cities and watershed districts to work together to achieve mutual goals," he said.

Opponents argue the bill is unnecessary and potentially counterproductive. Joel Carlson, representing the Minnehaha Creek Watershed District, said watersheds need to be managed across political boundaries. He said requiring local approval for all land purchases might result in individual cities being able to hold up important water management projects.

Eric Evenson, the district's administrator, said the watershed management plan they administer is already coordinated with the local municipal governments and is subject to an open and public process.

"I've been with the watershed district now for well over 14 years, and I don't know of any problems that we've had. We typically work very closely with our communities," he said.

— N. BUSSE

Military & Vet. Affairs

Tuition-free classes for vets

As military veterans return from Iraq and Afghanistan, many without a college degree, proposed legislation would enable eligible veterans or their spouses to enroll in college courses on a space-available basis for credit without paying tuition.

HF1982 would allow participants to take up to 24 credits at a state public college or university and to pay only an administrative fee, according to the bill's sponsor, Rep.

Carolyn McElpatrick (R-Deer River). To participate, the student must have been eligible for the Minnesota G.I. bill program or federal educational benefits. The student would be responsible for paying any additional course fees, such as books or materials.

The college or university could apply for reimbursement of lost tuition to the veterans affairs commissioner, who may pay the school from excess appropriations to the Minnesota G.I. Bill program. The program would run through June 30, 2019.

The House Veterans Services Division approved the bill as amended March 12 and referred it to the House Higher Education Policy and Finance Committee. There is no Senate companion.

— S. HEGARTY

Bemidji VA home proposed

A pair of Bemidji legislators said the state's five veterans homes still leave a void in service for the northwest portion of the state, so they've introduced bills aimed at building a sixth veterans nursing home in their hometown.

HF2601 would appropriate \$250,000 in bonding proceeds for pre-design work on the proposed Northern Minnesota Veterans Home. Rep. David Hancock (R-Bemidji) sponsors the bill. Rep. John Persell (DFL-Bemidji) sponsors HF2157, which would appropriate \$10 million in bond proceeds to build the 90-bed nursing home, which would be built on donated land next to the Sanford Medical Center. The House Veterans Services Division approved both bills March 12 and referred them to the House State Government Finance Committee.

Sen. John Carlson (R-Bemidji) sponsors the respective companion bills, SF2138 and SF1773. Both await action by the Senate Capital Investment Committee.

An estimated 30,000 military veterans could be served by the proposed facility and adjacent medical clinic. Funding for the annual operating costs has not been identified, a question raised by Rep. Lyle Koenen (DFL-Clara City), who said he definitely sees a need for another facility.

Current facilities are located in Fergus Falls, Hastings, Luverne, Minneapolis and Silver Bay.

— S. HEGARTY

If you will be visiting the Capitol in the near future,
call the Capitol Historic Site Program
at 651-296-2881 to schedule a tour.

Public Safety

Careless driving penalty increase

Dakota County Attorney Jim Backstrom said there have been too many times in his career where a vehicular crash has ended in the death of someone, but his office could only charge the offending driver with a misdemeanor.

Sponsored by Rep. Pat Garofalo (R-Farmington), HF68 would increase the penalty for careless driving if it results in the death of another person to a gross misdemeanor.

"This is a change in the law that I and many other prosecutors and those who work in law enforcement have been pursuing for a number of years," Backstrom said. He said the Minnesota County Attorneys Association has endorsed the proposal.

In the last five-plus years, Backstrom said there have been seven such cases in Dakota County, sometimes involving multiple deaths. "It's simply not appropriate when the level of harm involves death for the penalty to be the same as if the driver drove negligently and struck a mailbox."

The maximum penalty for a gross misdemeanor is one year in jail and a \$3,000 fine.

Approved March 8 by the House Judiciary Policy and Finance Committee, the bill awaits action by the House Ways and Means Committee. A companion, SF201, sponsored by Sen. Al DeKruif (R-Madison Lake), awaits action by the Senate Judiciary and Public Safety Committee.

Current law provides that when a person is found to be carelessly driving and causes the death of another person they can be charged with either a misdemeanor or a felony. Gross negligence must be shown to get a felony charge.

"We have a number of statutes on the books that increase the penalty when even the risk of harm increases, and in this case we're talking about actual serious harm or death of an individual" Backstrom said.

Nancy Johnson, president of Minnesotans for Safe Driving, said the bill would further illustrate the seriousness of negligent driving, much like enhanced drunken driving penalties did in the 1980s.

"The change will help victims feel that the court system and the public perceive the seriousness of the crash that killed or seriously injured their loved one," she said. "It wasn't a tragic accident; it was preventable



PHOTO BY ANDREW VONBANK

Nancy Johnson, president of Minnesotans for Safe Driving, testifies before the House Judiciary Policy and Finance Committee March 8 in support of a bill that would make the penalty for careless driving resulting in a death a gross misdemeanor. Rep. Pat Garofalo, right, sponsors the bill.

crash and the actions of the driver were criminal."

— M. Cook

Immigrant information sharing

Rep. Bob Barrett (R-Shafer) said he hopes to help law enforcement do their jobs "without being hampered by city ordinances that conflict with our federal laws."

His bill, HF358, would prevent local units of government from prohibiting their employees from sharing immigration data with federal authorities.

"Certainly, one thing we can take away from the tragic events of Sept. 11, 2001, is that communication between the different branches of government is critically important for the security of our citizens, and the lack of communication between jurisdictions results in tragedy," Barrett said.

Approved March 13 by the House Judiciary Policy and Finance Committee on a split-voice vote that appeared to be along party lines, the bill was sent to the House floor. Sen. Sean Nienow (R-Cambridge) sponsors the companion, SF2433. It awaits action by the Senate Judiciary and Public Safety Committee.

"This bill is not anti-immigrant," Barrett said. "Quite the contrary, this bill supports immigration that happens through the current legal process that our country has

had in place for hundreds of years to support immigration to the United States."

DFL members spoke against the bill, saying, among other things, that it removes local control; is an unfunded mandate on local government; and could create more burdens on the courts because of lawsuits from civil rights actions for being unfairly profiled.

"This is just a message bill that doesn't help solve a problem," said Rep. Tina Liebling (DFL-Rochester). She said law enforcement already shares information it deems relevant.

Rep. Debra Hilstrom (DFL-Brooklyn Center) said, in theory, the bill would allow a municipal liquor store employee to inquire about a customer's immigration status without cause.

"You're saying any state employee or local unit of government employee, at any time, whether it's their job or not, can investigate anybody's immigration status," she said. "So, if we have people who want to investigate others, even if they're behaving legally, this bill says you can do it. ... I thought we wanted our employees to do the job that we hired them to do, not to go out on a vigilante hunt investigating everyone's immigration status no matter what they look like."

"I don't believe that will happen," Barrett countered.

— M. Cook

Forfeiture changes signed into law

**Signed
by
the
governor**

A number of changes to the state's forfeiture provisions that were proposed by a working group of key stakeholders have become law.

Rep. Tony Cornish (R-Vernon Center), who sponsors the law with Sen. Dave Thompson (R-Lakeville), said The Institute for Justice and associations representing law enforcement, public defenders and county attorneys all agreed to the changes.

Among its provisions, the law, effective Aug. 1, 2012, will:

- require a law enforcement officer to provide a forfeiture receipt when seizing an off-highway vehicle;
- make it mandatory, instead of permissive, for officers to secure seized property and prevent waste;
- prohibit employees of law enforcement agencies or the prosecuting authority and their relatives from purchasing forfeited items seized by the agency;
- amend the conciliation court jurisdiction law to increase the monetary limit to

\$15,000 of certain claims the court may hear; and

- allow the owner of a seized vehicle — unless it's being held for investigatory purposes — to regain the vehicle item pending the forfeiture's outcome by posting a bond or giving security equal to the property value. Law enforcement can currently veto this.

The provision that created the most controversy in committee calls for the striking of Hmong, Somali and Spanish from the list of languages required in printing the forfeiture notification. Instead, the notification must only be printed in English and printing in other languages could be done at an agency's discretion.

Opponents said the change might not ensure that people's rights are protected, it will put an extra burden on a non-English speaking property owner, and it could potentially create lawsuits about due process.

In addition to mandate relief, proponents said it does not prohibit a local law enforcement agency from printing the notification in multiple languages, especially languages that reflect the diversity of a geographic area. They also note that agencies would likely do the right thing to protect themselves from potential litigation.

HF1535/SF1240*/CH128

— M. COOK

State Government

Peace Officers Memorial repairs

A Capitol Complex memorial honoring those killed in the line of duty needs help to keep from potentially falling down.

"We have 264 officers whose memories we want to keep alive," said Jeff Beahen, a retired Elk River police chief and previous president of the Minnesota Law Enforcement Memorial Association.

Sponsored by Rep. Bob Dettmer (R-Forest Lake), HF2426 would appropriate \$55,000 in fiscal year 2013 from the General Fund to the Administration Department to make needed repairs to the Peace Officers Memorial.

Approved March 8 by the House Public Safety and Crime Prevention Policy and Finance Committee, it awaits action by the House State Government Operations and Elections Committee.

The memorial was built in 1995 with private funds and its ownership and perpetual

maintenance transferred to the state as part of the site agreement.

"The monument is in desperate need of repair," said Ed Reed, an ex-officio member of the LEMA board. "The four sides of the monument are held up by a metal infrastructure. Over the years that metal infrastructure has corroded away and has the potential for failing, and subsequently the four marble walls will come down."

In 2008, a structural engineer hired by the state estimated the memorial could go three more years without repair.

Reed said the association has sought money from the State Historical Society and Arts Board without success.

"I've seen many a cop down there probably contemplating a tough call or an emotional event he was at and using that as a location where he can seek some peace and maybe some guidance within his own mind," said Mike Servatka, a Ramsey County sheriff's deputy and LEMA board member.

A companion, SF1969, sponsored by Sen. Ray Vandevier (R-Forest Lake), awaits action by the Senate State Government Innovation and Veterans Committee.

— M. COOK

Taxes

CIP phase-out called good for jobs

As part of a major tax reform in 2001, Minnesota enacted a state property tax levy on certain properties with revenue going to the General Fund.

While owners of seasonal/recreational property pay the tax, the greatest share of the tax revenue comes from the state's commercial/industrial properties. Business advocates have argued that this tax puts the state at a competitive disadvantage for keeping and attracting job creators.

A phase-out of this tax is a cornerstone of the omnibus tax bill, unveiled March 13 as an amendment to HF2337. After a week of testimony, the bill was expected to be approved by the committee on Friday. Sponsored by Committee Chairman Rep. Greg Davids (R-Preston), bill provisions are aimed at improving the state's business climate. Opponents say, however, it comes at the expense of people in the lower income brackets, namely through adjustments to the renters property tax refund.

Bill highlights include:

- freezing local government aid at 2012 amounts;

- providing targeted tax relief for homeowners equal to 90 percent of any tax increase over 12 percent for pay 2012 only;
- replacing the foreign operating corporation deduction with a tax credit;
- increasing, in some cases, the research and development tax credit, as well as the angel investment credit; and
- providing a jobs credit for businesses hiring qualified veterans.

These credits and the phase out are expected to negatively impact the General Fund by more than \$69 million in fiscal year 2013.

Rep. Paul Marquart (DFL-Dilworth) said it appears these changes would be funded by a reduction to the renter property tax refund. A nonpartisan fiscal analyst's report shows proposed changes to the renters refund would save the General Fund more than \$70 million in the first year of implementation.

Marquart pointed to the consequences on local businesses: "People tend to spend that money. Are you concerned at all about the lowering of the purchasing power?"

This led to a testy exchange between Rep. Tom Rukavina (DFL-Virginia) and Rep. Pat Garofalo (R-Farmington) about businesses' role in supporting education.

"How the hell are we going to pay for educating our workforce," Rukavina questioned lobbyists from several state business organizations. "Every time you come here you complain about paying taxes." He said the burden is steadily being shifted to the middle and lower economic classes.

Garofalo, who chairs the House Education Finance Committee, fired back: "I enjoy this fake populism," he said, and accused Democrats of continually wanting to raise taxes and "stick it to the middle class."

The companion, SF1972, sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits action by the Senate Taxes Committee.

— L. SCHUTZ

Taxing roll-your-own cigarettes

Brew your own beer, make your own wine — should it come as a surprise that smokers are interested in rolling their own cigarettes?

While not yet widely available, the tobacco marketplace is seeing new businesses that provide supplies and equipment enabling customers to create their own tobacco blends and roll cigarettes — as many as 20 per minute.

With the average cost of manufactured cigarettes about \$50 a carton (more than \$19 of that being state taxes) the \$25-carton option is getting attention from new

entrepreneurs like Todd Long, who owns Super Smokes. He isn't subjected to the host of state tobacco-related taxes; and that is what piques the interest of mainstream cigarette distributors and manufacturers, who view these startups as unfair competition.

Rep. Greg Davids (R-Preston) says these new retailers are "manufacturers" and wants to make sure they pay the same taxes as their tobacco counterparts. He also wants assurance the paper being used meets the fire safety requirements. HF2489 would address the issues. The bill has no Senate companion.

The bill was heard in the House Taxes Committee March 14, and while no action was taken, it sparked a lively discussion about the new ways to manufacture and distribute tobacco.

The bill defines "manufacturer" to include those who maintain a machine at a retail establishment that enables someone to roll tobacco.

However, Long, who owns four stores with the rolling machines, emphasized they are not manufacturers, according to the law. If they were, they would be subjected to a host of regulations that would put them out of business.

"We are a retail store. Our customers use the machine, which is about the size of an ATM machine," he said.



PHOTO BY PAUL BATTAGLIA

Todd Long, who owns Super Smokes, a tobacco shop where customers can create their own tobacco blends and roll cigarettes, testifies before the House Taxes Committee March 14 against a tobacco taxation bill.

Bill supporters say it's a matter of fair competition.

"It is very simple. The bill makes sure that those with roll-your-own machines are treated the same," said Tom Briant, executive director of the Minnesota Wholesale Marketers Association and the National Association of Tobacco Outlets.

Rep. Melissa Hortman (DFL-Brooklyn Park) was among those advocating an equitable tax on the tobacco instead.

"The more I hear about this bill, it is like putting a round peg in a square hole. ... They are not manufacturers, and it's the tobacco that should be taxed."

— L. SCHUTZ

Transportation

Reopening a registrar's office

Little more than a year ago the deputy registrar's office in Golden Valley was closed after alleged employee misconduct and theft took place.

City leaders want the office reopened, but the Department of Public Safety isn't ready to give the green light.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley), HF2632 would require the department to allow the Golden Valley office to be reopened on a provisional basis with additional safeguards so similar fraud does not happen again.

"We admit responsibility, but we have taken the appropriate measures internally, as well as through independent audits, to review the situation and look at the corrections that are necessary" said Mayor Shep Harris.

Approved as amended March 14 by the House Transportation Policy and Finance Committee, the bill was sent to the House floor. The companion, SF2261, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Transportation Committee.

"There's been a criminal prosecution, and the city thinks that it has done everything it needs to in order to clean this mess up and make sure that it is taken care of," Winkler said. "The bad apples are removed from the barrel and there's no reason why the citizens of Golden Valley and surrounding areas shouldn't have access to a deputy registrar as this investigation is completed."

Therein lays the problem: in the view of the Department of Public Safety the law enforcement investigation is not complete, nor are the criminal proceedings.

"We feel like we need to protect the taxpayers," said Mary Ellison, the department's deputy commissioner. "We do not want to, in any way, move forward in a manner that doesn't assure absolute accountability for the tax dollars and the fees that are paid by the citizens. ... We don't want to rush into reopening this office."

Rep. Kerry Gauthier (DFL-Duluth) believes the department is being "heavy-handed."

"It seems to me you don't shut down an office because there was corruption. You deal with the corruption, you build your firewall and you provide the service," he said.

— M. COOK

Spreading out vehicle lease tax

The entire sales tax on long-term leases for most motor vehicles is owed when the lease is executed. That tax could become part of each lease payment.

Approved March 12 by the House Transportation Policy and Finance Committee, and sent to the House Taxes Committee, HF2032 would allow customers to pay the sales tax on certain rent-to-own and lease-to-own used motor vehicles incrementally.

"There are only three states in the country that assess sales tax on used car leases and Minnesota is the only one of the three that assesses it all up front," said Rep. Pam Myhra (R-Burnsville), the bill sponsor. "Basically what that does is it kills this line of business in our state."

Myhra said the bill would create more jobs, and it would provide better transportation options for those who can least afford it because they won't need to pay an extra lump sum up front.

Dan Blowers, chief operating officer for Northland Auto Enterprises, which does leasing in 47 states, spoke on behalf of the bill.

"It's good for the customers; it's good for the dealer; it's good for jobs for Minnesota. There really is no downside," he said.

A companion, SF1636, sponsored by Sen. Al DeKruif (R-Madison Lake), awaits action by the Senate Transportation Committee.

— M. COOK

Fares could increase for some

Metro Transit users don't need to worry about a potential fare increase compliments of the Legislature. However, some riders on suburban opt-outs may need to pay a little more.

The potential change is part of an omnibus

transportation policy bill, passed as amended March 14 by the House Transportation Policy and Finance Committee and sent to the House Government Operations and Elections Committee.

The original HF2685 called for a 25-cent fare increase for some transit service to help Metro Transit pay its operating costs. Supporters said, in part, that without an increase the Metropolitan Council, which operates Metro Transit, would likely request more state funding at the expense of the opt-outs, instead of getting a greater share of its operating costs from users.

Committee Chairman Rep. Mike Beard (R-Shakopee), the bill's sponsor, believes the initial proposal should help spur further discussions about transit funding inequities. Opponents, such as Rep. Frank Hornstein (DFL-Mpls), said it would violate the spirit of an agreement between legislative leaders and Gov. Mark Dayton to help resolve last year's state government shutdown. Rep. Terry Morrow (DFL-St. Peter) added that it could start the Legislature down "a slippery slope" of telling transit providers what to charge.

Beard hopes the final plan would help provide more funding flexibility for the opt-outs.

As amended, the bill would allow opt-outs to "establish a pilot program that adds a distance-based surcharge to standard transit fares." Such a surcharge could only be implemented on routes whose total length exceeds 15 miles. The pilot program would expire on Jan. 1, 2016. Metro Transit could also impose an increase on its express bus service.

"It's a very big step," Beard added. "I'm sure the wheels won't fall off if we try this."

"It's been done in other cities, so let's see what happens here," Hornstein said.

Other provisions in the omnibus bill include:

- establishing a temporary program whereby the Department of Transportation can enter into contracts with a construction manager or general contractor for parts of construction project administration;
- directing MnDOT and the Department of Employment and Economic Development to conduct a freight rail economic development study;
- amending the information that goes on a vehicle title for a restored pioneer vehicle; and
- broadening a "first haul" exception to vehicles that exceed weight limits by no more than 10 percent and are performing the first transport of unprocessed farm products or unrefined forest products to

MOONRISE CAPITOL



PHOTO ILLUSTRATION BY PAUL BATTAGLIA

The moon rises over the Capitol Dome on a cold, blustery evening March 8. (This is a composite image because of the wide difference of brightness between the dome and the moon.)

a location within 100 miles.

A companion, SF2321, sponsored by Sen. Joe Gimse (R-Willmar), awaits action by

the Senate Government Operations and Elections Committee.

— M. Cook

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A prickly situation

Farmers seek fair fight against noxious weeds

By SUE HEGARTY

Thistles, with their bright purple flowers, are an ancient Celtic symbol of noble character. Goldfinches consider them a delicacy.

Native-plant gardeners deliberately plant thistles to attract butterflies.

But to most humans, thistles are weeds — plain and simple.

Farmers, in particular, hate thistles. The willowy white seeds float through the air and find their way into crops.

Roseau County is particularly problematic, according to wheat grower Jerald Knutson.

“A good portion of the county is owned by the state and managed by the Department of Natural Resources, who lets the place go up in weeds,” Knutson also blames absentee land owners who buy property for duck and deer hunting. “I think there should be a place for them, but there’s also a weed issue,” he added.

Rep. Rod Hamilton (R-Mountain Lake), chairman of the House Agriculture and Rural Development Policy and Finance Committee, successfully amended the omnibus agriculture bill, HF2398, sponsored by Rep. Paul Anderson (R-Starbuck), so that counties would be able to issue a \$1,000 civil penalty if public landowners refuse to control noxious weeds. Private land owners have been subject to penalties for invasive and noxious weeds for decades.

Current law applies to both public and private landowners. However, there are two enforcement routes counties can take: the county attorney can issue a summons, charging the landowner with a misdemeanor. The law doesn’t specify how many noxious weeds must be found before triggering landowner notification, nor does it dictate how to manage their eradication.

Typically, a county would notify the landowners and give them an opportunity to remedy the complaint. If no action is taken,



FILE PHOTO BY PAUL BATTAGLIA

The thistle is loved by birds and butterflies but hated by farmers. The fight is on to control this noxious weed.

the county may send a form requiring action within seven to 14 days. About 90 percent of landowners respond positively to the notification.

Or, a county can hire the work done and add the cost to the property owner’s taxes as a lien. Since public land owners don’t pay property taxes, the bill would add a \$1,000 penalty for public landowners who refuse to comply. But some stakeholders think it’s a stretch that a county attorney would take the state to court over weeds.

“To me, it’s a deterrence clause. It gives

the county attorney another tool in the toolbox,” said Tony Cortilet, the Department of Agriculture’s noxious weed program coordinator.

Yet, farmers take the issue very seriously. Knutson said they can be charged “dockage” when noxious weeds mix with harvested crops. Cooperatives might reduce a product from human consumption to animal feed, which can mean a \$3 difference per bushel in what the farmer earns.

“Or they can reject the whole load,” he said.

The Canada thistle is very common in Minnesota and has strong roots, according to Dave Torgerson, executive director of the Minnesota Association of Wheat Growers, which represents about 1,000 wheat growers.

“Tillage just spreads them out more. Herbicides are the best way to control them, and depending upon the crop, farmers may have to wait a year until the right crop is in the ground before using herbicide,” Torgerson said.

The Department of Natural Resources and the Department of Transportation spray and mow for noxious weeds, except in ditch banks where mowing is prohibited. However, in bird nesting areas, the DNR waits until the young have left the nest. By then, the thistles may have gone to seed.

“It’s as much about how they control them as that they don’t control them,” Knutson said. “If they mow them, it’s the same as harvesting. It sprays the thistle seeds.”

The Agriculture, Natural Resources and Transportation departments are all represented on a noxious weed advisory board.

“We do the best we can,” said Bob Meier, DNR director of policy and government relations. He said the department was not consulted prior to the amendment being added to the bill, but he is trying to work toward a resolution.

The Southwest Area Wildlife Section spent \$458,000 on noxious weed control in fiscal year 2011. There were 5,488 acres of invasive plants managed on 388 Wildlife Management Areas. Control is accomplished by a variety of methods including mowing, chemical spraying, hand removal, biological control (beetles), and tillage and conversion to native plants. 🌱

Artist and advocate for natural resources

After eight years in House, Scalze to run for Senate

By ERIN SCHMIDTKE

Rep. Bev Scalze (DFL-Little Canada) hopes to continue representing her constituents next year, albeit in a different chamber at the Capitol.

Due to redistricting, Scalze said she will leave the House to run for the Senate seat in the newly redrawn District 42.

This district, which has no incumbent, sits in the northern suburbs of Ramsey County. Scalze has represented part of this region for eight years, which she sees as an advantage in the upcoming election.

"I think it's going to be really important to have some institutional stability coming from somebody who's been in that district before," she said. Her opponent for the seat has yet to be determined.

Scalze first joined the House in 2004 after serving on the Little Canada City Council for 24 years. Now in her fourth term, she hopes to continue working on the issues in the Senate that she has made her priority in the House.

As a member of the House Capital Investment Committee, Scalze has focused on tackling unemployment and business growth in Minnesota. She successfully sponsored a bill during the last biennium that funded construction of the Rice Street bridge over Highway 36 in Little Canada. The bridge is intended to assist St. Jude Medical Center in its expansion to both sides of the highway.

"To me, what we have to do for jobs is get traffic from point A to point B. That's how our companies succeed," Scalze said. She hopes to repeat the outcome of that bill this session with another Rice Street bridge over Highway 64.

Entrepreneurship is also part of Scalze's personal life. She and her husband own a heating and air conditioning business in White Bear Lake. "I think I can carry some small business issues to folks at the Capitol," she said. Though Scalze is regularly present at the Capitol, she stops by the business every morning at 8 a.m.

Scalze is also passionate about natural resources. As a wildlife artist, she displays her work on the walls of her office, including her illustration that won the 1991 Department of Natural Resources trout stamp contest. Proceeds from trout stamp sales support Minnesota fish conservation.

Scalze brings her love for the environment to the Legislature. A recent project for her in the House was an effort to clean the state's 20,000 storm water ponds, which catch water runoff from housing and business developments. That runoff can carry coal tar residue from driveways and parking lots, which becomes a carcinogenic sludge as it

settles in the pond water. Scalze has worked to ban coal tar sealant and successfully sponsored legislation that requires the use of asphalt instead.

"I am really interested in clean water and a clean environment for our grandchildren and great-grandchildren," Scalze said.

Over the years, Scalze has experienced both success and struggles as a lawmaker. Her first bill introduced as a representative would have established a clean campaign council to regulate negative political advertisements.

"It didn't go anywhere. But certainly what we're seeing today with elections, with what people are saying and doing, this would have been a good idea," Scalze said.

Throughout her years in the House, Scalze has seen the Legislature change as a body. She opposes a reform-minded trend in recent legislation, saying that the attitude some lawmakers have adopted detracts from areas where Minnesota succeeds.

"What I'm seeing this year in some of the bills is that we're doing everything wrong here, we have to change everything. And it's been difficult for our state government employees to watch this, because it's as if they're to blame," she said.

Scalze hopes the House will aim its focus toward unemployment. She would like to see this accomplished through a bonding bill that is limited to infrastructure improvements and college renovations, which she believes are two areas that facilitate economic growth statewide.

"If we could limit it to those things, we could do a lot for jobs," she said.

Though Scalze is looking forward to the upcoming Senate race, she will miss the friendships she's developed with members and staff. For her replacement, she has a few words of advice.

"Just enjoy what you do. It's a people job. You have to love working with people and meeting new people." 🐼



PHOTO BY ANDREW VONBANK

Rep. Bev Scalze says her move to the Senate will bring stability for her district.

Just call her Mary

New district has Kiffmeyer hoping to break bread with senators

By SUE HEGARTY

When Rep. Mary Kiffmeyer (R-Big Lake) began her first House term in 2008, people wanted to know what to call her. She had previously served as secretary of state, and protocol suggested she be called by her highest elected office, which was secretary rather than representative.

"Just call me Mary," she said.

Now that she is seeking election to the newly redrawn Senate District 30 seat, she expects people will ask the question again if she wins the Senate seat.

As the only incumbent for the seat, she said the decision to run was based on her desire to continue working on legislation that she sponsors in the House: requiring some form of voter identification prior to voting in an election.

"I wanted to follow up with my voter ID constitutional amendment. I felt a responsibility to be there," said Kiffmeyer, who previously was an election judge for 11 years.

She predicts her bill will pass the Legislature this session, and that the voters will approve a constitutional amendment at the November election to require identification at the polls. She "cloned" the bill, by introducing more than one version of it, to allow more legislators to acknowledge their support for the bill, by signing on as co-sponsor. Only 35 signatures are allowed on each House bill; and five in the Senate file.

When first elected to District 16B, she was being pulled in several directions for committee assignments, she said.

"I wanted ag. I wanted commerce. I wanted education and they said, 'Mary, you're a nurse. We need you on health. Mary, you have all this background in elections. We need you here.'" She was happy to serve on all the committees, especially the House Taxes Committee because "that's where it all comes together. That perspective was helpful."

Depending upon whether her party was serving in the majority or the minority, she said her role as a public servant changed.

"Majority has the responsibility to get the budget done. In the minority you have a different level of responsibility — being a voice. I got pretty good at working on amendments," she said.

No matter how she's serving the people, she always feels strongly about working with all interested parties. She considers her style to be clear and methodical. As a bill sponsor, her role is to "bring opposing sides together," she said.

Regardless of how her next run for office turns out, Kiffmeyer said she'll miss the friends she has in the House and the specialness of the Retiring Room behind the Speaker's Rostrum.

"It is really, really special."

She'll also miss the "Dog Pound," which is the seating section on the House floor to the left of the Speaker where traditionally the more conservative and argumentative Republicans have sat. The term stuck after it was coined in 1995 because members who sat there were the "attack dogs" and were awarded dog biscuits if they delivered a boisterous debate on issues.

Long before she was a state-elected official herself, she had another title: Mrs. Ralph Kiffmeyer. Her husband served in the House from 1985-1986.

Unbeknownst to her as a freshman legislator, she was assigned to the same desk where he sat during his term. It was when he served in the House that she started a tradition on the House floor that has senators now asking, "Are you going to continue the tradition for us?"

Each year, she waits until she knows there's going to be a long floor session. Starting at 3 a.m. that day, she mixes bread dough from wheat she grinded the day before and bakes several loaves of whole wheat honey bread.

"I like it fresh; that's when it's best," she said.

Then she pulls out her famous raspberry freezer jam and cinnamon honey butter to spread on the freshly baked bread. As tensions rise on the House floor, she requests a point of personal privilege to invite members to sample her homemade bread, jam and butter.

"I so enjoy when they come through the line and some just put an inch thick of cinnamon honey butter. But the real ones who are a hoot put both on and I say, 'You can have two slices.'" 🍞



PHOTO BY ANDREW VONBANK

Rep. Mary Kiffmeyer considers her style to be clear and methodical — bringing opposing sides together.

BILL INTRODUCTIONS

MARCH 12 - 15, 2012

HOUSE FILES 2759 - 2912

Monday, March 12

HF2759-Erickson (R)

Education Reform

Board of School Administrators provisions modified.

HF2760-Rukavina (DFL)

Government Operations & Elections

Public officials gift ban exception provided.

HF2761-Benson, M. (R)

Education Finance

Tax rate on cigarettes and other tobacco products increased, and proceeds use provided.

HF2762-Westrom (R)

Judiciary Policy & Finance

Election errors service of petition and referee orders appeals modified, and transfer of structure settlement payment rights notice requirements added to.

HF2763-Westrom (R)

Civil Law

Time share interests registration provided.

HF2764-Kahn (DFL)

Government Operations & Elections

Individuals at least 16 years of age permitted to register to vote.

HF2765-Urdahl (R)

Environment, Energy &

Natural Resources Policy & Finance

Wright County; regional park land acquisition funding provided.

HF2766-Ward (DFL)

State Government Finance

Veteran's survivor grant program established.

HF2767-Urdahl (R)

Legacy Funding Division

Film production incentive program created.

HF2768-Urdahl (R)

Legacy Funding Division

Historical Society activities and grants money appropriated.

HF2769-Hackbarth (R)

Environment, Energy &

Natural Resources Policy & Finance

Utility rates required to be based primarily on cost of service between and among consumer classes; clarifying and technical, and low-income affordability program changes made.

HF2770-Wardlow (R)

Civil Law

Legislative enactments; erroneous, ambiguous and omitted text and obsolete references corrected; redundant, conflicting and superseded provisions removed; and miscellaneous corrections to laws, statutes and rules made.

HF2771-Benson, M. (R)

Jobs & Economic Development Finance

Individuals with autism spectrum disorders employment support services pilot program created.

HF2772-Fabian (R)

Health & Human Services Finance

Medical Assistance dental services coverage modified.

HF2773-Atkins (DFL)

Taxes

Income tax conformed to individual retirement account rollover provisions.

HF2774-Lenczewski (DFL)

Taxes

Individual income and corporate franchise taxes conformed to federal marriage penalty relief and increased Section 179 expensing, and ongoing state marriage penalty relief provided.

HF2775-Fabian (R)

Transportation Policy & Finance

Towed implements of husbandry brake requirements amended.

HF2776-Banaian (R)

Public Safety &

Crime Prevention Policy & Finance

Corrections officers and custody staff authorized to carry a firearm at private establishments.

HF2777-Gottwalt (R)

Health & Human Services Reform

Provider peer grouping repealed.

HF2778-Fabian (R)

Education Finance

Federally mandated pupil transportation radio communications updates made eligible for education health and safety revenue.

HF2779-Rukavina (DFL)

Education Finance

Nonferrous minerals taxation rates modified and production tax revenue distribution modified.

HF2780-Hornstein (DFL)

Transportation Policy & Finance

Veteran license plate stacked letter surcharge eliminated, anatomical gift education donation with vehicle registration tax authorized and account created, DWI conviction driver's license revocation periods provisions conformed, driver's license surcharge and payment acceptable methods provided, and motor vehicle title searches fee authorized and appropriated to the Department of Public Safety.

HF2781-Allen (DFL)

Health & Human Services Finance

Persons with disabilities statewide self-advocacy network established.

HF2782-Persell (DFL)

Health & Human Services Reform

Children's health protected, and formaldehyde prohibited in products for children.

HF2783-Gruenhagen (R)

Health & Human Services Finance

Medical Assistance coverage provided for services provided by naturopathic doctors.

HF2784-Atkins (DFL)

Commerce & Regulatory Reform

Liquor Act citation clarified.

HF2785-Hamilton (R)

Commerce & Regulatory Reform

Gaming machine establishment at a licensed racetrack by director of the state lottery authorized, gaming machine revenue fee imposed, duties and powers provided to the director and money dedicated for education.

HF2786-Swedzinski (R)

Taxes

Qualifying cities exempted from 2011 aid penalties.

HF2787-Hamilton (R)

Environment, Energy &

Natural Resources Policy & Finance

Feedlot permitting requirements modified.

HF2788-Peppin (R)

Government Operations & Elections

Three Rivers Park District two appointed members election provided.

HF2789-McDonald (R)

Public Safety &

Crime Prevention Policy & Finance

Drug and methamphetamine paraphernalia definitions amended.

HF2790-Bills (R)

Education Reform

Education boards created and school boards allowed to reorganize as education boards.

HF2791-Vogel (R)

Environment, Energy &

Natural Resources Policy & Finance

Let's Go Fishing money appropriated.

HF2792-Doepke (R)

Education Finance

Independent School District No. 284, Wayzata, lease levy authorized for administrative space.

HF2793-Shimanski (R)

Transportation Policy & Finance

Vehicle combination allowed to transport property and equipment.

HF2794-Atkins (DFL)

Commerce & Regulatory Reform

Life insurance premium refund required.

HF2795-Hoppe (R)

Commerce & Regulatory Reform

Horse racing regulatory threshold concentrations provided to be set by the commission.

HF2796-Loon (R)

Education Reform

Minnesota State High School League required to arrange a requesting school's football schedule.

HF2797-Barrett (R)

Health & Human Services Reform

Hospital utility policy disclosure required.

HF2798-McElpatrick (R)**Taxes**

Itasca County; general obligation bonds issued for the county nursing home.

HF2799-Slawik (DFL)**Health & Human Services Finance**

Child care provisions modified.

HF2800-Hausman (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Sulfide ore mining body permit restrictions imposed.

HF2801-Woodard (R)**Education Reform**

Charter school student population accountability measures clarified.

HF2802-Kiel (R)**Taxes**

Agricultural homestead classification allowed when the homeowner lives off the farm due to flooding.

HF2803-Johnson (DFL)**Commerce & Regulatory Reform**

Wireless telecommunications service providers required to alert customers whose usage approaches or exceeds their contract limit.

HF2804-Erickson (R)**Environment, Energy & Natural Resources Policy & Finance**

Fishery management cost report required.

HF2805-Erickson (R)**Environment, Energy & Natural Resources Policy & Finance**

Open meeting law applied to treaty-related meetings, and aquatic invasive species report required.

HF2806-Torkelson (R)**Environment, Energy & Natural Resources Policy & Finance**

Clean water assistance grant funding provided, Aquatic Invasive Species Cooperative Research Center funding provided, prior appropriations modified and money appropriated.

HF2807-Lesch (DFL)**Education Reform**

School district policies required to address child sexual abuse, and advisory task force established on preventing child sexual abuse.

HF2808-Clark (DFL)**Agriculture & Rural Development Policy & Finance**

Genetically engineered food labeling required.

HF2809-Runbeck (R)**Taxes**

Qualified farm and qualified small business property requirements modified.

HF2810-Lanning (R)**Commerce & Regulatory Reform**

Vikings stadium; National Football League Stadium in Minnesota provided for, Minnesota Stadium Authority established, Metropolitan Sports Facilities Commission abolished, local tax revenue provided, electronic pull-tabs and bingo authorized, state appropriation bonds issued.

HF2811-Kieffer (R)**Taxes**

Woodbury; public debt issuance authorized.

HF2812-Simon (DFL)**Commerce & Regulatory Reform**

Off-sale liquor licensee allowed to host monthly educational tasting events.

HF2813-Rukavina (DFL)**Higher Education Policy & Finance**

Board of Regents; two members required to be students.

HF2814-Mullery (DFL)**Judiciary Policy & Finance**

Writs of mandamus issuance regulated.

HF2815-Davids (R)**Taxes**

Iron Range fiscal disparities program area expanded.

HF2816-Swedzinski (R)**Environment, Energy & Natural Resources Policy & Finance**

State lands required to be made available for grazing, and Outdoor Heritage Fund projects required to protect grazing lands.

HF2817-Davnie (DFL)**Commerce & Regulatory Reform**

Mortgage lenders or brokers prohibited from charging for services not performed or changes in excess of what was paid to a third party.

HF2818-Davnie (DFL)**Commerce & Regulatory Reform**

Short sale request lender response required, and consequences specified of non-response.

HF2819-Clark (DFL)**Commerce & Regulatory Reform**

Mortgage loan modification criteria transparency required.

HF2820-Loeffler (DFL)**Commerce & Regulatory Reform**

Unemployed long-term forbearance foreclosure provisions modified.

HF2821-Anderson, S. (R)**Redistricting**

House of Representatives district boundaries adjusted within Senate districts 39 and 49, and obsolete district descriptions repealed.

HF2822-Mullery (DFL)**Commerce & Regulatory Reform**

Mortgage loan modification and lender response request process provided.

HF2823-Mullery (DFL)**Commerce & Regulatory Reform**

Supporting Responsible Homeowners and Stabilizing Neighborhoods Act enacted, and homeowner opportunities provided in regard to underwater mortgage and foreclosure relief on residential homestead property.

Tuesday, March 13

HF2824-Erickson (R)**Education Reform**

District process for reviewing curriculum, instruction and student achievement clarified.

HF2825-Hortman (DFL)**Commerce & Regulatory Reform**

Banks chartered under state law required to provide relief for qualified home mortgage loan customers whose loan balance exceeds the value of their homes, and bank noncompliance consequence provided.

HF2826-Allen (DFL)**Judiciary Policy & Finance**

DWI offenders penalty assessment imposition required and money raised allocated for spinal cord injury and traumatic brain injury research grants.

HF2827-Garofalo (R)**Transportation Policy & Finance**

Marked Interstate Highway 35E in St. Paul 50 mph speed limit established.

HF2828-Murray (R)**Government Operations & Elections**

Albert Lea authorized to offer industrial sewer charge rebates as an economic incentive.

HF2829-Vogel (R)**Government Operations & Elections**

Kandiyohi, Lyon and Swift counties appointive office process provided.

HF2830-Torkelson (R)**Legacy Funding Division**

Radio programming commemorating the sesquicentennial of the American Civil War and the Dakota Conflict money appropriated to the Association of Minnesota Public Educational Radio Stations.

HF2831-Torkelson (R)**Legacy Funding Division**

Radio programming commemorating the sesquicentennial of the American Civil War and the Dakota Conflict money appropriated to Minnesota Public Radio.

HF2832-Urdahl (R)**Legacy Funding Division**

Television programming commemorating the sesquicentennial of the American Civil War and the Dakota Conflict money appropriated to the Minnesota Public Television Association.

HF2833-Downey (R)**Government Operations & Elections**

Legislative Commission on Planning and Fiscal Policy roadmap for reform provided.

HF2834-Banaian (R)**Higher Education Policy & Finance**

Minnesota State Colleges and Universities funding provided for leveraged equipment acquisition.

HF2835-Erickson (R)**Education Reform**

Education provision clarified.

HF2836-Lohmer (R)**Public Safety &****Crime Prevention Policy & Finance**

Interstate highway emergency response account established, interstate emergency response reimbursement program created, Department of Revenue report required and money appropriated.

HF2837-Downey (R)**Transportation Policy & Finance**

Pupil transportation efficiency study consultant contract approved and money appropriated.

HF2838-Howes (R)**Education Finance**

Independent School District No. 31, Bemidji, supplemental pupil grant created.

HF2839-Dettmer (R)**Environment, Energy & Natural Resources Policy & Finance**

Eminent domain law requirements exemptions removed.

Wednesday, March 14

HF2840-Mariani (DFL)**Education Finance**

Integration Revenue Replacement Advisory Task Force recommendations implemented, and integration revenue repurposed by the "Achievement and Integration for Minnesota" program establishment to increase student performance and equitable educational opportunities and prepare all students to be effective citizens.

HF2841-Benson, M. (R)**Public Safety & Crime Prevention Policy & Finance**

Emergency medical instruction for emergency calls provision required by all 911 public safety answering points, and any expenses related to this change specifically provided to be covered under the current allowable expenditures for 911 funds.

HF2842-Wardlow (R)**Commerce & Regulatory Reform**

Creation, operation or existence of a health insurance exchange in Minnesota prohibited, and the Minnesota Healthcare Marketplace Preservation Act enacted.

HF2843-Dettmer (R)**Environment, Energy & Natural Resources Policy & Finance**

Environmental Quality Board directed to amend alternative urban area-wide review rules.

HF2844-Champion (DFL)**Health & Human Services Reform**

Minneapolis; Webber Pool project exemption provided.

HF2845-Sanders (R)**Transportation Policy & Finance**

Como Regional Park transportation and access improvements funding provided, bonds issued.

HF2846-Kahn (DFL)**Higher Education Policy & Finance**

Student Advisory Council membership modified.

HF2847-Johnson (DFL)**Public Safety & Crime Prevention Policy & Finance**

Firearm loss or theft false report crime made, firearm transfer to an ineligible person crime expanded and a person convicted of these crimes made ineligible to possess a firearm.

HF2848-Banaian (R)**Taxes**

St. Cloud Economic Development Authority expenditure of tax increments fund balance authorized and tax increment financing actions ratified.

HF2849-Banaian (R)**Taxes**

Exempt property held for economic development allowable holding period modified.

HF2850-Hoppe (R)**Taxes**

Historic structure rehabilitation tax credit modified.

HF2851-Liebling (DFL)**Judiciary Policy & Finance**

Court facility security program established and forfeiture proceeds utilized to fund grant program.

HF2852-Beard (R)**Transportation Policy & Finance**

Distance-based transit fare surcharge pilot program established for replacement service transit providers.

HF2853-Barrett (R)**Government Operations & Elections**

Bill or conference committee report final passage prohibited on the day it is received by a body, with exceptions provided.

HF2854-Lanning (R)**Jobs & Economic Development Finance**

New jobs training program established, credit against withholding tax liability provided.

HF2855-Liebling (DFL)**Commerce & Regulatory Reform**

Collection agency license fees regulated and reduced fee required in some cases.

HF2856-Norton (DFL)**Education Reform**

State Board of Education established.

HF2857-Stensrud (R)**Jobs & Economic Development Finance**

Plumbing Board eliminated and Plumbing Advisory Board created.

HF2858-Loon (R)**Taxes**

Sales tax exemption expanded for complimentary and employee meals and drinks, and for qualified restaurant equipment purchases.

HF2859-Loon (R)**Jobs & Economic Development Finance**

Minimum wage calculation application of gratuities provided.

HF2860-Cornish (R)**Public Safety & Crime Prevention Policy & Finance**

Fire safety services money appropriated.

HF2861-McElfatrick (R)**Government Operations & Elections**

Municipalities authorized to make grants to emergency medical services agencies.

HF2862-Hancock (R)**Civil Law**

Non-commercial aviation activities included in recreational land use immunities.

HF2863-Scott (R)**Government Operations & Elections**

Legislative Commission on Metropolitan Government duties added, Metropolitan Council fiscal year starting July 1 provided and legislative approval of the council's budgets required.

HF2864-Atkins (DFL)**Transportation Policy & Finance**

Bridge protective coating work performance certification and training established.

HF2865-Gottwalt (R)**Health & Human Services Reform**

Board of Medical Practice; requirement clarified for physicians to report any physician diverting controlled substances for self-administration.

HF2866-McDonald (R)**Health & Human Services Finance**

Nonemergency Medical Transportation Advisory Committee established; commissioner of human services required to establish a single administrative structure and delivery system for non-emergency medical transportation, a statewide enrollee assessment process and measures to evaluate the performance and cost-effectiveness of non-emergency medical transportation services; and appointments provided.

HF2867-Hackbarth (R)**Environment, Energy & Natural Resources Policy & Finance**

Elk River; beneficial use of wastewater effluent grant amendment provided.

HF2868-Lohmer (R)**Transportation Policy & Finance**

Municipal state-aid street fund governing eligibility and apportionment provisions modified.

HF2869-Hansen (DFL)**Commerce & Regulatory Reform**

Crystal Sugar Cooperative or its subsidiaries; state purchasing prohibited until a certain date.

HF2870-McNamara (R)**Environment, Energy & Natural Resources Policy & Finance**

Migratory waterfowl sanctuary and waterfowl feeding and resting area designations modified, temporary public water drawdown provisions modified and shallow lakes defined.

HF2871-Champion (DFL)**Commerce & Regulatory Reform**

Minneapolis; Kick's Liquor Store, Inc. existing off-sale liquor license relocation authorized.

HF2872-Peppin (R)**Environment, Energy & Natural Resources Policy & Finance**

Hennepin County; tax-forfeited lands bordering public waters conveyance authorized.

HF2873-Kahn (DFL)**Higher Education Policy & Finance**

University of Minnesota; project funding provided.

HF2874-Leidiger (R)**Jobs & Economic Development Finance**

Norwood Young America; Minnesota business development public infrastructure grant program modified.

HF2875-Kiel (R)**State Government Finance**

Grant management provisions changed, and control and oversight changed for the film production jobs program to the commissioner of administration.

HF2876-Knuth (DFL)**Commerce & Regulatory Reform**

Minnesota investor financial protection provided for those who invest through self-directed IRA custodians, and registration required.

HF2877-Downey (R)**Transportation Policy & Finance**

Provisional drivers' license allowed for holder to carry passengers when driving for employment purposes.

HF2878-Doepke (R)**Education Reform**

Teacher provisions amended relating to candidates passing a basic skills examination.

HF2879-Vogel (R)**Transportation Policy & Finance**

Vehicles carrying sewage allowed to avoid seasonal or weather-related road restrictions.

HF2880-Mazorol (R)**Higher Education Policy & Finance**

Student definition modified for purposes of the statement of immunization.

HF2881-Winkler (DFL)**Government Operations & Elections**

Hennepin County; financial statement and audit requirements modified.

HF2882-Winkler (DFL)**Government Operations & Elections**

Counties authorized to publish the proceedings of the county board on the county's website.

HF2883-Gauthier (DFL)**Public Safety &****Crime Prevention Policy & Finance**

911 fund provisions modified to make them available for statewide public safety radio communications.

HF2884-Rukavina (DFL)**State Government Finance**

Capitol Area Architectural and Planning Board required to commission a new work of art.

HF2885-Winkler (DFL)**Government Operations & Elections**

Contributions modified for political committees or funds, independent expenditures, and campaign expenditures, and contributions prohibited by foreign nationals.

HF2886-Marquart (DFL)**Taxes**

Foreign operating corporation provisions modified.

HF2887-Torkelson (R)**Environment, Energy &****Natural Resources Policy & Finance**

Lottery ticket revenue distribution modified.

HF2888-LeMieur (R)**Environment, Energy &****Natural Resources Policy & Finance**

Camp Ripley/Veterans State Trail funding provided.

HF2889-LeMieur (R)**Environment, Energy &****Natural Resources Policy & Finance**

Landlords allowed to register to be notified of impending utility disconnection of units in their buildings.

Thursday, March 15**HF2890-Quam (R)****Education Finance**

Mobile technology funding provided for a pilot project designed to increase the efficiency and efficacy of instructional services and money appropriated.

HF2891-Drazkowski (R)**Government Operations & Elections**

Employee compensation plan changes made.

HF2892-Davnie (DFL)**Civil Law**

Social Security number use prohibited in health records.

HF2893-Lanning (R)**Government Operations & Elections**

Clay County; office of auditor-treasurer made appointive.

HF2894-Bills (R)**Commerce & Regulatory Reform**

Worker's compensation payment provisions modified.

HF2895-Norton (DFL)**Transportation Policy & Finance**

Rochester-Twin Cities high-speed passenger rail project funding provided, bonds issued and money appropriated.

HF2896-Wardlow (R)**Judiciary Policy & Finance**

Sex offender sentencing grid modification required.

HF2897-Davids (R)**Transportation Policy & Finance**

Caledonia; Trunk Highway 44 funding provided for infrastructure improvements attendant to construction, bonds issued and money appropriated.

HF2898-Davids (R)**Transportation Policy & Finance**

Caledonia; Trunk Highway 44 improvement costs required to be paid by the commissioner of transportation.

HF2899-Davids (R)**Taxes**

Resolution; Congress memorialized to pass the Marketplace Equity Act or the Marketplace Fairness Act.

HF2900-Hackbarth (R)**Jobs & Economic Development Finance**

Manufactured home relocation trust fund balance requirement modified.

HF2901-Huntley (DFL)**Health & Human Services Finance**

Health and human services appropriations adjustments made, health care and continuing care changes made, program eligibility requirements modified, human services licensing and provider screening changes made, fees established and fee schedules modified and money appropriated.

HF2902-Murphy, E. (DFL)**Health & Human Services Finance**

Ramsey County nursing facility rate increase provided.

HF2903-Lohmer (R)**Transportation Policy & Finance**

St. Croix River bridge project city costs funding provided, bonds issued and money appropriated.

HF2904-Loeffler (DFL)**Government Operations & Elections**

Appointment of at least one member of the minority party in the House of Representatives and the Senate required to any conference committee appointed to resolve differences in a major appropriation bill, legislator compensation suspended until major budget bills have been enacted, and legislators and the governor required to mediate their differences after adjournment of the annual legislative session in an odd-numbered year if the governor vetoes a major appropriation bill.

HF2905-Barrett (R)**Education Finance**

No Child Left Behind waiver application required and enforcement of education statutes modified.

HF2906-Beard (R)**Transportation Policy & Finance**

Safe at Home program and driver's licenses provisions amended.

HF2907-Franson (R)**Taxes**

Income tax credit allowed for physician-provided uncompensated medical care.

HF2908-Mahoney (DFL)**Jobs & Economic Development Finance**

Grant money appropriated to the commissioner of employment and economic development for Enterprise Minnesota, Inc.

HF2909-McElfrick (R)**State Government Finance**

Minnesota GI Bill Program purposes expanded to include apprenticeships and on-the-job training.

HF2910-Murdock (R)**Agriculture & Rural Development Policy & Finance**

Lester designated as official state soil.

HF2911-Greiling (DFL)**Health & Human Services Reform**

Maternal depression outreach, public education and screening development required; pregnant women and infants Medical Assistance eligibility expanded; commissioner of human services technical assistance related to maternal depression screening and referrals provision required; parenting skills added to adult rehabilitative mental health services; Minnesota health care program outreach expanded and money appropriated.

HF2912-Johnson (DFL)**Transportation Policy & Finance**

Motor vehicle scrap metal processing regulation amended, proof of ownership or hold period required for vehicles purchased for scrap, automated property system and criminal penalties created.

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MINNESOTA INDEX

Smoking in the state

Estimated number of Minnesotans who smoked in 2010	625,000
Percent of the state's population.....	16.1
Approximate number of smokers in 2007, percent of state's population	634,000, 17
Percent of state's population that smoked in 2003, 1999.....	19.1, 22.1
Percent of adults who smoke nationally in 2010, 2007, 2003, 1999.....	19.9, 19.7, 21.5, 23.3
Fewer state smokers as approximate in 2010 than 1999	175,000
Percent of Minnesotans who are former smokers, never smoked.....	27.3, 56.6
Current smokers who tried their first cigarette before age 18.....	81.3
Percent who tried their first cigarette by age 11	13.2
Percent who tried their first cigarette at age 21 or beyond.....	6.2
Percent of current smokers who became regular smokers before age 18.....	49.6
Of Minnesotans with annual household incomes of \$35,000 or less, percent	
who were current smokers in 2010, 2007.....	26.1, 23.2
Percent of those with household incomes above \$75,000	9.6, 11
Percent of smokers who have had an alcoholic drink in the previous 30 days.....	65
Percent of non-smokers.....	59.6
Average amount of days within the 30-day period that a smoker drank.....	5.3
Approximate number of total drinks in those 30 days for a smoker.....	30.3
Numbers for non-smokers	3.7, 13.5
In 2010, percent of Minnesotans who were current users of one or more	
non-cigarette tobacco products.....	7.5
Percentage of past-year smokers who successfully quit in 2010.....	12.8
Percent in 2007.....	9.8
Minnesota smokers in 2010, 2007 who attempted to quit in the previous 12 months,	
defined as not smoking for one day or longer	54.6, 56.7
Of those attempting to quit, percent who made multiple attempts.....	70
Estimated number of deaths caused by smoking each year in Minnesota.....	5,135
Excess medical costs that smoking causes Minnesotans annually,	
in estimated billions	\$2.87
Year Minnesota enacted the Clean Indoor Act.....	1975
Month and year when Minnesota's smoke-free law that covers indoor public	
places and workplaces, including bars and restaurants, took effect	October 2007

— M. Cook

Sources: *Tobacco Use in Minnesota, 1999-2010; Minnesota Adult Tobacco Survey, February 2011; ClearWay Minnesota; Department of Health; Blue Cross and Blue Shield of Minnesota.*

SESSION WEEKLY

CAPITAL FOR THE CAPITOL
SENS. ANDERSON, DOEPKE, PETERSEN?
STEINS AT THE STADIUM
PROVE WHO YOU SAY YOU ARE

HF2913 - HF2961

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 8 • MARCH 23, 2012

Flashback to 1992 and 2002

Defense satellite to track local buses

With the easing of East-West tensions, the U.S. Department of Defense is making available its dedicated satellite time to municipal transit planners. Local transit officials are planning to equip buses with transmitters that will bounce their signals off the defense department's "eyes in the sky" and back to the Twin Cities where they'll be displayed on screens telling passengers exactly how far away the next bus is. The provision is contained in HF2191, which was approved by the House Transportation Committee.

The screens are planned for selected bus shelters in the not-too-distant future, said Regional Transit Board Chairman Mike Ehrlichmann.

— Session Weekly March 20, 1992

Twins stadium plans head to the floor

The latest House proposal to help finance a stadium for the Minnesota Twins is a hit with the team's president.

Jerry Bell told the House Ways and Means Committee that the amended bill (HF2214) is the first proposal in six years that the team thinks will work.

The bill, sponsored by Rep. Harry Mares (R-White Bear Lake), would divide construction costs equally between the team and revenue bonds issued by a host city. The proposal calls for a variety of taxes including a ticket tax, a hotel/motel tax in the community, and a statewide sales tax on newspapers and magazines to pay off the bonds.

Under an amendment, successfully put forward by Rep. Dan McElroy (R-Burnsville), the state would issue up to \$330 million in revenue bonds to make a loan to the host city. The Twins and other private sources would be responsible for contributing \$165 million up front that would be put into a gift fund.

— Session Weekly March 22, 2002

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SESSION WEEKLY

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On the cover: A group from the Boys and Girls Clubs of the Northland in Duluth walks down John Ireland Boulevard under a canopy of budding trees March 21. The group was in St. Paul making legislative visits in conjunction with the Minnesota Youth of the Year award presented by the Minnesota Alliance of Boys & Girls Clubs.

— Photo by Paul Battaglia

Nursing home funding models

Should residents who can afford to, pay more?

By SUE HEGARTY

Ninety-two-year-old Christine Stone spends a lot of time visiting friends in Minnesota nursing homes.

"And I've been impressed that the care has been at the same level for all patients in all those nursing homes," said Stone, a senior advocate from AARP.

She credits a Minnesota law that requires nursing home residents who pay privately for their care to pay the same rate as those on public assistance.

That would change under HF2374, which would allow nursing homes to increase rates 2 percent on private pay residents above those on public assistance.

Opponents of the bill fear those on public assistance would receive inferior treatment.

Driven to Tiers, a 2004 study published in the Milbank Quarterly, revealed that nursing homes create a two-tiered system of care, with residents on public assistance receiving worse care, according to Rick Varco, political director for SEIU Healthcare Minnesota, which represents 3,500 Minnesota nursing home employees.

"It's wrong to treat residents unequally. This bill will lead to unequal treatment," Varco said.

But nursing homes say they can't afford to care for residents at the rates paid by Medicare and Medicaid. Every day, they are providing care at a deficit of \$28 per

resident, according to Aging Services of Minnesota. The Department of Human Services acknowledges there is a problem.

Rep. Steve Gottwalt (R-St. Cloud) supports the bill, saying, "We're forcing everybody to pay below cost. If you're a business, you can't do that."

Park River Estates Care Center, a 99-bed facility in Coon Rapids, provides daily care at a cost of \$194 per resident, but is reimbursed at \$164, according to Administrator Thomas

Pollock. His staff has not had raises in four years and he's had to increase the deductibles on employee benefits.

Rep. Mary Kiffmeyer (R-Big Lake), who sponsors the bill, said "Our nursing homes and long-term care facilities are very challenged in this environment."

The provision was in the omnibus

health and human services bill that was vetoed by the governor last year. Sen. David Hann (R-Eden Prairie) sponsors the companion, SF1948. Both bills await action by their respective full legislative bodies.

Fair share or penalty

The bill won't cost the state any more, but opponents say it's a tax on private-pay residents.

"My husband and I lived frugally our

whole lives. I would like to be able to pay my own care if I should need it, but when you allow nursing homes to charge me more, I worry that my money will not last as long, and then maybe I, too, will end up on Medicaid. Should I be penalized for living frugally and saving money?" Stone said.

AARP also opposes the bill.

"This proposal will force nursing home residents who pay their own way to pay more, resulting in a significant cost shift," said Michele Kimball, AARP senior state director.

The objective may, in fact, backfire.

"Increasing costs to private-pay residents means they spend down faster and become eligible for Medical Assistance sooner," Kimball said.

Others say the bill is a solution devised in the seven-county Twin Cities metropolitan area but isn't supported by many Greater Minnesota nursing homes.

"We're all in need of funding, but the Legislature is missing the point — that they have the responsibility to finance nursing homes but they shouldn't do it on the backs of private-pay residents," said Phil Lord, administrator of Belgrade Nursing Home. Using his facility as an example, he said a private pay resident could see rates increase \$5,361 within four years if the bill passes.

Minnesota ranks 21st among states in private pay nursing home affordability. As the cost of care rises, rates have stayed the same, along with employee salaries and benefits. Some facilities have reduced or eliminated benefits, said Kari Thurlow, vice president of advocacy for Aging Services of Minnesota. That directly impacts the level of care.

Some nursing homes have remained open because they were able to maximize their federal Medicare payments. "That's not a viable option any longer," Thurlow said. The Centers for Medicaid and Medicare Services decreased Medicare rates to nursing homes by 11 percent last October, adding to the problem.

First Reading continued on page 4

Of all the models for elder care, such as assisted living centers, hospital care centers and group housing, nursing homes are the only model required to charge equal rates. They have adapted to the federal cuts and frozen state rates by diversifying their operations and spending down their reserves.

"There's no hidden revenue here. They're running out of options," Thurlow said.

Kiffmeyer worked her way through nursing school by working in a nursing home.

"This at least fixes the private-pay side," she said.

But Rep. Patti Fritz (DFL-Faribault), a nursing home nurse for 41 years, doesn't think raising rates on some residents is the right solution. "This tiny bit of money is not going to solve this," she said.

Nursing home sustainability

Not all nursing homes appear to be created equal, however. For-profit nursing homes generally do better than not-for-profit or

government run facilities, according to Greg Tabelle, audit director with the Department of Human Services.

"If you're in the business for profit, then you're more motivated to make a profit. Their costs are lower and they watch their expenses better," Tabelle said.

There also are a few allowances for charging private payees more, such as a private room upgrade.

Pollock estimated that at his facility, \$164 per day represents a \$6.83 per hour reimbursement

based on a 24-hour period.

North Dakota is the only other state that requires equal rates at nursing homes, but it has a higher Medicaid rate than Minnesota.

"It's not a problem because they cover our costs," said Robert Dahl, CEO of Elim Care, which operates nursing homes in Minnesota, North Dakota and Iowa. "In Minnesota, reimbursement has not kept pace. The policy can work and it was intended to work well, but that requires a state to keep up with costs."

Elim Care's Iowa nursing homes charge private pay residents "what the market will bear," Dahl said.



"Some of the nursing homes in this state are profitable. Others are struggling. I'm not sure this is the right solution. I'm trying to figure that out."

— Rep. Erin Murphy
DFL-St. Paul

Rep. Erin Murphy (DFL-St. Paul) said the debate is too focused on not meeting costs. She wants someone to show her what those costs are. "Some of the nursing homes in this state are profitable. Others are struggling. I'm not sure this is the right solution. I'm trying to figure that out."

Then there are clients who maybe could afford to pay more, but they default to hiding or spending off their assets to go on Medical Assistance.

"Many people will feel justified transferring their assets if they feel like they're going to be picking up not only the cost of their care but the underpayment of government," said Rep. Diane Loeffler (DFL-Mpls). She thinks a better solution would be to find a way for government to adequately fund nursing homes.

While DFLers on the committee said government needs to sufficiently fund nursing homes, Republican members argued that the current model is not sustainable.

"We get more and more people on a program that we can less and less afford," said Gottwalt. "We have created perverse incentives in this society for people not to do for themselves and rely on public programs. If you have the resources to pay for your care, we'd like you to do that because Medical Assistance funding should be saved for the people who absolutely can't afford it."

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HIGHLIGHTS

MARCH 15 - 22, 2012

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

Bonding

Bonding bill met with little joy

A \$280 million bonding bill was met with a lukewarm response during its debut in the House Capital Investment Committee.

"It's on a long journey to the governor's desk, and I assume it will change many times," said Rep. Larry Howes (R-Walker), the committee chairman and sponsor of HF2622.

Even the roll-call vote to move the bill to the House Ways and Means Committee March 21 was ambiguous. Both the yes and no votes crossed party lines; some members passed, and others explained they would approve the bill only in hopes that it gets improved as it moves along.

The bill would support few new construction projects, but would provide maintenance and repair funding for state assets, including:

- \$46 million to the Department of Employment and Economic Development, with \$15 million targeted for economic development grant programs;
- \$44 million to the Minnesota State Colleges and Universities system;
- \$39 million to the University of Minnesota;
- \$38 million to the Department of Transportation for road, rail and bridge improvements;
- \$21 million to the Department of Natural Resources for dam, road and bridge construction as well as some park development; and
- \$14 million to the Department of Corrections for asset preservation.

Rep. Alice Hausman (DFL-St. Paul) was unsuccessful in her attempt to amend the bill to total \$879 million, \$119 million more than the total proffered by Gov. Mark Dayton. Not only would it have funded the top four priorities of the various state departments,

including \$198.9 million to DEED and \$102 million to MnDOT, it would take advantage of federal matching dollars for some projects.

"People are still hungry for jobs — architects, engineers and construction workers. The taxpayer's dollars go further today because interest rates are low," she said.

But Rep. Steve Drazkowski (R-Mazeppa) pointed to the state's increasing debt service payments.

"This isn't money that just falls like manna from heaven. We are projected to go over \$1 billion in debt service. ... This breaks the budget resolution."

Rep. Morrie Lanning (R-Moorhead) said the bill needs work. "But we need to get the process started and work with the Senate, and get the necessary votes (to pass)."

The companion, SF2169, sponsored by Sen. John Carlson (R-Bemidji), awaits action by the Senate Capital Investment Committee.

— L. SCHUTZ

Capitol repairs could begin this year

After years of commissions, studies and plans, it's time to "commit" to the renovations needed to the 107-year-old State Capitol.

It will take approximately \$221 million and, in the process, temporarily displace nearly 300 workers and offices for elected officials. But Rep. Larry Howes (R-Walker), chairman of the House Capital Investment Committee, says it's time to get the job done. "That's what I want you to vote on today," he said before the committee approved HF2754 March 20 and moved it to the House Ways and Means Committee.

Howes sponsors the bill that would bring to life the most recent plan to update the historical building, with an appropriation from bond proceeds.

Restoration would take place over a four-year period, with work limited to that "necessary to restoring building integrity and structural soundness," according to the bill. Besides mechanical and electrical retrofits, new security would be implemented and there would be a telecommunications upgrade.

Wayne Waslaski, senior director of real estate and construction services for the Department of Administration, said the plan would be "sequenced" so as to cause minimal disruption to the governmental work that takes place in the facility; however, it would require temporary displacement of some offices.

While supportive of the restoration, DFLers question the need to bond the complete project this year.

Rep. Alice Hausman (DFL-St. Paul) said that the amount to fund the project will directly affect bonding for other infrastructure. She referred to the roughly \$250 million capital investment bill the committee was to act on the next day. "The reason tomorrow's bill has to be so small is because of this bill ... yet none of this can be spent right away," she said.



PHOTO BY PAUL BATTAGLIA

Wayne Waslaski, senior director of real estate and construction services for the Department of Administration, outlines a \$221 million plan to renovate the State Capitol during a March 20 meeting of the House Capital Investment Committee. Spencer Cronk, the department's commissioner, right, looks on.

Rep. Peggy Scott (R-Andover) reminded members that a \$500 million bonding bill was enacted last year, as well.

Howes said that it is time to commit, in law, future Legislatures to the protection of the building. "I've chosen, with advice, to go for a full package."

Rep. Tom Rukavina (DFL-Virginia) said financing for this project should stand on its own. "We want to remain proud of our building. It behooves the citizens of the state to find money for the Capitol."

The companion, SF2531, sponsored by Sen. Carla Nelson (R-Rochester), awaits action by the Senate Capital Investment Committee.

— L. SCHUTZ

Business & Commerce

Inspections during shutdown

Electrical inspections could continue unimpeded in the event of another state government shutdown, under a bill that won committee approval.

Rep. Carolyn McElfattrick (R-Deer River) sponsors HF2548/SF1551* that would tap into an existing special revenue fund to allow electrical inspections to continue in the event that their biennial funding runs out.

The House Jobs and Economic Development Finance Committee approved the bill March 15 and sent it to the House Ways and Means Committee. Sen. Al DeKruif (R-Madison Lake) is the Senate sponsor. The Senate passed it 37-28 March 12.

The bill is one in a series of proposals following the 2011 state government shutdown that seek to ensure key government operations are able to continue in the absence of a biennial appropriation. McElfattrick said that because electrical inspections involve matters of public safety, they should not be allowed to stop.

"I feel like a large portion of our responsibility here is to protect the public," she said.

Bill Strusinski, representing the Minnesota Electrical Association, said last summer's shutdown halted a wide variety of public and private building projects and created a number of safety concerns. As an example, he said 20 carnivals and fairs opened last summer without proper electrical inspections.

Rep. Tim Mahoney (DFL-St. Paul) questioned why electrical inspectors are being singled out among all the other trades impacted by the shutdown. He noted that Ramsey District Court Chief Judge Kathleen Gearin did not deem the inspections an essential state service.

"This is a way to get around the fact that we didn't get our work done," Mahoney said.

— N. BUSSE

Civil Law

Timeshares face foreclosure problem

Timeshares, seen as the affordable way to own a vacation getaway, are facing their own foreclosure problems, with owners defaulting on maintenance assessments.

Associations, formed to look out for all the owners' interests, including property maintenance, are left to foreclose on those who are delinquent in payments. For some associations, how the property's title is recorded can make the process extremely expensive.

A bill, HF2763, sponsored by Rep. Torrey Westrom (R-Elbow Lake), could provide some relief and eliminate a barrier to timeshare resale. Approved March 19 by the House Civil Law Committee, it now moves to the full House for action.

Carrie Ruud, a governmental lobbying consultant from Breezy Point, told the committee that there are 12,000 timeshare owners in Breezy Point represented by 14 timeshare associations. She displayed a list from one association with more than 70 timeshares going through the foreclosure process. Because the county uses a Torrens recording system, the legal costs can be prohibitive for associations.

Timeshare values average between \$200 to \$600 a week. The cost to foreclose can average \$2,000 to \$2,500, she said; however, in a Torrens situation, the costs can double.

"This would remove the additional barrier to getting the timeshare units back into the hands of new owners who will pay the dues, use the units and support the local economy during their vacation visits," Ruud wrote in support of the bill.

Westrom's bill, while protecting due process, would allow associations to secure new certificates of title after the completion of property conducted foreclosures.

The companion, SF2184, sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action on the Senate floor.

— L. SCHUTZ

Judges performing marriages

Larry Neilson of St. Paul would like his sister to perform the marriage of his daughter. His sister is a judge, and while most judges are able to perform the duty, as an administrative judge, she cannot.

Rep. Bev Scalze (DFL-Little Canada) sponsors HF2447 that would add administrative judges to the list of those who can solemnize a marriage.

The House Civil Law Committee approved the bill March 19 and moved it to the full House for consideration.

Rep. John Lesch (DFL-St. Paul) quipped that Neilson's sister could go online "and for 5 bucks be able to perform weddings," noting that is the process he followed.

Neilson termed that "unethical."

The companion, SF2106, sponsored by Sen. John Marty (DFL-Roseville), awaits action on the Senate floor.

— L. SCHUTZ

Consumers

Beer could be sold at U stadium

A House committee sent the omnibus liquor bill to the House floor March 21.

The bill, HF2784, received approval from the House Commerce and Regulatory Reform Committee. Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), the measure includes nine bills previously laid over by the committee, including those relating to farm winery licenses, wine tastings, liquor store clothing sales and out-of-state craft brewers.

Sen. Chris Gerlach (R-Apple Valley) sponsors the companion, SF2392, which awaits action by the full Senate.

Atkins successfully offered an amendment that would allow alcohol to be served at the University of Minnesota's TCF Bank Stadium during intercollegiate football games. Sale would take place in the suites and at the west end of the stadium near the end zone. Atkins explained the amendment was created as part of a compromise between stakeholders.

Several members expressed skepticism, including Rep. Leon Lillie (DFL-North

St. Paul). He supports the concept as an attempt to eliminate fans bringing in their own alcohol. However, he worried that if the amendment were to become law, thousands of fans could attempt to purchase alcohol out of a single location at the stadium.

Lillie also proposed, and later withdrew, an amendment allowing sale of alcohol at other university locations, such as Mariucci Arena. He indicated that this is an issue he may address when the bill reaches the House floor.

During a March 20 meeting, the committee laid over four bills for possible inclusion in the omnibus bill. The bill that generated the most debate, HF1035, sought to lift the state ban on issuing more than one liquor license to a business within a single community. Sponsored by Rep. Sarah Anderson (R-Plymouth), the bill would allow liquor or grocery stores to sell alcohol at multiple locations within a city. Senate Majority Leader David Senjem (R-Rochester) sponsors SF1273, the companion that awaits action in the Senate Commerce and Consumer Protection Committee.

Proponents claim the bill would foster opportunity for entrepreneurs without creating a mandate for local government. Owners of small liquor stores assert that the bill would intensify the difficulty of competing with national companies.

Because of the controversy surrounding this bill, it was laid over and not included in the omnibus bill.

The other three bills incorporated into the respective body's omnibus bills are:

- HF2871/SF2408, sponsored by Rep. Bobby Joe Champion (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), which seeks to authorize the relocation of Kick's Liquor Store in north Minneapolis that was damaged beyond repair during last summer's tornado;
- HF2812/SF2410, sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Ron Latz (DFL-St. Louis Park), which would authorize liquor stores to hold classes, for a fee, that include beer and wine tastings; and
- HF2719/SF2374, sponsored by Rep. Bob Gunther (R-Fairmont) and Sen. Julie Rosen (R-Fairmont), which would provide that out-of-state brewers could receive an exemption from standard Minnesota alcohol license requirements. The bill only authorizes the exemption for brewers who sell alcohol in very limited capacities in Minnesota, such as at beer festivals.

— E. SCHMIDTKE

HONORED VETERAN



PHOTO BY ANDREW VONBANK

Ken Krueger, a recipient of the Knight of the Legion of Honor medal, and who served in World War II in the U.S. Army Signal Corps, is recognized on the House Floor March 21.

Education

Accountability for charter schools

Charter schools could have a new set of accountability standards as early as this year.

Rep. Kelby Woodard (R-Belle Plaine) sponsors HF2714, which would establish heightened guidelines for charter schools throughout the state. The bill would designate student achievement as the primary purpose of these schools, and propose schools achieve that by maintaining a rate of 35 percent or greater student proficiency in reading and math. All pupils would have to demonstrate at least an average rate of "on-track" growth as well, or the school could be shut down.

The House Education Finance Committee laid the bill over March 20 for possible inclusion in a later bill. It has no Senate companion.

Woodard said the bill was necessary to ensure all charter schools in Minnesota meet the highest standards. He highlighted a portion of the bill that would broaden the pool of teachers available to charter schools by allowing those with out-of-state licenses to instruct students, if they meet certain requirements.

Rep. Carlos Mariani (DFL-St. Paul) successfully offered an amendment that further emphasizes the need for student

achievement in charter schools. The amendment also aligns the bill with a new law requiring teachers to pass a reading, writing and mathematics skills test.

The bill received support from some charter school administrators, who claimed that many existing charter schools are not sufficiently closing the education achievement gap. Eric Mahmoud, founder of Harvest Preparatory School and Best Academy in the Twin Cities, described the need for increased accountability and student achievement in charter schools.

"We have an opportunity to change the landscape of education. Even though we face challenges, I am very optimistic," Mahmoud said.

Other educators and administrators urged the committee to reconsider the need for the bill. Eugene Piccolo, executive director of the Minnesota Association of Charter Schools, expressed concern that parents and school staff could be cut out of the charter school governing process. He also criticized the bill for allowing teachers with out-of-state licenses to teach in Minnesota, a concern echoed by Rep. Jim Davnie (DFL-Mpls).

"I can't see that the agenda here is about teaching and learning. So it does make me wonder what the agenda is about wanting unlicensed teachers in the state teaching in our public schools," Davnie said.

— E. SCHMIDTKE

NATIONAL CHAMPIONS



PHOTO BY ANDREW VONBANK

Members of the University of Minnesota women's hockey team are recognized in the House Gallery during the March 20 floor session. The Gophers beat Wisconsin 4-2 two days earlier to win the national title.

Charter school grad requirements

Charter schools that teach a high number of struggling pupils could be exempted from some requirements in Minnesota's No Child Left Behind waiver.

Rep. Kelby Woodard (R-Belle Plaine) sponsors a bill that would group qualifying charter schools with alternative learning centers, which teach students who have difficulty learning in traditional schools. The state looks at these groupings to determine priority schools. Under the NCLB waiver, priority schools must design and submit turnaround plans to the state.

The House Education Reform Committee approved HF2801 March 15 and sent it to the House floor. Sen. John Harrington (DFL-St. Paul) sponsors the companion, SF2460, which awaits action by the Senate Education Committee.

The proposed change would affect how certain charter schools' graduation rates are reported, removing what some charter school administrators are calling a long-standing disadvantage. Some charter schools specifically accept students who need additional help. Educators at these schools say that this effort to help students in need

hurts their achievement scores and funding.

Paula Anderson, education director at the High School for Recording Arts, explained that her school takes in a large number of students who need additional help to graduate. These students are also frequently at-risk, having higher than average rates in areas like homelessness, which can impact their school performance.

David Ellis, the school's founder, said that the current system punishes them for the kind of students they admit, not the results of the work they are doing.

"We're fighting a crazy issue when we could be helping students succeed," he said.

The bill received criticism from St. Paul Public Schools Legislative Liaison Mary Gilbert. She argued that, while charter schools like the High School for Recording Arts face challenges, the bill is unfair to public schools that also enroll students who have difficulty achieving success.

"If we're going to do this, we should do it for all schools that qualify," she said.

Rep. Mindy Greiling (DFL-Roseville) said she opposed establishing different standards for public and charter schools. Woodard indicated that amendments to address this

issue, as well as the bill's consistency with federal law, may be forthcoming.

— E. SCHMIDTKE

School debt limit change proposed

State law limits the majority of school districts' debt to 15 percent of the taxable market value. Districts located partly or wholly within cities of 100,000 or more people may only have debt at 0.7 percent of their market value. This could change.

Rep. Duane Quam (R-Byron) sponsors HF2917, which would standardize the debt limit at 15 percent for all districts in Minnesota. The House Education Finance Committee laid the bill over March 21 for possible inclusion in a later measure. Senate Majority Leader David Senjem (R-Rochester) sponsors SF2515, the companion that awaits action by the Senate Education Committee.

Quam explained that this change would help rid the state of an "arcane" law, creating a more equal system for schools.

Rep. Mindy Greiling (DFL-Roseville) said the bill fits with her personal philosophy of creating laws that uniformly apply to all districts.

"I still go back to charging next year's

Legislature to examine why we seem to want to cling to different statutes for different school districts,” she said.

Rep. Jim Davnie (DFL-Mpls) accused Quam of trying to mold state law in ways that would be advantageous to his district. Quam represents cities in and around the Rochester area, which the 2010 census newly designated as a “city of the first class,” meaning it has over 100,000 residents.

“Rochester is a city of the first class except when (Quam) doesn’t want it to be a city of the first class. It’s not just a historical, dusty artifact of statute. It’s political fun for people,” Davnie said. Both he and Greiling said they hoped to see no future legislation that would treat districts in cities of the first class differently from other districts.

— E. SCHMIDTKE

Individualized learning bill advances

Anath Pai is a teacher who uses individualized learning plans for his students. He told a House committee that because not all children learn the same way, teachers should instruct them differently.

“I believe that all children can learn provided the environment allows them the flexibility to stretch the elasticity of their brains,” Pai said.

A House committee approved a measure sponsored by Rep. Connie Doepke (R-Orono), which would authorize districts to work with students to develop unique curriculums based on their individual interests and strengths. The House Education Reform Committee sent HF2658 to the House floor March 20. Sen. Gen Olson (R-Minnetrista) sponsors SF2201, the companion that awaits action by the Senate Finance Committee.

Supporters hope to remove what they call “one size fits all” learning from the classroom. They believe academic motivation stems from engaging students on an individual basis.

Ted Kolderie, senior associate at the Center for Policy Studies’ project Education Evolving, testified in favor of work like Pai’s, but claimed that transforming schools with individualized learning plans would create more sweeping change.

“We can’t get where we need to go at the rate we need simply by making itty bitty changes on all the schools simultaneously,” he said.

While Rep. Mindy Greiling (DFL-Roseville) expressed support for the bill’s concept, she questioned its permissive language, which directs schools who have

successfully implemented individualized learning plans to expand that program to other sites in the district. Doepke insisted the bill offered strong encouragement, but not a mandate, for program expansion.

— E. SCHMIDTKE

Parents involvement in schools

Parents could collectively work for change in education.

Rep. Jennifer Loon (R-Eden Prairie) sponsors HF2580, which would empower parents in chronically low-performing districts to petition their school boards for reform. A majority of parents would agree on one of four intervention models proposed in the bill, such as school restart and closure, which the board would be required to implement.

The House Education Finance Committee approved the bill March 15 and sent it to the House Ways and Means Committee.

Parents urged members to support an increase in their involvement in schools, which they said would share the burden of reform between educators and local families.

“I can tell you that nothing hurts me more than looking at my kids and telling them there’s nothing I can do,” said Randel Pronschinske, a Lakeville parent.

Rep. Keith Downey (R-Edina) praised the bill’s intent, adding that he felt it did not take drastic enough action to help parents speak out in failing districts.

“Frankly, I’m shocked that we haven’t moved stronger in this direction previously,” he said.

School administrators and educators questioned the logistics and funding for these petitions. They also cautioned against a series of unintended consequences the bill could produce.

Roger Aronson, legal counsel for both the Minnesota Association for Secondary School Principals and the Minnesota Elementary School Principals’ Association, said the bill lacked flexibility and would “trigger rigid reform” in districts that parents might not expect or want.

Rep. Carlos Mariani (DFL-St. Paul) complimented Loon’s idea to involve parents in key education decisions, but said he was unsure about the method outlined in the bill.

“We’re new in this area and for us to implement those into state statute, I think, is a very premature step,” Mariani said.

The companion, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Education Committee.

— E. SCHMIDTKE

Elections

State primary could move to June

In 2010, Gov. Tim Pawlenty signed a law moving the state primary from September to August. The September primary date was seen as disadvantageous to military and overseas voters, and the change had overwhelming bipartisan support in the Legislature.

Rep. Kurt Daudt (R-Crown) sponsors HF2704 that would move the date up further — to put Minnesota in closer alignment with neighboring states and potentially help boost voter turnout, he said.

The bill would designate the first Tuesday following the third Monday in June as the date for the state’s primary elections. Currently, primary elections take place on the second Tuesday in August.

The House Government Operations and Elections Committee approved the bill March 16 and sent it to the House floor. Sen. Ray Vandever (R-Forest Lake) sponsors the companion, SF2415, which awaits action by the Senate Local Government and Elections Committee.

Rep. Steve Simon (DFL-St. Louis Park), who sponsored the House bill making the September-to-August change, said he supports the June change as well. He said it would give voters more time to focus on candidates and issues in the General Election rather than intra-party fights.

Rep. Mike Nelson (DFL-Brooklyn Park) said he doesn’t oppose the bill, but is concerned that the accelerated time frame might create difficulty for local party units to organize conventions between precinct caucuses and the primary.

— N. BUSSE

Energy

Easing co-op regulations

Electric cooperatives that generate more than 80 percent of their business outside Minnesota could be relieved of filling out Minnesota regulatory forms.

HF2747, sponsored by Rep. Rich Murray (R-Albert Lea), was approved on a divided voice vote March 21 by the House Environment, Energy and Natural Resources Policy and Finance Committee.

Murray’s bill, which proceeds to the full House, would relieve electric cooperatives

from filing integrated resource plans to state regulators.

“Our staff spends six months developing this report,” said Steve Tomac, senior legislative representative for Bismarck, N.D.-based Basin Electric Power Cooperative.

Kenric Scheevel, head of government relations for Dairyland Power Cooperative, said the size of the integrated resource document has grown from 50 pages in 2000 to more than 4,000 pages. “This document is over 2 feet high. ... This is excessive for an advisory-only filing.”

Peter Brickwedde, assistant director of government affairs with the Department of Commerce, said there is no set form or length of the regulatory document. “Xcel Energy’s plan was a couple of hundred pages.”

The electric cooperative representatives say the cost of filing the regulatory documents with Minnesota ranges between \$20,000 and \$30,000 a year.

Rep. Andrew Falk (DFL-Murdock) said the electric resource plans help state regulators create a road map for future energy use. “Simply saying that ‘We don’t want to follow the status quo’ isn’t good enough,” Falk said.

Rep. Mike Beard (R-Shakopee) objects to the cost burden of the reports. “Just a penny here and a penny there — pretty soon it starts adding up to some real money.”

A companion, SF2098, sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the full Senate.

— B. GEIGER

Wind easement extension approved

Development of renewable energy on land leased for wind rights could be extended five years.

The House Environment, Energy and Natural Resources Policy and Finance Committee approved HF2226, sponsored by Rep. Bruce Vogel (R-Willmar), March 21 and sent it to the full House. Its companion, SF1534, sponsored by Sen. David Brown (R-Becker), awaits a vote by the Senate.

Both bills would extend the current June 1, 2012 expiration date until June 1, 2017. Originally, the bill was intended to terminate wind easements on land if commercial wind production failed to commence on leased land.

That language arose from concerns that wind rights for land were being purchased without intention to erect wind turbines.

Thom Petersen, director of government relations for the Minnesota Farmers Union,

testified that his group supported extending the “use it or lose it” date to 2017.

— B. GEIGER

Env. & Natural Resources

Hunting for higher revenues

Hit by declining federal funding and more than \$2 million in fishing license sales revenues lost during the 2011 government shutdown, the Department of Natural Resources aims to shore up its ailing Game and Fish Fund with higher license fees.

Several sets of proposed higher angling and hunting fees were presented March 15 to the House Environment, Energy and Natural Resources Policy and Finance Committee. Bottom line: boost fees or the Game and Fish Fund will be exhausted by July 2013.

Bob Meier, assistant commissioner of policy and government relations for the DNR, said the sinking balance in the fund, which is fed primarily by hunting and fishing license revenues, is in dire need of replenishment.

Meier spoke during a presentation of HF1583, sponsored by Rep. Rick Hansen (DFL-South St. Paul), which outlines a variety of angling and hunting license fee increases. Meier outlined a “new forecasts, new urgency” situation that resulted in a \$7.6 million fund decrease over the last year.

No action was taken on the bill.

Fee changes proposed in the bill include increases in resident fishing licenses from \$17 to \$24; married couple fishing license from \$25 to \$40; and individual resident deer hunting licenses from \$26 to \$30. Additional revenue is expected in the next year from a \$26 wolf hunting license and \$44 bear hunting license.

Meier said if fees aren’t increased soon, Minnesotans will feel a “drastic impact” on their hunting and fishing experience.

Rep. Tom Hackbarth (R-Cedar), said, “We need to get our youth out hunting and fishing.”

— B. GEIGER

Fighting Asian carp

Minnesota prairies, forests, water and arts and cultural heritage projects got good news March 21, while Asian carp received a shot across the bow.

Projects benefitting state lands and waters could receive \$107.6 million if funding by the House Legacy Funding Division is approved.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF2430 is expected to be heard March 22 by the House Environment, Energy and Natural Resources Policy and Finance Committee. There is no Senate companion.

The Outdoor Heritage Fund received the most funding — just over \$99.9 million — compared to \$6 million

FISH STORY



PHOTO BY PAUL BATTAGLIA

Rick Carlson of Hanska does a show-and-tell for Rep. Denny McNamara with a big head carp he caught in an Illinois lake about a week ago. Carlson brought the frozen fish to the Capitol March 21 to show state officials the danger the fish pose to Minnesota waters.

for the Clean Water Fund and \$1.7 million for the Arts and Cultural Heritage Fund.

Included in the proposal is a \$12.2 million bipartisan effort that combines \$5.5 million from the Outdoor Heritage Fund with other Legacy Amendment funds to research aquatic invasive species, fund Asian carp barriers and provide grants for aquatic habitat restoration.

The plan calls for some funds to be diverted from the Mississippi River Northwoods Habitat Complex Protection project to help pay for the aquatic invasive species efforts. Paying for the invasive species projects is “absolutely critical because we don’t have any other funds available and we have to start on this,” said Rep. Paul Torkelson (R-Nelson Township).

Torkelson worked with Rep. Jean Wagenius (DFL-Mpls) on a plan to combat such aquatic invasive species as Asian carp and zebra mussels from overrunning the state’s rivers and lakes.

Quick action is important, said Rep. Denny McNamara (R-Hastings) because planning barriers at lock and dams and other efforts takes at least six months.

“The reality is these deterrents will not protect us this season. It will have to wait until next season,” said McNamara, who characterized the proposed aquatic invasive species effort as “aggressive.”

The proposed effort includes a \$2.2 million appropriation from the Legacy Amendment’s Clean Water Fund to the University of Minnesota to fund three assistant professors to research environmental DNA, zebra mussels and fish ecology, one fish care technician and five graduate students and equipment through June 30, 2018.

— B. GEIGER

Oversight of renewable account

Management of the state’s Renewable Development Account, previously overseen by the Public Utilities Commission, would switch to Xcel Energy under HF2650, sponsored by Rep. Mike Beard (R-Shakopee).

The bill was passed 104-26 on March 20. It now moves to the Senate where it is sponsored by Sen. Julie Rosen (R-Fairmont).

Beard spoke to the bill during the House Environment, Energy and Natural Resources Policy and Finance Committee. He said that the renewable fund “was the price that was extracted from the utility for building a nuclear plant.” Xcel has deposited more than \$180 million into the account since

1999, based on the number of nuclear waste casks stored at the utility’s Prairie Island and Monticello nuclear power plants.

An attempt to restructure and streamline selection of future renewable energy projects for funding, the bill follows an October 2010 report from the Office of the Legislative Auditor that examined the structure and use of the account. Last year, the Legislature suspended the PUC’s authority to approve spending from the account until July 1, 2012.

It specifies that funds from the account can be used to increase renewable electricity use; promote the start-up and expansion of renewable electric projects and companies; stimulate renewable electric technology research and development; and develop demonstration scale infrastructure efficiency products.

DFLers voiced skepticism about a utility managing the fund — albeit with mandatory supervision of the renewable grant advertising and application process by an advisory group — because of a bill provision that Xcel Energy would be able to apply for grants from the account it pays into.

Rep. Jean Wagenius (DFL-Mpls) asked if any funding for renewable energy technology could include “clean coal” projects. Beard replied that coal-burning projects would not qualify under provisions in his bill.

— B. GEIGER

House passes trust land reform

The House voted 104-26 March 19 to remove the responsibility of overseeing school trust lands from the Department of Natural Resources, which critics say it has mismanaged.

When it became a state, Minnesota received the lands from the federal government, with the requirement of using, selling or leasing the land to fund education.

Rep. Tim O’Driscoll (R-Sartell) sponsors HF2244, which would transfer management to a Permanent School Fund Board of five members appointed by the governor. They would be advised by a bipartisan Permanent School Fund Commission made of state lawmakers, who would also review legislation affecting the lands.

The bill moves to the Senate where Sen. Benjamin Kruse (R-Brooklyn Park) is the sponsor.

Proponents say the DNR cannot manage the land effectively because the department’s purpose is to facilitate land conservation, not raise money for education. With proper management, supporters say schools could receive millions of dollars.

Rep. Denise Dittrich (DFL-Champlin), who has advocated for school trust land reform for years, called on legislators to remove the DNR as the land’s primary manager.

“I will fight every day of my life, which



PHOTO BY PAUL BATTAGLIA

Rep. Denise Dittrich congratulates Rep. Tim O’Driscoll after his bill that would transfer management of the Permanent School Fund lands to five members appointed by the governor was passed by the House March 19.

I have for the past five years, to make sure that every child in this state knows that they are the recipient of a trust fund in this state given to them by the founding fathers of this country,” Dittrich said.

The DNR opposes the proposed change, expressing concern that it overextends legislative responsibility. Several lawmakers echoed that concern, questioning whether unintended consequences could outweigh the benefits of passing the bill.

Rep. Jean Wagenius (DFL-Mpls) spoke in support of an amendment successfully offered by Rep. Rick Hansen (DFL-South St. Paul) that would facilitate a reimbursement agreement with the federal government for trust lands located within the Boundary Waters Canoe Area, which is protected land. However, she expressed concern that the bill could violate the state constitution and harm education funding.

Rep. Tom Rukavina (DFL-Virginia), while a co-sponsor of the bill, also voiced concern. He unsuccessfully offered an amendment that would make changes to the Permanent School Fund Board.

“My experience is that putting citizens on boards around here is that we abdicate our responsibility as legislators to manage the money,” he said. Rukavina explained that, while he supported the bill, he was concerned O’Driscoll was “taking it into the weeds.”

— E. SCHMIDTKE

Health & Human Services

Alternative autism shelter study

Several parents of children with severe autism are asking lawmakers to allow more choices in the type of foster care settings for their children, under a pair of bills approved by a House committee.

Rep. Kim Norton (DFL-Rochester) sponsors HF1683, which would instruct the human services commissioner to work with counties to create an autism-specific foster care license for providers with the training and skills to meet the special needs of children with autism.

Rep. Kathy Lohmer (R-Lake Elmo) sponsors HF2252, which would ask the commissioner to develop a plan to create a residential campus for persons diagnosed with autism up to age 21.

Both bills were approved by the House Health and Human Services Reform Committee March 21. Norton’s bill was

VOTER ID PROTEST



PHOTO BY ANDREW VONBANK

Opponents of a constitutional amendment requiring a photo identification for voters gather in front of the House Chamber March 20.

referred to the House floor. Lohmer’s bill, which has an unspecified cost to develop the plan, was referred to the House Health and Human Services Finance Committee.

Many of the parents said their children were put in group home settings when their needs could no longer be met at home, but that many group homes are not properly trained in autism management.

Dr. Sheryl Grassie, a parent of a child with autism, said there are several alternative models in other states that have been effective in providing a supportive environment that’s not available in smaller foster care settings, such as horse therapy and swimming pools. Grassie said the cost of the alternative settings is significantly less than the \$175,000 to \$350,000 annual cost for a four-bed facility.

Minnesota is known to have the highest incidence of people with autistic diagnosis among the states. There are about 400-600 children with the most severe cases (non-verbal and sensory sensitive) who may benefit from an autism-focused housing campus, according to Grassie.

Senate Majority Leader Sen. David Senjem (R-Rochester) sponsors both companion bills: SF1412, a companion to Norton’s bill, awaits action on the Senate floor; and SF1882, a companion to Lohmer’s bill, awaits action by the Senate Health and Human Services Committee.

— S. HEGARTY

Administering abortion pill

For some women, access to counseling and having an abortion can be a problem, especially in rural areas. Some doctors have taken to tele-medicine practices to assist women in having a non-surgical abortion.

The practice matches doctor and patient, who are physically miles apart, together on a closed-circuit camera for consultation and instruction. The RU-486 pill is dispensed by remotely unlocking a drawer. The woman swallows the pill and then a second drug is taken up to 48 hours later that helps complete an abortion.

But complications and even death have occurred. Rep. Joyce Peppin (R-Rogers) sponsors HF2341, which would require the doctor to be in the room when RU-486 or any other drug or chemical used to induce an abortion is administered. The doctor would also need to encourage the woman to return within 12 to 18 days to confirm that the pregnancy was properly terminated.

The House Health and Human Services Reform Committee voted 14-6 March 20 to approve the bill and referred it to the House Civil Law Committee.

The U.S. Food and Drug Administration approved RU-486 with the restriction that only a physician can administer the drug.

“In other words, the FDA believed that the drug was dangerous enough and the physician’s role important enough that RU-486 cannot be gotten at a pharmacy, but

only directly from a physician,” said Jordan Harris, a legislative associate with Minnesota Citizens Concerned for Life.

Since its approval in the U.S., 14 women have died and more than 2,200 adverse affects have been reported. An estimated 8 percent of women will require a medical procedure to complete the abortion or to stop excessive bleeding.

“Women deserve better than a webcam abortion,” Harris said.

Dr. Jan Strathy said the risk is not when the pill is taken, but rather days later, so having the doctor in the room when administering the pill should not be required.

Rep. Tina Liebling (DFL-Rochester) said the bill is an attempt to stop women from exercising their legal right to decide what’s best for their own bodies.

Awaiting action by the full Senate is a companion bill, SF1912, sponsored by Sen. Paul Gazelka (R-Brainerd).

— S. HEGART

Guest license for charity dental care

In preparation for an Aug. 17-18 Minnesota Mission of Mercy event in Mankato to provide \$1 million in free dental care to 2,000 residents, lawmakers are being asked to allow licensed dentists from other states to obtain a guest license to practice in Minnesota.

HF1972 would grant a guest license to a dentist, dental hygienist or dental assistant to provide free dental services for up to 10 days annually in Minnesota.

The House Health and Human Services Finance Committee approved the bill March 20 and referred it to the House Ways and Means Committee.

The Board of Dentistry would be able to grant a guest license not to exceed \$25, which would be paid by the Minnesota Dental Foundation. Laura Kramer, director of government affairs for the Minnesota Dental Association, said up to 1,000 volunteers are expected to work at the temporary dental clinic this summer.

The bill’s sponsor, Rep. Greg Davids (R-Preston), said the visiting dental professionals will provide charity care, including free fillings, cleanings and extractions.

Sen. John Carlson (R-Bemidji) sponsors a Senate companion, SF1553, which awaits action by the Senate Finance Committee.

Event planners hope that if the Mankato event is successful, it can be used as a model in other areas of the state, such as Bemidji.

— S. HEGARTY

Housing

Subsidized renters and fees

Signed
by
the
governor

Those renting under a federally subsidized program will see their interest rate on late fees come down from the current 8 percent to correspond with the federal standard, under a new law signed by Gov. Mark Dayton March 20.

The law will take care of an “inadvertent oversight when state statutes were updated in 2010,” according to the House sponsor, Rep. Mary Liz Holberg (R-Lakeville). The Senate sponsor is Sen. Scott Newman (R-Hutchinson). The law applies to any eviction action on or before Dec. 31, 2014.

The law, effective Aug. 1, 2012, will allow landlords operating a lease under a federally subsidized tenancy program to charge late fees, but on a schedule consistent with that of federal guidelines.

It would also delay the effective dates on provisions related to tenant evictions in a foreclosed property from Jan. 1, 2013, to Jan. 1, 2015.

HF1515*/SF1272/CH132

— L. SCHUTZ

Dayton signs real estate law

Signed
by
the
governor

A new law will not hold real estate brokers responsible for management of properties they have an ownership interest in or outright own.

Signed March 20 by Gov. Mark Dayton, it is effective the next day. The new law only applies to property management performed on that date or later.

Rep. Bruce Vogel (R-Willmar) and Sen. Benjamin Kruse (R-Brooklyn Park) sponsor the law.

HF2152*/SF1739/CH134

— E. SCHMIDTKE

Local Government

Met Council budget oversight

Lawmakers could be given veto power over the Metropolitan Council’s annual budget and its capital improvement projects, under a proposal that supporters say will improve the council’s transparency.

Rep. Peggy Scott (R-Andover) sponsors HF2863 that would require the council to

submit both its operating and capital budgets for annual legislative approval. Unless authorized by the Legislature, the council could not change its tax levy or spending levels.

The House Government Operations and Elections Committee approved the bill March 20 with an amendment successfully offered by Scott. It now moves to the House Ways and Means Committee.

The council is the regional planning agency for the Twin Cities metropolitan area. Its members are appointed by the governor and it has an annual operating budget of \$739 million. Scott said an agency that size should have oversight from elected officials. Many committee members agreed.

“We have here a non-elected body that can raise your taxes, condemn your property, and can sue a local government. We need more control of the situation,” said Rep. Bev Scalze (DFL-Little Canada).

Judd Schetnan, the council’s government affairs director, said the bill would wrongly put the Legislature in charge of budgeting for an agency that only receives 10 percent of its funding from the state. Moreover, he said lawmakers already have oversight powers via the Legislative Commission on Metropolitan Government — a joint legislative panel that holds hearings and makes recommendations regarding the council.

“I think that everything that is trying to be accomplished by this bill can be done through the oversight commission,” he said.

Patricia Nauman, executive director of Metro Cities, said her organization did not support the bill because they do not believe it would serve to enhance cooperation between the council and local governments.

Sen. Benjamin Kruse (R-Brooklyn Park) sponsors the companion, SF2179, which awaits action by the Senate Finance Committee.

— N. BUSSE

Met Council staggered terms

A desire for stability and continuity at the Metropolitan Council is at the heart of a plan to stagger the terms of its 17 members — but the council itself doesn’t approve.

The Met Council is a regional planning agency serving the Twin Cities metropolitan area. Its members are appointed by the governor. Local government officials say the ability to have all members replaced simultaneously makes the council less effective.

“It’s a very large learning curve to become a member of the Met Council,” said Anoka

County Commissioner Carol LeDoux. "It's just a good idea not to have a council turn over and have all new members at the same time."

Rep. Peggy Scott (R-Andover) sponsors HF2404 that would prevent that from happening. The House Government Operations and Elections Committee approved the bill March 16 and sent it to the House floor. Sen. Benjamin Kruse (R-Brooklyn Park) sponsors the companion, SF2014, which awaits action by the full Senate.

A January 2011 report on metropolitan transit governance from the Office of the Legislative Auditor recommended staggered terms for the Met Council. Scott noted that staggered terms were also proposed by the Legislative Commission on Metropolitan Government.

Judd Schetnan, the council's government affairs director, said the council opposes the change on the basis that its members serve at the pleasure of the governor and should continue to do so. He dismissed the legislative auditor's recommendation, noting that the audit only looked at transit issues and not the council's other functions like urban planning and parks.

Rep. Frank Hornstein (DFL-Mpls) praised the bill and said it represented a first step to reforming the council.

"This is not going to be the end-all and be-all of what needs to happen with Met Council governance," he said.

— N. BUSSE

Public Safety

Tougher restraint of children penalty

A troubling incident in Mower County could lead to harsher penalties for people who mistreat children.

"A 5-year-old child was bound (to his bed) by a chain daily from the time he came home from school to the time he went back to school," said Steve Sandvik, a detective with the county sheriff's office. "That is a gross misdemeanor. That's all we could charge. It was the most horrible thing. ... We are not allowed to treat first-degree murderers that way, and yet, less than a year in jail."

Rep. Jeanne Poppe (DFL-Austin) sponsors HF2220 that would reduce the level of harm required for a felony offense by replacing "substantial bodily harm" with "demonstrable bodily harm" in the definition.

The bill was approved March 15 by the House Judiciary Policy and Finance



PHOTO BY ANDREW VONBANK

Holding chains that were used to restrain a child, Steve Sandvik, a detective with the Mower County Sheriff's Office, testifies before the House Judiciary Policy and Finance Committee March 15 in support of a bill that would change the demonstrable harm level in the unreasonable restraint of children.

Committee and sent to the House Public Safety and Crime Prevention Policy and Finance Committee.

"We didn't have substantial bodily harm," said Mower County Attorney Kristen Nelsen. "We had demonstrable bodily harm. We had bruising, we had some swelling, and, quite frankly, there was a rust stain on this child's ankle because of the time that this chain was spent to that child."

She said demonstrable bodily harm — any harm that can be observed by another person — is used elsewhere in statutes, including assaulting a peace officer.

"We don't think that we're asking for too much to ask that somebody that chains, cages or ties their child in a cruel manner for a prolonged period of time should get a gross misdemeanor," Nelsen said. "In this case it was clearly felonious conduct that we simply couldn't charge."

A companion, SF1725, sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the Senate Judiciary and Public Safety Committee.

— M. COOK

Court security fee proffered

Courthouse security varies across the state with some buildings having weapons screening, while others have little more than a bailiff.

Rep. Sheldon Johnson (DFL-St. Paul) sponsors HF2000 that would authorize a

county board to establish a court security fee of up to \$15.

The bill was tabled by the House Judiciary Policy and Finance Committee March 15 for further discussion. There is no Senate companion.

As proposed, the fee would be collected from both sides in district court civil and criminal matters. For the latter, the fee could only be imposed once per case and would be imposed whether the sentence were imposed or stayed. No fee would be imposed for petty misdemeanors where the defendant pays a fine without a court appearance or no fine is part of the sentence.

Johnson said funds could be used to purchase, repair, upgrade and maintain security systems and equipment.

Randy Maluchnik, a Carver County commissioner and president of the Association of Minnesota Counties, spoke in support of the bill.

"Carver County is one of the few metro counties without weapons screening," he said. "The cost to implement weapons screening in the county is a significant one-time cost estimated at \$150,000 with ongoing operating costs at \$250,000 per year. If there were a \$15 court security fee, it is estimated the county would generate \$123,000 annually. ... Even with the security fee there would be a significant burden on the county's main revenue source: the property tax."

In Hennepin County, four of the eight

courthouse facilities have some sort of weapons screening. "We confiscated over 3,400 different weapons from people who were attempting to enter our courtrooms during the last six months of 2011," said Sheriff Rich Stanek. "Those weapons range from small pocketknives to handguns."

Although he wouldn't endorse the bill, Stanek said he hopes it encourages a discussion about greater courtroom security the state. "The time is now for state and county officials to come together on this."

— M. Cook

Juvenile delinquency hearings

If a 16- or 17-year-old has committed a felony-level crime, the juvenile hearing is currently open to the public. The resulting records are also public, even if the charges are later reduced or dismissed.

A bill proffered by Rep. Steve Smith (R-Mound) would keep those hearings as is for adult certification and extended jurisdiction juvenile proceedings, but the standard could change for delinquency hearings.

The bill would require a court to determine that, due to the seriousness of the charge, the hearing should be open because the public safety benefits outweigh potential consequences to the child due to the resulting public record.

"This change will give judges the discretion to decide if an offense is serious or violent enough to make it public," said Mark Haase, vice president of projects and operations for the Council on Crime and Justice.

Approved March 20 by the House Judiciary Policy and Finance Committee, HF876 was sent to the House floor.

"We've got 2-3,000 felony-level delinquency petitions filed every year," Smith said. "Later, when the young people seek work, try to get their life back on track or gain employment or housing, they'll often be denied sometimes not even knowing that it's (because of) their juvenile record. This situation is contrary to rehabilitative services of our public juvenile system."

Smith said there is a need to hold youths accountable so they can learn from their mistakes, but one dumb youthful transgression shouldn't necessarily hold them back for the rest of their lives.

Assistant Hennepin County Attorney Tom Arneson, manager of the office's Juvenile Prosecution Division, spoke against the bill at the committee's March 13 meeting.

"Current law allows some light to be shed on the juvenile justice system. This bill creates a presumption of secrecy for an additional class of serious offenses," he said. "Additionally, it will be difficult to have these decisions made on a case-by-case basis and will lead to disparities in treatments of these cases."

A companion, SF602, sponsored by Sen. Michael Jungbauer (R-East Bethel), awaits action by the Senate Judiciary and Public Safety Committee.

— M. Cook

Interstate reimbursement costs

When the Lower St. Croix Valley Fire Department responds to an incident along Interstate 94 between Woodbury and Wisconsin, its expenses are not always fully covered.

National fire department protocol calls for extra vehicles and equipment when an incident occurs on a high-volume, high-traffic roadway to ensure a safe working environment for any emergency responder. "We've estimated the cost per run to I-94 is a little over a \$1,000, whereas the average call within the district is right around \$800," said Burl Haar, a volunteer member of the board of directors for the Lower St. Croix Valley Fire Protection District.

Because many of the patients are non-Minnesotans, it can be difficult to track them down to recover insurance and other payments. In addition to receiving some tax dollars from the communities it serves, the department relies on the revenues from providing emergency services to pay for itself.

Sponsored by Rep. Kathy Lohmer (R-Lake Elmo), HF2836 would establish a pilot program to reimburse an ambulance service for unrecovered costs of attending to people on interstate highways. Although the program cost would come from the state's General Fund, no fiscal note was provided.

Approved by the House Public Safety and Crime Prevention Policy and Finance Committee March 20, the bill was sent to the House Health and Human Services Finance Committee.

"Changes in reimbursement for emergency response has decreased \$37 million a year as a result of federal policy changes, and as a result of the Balanced Budget Act of 1997, Minnesota has lost in the last 10 years for emergency response reimbursement \$72 million," said O.J. Doyle, a lobbyist for the Minnesota Ambulance Association.

Almost one-third of the state's 87 counties

have a major interstate in them, and almost half (380) of the state's 743 fire departments are in the 28 counties. Of that total, 304 responsible for interstate coverage come from communities of no more than 10,000 people.

A companion, SF2416, sponsored by Sen. Ray Vandeveer (R-Forest Lake), awaits action by the Senate Health and Human Services Committee.

— M. Cook

No DWI immunity for legislators

Except in cases of treason, a felony and breach of the peace, House and Senate members can constitutionally avoid arrest "during the session of their respective houses and in going to or returning from the same."

A bill approved March 15 by the House Public Safety and Crime Prevention Policy and Finance Committee and sent to the House floor would specify that a DWI offense constitutes a breach of peace as it relates to legislative immunity.

"I think it sends a wrong message to our constituents, to the people of the state of Minnesota, that we have the ability to make laws down here, but some of them we are exempted from arrest," said Rep. John Kriesel (R-Cottage Grove).

He sponsors HF1838 that was brought to him by a group of students from Concordia University in St. Paul.

"In 2010, 82 Minnesotans were arrested for impaired driving a day. One out of every eight Minnesotans currently has a DWI," said Nate Thienes, a junior at the school. "We are for public safety first, but we cannot ignore fairness."

Senior Taylor Gittens said "seven to eight other states" have recently changed their immunity laws for various crimes.

This is not a cause-and-effect bill, said Rep. Joe McDonald (R-Delano), noting there was no incident that led to this proposal.

Rep. Joe Mullery (DFL-Mpls) said that the change could leave a district without someone to represent them at the Capitol while the legislator is under arrest. "They have a right to have that legislator voting here. ... I see no problem with why can't the evidence be taken and the booking and all that kind of stuff that goes along with an arrest happen later when it's not gonna interfere with somebody's representing their people here."

"It's more than just an issue of are they fit to vote or are the people of that district getting that voice," Kriesel said. "I would consider that a dereliction of duty."

A companion, SF2226, sponsored by Sen. Mike Parry (R-Waseca), awaits action by the full Senate.

— M. Cook

Troopers could guard lawmakers

State Patrol officers could be assigned to protect state lawmakers and other high-ranking state officials if they're believed to be in danger.

That's the premise of HF1607, sponsored by Rep. Kelby Woodard (R-Belle Plaine). The bill would authorize state troopers to provide security on a short-term basis in response to "credible threats" against legislators, Supreme Court justices and constitutional officers.

The House State Government Finance Committee approved the bill March 20 and sent it to the House floor. Sen. Michelle Benson (R-Ham Lake) sponsors the companion, SF1283, which awaits action by the full Senate.

Woodard said the bill is partially a response to the January 2011 mass shooting near Tucson, Ariz., that killed or wounded 19 people, including former congresswoman Gabrielle Giffords. After that incident, Gov. Mark Dayton convened a joint executive-legislative committee to make recommendations on improving security in the Capitol Complex. The provisions of the bill were among their recommendations.

The bill does not specify criteria for what constitutes a credible threat. Instead, Woodard said that decision would be left to the governor and the commissioner of public safety.

The bill would also establish an Advisory Committee on Capitol Area Security. The committee would address day-to-day security concerns as well as make recommendations to the Legislature on security issues. It would be subject to the state's open meeting law and would sunset on June 30, 2022.

— N. Busse

State Government

Contested cases bill vetoed

Vetoed
by
the
governor

A plan to give administrative law judges the final say in contested cases involving state agencies did not meet the approval of Gov. Mark Dayton.

Under current law, when someone has a dispute with a state agency, the case goes before an administrative law judge, who reviews the facts and issues a recommendation. The agency then takes the report into consideration and issues a final decision.

The vetoed bill, sponsored by Rep. Doug Wardlow (R-Eagan) and Sen. Scott Newman (R-Hutchinson), would have given the judge the final decision in the case. Wardlow said it would provide a check against the power of state agencies.

Dayton disagreed. In his March 20 veto letter, the governor wrote that the bill would "confuse decision-making, lessen accountability, and needlessly increase the cost of government."

HF1560*/SF993/CH133

— N. Busse

Transportation

License plate placement clarified

Passenger vehicles in Minnesota are required to have a license plate displayed on the front and rear of the vehicle.

However, there have been some different interpretations as to what is considered acceptable for the plate placement.

"Current law says it has to be displayed in the front. If I have it in my front windshield, some can argue that's displaying it in the front of my car, and I think there are some judges

that agree with that opinion," said Mary Ellen Heng, a Minneapolis city attorney.

Sponsored by Rep. Ron Shimanski (R-Silver Lake), HF2517 aims to clarify the situation.

Approved March 21 by the House Transportation Policy and Finance Committee and sent to the House Judiciary Policy and Finance Committee, the bill would require that license plates be mounted on the vehicle's bumper or in a location designed for license plate display.

"We seek clarification and guidance to help us do our jobs better and eliminate those extra costs of time associated with processing citations, going to court and other kind of things," said Jim Franklin, executive director of the Minnesota Sheriffs' Association.

The infraction would still be considered a primary offense, meaning law enforcement could stop a driver for the infraction.

Shimanski said about 9,300 citations are annually issued for not having a front license plate displayed. "About 25 percent of those citations are dismissed when taken to court because the statute isn't clear about what displaying the front license plate really means," he said.

The bill was successfully amended by Committee Chairman Rep. Mike Beard (R-Shakopee), so that the fine for an improper plate locale would be \$20 with no other surcharges or fees imposed.

"If people only had a \$20 fine they wouldn't even bother coming down (to court) and they'd probably just pay it," Beard said. "My hunch is the hundred-and-some-dollar surcharge probably drives more people to come down, take the day off and fight it than anything else."

A companion, SF1140, sponsored by Sen. Mike Parry (R-Waseca), awaits action by the full Senate.

— M. Cook

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Tax bill moves through House

Critics say business-targeted tax relief will create long-term funding deficit

By LEE ANN SCHUTZ

A phase-out of a state property tax levy paid by seasonal/recreational property owners and business property owners is the cornerstone of HF2337, the omnibus tax bill. But critics say the tax benefit comes at the expense of renters, namely seniors and the poor, through a decrease in the renters property tax credit.

The bill passed the House March 21 on a 72-62 party-line vote and now goes to the Senate, where Sen. Julianne Ortman (R-Chanhassen) is the sponsor.

Sponsored by House Taxes Committee Chairman Rep. Greg Davids (R-Preston), the bill's journey to the floor came after a week of committee testimony, including a nine-hour meeting where the DFL put forward approximately 20 amendments, with few being accepted. On the House floor, however, only two were proffered, and both were accepted by Davids.

He said the bill's provisions are aimed at improving the state's business climate by phasing out the state property tax levy over 12 years beginning in 2014 and excluding 70 percent of the first \$150,000 value of all business property in 2013.

The bill would also:

- freeze local government aid at 2012 amounts;
- provide targeted tax relief for homeowners equal to 90 percent of any tax increase over 12 percent for pay 2012 only;
- replace the foreign operating cooperation deduction with a tax credit;
- increase, in some cases, the research and development tax credit, as well as the angel investment credit;
- reinstate the bovine tuberculosis property tax credit;
- provide a jobs credit for businesses hiring qualified veterans; and
- create an internship grant program



PHOTO BY PAUL BATTAGLIA

Rep. Greg Davids is the sponsor of the omnibus tax bill.

administered through the Office of Higher Education directed to attracting youth to Greater Minnesota businesses.

To prevent these credits and the phase out from negatively impacting the General Fund by more than \$69 million in fiscal year 2013, the current renters credit would be decreased with some relief provided for qualified seniors and people with disabilities.

The bill would reduce the credit from the current 17 percent to 15 percent. Last year's

budget agreement reduced the credit from the previous 19 percent.

Rep. Steve Drazkowski (R-Mazeppa) told members to call the renters credit what it really is: "The renters credit is a subsidy. They don't pay property taxes."

DFLers fault the bill on two premises: it represents misplaced priorities by having businesses benefit at the expense of renters, and it is not fully funded in future years, leaving a \$900 million deficit by fiscal year 2019.

"This is not Minnesota nice," said Rep. Paul Marquart (DFL-Dilworth). "We are asking senior citizens who make \$30,000 or less to foot the bill for a tax benefit that the wealthy corporations haven't asked for."

Rep. Jim Davnie (DFL-Mpls) called the bill's funding "deficit by design." He said recent Legislatures have been unwilling to face economic realities, and have continually borrowed money, rather than raise revenue. "We played games; kicked the can down the road and designed the next deficit. We are doing it again with this bill," he said.

However, Republicans say that high business taxes are affecting Minnesota's recovery from the recession and that ultimately consumers pay through lower wages and higher prices.

Rep. Jenifer Loon (R-Eden Prairie) praised the bill, but acknowledges the state's tax structure needs change.

"I think this bill does a good job for a couple of reasons: It is targeted at small businesses, which provide about half the jobs in the state. We bumped the R&D credit up a little bit. We want these types of jobs in the state. They provide the type of income we want to have in Minnesota. This is a very modest step in that direction. If we want to get out of this recession, we have to do some things differently," Loon said.

Several provisions related to tax increment financing extensions are in the bill, including two to help kick-start the stage two development plan for the Mall of America.



Proving who you say you are

House votes to approve ballot question on photo ID for voters

By Nick Busse

Minnesota is one step closer to requiring voters to show a picture ID at their polling place.

On March 21, the House voted 72-62 to put a question on this November's ballot asking Minnesotans whether a government-issued photo ID should be required for voting. Sponsored by Rep. Mary Kiffmeyer (R-Big Lake) and Sen. Scott Newman (R-Hutchinson), HF2738*/SF1577 proposes amending the state constitution so that voters would have to present an approved photo ID card at their polling place on Election Day.

The bill now moves to the Senate.

Republicans have spent years pushing for a photo ID requirement. Last year, they made it as far as the governor's desk, where Gov. Mark Dayton dashed their hopes with a stroke of his veto pen. Now, photo ID supporters say it's time to let voters have the last word.

"Frankly most people are shocked when they go to the polls and they pull out their driver's license or their ID and the election judge says, 'Oh, you don't need that, that's not required,'" said Rep. Joyce Peppin (R-Rogers). "They think it's outrageous."

Republicans argue photo ID is needed to prevent voter fraud. DFLers argue it will disenfranchise voters, particularly poor people and minorities. Each side says the other has no evidence to back up its claims.

Kiffmeyer, a former secretary of state, said Minnesota's election system has lots of integrity when it comes to counting votes accurately, but very little when it comes to verifying that voters are who they say they are.

"Every single vote in that ballot box deserves to be counted accurately and

The proposed constitutional amendment as it would appear on the November 2012 ballot: "Shall the Minnesota Constitution be amended to require all voters to present valid photo identification on election day and that the state provide free identification to eligible voters?"

honestly, in a fair and transparent manner," Kiffmeyer said.

DFLers have long contended that requiring photo ID would fence certain eligible voters out of the electoral process. They argue that for some, it is an unnecessary hurdle that will discourage or prevent them from exercising their constitutional right.

"How many eligible voters have to be denied the right to vote before this is a bad bill in your eyes? What's the number? Is it 10 students at Bethany (Lutheran College)? Is it five women in a Good Sam nursing home?" said Rep. Terry Morrow (DFL-St. Peter).

Others argued that voter ID is too partisan an issue to be put into the state constitution. Rep. Steve Simon (DFL-St. Louis Park) said Republicans are being irresponsible by enshrining mere policy preferences in the state's founding document.

"You are starting an arms race that I think you will regret, because now the standard is, if you feel passionately about an issue, if your base loves it, and if it polls well, forget the legislative process, go over the head of the governor and just slap it onto the constitution," he said.

As written, the bill would allow absentee voting to continue using the same process that's already used. It would also allow voters to use photo IDs that don't show their current address as long as they have some other way to prove their residency. The practice of vouching would cease to exist, and a provisional ballot system would be implemented for voters who can't prove their identity in the polling place on Election Day.


If passed by the Senate, the proposed constitutional amendment would be the second ballot question facing voters this year. A proposed constitutional ban on same-sex marriage was passed in 2011. 



PHOTO BY PAUL BATTAGLIA

Rep. Mary Kiffmeyer responds to a question from Rep. Ryan Winkler during March 20 debate on her bill that proposes amending the state constitution to require voters to show a government-issued photo ID card at their polling place on Election Day.

Stepping down and across new lines

Doepke plans to take her education focus to the Senate

By Nick Busse

When the state's redistricting maps were released Feb. 21, Rep. Connie Doepke (R-Orono) found that her entire district had shifted northward. With her state senator retiring, she faced two choices: represent an almost totally new group of constituents in the House, or represent her new constituents and her former ones simultaneously in the Senate.

She's opted for the latter. The two-term House lawmaker will retire and make a run for the Senate seat currently held by the outgoing Sen. Gen. Olson (R-Minnetrista).

"I don't view it as stepping down from the House. I've loved my four years in the House. I love the people here and the way we work," Doepke said.

Doepke arrived at the Legislature in 2009 as an accomplished business executive and former chairwoman of her local school board. Those two themes — business and education — defined much of her career in the House.

She became a champion for mandate relief for K-12 school districts. Her efforts earned her nods from the Minnesota School Boards Association ("Outstanding Legislator for 2010") and the Association of Metropolitan School Districts ("2011 Friend of Education").

Doepke said she was especially pleased to receive the latter award with Olson, noting that it was the first time two legislators from the same district were so honored simultaneously.

"I'm very proud of that, because I worked very hard for our school districts, and I was able to do it in a way that continued to support the GOP goal," she said.

When the Republicans took control of the House and Senate last year, Doepke found her business experience and her focus on fiscal accountability fit right in with the new agenda. But as a legislator, Doepke also emphasizes the importance of bipartisanship.

"Every bill that I'm authoring this year has Democrat co-authors on it. I'm not authoring

any bill that doesn't have bipartisan support, and that was one of my goals this year," she said.

Doepke was a member of the bipartisan small business caucus, and said she generally looks to sponsor bills that will find support from both sides of the aisle. She doesn't criticize those who take a more partisan approach to lawmaking, but she also wants to ensure that a repeat of last summer's state government shutdown doesn't occur.

"It's all about doing the right thing for your constituents, but I also think it's got to be the right thing for the people of our state as well," she said.

As for advice to her successor, Doepke said the next person to take her House seat should be prepared to address the needs of a highly engaged, highly educated constituency. During session, Doepke said she often receives between 300 and 400 emails, letters and phone calls a week. She does her best to answer all of their questions and concerns.

"My constituents they expect you to be involved in the community. They want to know who their representative is, because that's just the way they run their lives. ... They're used to having a say in what goes on," she said.

Her other bit of advice is that it's important to get your family's support. She said her husband Mark, an actuary, and their children Matthew and Rebecca have all done their share of door-knocking, driving her around and bringing her food during long workdays at the Capitol.

"I couldn't do this without my family," she said.

As for what she'll do if and when she's sworn in as her district's next senator, Doepke said she plans to pick up where she left off in the House.

"It's a beautiful, wonderful state and I'm going to fight hard to keep it beautiful and wonderful for all of us," she said. "It's kind of a boring thing to say, but it's true." 🗽



PHOTO BY ANDREW VONBANK

During her time in the House, Rep. Doepke says she became a champion for K-12 mandate relief.

One less Anderson in the House

'Anderson, B.' strives to put people first, rather than government

By SUE HEGARTY

Four House Republicans share the last name Anderson. Next year the House will lose "Anderson, B.," but Rep. Bruce Anderson (R-Buffalo Township) hopes to add his name to the Senate rolls. He's running for the District 19 seat currently held by Sen. Amy Koch, who is not seeking re-election.

That wasn't his plan. He's represented District 19A for 18 years, and his goal was to step down after 20 years, which he thought was "a good round number." But

a higher power has other plans, he said.

"God always says, 'My ways are not your ways.'"

That became clear to him years ago and he has been reminded often whether in or out of public office.

For example, he always thought he'd inherit the family dairy farm. But he joined the U.S. Navy and was assigned to work on aviation electronics in Norfolk, Va., which is where he met his first wife, Dottie. Her father was a retired Army major who served in President Lyndon Johnson's administration.

After growing up with a father in government, she didn't want her husband involved, too. That all changed when federal legislation was introduced that would have required the removal of religious symbols in Dottie's home day care business. Although the law was vetoed, she urged her husband to get more involved. He ran unsuccessfully for Congress, and then he was tapped to run for a state House seat.

He was reminded again that things don't always go his way after the birth of their twin daughters. One of the girls was diagnosed with cerebral palsy and was not expected to live.

"We had pulled life support and were allowed to stay at the hospital overnight. The next day she was breathing on her own. The doctors said, 'We don't understand.'" She's now in her 30s.

Anderson's faith was tested again when Dottie died from cancer. He is now remarried to Ruth, who

works with children with special needs.

Former Gov. Arne Carlson acknowledged Anderson's experience raising a child with disabilities and appointed him to the Governor's Council for People with Disabilities.

His first bill was a "sunshine" bill that asked state agencies to show how they spend taxpayer money, which went nowhere because he was a member of the minority party at the time and the bill wasn't given the necessary hearings. But he learned from Rep. Phyllis Kahn (DFL-Mpls) to "never throw away a bill you think is good." He's glad to see recent legislation passed to require more transparency in state government, even if he isn't the bill's sponsor.

As one of the senior members of the Legislature, he's thankful for the positive relationships he's built within his party and across the aisle.


To his successor, he said the person should "put a lot of trust in the Lord." In addition, he offers the advice he received from his grandfather, who said there's a reason God gave him two ears and only one mouth.

"People want to hear themselves talk, so you need to be the sounding board and that's what you're there for — to serve the people," he said.

In the future, he wants to work toward "people running the government, not the government running people." He said it used to be that private companies such as Honeywell, 3M and IBM were the top job providers, but now it's the state and federal governments, and the university system.

"Let's reverse the situation and bring back some private sector jobs," he said.

As chairman of the House Veterans Services Division, Anderson is a strong advocate for military members. He's most proud of a bill he sponsored to mandate that school children say the Pledge of Allegiance at least once a week.

"It may not have been monumental legislation, but I wanted to let younger people know this is a great country." 



FILE PHOTO BY TOM OLMSCHIED

As chairman of the House Veterans Services Division, Anderson is a strong advocate for military members.

An educated first term

After two years in House, Petersen looks to join the Senate

By **BOB GEIGER**

It's an understatement to say Rep. Branden Petersen (R-Andover) experienced an active first — and last — session in the House.

The 26-year-old married his wife during the 2010 election campaign, added daughter Paisley to the family in 2011; and introduced significant bills dealing with teacher effectiveness and personnel decisions during his first term.

With redistricting on the horizon, Petersen conferred with Rep. Peggy Scott (R-Andover) and Rep. Jim Abeler (R-Anoka) about which seats they would run for if new legislative maps paired them a 2012 House race.

"When the maps came out we all circled back to each other and made a decision that I was running for Senate," said Petersen, who was mapped into the same district as Scott.

Not running was never an option.

"I don't think anybody runs for the Legislature just to be in one term. And once

you've been here you realize you have to serve a couple or three terms to really accomplish some significant legislative items," Petersen said.

He will run for Senate in the newly formed District 35.

Reflecting on his initial House term, he said, "I don't know if my experience is a good reference point for all the other sessions. "What I will say is in one short session, I've seen just how extreme things can get. Things can only get better from here on out."

Typically, a freshman legislator's existence is similar to that of an apprentice; learning the tricks of the trade and determining the wants and needs of constituents.

Petersen got involved quickly as sponsor of HF945, which contained a teacher appraisal system that based teacher assessments on their students' annual progress and reviews by parents and principals.

"I think it was a combination of right

place, right time, right issue — and I would also say that I worked hard on that issue," he said.

The bill eventually was folded into the 2011 omnibus education law.

"I was actually in the room with the commissioner and the governor in the final day of the shutdown at 1 o'clock in the morning, discussing what the (teacher) evaluation law was going to look like," he said.

Education interests Petersen because it is a "huge issue" for the Anoka-Hennepin School District, the largest employer in his district.

This year Petersen furthered his involvement in high-profile education bills by sponsoring HF1870, the "last-in, first-out" bill that would rank teacher effectiveness over seniority in school hiring and dismissal decisions if signed into law.

"We have a system now that is centered essentially on some industrial age labor model. And in this case, we're not talking about widgets; we're talking about the impact on student achievement and the futures of these students," Petersen said.

As he begins posturing for his Senate run, Petersen cited transportation and infrastructure projects as other issues of interest.

"The northwest suburbs have long been neglected for infrastructure improvements. Highway 10 west through Anoka (to Elk River) has been talked about for decades. And how long have we waited for Highway 610 to be completed?" said Petersen, referring to the east-west highway linking Highway 10 and Interstate 94.

Petersen said running for the Senate gives him an opportunity to continue to represent his community. "I love the House. I enjoy my relationships here, being a little bit more wild or less formal. But really it's the opportunity to continue to represent my community, my hometown area. I grew up in that area. That's why I'm running for the Senate."

If he wins election to the Senate, Petersen will represent twice as many constituents.

He'll also be called on to help with twice as many children at home after the expected birth of a son in late May. He has been named Cash. "That's Cash, like Cash money," Petersen said. 🍷



PHOTO BY ANDREW VONBANK

Rep. Branden Petersen says that not running for the Legislature was never an option.

BILL INTRODUCTIONS

MARCH 19 - 22, 2012

HOUSE FILES 2913 - 2961

Monday, March 19

HF2913-Mack (R)

Transportation Policy & Finance

Gasoline and special fuel tax exemptions modified.

HF2914-Mack (R)

Health & Human Services Reform

Medical Assistance transfer prohibition exception clarified.

HF2915-Gottwalt (R)

Health & Human Services Reform

Health and human services policy provisions changed; family stabilization services, disability services and Medical Assistance provisions amended; health insurance provisions and licensed health professionals requirement modified.

HF2916-Mack (R)

Taxes

Hospitals and health care providers gross revenue tax credits and exemptions modified to include eating disorder treatment.

HF2917-Quam (R)

Education Finance

School district debt limits repealed.

HF2918-Anzelc (DFL)

Education Finance

School district transportation aid provisions modified.

HF2919-Persell (DFL)

Higher Education Policy & Finance

Bemidji State University funding provided, bonds issued and money appropriated.

HF2920-Persell (DFL)

State Government Finance

Northern Minnesota Veterans Home establishment funding provided, bonds issued and money appropriated.

HF2921-Persell (DFL)

State Government Finance

Bemidji regional public television station funding provided, bonds issued and money appropriated.

HF2922-Vogel (R)

Environment, Energy & Natural Resources Policy & Finance

Energy conservation requirements modified.

HF2923-Scalze (DFL)

Commerce & Regulatory Reform

Early education scholarship program created and funded, electronic pull-tabs and bingo authorized, and money appropriated.

HF2924-Kath (DFL)

Transportation Policy & Finance

Motor vehicle taxes regulated, misdemeanor public defender representation authorized and public safety and public defenders money appropriated.

HF2925-Hortman (DFL)

Commerce & Regulatory Reform

Foreclosure prohibited if the lender has not acted on a loan modification request.

HF2926-Lillie (DFL)

Commerce & Regulatory Reform

University of Minnesota sports attendee full service required and scholarships established.

HF2927-Hortman (DFL)

Taxes

Metropolitan Council and Three Rivers Park District spending authority modified.

HF2928-Slawik (DFL)

Jobs & Economic Development Finance

Autism spectrum disorder employer training required and money appropriated.

HF2929-Benson, J. (DFL)

Health & Human Services Reform

Day care facility property requirements changed.

HF2930-Howes (R)

Taxes

Homestead resort classification allowed for property adjacent to state trail.

HF2931-Champion (DFL)

Jobs & Economic Development Finance

High-risk adult demonstration project funding provided and money appropriated.

HF2932-Hoppe (R)

Commerce & Regulatory Reform

Wine festivals authorized to offer limited off-sales of wine by the bottle.

HF2933-Murphy, E. (DFL)

Commerce & Regulatory Reform

Small and craft brewer structure changed.

HF2934-Persell (DFL)

State Government Finance

State government and veterans affairs funding provided, fund transfers provided for, various fees and accounts provided for, military burial honor provisions clarified, GI bill program modified and money appropriated.

HF2935-Westrom (R)

Transportation Policy & Finance

Local road improvement funding provided, bonds issued and money appropriated.

HF2936-Westrom (R)

Civil Law

Landlord's right established to seek police or emergency assistance; fees, penalties and charges prohibited, and local law preempted.

HF2937-Norton (DFL)

Government Operations & Elections

Polling place roster photograph use required and money appropriated.

HF2938-Anzelc (DFL)

Environment, Energy & Natural Resources Policy & Finance

Koochiching renewable energy clean air project funding provided, bonds issued and money appropriated.

Tuesday, March 20

HF2939-Downey (R)

Education Finance

School district detachment and annexation proposal petition requirements modified.

HF2940-Murphy, E. (DFL)

Health & Human Services Finance

Medical Assistance income limit increased for qualified adults without children.

HF2941-Murphy, E. (DFL)

Health & Human Services Reform

Medical Assistance enrollee adults without children coordinated care system established.

HF2942-Lesch (DFL)

Civil Law

Virtual parenting time allowed.

HF2943-Smith (R)

Transportation Policy & Finance

City of Maple Plain; Oak Street reconstruction funding provided, bonds issued and money appropriated.

HF2944-Kiffmeyer (R)

Health & Human Services Reform

Prescription drug labeling best practices established.

HF2945-McNamara (R)

Environment, Energy & Natural Resources Policy & Finance

General permits, wolf taking and product stewardship program provided; wild animal taking, fees and surcharges, and aquatic plant control permit provisions modified; loan program and report requirements eliminated; money appropriated.

Wednesday, March 21

HF2946-Dettmer (R)

State Government Finance

Peace Officer's Memorial funding provided, bonds issued and money appropriated.

HF2947-Davnie (DFL)

Education Reform

Department of Education Post Secondary Enrollment Options (PSEO) data report to the Legislature required.

HF2948-Moran (DFL)

Jobs & Economic Development Finance

Mobile barber shops allowance rulemaking required.

HF2949-Garofalo (R)

Education Finance

Early graduation education finance provisions modified.

HF2950-Woodard (R)

Transportation Policy & Finance

Highway safety rest areas contingent appropriation provided.

HF2951-Hackbarth (R)

Environment, Energy & Natural Resources Policy & Finance

Wild animal taking license requirements and fees modified, receipt disposition provided and money appropriated.

HF2952-Petersen, B. (R)

Government Operations & Elections

State government zero-based budgeting system required.

HF2953-Persell (DFL)

Environment, Energy & Natural Resources Policy & Finance

Department of Natural Resources school trust land acquisition funding provided, bonds issued and money appropriated.

HF2954-Hosch (DFL)

Health & Human Services Reform

Minnesota Children and Family Investment Program Act created, MFIP and child care assistance programs modified, appointments provided and money appropriated.

Thursday, March 22

HF2955-Morrow (DFL)

Commerce & Regulatory Reform

Minnesota Cooperative Housing Act provided.

HF2956-Paymar (DFL)

Taxes

New tax credit enactment moratorium imposed.

HF2957-Quam (R)

Environment, Energy & Natural Resources Policy & Finance

Stagecoach Trail appropriation extended.

HF2958-Holberg (R)

Ways & Means

Federal funds spending requests consideration by the Legislative Advisory Commission required and federal money spending authority without legislative review limited to emergency management purposes.

HF2959-Brynaert (DFL)

Transportation Policy & Finance

Mobile medical units exempted from motor vehicle sales tax.

HF2960-Barrett (R)

Education Finance

General Fund appropriations reduction required to provide an annual increase in the school district aid payment percentage.

HF2961-Erickson (R)

Education Reform

Teacher candidates' basic skills examination passage provisions amended.

CONSIDER THE AMENDMENTS



PHOTO BY PAUL BATTAGLIA

Wayne Lindholm, a developmental disability parent advocate from Edina, checks out the long line of amendments outside the March 22 meeting of the House Health and Human Services Finance Committee.

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MINNESOTA INDEX

Child support

Approximate percent of Minnesota child support cases with a child support order in place.....	86
In federal fiscal year 2011 (Oct. 1, 2010 to Sept. 30, 2011), approximate number of cases in the state's child support program.....	242,000
Approximate number of cases in FFY 2009 (Oct. 1, 2008 to Sept. 30, 2009).....	245,695
Of the FFY 2011 cases, approximate number that are public assistance cases	27,000
Children who have a Minnesota child support case who were born outside of marriage, as approximate	178,000
Millions collected and distributed by the state's child support program in FFY 2011...	\$602
Millions in FFY 2009	\$598.1
Percent of cases with ongoing support obligations that had some payment toward the obligation during FFY 2011	81
Average annual collection per order	\$2,895
Cumulative amount of past due support as of Sept. 30, 2011, as approximate in billions	\$1.65
Total as of June 30, 2010	\$1,648,768,928
Millions, as estimate, paid on child support debt in FFY 2011	\$140
Percent of cases in arrears, as estimate, that received arrears payment in FFY 2011	70
Average debt owed in cases with child support debt	\$ 8,538
Approximate percent of child support cases with debt	80
Millions collected by employers withholding child support from parents' paychecks in FFY 2011	\$426
Through tax refunds and rebate intercepts, millions collected in FFY 2011	\$39.5
Millions spent on child support expenditures in FFY 2011	\$167
Percent funded by federal government	73
Percent funded by counties	18
Percent funded by the state	9
Millions spent in 2009	\$166.3
For every \$1 spent on Minnesota's child support program, amount collected in FFY 2011 in support of Minnesota children	\$3.59
In state fiscal year 2010	\$3.67
Parents, as approximate, who had their driver's license suspended for failing to pay child support as of Nov. 30, 2011	91,000
Phone numbers for the Department of Human Services' child support information line	651- 431-4199 or 800-657-3954

— M. Cook

Sources: Department of Human Services, including Child Support in Minnesota: facts and figures, January 2012 and 2010 Minnesota Child Support Performance Report; Minnesota Judicial Branch

SESSION WEEKLY

LAST IN, FIRST OUT ... OUT OR IN?

BUESGENS, CHAMPION, MAZOROL, WESTROM LEAVE THE HOUSE

HHS: IT'S COMPLICATED

ANOTHER VETO ON ANOTHER BILL

HF2962 - HF2982

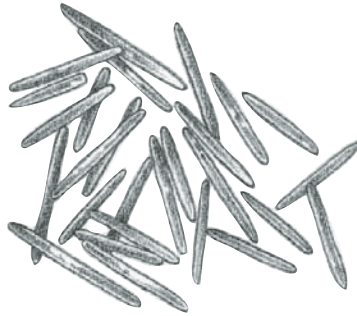
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Flashback to 1992 and 2002

Distinguishing Minnesota's State Grain

People who buy wild rice in Minnesota would be able to tell where their rice is grown and how it was harvested, under the terms of HF2804.

Wild rice labels would indicate whether the rice is harvested by hand or mechanically — distinguishing rice harvested by American Indians in Minnesota from wild rice harvested with air boats in Canada.



The bill would strengthen a 1989 law, which distinguished "cultivated wild rice" and "paddy-grown wide rice" from wild rice that is hand-harvested. That law also prohibits the use of "Minnesota" on labels unless the rice is grown in the state, and the use of any pictures of Native Americans, unless the rice was hand-harvested by the people.

— Session Weekly March 27, 1992

Patients have the right to 'eye' prescriptions

Gov. Jesse Ventura signed a new law (HF2603/SF2627*/CH259) assuring that patients have a right to their contact lens prescription.

Under the law, any professional performing an eye exam, including an optometrist or physician, must provide patients a copy of their prescription after an exam and fitting. The patient, however, may be required to pay for the exam to receive the prescription.

Eye doctors are also required to promptly respond to requests from other professionals who seek to verify the patient's prescription.

Further, optometrists and physicians are barred from charging a fee for releasing the prescriptions and requiring patients to purchase a specific brand of lenses only available through the prescribing eye doctor.

— Session Weekly March 29, 2002

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SESSION WEEKLY

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Last in, first out ... out or in?

Conference committee weighs benefits of changing teacher layoff practices

By ERIN SCHMIDTKE

At the age of 10, Rep. Pam Myhra (R-Burnsville) had no reading skills. Her Bloomington fourth-grade teacher had instructed her, a native Spanish speaker, to get homework answers from other students.

In fifth grade, everything changed for Myhra. Her teacher, who was new to the district, helped her work her way up to grade-level reading. Myhra said that while this teacher was effective and had experience in other districts, this did not make her immune to layoffs.

"My teacher who changed my life, gave me a future, was no longer going to teach in our school. She moved back to New York. My fourth-grade teacher that abandoned me to illiteracy and frustration — quite honestly, hell — still taught," Myhra said.

This is why she voted in favor of the controversial "Last In, First Out" bill approved by the House March 16.

Currently, school districts use teacher seniority as the prime determinant for layoffs. HF1870 would authorize schools to base layoffs on performance evaluations, with emphasis on seniority drastically diminished. The bill is now being worked on by a conference committee.

Rep. Branden Petersen (R-Andover), the bill's sponsor, said it is a "logical next step" following Minnesota's receipt of a "No Child Left Behind" waiver earlier in the year. The federal waiver outlines certain steps Minnesota must take in its statewide education program, including implementation of quality standards for teachers. Petersen said that layoffs are no

exception to the needed reform in public schools.

He acknowledges the benefits that seniority can bring to the classroom, but argues that experience does not necessarily lead to better teaching skills.

"If I start working on my free throw and do that for five years, at the end, I'll be better at it. But that doesn't mean I should play in the NBA," he said. "In individuals, yes, experience makes you better, but not in aggregate. A teacher with five years (experience) could be the most effective. But someone with three years could be, too."

Critical reform or an attack?

Louise Sundin, president emeritus of the Minnesota Federation of Teachers, is one of the bill's critics. As a testifier against the bill in the House Education Reform Committee Jan. 31, she likened the bill to a familiar television program.

"When I was having a hip replaced not too long ago, I did not seek out Doogie Howser," she said.

As the bill progresses through the conference committee two months after that initial committee meeting, Sundin's opinion has not changed.

"We are trapped in an industrial model of a top-down power structure that is of a boss and line workers. That is not appropriate for this profession," Sundin said. She feels that this bill exacerbates a damaging dynamic.

Sundin is one of a group of educators who view this bill as one part of this session's continued assault on the teaching profession. Lawmakers have passed other bills to similar protests, including one which requires teachers-to-be to pass a basic skills exam to receive licensure.

"This sounds like one more case in which we aren't valued, believed or appreciated," said Sundin.

Perhaps the greatest worry of some educators is the nature of the evaluation that



PHOTO BY PAUL BATTAGLIA

Rep. Branden Petersen and Sen. Pam Wolf confer during the March 26 conference committee on the so called "Last-In, First-Out" education bill.

First Reading continued on page 4

would determine which teachers keep their jobs. Though most anticipate it will include measures involving student test scores and academic growth, as well as in-class monitoring of teachers, the specifics are still under development by a work group in the Department of Education.

That uncertainty has led the bill's critics calling it a premature step in education reform. During the March 26 conference committee, Education Commissioner Brenda Cassellius warned of unintended consequences that could be ultimately damaging for Minnesota schools.

Cassellius agreed that change is needed in education, but asked lawmakers to take a measured approach to possible solutions. She believes that

local decision-making is the best answer to what legislators are calling a growing problem.

"We have an urgency in schools to do better ... (But), I think fundamentally, principals know their teachers better than we do. They should make that decision," she said.

Cassellius' viewpoint is in stark contrast to that of many proponents, including Myhra.

"Here was a teacher who helped me make the change. ... I think this has been a slow process — painfully slow for students who have never had that," she said.

Some educators agree that this bill could actually help teachers who are changing students' lives.

During a March 23 meeting of the conference committee, members heard testimony from George Parker, a former union leader and math teacher from Washington, D.C. He explained that he supported the reform of layoff practices in the schools that he represented.

"As a union president, I saw some of my best teachers have to leave because they had not taught one year or two years as long as someone else," Parker said.

As someone who initially opposed the removal of "Last In, First Out," he said, "Maybe I was part of the problem."

Parker now believes that "Last In, First Out" disproportionately affects students in inner-city schools,

who are often minorities or economically vulnerable. He said that those schools often hire newer teachers, who are let go first. That creates an instability that hurts the districts that need the most help.

Myhra echoes the need to repeal "Last In, First Out" as a step toward closing Minnesota's achievement gap. She believes that leaving it in place counteracts recent efforts to draw in minority teachers to the field.

"Minority teachers are often the last ones in. We need to have a mechanism to keep them in place to help effectively teach

minority students," she said. Myhra says that the bill could help students "beat the odds" as she did.

Alternatives for LIFO

While not all teachers believe an end to "Last In, First Out," or LIFO, as it has been termed, will hurt schools, several of Minnesota's education representatives urge lawmakers to consider alternative methods of addressing layoffs.

Jan Alswager, chief lobbyist for Education Minnesota, claims the teachers she represents do not oppose ensuring quality instruction, saying they "stand right by your side in wanting to do this." However, she added that designing an extensive teacher improvement program for those who struggle to succeed is a better method to improve teacher quality.

She said that this method could more effectively help remediate teachers in need of improvement. If such a program was not successful for some educators, she said that disciplinary action could be appropriate.

Sundin also supports alternate approaches to student achievement. She prefers an effort toward improvement that examines student achievement earlier in the education process, before teachers are let go.

"You can't fire your way to better teaching and learning," she said.

The value of teacher remediation is one, if the only, area where they and Petersen agree.

"Absolutely we want to use a remediation process in a normal school year. But I can't think of an argument about how this (bill) doesn't benefit the students," Petersen said.



"My teacher who changed my life, gave me a future, was no longer going to teach in our school."

— Rep. Pam Myhra
R-Burnsville

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HIGHLIGHTS

MARCH 22 - 29, 2012

Editor's note: The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held March 22-29. 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 acted on by the governor.

Business & Commerce

House passes banking bill

The House passed a bill 81-51 March 27 that would require Minnesota banks to follow the same guidelines as federal ones, permitting derivative transactions for state charter banks. It would also clarify holiday closures for financial institutions.

Sponsored by Rep. Diane Anderson (R-Eagan) and Sen. Dan Sparks (DFL-Austin), HF2227/SF1735* now goes to the governor's desk. It was passed 65-0 by the Senate March 19.

DFLers unsuccessfully offered a series of amendments to assist homeowners facing foreclosure. Rep. Joe Mullery (DFL-Mpls) said that the changes would provide Minnesotans with increased opportunities to keep their homes.

"I wish you would come to North Minneapolis and see the devastation caused by indiscriminate foreclosures. ... They've happened because banks refuse to do what they're required to do," he said.

Rep. Jim Davnie (DFL-Mpls) was unsuccessful in offering an amendment that would increase communication between banks and underwater mortgage holders looking to sell their homes.

Rep. Joe Atkins (DFL-Inver Grove Heights) unsuccessfully introduced an amendment that would remove the allowance of derivative transactions outlined in the bill. He questioned Anderson's knowledge of the risks associated with these transactions, saying derivatives pose a potential danger to everyday consumers.

The claim was refuted by Republicans, who argued that permitting derivative transactions would allow state banks to remain competitive with national banks, which may already work with derivatives under federal law.

The House also defeated an amendment

posed by Rep. Karen Clark (DFL-Mpls), which would encourage financial institutions to help those wishing to send money to the Horn of Africa. Banks currently ban this over fears that these money transfers may fund terrorism.

— E. SCHMIDTKE

Consumers

Senior driving discount bill passes

Those at age 55 are currently eligible to take a defensive driving class managed by the Department of Public Safety. If a driver successfully completes the course, he or she receives a certificate from the department that authorizes the discount. Every third year, renewal is required. Rep. Jenifer Loon (R-Eden Prairie) hopes to make that renewal process simpler.

Her bill, HF2441/SF1542*, allows seniors to take a four-hour refresher course instead of retaking the full eight-hour course every three years. The House passed the bill 131-0 March 26. Sen. Paul Gazelka (R-Brainerd) sponsors the companion, which the Senate has already passed.

"As one who barely qualifies for this program and has taken the eight-hour course, I fully support the bill," said Rep. Paul Anderson (R-Starbuck). The bill awaits gubernatorial action.

— E. SCHMIDTKE

Purchasers' rights and ticket resales

Event operators can currently restrict reselling through methods such as requiring proof that the original buyer's identification matches the ticket user.

Rep. Joe Hoppe (R-Chaska) sponsors HF657, which would ban attempts to limit ticket resale. The House passed the bill 83-50 on March 27. Sen. Chris Gerlach (R-Apple Valley) sponsors its companion, SF425, which awaits action by the Senate Judiciary and Public Safety Committee.

Hoppe successfully amended the bill to allow exemptions for higher education institutions, which frequently sell event tickets that are intended only for students.

Rep. Pat Garofalo (R-Farmington) spoke in support of the bill, arguing that imposing resale restrictions is a violation of fans' rights as purchasers.

"Where else do you go and buy a product where the seller dictates what you do with it?" he asked.

Rep. Debra Hilstrom (DFL-Brooklyn Center) asserted that ticketholders should have the right to sell their tickets as they would any other property item.

"When I buy a ticket, I should have the right to use my ticket or give it to someone else," she said.

Some members wondered whether the bill would ease the resale process for everyday consumers or simply increase ticket prices by assisting large-scale scalpers.

"At first glance, it looks like it's going to protect the consumer who's holding the ticket. I would argue this will help the scalpers and the resellers," said Rep. Kurt Daudt (R-Crown).

Rep. Ryan Winkler (DFL-Golden Valley) also expressed concern, claiming that the bill would create unneeded requirements for venue operators and event promoters.

"I don't see your bill as a free market bill; I think your bill as an overreach from one group of people," he said.

— E. SCHMIDTKE

Education

School annexation modifications

Residents of a northeast Edina neighborhood live within the Hopkins school district, which means their children must ride the bus further than if they were able to attend school in Edina. Rep. Keith Downey (R-Edina) sponsors HF2939, which would ease the process for these residents to become part of their hometown school district.

The House Education Finance Committee approved the bill and sent it to the House floor March 22. Sen. Geoff Michel (R-Edina) sponsors the companion, SF2540, which awaits action by the Senate Education Committee.

Currently, for the neighborhood to be annexed into the Edina district, it would have to receive approval from both the Hopkins and Edina school boards. Under the bill, neighborhoods that want to change districts would only need approval from the annexing district.

Alan Koehler, a parent in this Edina

neighborhood, said that while many parents opt to open enroll their children in Edina, placement is not guaranteed from year to year. Koehler added that even though a minority of local students chooses to attend Hopkins, all property taxes from the neighborhood go to that district.

"This really is just about, you know, coming of age, having children and realizing that going to a local school is really important for your family. It's as simple as that," he said.

Rep. Kathy Brynaert (DFL-Mankato) acknowledged the importance of local schools, but wondered whether the bill sidesteps the jurisdiction of Hopkins and Edina school boards.

"I would feel that I have failed in my responsibility if I haven't seen that the appropriate elected authority is honored," she said. She suggested that districts and the families of the neighborhood work toward a compromise.

— E. SCHMIDTKE

Education omnibus bill unveiled

A bill that would expand high school students' opportunities to take college courses through the Postsecondary Enrollment Options program advanced in the House after receiving committee approval.

The House Education Finance Committee approved HF2949 March 27. It now awaits action by the full House. Sen. Gen Olson (R-Minnetrista) sponsors SF2482, the companion that awaits action by the Senate Rules and Administration Committee.

Sponsored by Committee Chairman Rep. Pat Garofalo (R-Farmington), the second education omnibus bill of the session, provides for a variety of changes to statewide education.

Besides expanding post secondary options, the bill would also ban public school employees from using school resources to engage in political activities. During a previous committee hearing, some parents praised the bill's emphasis on unbiased political education, while educators worried that it would overreach and stifle teachers' rights to free expression.

Rep. Carlos Mariani (DFL-St. Paul) unsuccessfully proposed two amendments. One would alter testing requirements for those attempting to obtain their high school diplomas, which Mariani said would especially affect immigrant students.

The second would implement a school integration program based on findings of a task force created by the Legislature

last session. The program would focus on increasing achievement, as well as promoting interaction between different racial, ethnic and socioeconomic groups.

Garofalo opposed the amendment, which he said needed to be more closely examined through hearings with the Senate.

Representatives of education groups objected to a portion of the bill that would redirect general education revenue paid to schools for students who graduate early. The money, instead, would go to early graduation achievement scholarships and military service awards, which eligible students could apply. Roger Aronson, legal counsel for both the Minnesota Association of Secondary School Principals and the Minnesota Elementary School Principals' Association, worried that the change could harm schools mid-year when they need the funding.

— E. SCHMIDTKE

Eye screening changes become law

Signed
by
the
governor

Gov. Mark Dayton signed into law on March 26 new requirements for early childhood development screenings in schools.

School districts are required to hold these screenings for children who are nearing school age. This helps the schools identify children who could benefit from district or community resources.

The new law, effective March 27, 2012, requires districts to share information about vision screenings with parents. It explains the benefits that stem from vision testing and states that the testing is not a substitute for a comprehensive eye exam.

Rep. Sondra Erickson (R-Princeton) and Sen. David Hann (R-Eden Prairie) sponsor the law.

HF300*/SF1160/CH136

— E. SCHMIDTKE

Prone restraints bill advances

School staff with specific training may physically restrain out-of-control students with special needs. The technique, called "prone restraints," involves holding a student face-down until the situation becomes manageable.

The House passed HF2293/SF1917* March 28, which would extend the authorization for use of the practice through the next school year. Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Pam Wolf (R-Spring Lake Park), it would also require that the Department of Education gather

Some to step down, some step aside, some hope to move on

Following this year's redistricting, all House and the Senate members are up for election. However, several House members have announced their intentions to run for a different office, while others have announced their retirement, and two lost the endorsement to a fellow party member after they were pitted against each other in newly drawn districts. Here is an unofficial listing of members, as of March 28, who won't be returning to the House.

House members who have announced they will not seek re-election:

Rep. Mark Buesgens (R-Savage)
Rep. Denise Dittrich (DFL-Champlin)
Rep. Mindy Greiling (DFL-Roseville)
Rep. Bill Hilty (DFL-Finlayson)
Rep. Larry Hosch (DFL-St. Joseph)
Rep. Kate Knuth (DFL-New Brighton)
Rep. John Kriesel (R-Cottage Grove)
Rep. Pat Mazorol (R-Bloomington)
Rep. Mark Murdock (R-Ottertail)
Rep. Nora Slawik (DFL-Maplewood)

Seeking Senate seats:

Rep. Bruce Anderson (R-Buffalo Township)
Rep. Bobby Joe Champion (DFL-Mpls)
Rep. Connie Doepke (R-Orono)
Rep. Kent Eken (DFL-Twin Valley)
Rep. Mary Kiffmeyer (R-Big Lake)
Rep. Lyle Koenen (DFL-Clara City)
Rep. Branden Petersen (R-Andover)
Rep. Bev Scalze (DFL-Little Canada)
Rep. Torrey Westrom (R-Elbow Lake)

U.S. Senate hopeful:

Rep. Kurt Bills (R-Rosemount)

Lost endorsement to fellow party member

Rep. Marion Greene (DFL-Mpls)
Rep. Ron Shimanski (R-Silver Lake)

data on prone restraints, with the intent of eventually replacing the practice with a safe alternative.

Following the 116-16 vote, the bill now awaits action by Gov. Mark Dayton. The Senate passed it 65-0 March 15.

In Minnesota, prone restraints may only be used for a minimum amount of time and the force it takes to ensure the student or another person will not be injured. Davnie said that intermediate schools in the Twin Cities metropolitan area brought the issue to his attention because they feel some students may pose a danger if the restraint authorization is allowed to expire.

Without prone restraints, Davnie cautioned that some special needs students could instead be confined to their homes,

costing them opportunities they have in school. Those who would be allowed to remain in class may require police involvement to subdue them.

"That's not a positive impact for students," he said.

Rep. Sarah Anderson (R-Plymouth) voiced concern that the bill allows restraint of children ages 5 and older. She said that brought to mind her 4-year-old son.

"I can't imagine him having the experience of being placed face down on the floor, for whatever reason that might be," Anderson said.

— E. SCHMIDTKE

Elections

Political ban for school staff

Public school employees may be banned from using district resources to promote any political candidate or cause.

The House passed HF329 March 28, which seeks to prohibit staff from using technology, time, equipment and materials owned by the school for political activity. Rep. Kurt Bills (R-Rosemount) sponsors the measure, which would still allow teachers to disseminate factual information to students.

Following the 73-60 vote, the bill next goes to the Senate, where Sen. Dave Thompson (R-Lakeville) is the sponsor.

Bills said teachers in some Minnesota districts have incorporated their personal opinions into the classroom, with the intent to influence students. He added that the bill would not completely prohibit teachers from expressing their political views, but it would not allow them to do so in an "official capacity."

House Republicans voiced approval for the bill, calling it an appropriate step in ensuring proper use of resources funded by taxpayers.

"It doesn't throttle the ability of teachers to discuss issues in their classrooms. They just can't advocate for one position or another," said Rep. Mary Liz Holberg (R-Lakeville).

Rep. Joe Atkins (DFL-Inver Grove Heights) unsuccessfully offered an amendment that would extend the ban to corporations, who would be unable to make independent political expenditures. The speaker ruled his amendment out of order.

Rep. Tom Anzelc (DFL-Balsam Township) worried that the bill would create a chilling effect on schools. He added that open political conversations in schools

are beneficial to students.

"Our schools have lifted more people out of poverty than any other institution in this country. And it's a free flow of ideas and the discourse that allows everyone the opportunity of self-expression," Anzelc said.

The bill also received criticism from Rep. Ryan Winkler (DFL-Golden Valley), who accused Republicans of unfairly attacking public school employees, while leaving others who receive state funds untouched.

— E. SCHMIDTKE

Employment

Actuarial changes in pension bill

Some lawmakers think Minnesota's public employee pension funds are expecting too much from their investments and ought to set their sights a little lower.

Rep. Morrie Lanning (R-Moorhead) sponsors HF2199, the omnibus pension bill. It comprises the work of the bipartisan Legislative Commission on Pensions and Retirement, and proposes a variety of changes to various state and local pension funds.

Perhaps the most significant change would be to the actuarial assumptions used to calculate the funds' long-term fiscal health. The bill would lower the assumed rate of return from 8.5 percent to 8 percent for a

period of five years, when it would change back to 8.5 percent.

The bill would not impact the levels of contributions or benefits affecting current and former public employees. However, Lanning said that because dropping the assumed rate of return might increase the amount of unfunded liabilities, adjustments might be needed in the future.

The House Government Operations and Elections Committee approved the bill March 22 after adopting a delete-all amendment and sent it to the House Ways and Means Committee. Sen. Julie Rosen (R-Fairmont) sponsors the companion, SF1808, which awaits action by the Senate Finance Committee.

Supporters say Minnesota's current assumed rate of return is one of the highest in the country and doesn't reflect the realities of the new marketplace.

"If you leave it where it is, I think we run the risk of continuing to make some promises that we may not be able to keep. And I care very deeply about the state of Minnesota keeping its promises with our employees," Lanning said.

The bill's opponents argue the change is unnecessary, and that its proponents are focused too much on the recent economic turmoil and not enough on the long-term outlook.

"I think there's an innate human tendency to assume that whatever you're living with

PHOTO OPP



PHOTO BY PAUL BATTAGLIA

Two participants in the annual Social Work Day at the Capitol take photos with their phones as Gov. Mark Dayton addresses hundreds of social work students, teachers and practitioners at the March 26 rally.

now is what you're going to be living with in the future," said Rep. Ryan Winkler (DFL-Golden Valley).

Since 1980, the State Board of Investment has produced annualized returns of slightly less than 10 percent.

— N. BUSSE

Prevailing wage change proposed

The formula used to calculate the prevailing wage that contractors must pay their workers for state-funded construction projects could change for those in Greater Minnesota.

Rep. Peggy Scott (R-Andover) sponsors HF1476 that would alter the method of calculating the prevailing wage to use the "mean," or average wage, instead of the wage paid to the largest number of workers (i.e. "mode").

It would also change the prevailing hours of labor to allow for four 10-hour workdays instead of five eight-hour days. The latter change would apply to the entire state.

The House Ways and Means Committee voted to table the bill on a motion from Rep. Lyndon Carlson Sr. (DFL-Crystal). Chairwoman Rep. Mary Liz Holberg (R-Lakeville) had planned to lay the bill over, but Carlson said he preferred to table it

because it put the bill one step further away from passage. The vote was 14-13.

As originally drafted, the bill would have changed the way prevailing wages are calculated throughout the entire state; however, Rep. Denny McNamara (R-Hastings) successfully amended the bill to apply only to Greater Minnesota.

"The prevailing wage is not an issue in the metro area like it is in outstate Minnesota, where unfortunately we're really hurting small contractors and their ability to compete in their own hometown," McNamara said.

Harry Melander, president of the Minnesota Building and Construction Trades Council, said the bill would unfairly drive down wages for rural construction workers. He also said the proposed change from an eight to a 10-hour workday would result in lower wages statewide by cutting into some workers' overtime pay.

"We believe what's good for the metro area is also good for Greater Minnesota. ... We are all Minnesotans and we should be treated that way," Melander said.

Sen. John Pederson (R-St. Cloud) sponsors the companion, SF1199, which awaits action by the Senate Finance Committee.

— N. BUSSE

Env. & Natural Resources

Water conservation repeal passes

Cities providing water for more than 1,000 people would make water conservation efforts optional under a bill passed by the House March 26.

Sponsored by Rep. Tim O'Driscoll (R-Sartell) HF1923 would repeal so-called water demand rate structures for municipal water suppliers. Such rates typically penalize heavy water users and reward those who live in cities with tiered rate structures.

"What the bill does is make a practice optional that is now in state law," O'Driscoll said. The bill also delays state-mandated "demand reduction measures" to reduce water demand and nonessential water uses from Jan. 1, 2013, to Jan. 1, 2015.

Passed 71-60, the bill now goes to the Senate, where Sen. John Pederson (R-St. Cloud) is the sponsor. The proposal is also in an omnibus environmental permitting bill, HF2095/SF1567*, sponsored by Rep. Dan Fabian (R-Roseau) and Sen. Bill Ingebrigtsen (R-Alexandria), that passed off the House floor 92-36 March 29.



PHOTO BY PAUL BATTAGLIA

Members of the building trades unions fill the hearing room where the House Ways and Means Committee hears testimony March 28 on a bill that would make changes to the prevailing wage that contractors must pay their workers for state-funded construction in Greater Minnesota.

O'Driscoll's bill would also delete a requirement that public water suppliers create conservation rate price structures and a public education program that includes water-conserving toilet and showerhead retrofits.

Before the bill passed, it was successfully amended by Rep. Mary Liz Holberg (R-Lakeville) to remove the Metropolitan Council's authority to force any cities to adopt water demand reduction measures.

That drew criticism from some DFLers, including Rep. Jean Wagenius (DFL-Mpls). "The Holberg amendment makes this bill, which is problematic, not good at all," Wagenius said. She fears that demand from groundwater sources is too great and that underground pollution could be drawn into municipal water supplies if demand is strong.

O'Driscoll said the bill attempts to "return all authority back to local cities of more than 1,000 and still work with the Department of Natural Resources on a water conservation program. The city would still have the authority; it's not going away."

— B. GEIGER

Environment bill advances to House

The full House could vote on permit streamlining, environmental deregulation and aquatic invasive species measures all contained in the omnibus environment bill approved by the House Ways and Means Committee March 29.

Sponsored by Rep. Denny McNamara (R-Hastings), HF2164 would define aquatic invasive species control measures, including conservation officers' authority to order water-related equipment off a lake if the Department of Natural Resources commissioner determines that action is needed.

Other aquatic invasive species measures in the bill are decontamination equipment of boats and other watercraft, inspection stations and adequate enforcement capacity to minimize wait times at contamination stations.

Like other bills introduced this session, this one lays out contingency plans in case of a government shutdown. It would provide for state park and recreation areas and the Minnesota Zoo to remain open.

Among other provisions, the bill would require the Pollution Control Agency commissioner to approve or deny permit applications within 60 days. Failure to deny applications for a minor permit or permit amendment within that time frame would

mean the permit is approved.

Appropriations contained in the bill include \$32.2 million for environmental enforcement by state agencies; \$11.3 million for lands and minerals management; and \$3.4 million for renewable energy projects.

The House Ways and Means Committee amended the bill to require the Environmental Quality Board to analyze whether mandatory assessments should be modified, eliminated or unchanged and recommend improvements to the environmental review process by Nov. 15, 2012.

Other provisions in the bill include:

- transferring Minnesota's water management from a county-by-county basis to a watershed-based program;
- making water supply reduction programs voluntary for municipalities serving 1,000 people or more;
- adding recruitment and retention of anglers and hunters to the DNR's mission, and outlining a wolf-hunting season;

- prohibiting the DNR from buying land at more than 20 percent above assessed market value or 10 percent above its appraised market value;
- providing funding for electronic game and fish license sales; and
- expanding the use of general permits.

A companion, SF1830, sponsored by Sen. Bill Ingebrigtsen (R-Alexandria), awaits action by the full Senate.

— B. GEIGER

Game & Fish

Game and fish bill to full House

A potential Minnesota wolf hunting season could be debated by the full House after the House Ways and Means Committee approved the omnibus game and fish bill March 28 on a divided voice-vote.

Sponsored by Rep. Tom Hackbarth (R-Cedar), HF2171 includes a \$26 license

BILL DING

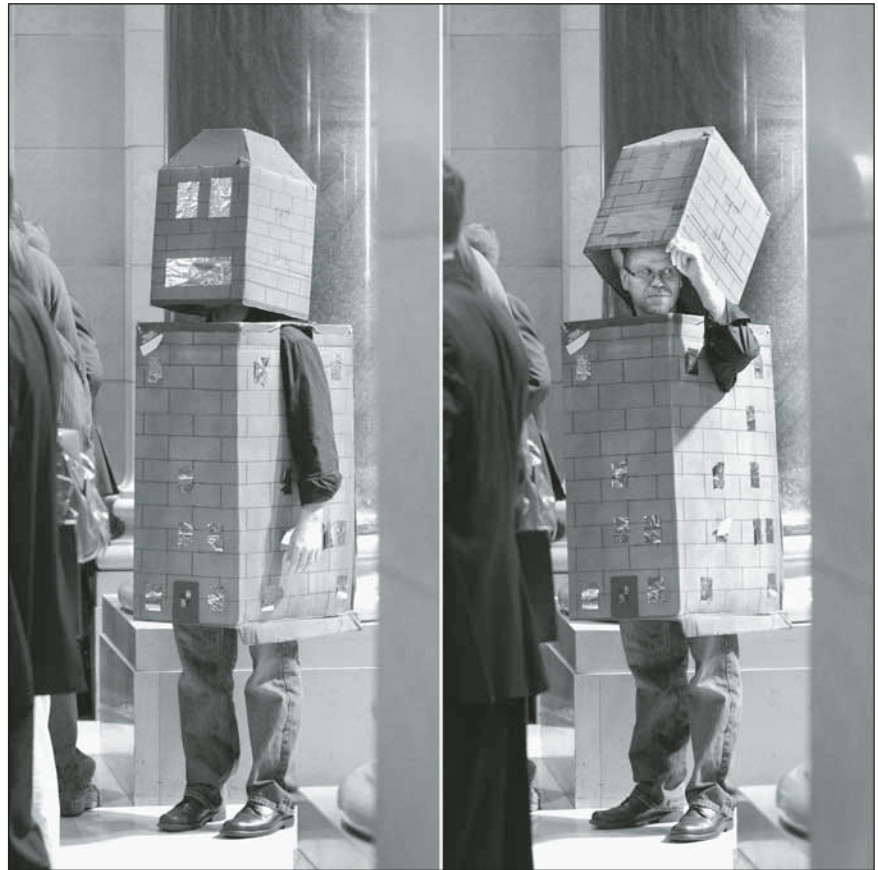


PHOTO BY ANDREW VONBANK

Peeking out from a homemade costume, Bill Ding, aka Michael Dahl, grassroots coordinator at the HousingJobs Campaign, lobbies in front of the House Chamber March 28 for support of affordable housing funding in the bonding bill.

for the opportunity to take one wolf — the same cost as a deer hunting license. Hunting seasons for both animals would be held simultaneously.

Prospective wolf hunters would pay a \$4 fee to enter a lottery to receive a license. Up to 400 wolves, less than one-seventh of Minnesota's estimated wolf population, could be taken, under the bill.

By comparison, the Department of Natural Resources reported that 192,331 deer were harvested during the 2011 hunting season.

Other bill components include limiting minnows imported into Minnesota to "containment facilities" to minimize the threat of the small fish escaping into state waters.

That language was included because some minnows look just like small silver carp, an invasive species that has been found in the Missouri River and several South Dakota rivers and streams. Minnesota officials fear invasive carp could escape from containment facilities in that state and invade Minnesota waters.

The bill also contains language allowing for the electronic sale of hunting and fishing licenses if the state government shuts down. A fiscal note for the bill indicated that the DNR lost \$2.2 million in license sales during the three-week 2011 government shutdown.

Road authorities would be given authority, under the bill, to kill beaver that are causing damage without first notifying a DNR conservation officer, as is currently required, and would give the DNR authority to temporarily drain shallow lakes to help control invasive species.

A companion, SF1943, sponsored by Sen. Bill Ingebrigtsen (R-Alexandria), awaits action by the full Senate.

— B. GEIGER

Health & Human Services

Grant criteria for pregnancy consult

Newer facilities that offer "alternatives to abortion" programming would be eligible to apply for grants to counsel pregnant women, under a bill passed 104-28 by the House March 27.

Programs currently must have had an "alternatives to abortion" program in place by July 1, 2004.

HF2676 changes the grant eligibility date to programs in existence at least one

year prior to July 1, 2011. Rep. Larry Howes (R-Walker), the bill's sponsor, said several new counseling programs have been added since 2004 and that the bill simply changes the date to allow more recent providers to apply for the grants.

Other criteria require an applicant to be a private, nonprofit organization and to provide the services to pregnant women free of charge. Services may include medical care, parenting education, housing assistance, adoption services and child care assistance.

The bill now moves to the Senate, where Sen. John Carlson (R-Bemidji) is the sponsor.

— S. HEGARTY

Deaf treatment options may expand

Children who are deaf, deaf-blind or hard-of-hearing and who need mental health treatment would be allowed to reside in facilities outside of Minnesota borders, under HF2253 passed 131-0 by the House March 26.

To qualify for Medical Assistance funding, the facilities must be located in a state that is a member of the Interstate Compact on Mental Health. Clients would include children who use American Sign Language as their first language.

Children with these special needs currently don't have access to 24-hour residential care in Minnesota, resulting in more expensive inpatient placements, according to Rep. Kathy Lohmer (R-Lake Elmo), the bill's sponsor.

An estimated two to four Minnesota children annually require the specialized mental health services for people who are deaf, deaf-blind or hard-of-hearing.

The bill could save public assistance programs thousands of dollars a day by negotiating less expensive rates at facilities in other states, Lohmer said.

The bill now moves to the Senate, where Sen. Michelle Benson (R-Ham Lake) is the sponsor.

— S. HEGARTY

Military & Vet. Affairs

Spat over funding for veterans

A hearing on Gov. Mark Dayton's supplemental funding requests for veterans programs turned testy, with committee members accusing one another of political gamesmanship.

Rep. John Persell (DFL-Bemidji) sponsors HF2934 that contains the governor's \$1.5 million request to boost funding for a

number of veterans programs. It focuses mainly on programs that help veterans reintegrate into civilian life and find jobs following an overseas deployment.

The House State Government Finance Committee laid the bill over March 27 after heated debate. Committee Chairman Rep. Morrie Lanning (R-Moorhead) said the bill can't move forward until an acceptable funding source is found. Dayton's stated plan is to fund the bill by eliminating corporate tax breaks, which Lanning said Republican lawmakers would not approve.

That didn't sit well with some DFL committee members. Rep. Steve Simon (DFL-St. Louis Park) accused Republicans of holding a "fake hearing" on the bill with the intention of letting it die quietly in committee. DFLers said that because the bill contained no tax provisions, it should move forward while an alternative funding source is sought.

Simon made two unsuccessful motions to send the bill to other committees; both failed on party-line votes. Republican committee members said DFLers were playing political games to make them look bad.

"I appreciate there's a lot of grandstanding and politicking going on and trying to create the mailing pieces for the next campaign," said Rep. Keith Downey (R-Edina).

Meanwhile, others expressed regret that the bill had become a "political football."

"This simple little bill of mine has gotten more attention than I would have liked," Persell said.

Some of the bill's provisions are similar to ones that are currently moving forward in Republican-sponsored bills.

Sen. Chuck Wiger (DFL-Maplewood) sponsors the companion, SF2487, which awaits action by the Senate State Government Innovation and Veterans Committee.

— N. BUSSE

GI Bill expansion

Minnesota's unemployment rate for veterans returning from duty in Iraq and Afghanistan hangs at 23 percent — reportedly the third-highest rate in the country. A proposal headed for the House floor is intended to help put the state's veterans back to work.

Rep. Carolyn McElPatrick (R-Deer River) sponsors HF2909 that would expand the state's GI Bill program, which provides education benefits for post-9/11 veterans and certain family members. The bill would provide financial assistance for

apprenticeship and on-the-job training programs.

The House Ways and Means Committee approved the bill March 29. Its language has also been amended into HF2958, sponsored by Rep. Mary Liz Holberg (R-Lakeville). Both bills await action on the House floor.

Speaking at a March 28 hearing, McElfatrick said Minnesota already has a substantial number of veterans, and that with the draw-downs in Iraq and Afghanistan, more are expected soon. She said these young men and women are currently at a competitive disadvantage in the civilian job market.

"Many of these military folks joined up shortly after high school, without much work experience, and others have had multiple deployments, which seriously impacts their work history," she said.

Under the provisions, eligible individuals could receive up to \$2,000 for either an apprenticeship or on-the-job training. Employers would be eligible for a \$1,000 job placement credit for each hire, and another \$1,000 after they have employed the individual full-time for 12 consecutive months.

The proposal is similar to a plan offered by Gov. Mark Dayton in his supplemental budget request. Funding would come from the GI Bill's current appropriation, which officials say is underutilized.

Sen. Mike Parry (R-Waseca) sponsors the companion, SF2488. Sen. Claire Robling (R-Jordan) sponsors SF2469, the companion to Holberg's bill. Both await action by the Senate Finance Committee.

— N. BUSSE

Public Safety

Judicial election changes proposed

Since 1949, sitting judges have an incumbency designation on the election ballot.

Some people believe that creates an unfair advantage in a contested race.

Sponsored by Rep. Ron Shimanski (R-Silver Lake), HF1536 would eliminate the incumbency designation for judicial offices on a ballot and it would modify the mandatory retirement age for judges.

The bill was one of two heard March 28 at an information-only meeting of the House Civil Law and Judiciary Policy and Finance committees.



PHOTO BY ANDREW VONBANK

Judge Jeffrey Thompson, right, and Judge Teresa Warner, left, testify March 28 before a joint meeting of the House Judiciary Policy and Finance and Civil Law committees during an informational hearing on a pair of bills that would modify mandatory retirement age for judges and eliminate the incumbency designation on the ballot for judicial offices.

In addition to the non-incumbent designation for judges, HF1474, sponsored by Rep. Diane Anderson (R-Eagan), would, in part, create judicial election districts where judges could only be elected by residents of the county where the judge chambers. Judges in Hennepin and Ramsey counties would be assigned judicial precincts where the same rules would apply.

Among the arguments put forth by supporters of the incumbency change is that the current system makes it seem as though the incumbent is more entitled to an office than a challenger, and it would better hold judges accountable.

"If we have a system where legislators aren't recognized as incumbents, I don't see a good reason why the incumbency designation should be made for the judges," said Chris Kumpula, an Elk River resident.

Jeffrey Thompson, a district court judge in Winona and assistant chief judge of the 3rd Judicial District, said Minnesota is unique in its incumbency designation. "This current system has worked well, well enough for a human system, for the past 63 years and we don't think it should be changed."

Current law requires a judge to retire the last day of the month that he or she turns age 70. Under the proposals, the mandatory retirement time would become Dec. 31 of the next even-numbered calendar year after the judge turns 70.

Instead of having the governor appoint a replacement, supporters say voters would be able to decide who should best fill the forthcoming vacancy through an election.

Sen. Scott Newman (R-Hutchinson) sponsors both companion bills. A companion to Shimanski's bill, SF627, awaits action by the Senate Judiciary and Public Safety Committee. SF1508, the companion to Anderson's bill, awaits action by the Senate Local Government and Elections Committee.

— M. COOK

Going after gas drive-offs

As gas prices continue to trend upward, so does the number of people filling up at the pump and then fleeing.

House approval was given March 22 to a bill sponsored by Rep. Chris Swedzinski (R-Ghent) that would help small businesses streamline the process of collecting money from motor fuel drive-offs.

Following the 128-0 vote, HF2333 now awaits action on the Senate floor. Sen. Scott Newman (R-Hutchinson) is the Senate sponsor.

The bill would allow a trade association acting on behalf of member organizations and retailers to serve notice and collect payments within current collection statutes.

The Minnesota Petroleum Marketers Association, which represents many of the

mom-and-pop or smaller convenience stores across the state, brought forth the proposal.

Swedzinski said the bill would also help local law enforcement by allowing the trade association to do an inference as to whether the person driving off meant to steal the fuel.

Oftentimes before a station allows fuel to be dispensed, an employee will write down a vehicle description and license number.

"At the end of the transaction if that person happens to drive off, they either contact local police at that current time, or they go ahead and contact the trade association to indeed figure out the address, name, phone number of that individual that stole it," Swedzinski said.

Under the bill, the trade association, for a fee, would be able to contact the individual in certain circumstances and give them 30 days to reply and hopefully collect payment and give the money to the retailer.

— M. Cook

Enhanced penalty addition

Within the state's domestic-violence statutes is a list of offenses that qualify a person for an enhanced offense, potentially leading to a harsher sentence.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park), HF2149 would add to that list the crime of female genital mutilation against a family or household member.

"Fortunately, it's rare, but it does occur," Simon said.

Passed 130-0 by the House March 28, it awaits action by the Senate Rules and Administration Committee. Sen. Ron Latz (DFL-St. Louis Park) is the Senate sponsor.

The bill is based on a July 2011 case in Hopkins where a man held his wife against a wall by her chest and neck during an argument and then threw her to the floor.

Following the man's arrest, the city's prosecuting attorney reviewed the man's criminal history to see if he had been previously convicted of a qualified domestic violence-related offense that would have allowed the case to start as a gross misdemeanor, rather than a misdemeanor.

Current qualified domestic violence-related offenses include: murder; violating an order for protection, harassment restraining order or no-contact order; stalking; domestic assault; or criminal sexual conduct. None of these was in the man's past, but he had been convicted of female genital mutilation in 2000, for which he was on probation until 2001.

— M. Cook

Synthetic drug deterrence approved

It isn't easy for law enforcement to keep up with the changing compounds of synthetic drugs, but legislators are again trying to help.

Sponsored by Rep. Bob Barrett (R-Shafer), HF2508 would enhance the penalty for selling these substances to a felony, would expand the list of synthetic substances and would grant the Board of Pharmacy expedited rulemaking authority to handle new chemical formulas used by drug producers.

"This bill will help keep synthetic drugs — also called designer drugs — out of Minnesota storefronts and off of Minnesota streets by making it more difficult to sell them," Barrett said. "The goal of this legislation is to help stop this emerging problem before it becomes a larger health crisis like so many other illegal drugs already are, including methamphetamines."

Approved 120-11 March 28 by the House, it now awaits action by the Senate Rules and Administration Committee. Sen. Scott Newman (R-Hutchinson) is the Senate sponsor.

The bill piggybacks on a 2011 law that added substances known as 2C-E and 2C-I, "plant food," "bath salts" and synthetic cannabinoids to the Schedule I drugs in the controlled substances chapter of state law; made it a gross misdemeanor to sell synthetic marijuana; and make possession a misdemeanor.

While the law had a positive effect in the war on drugs, not all shops are in compliance, instead willing to pay the small fine for a misdemeanor in order to keep doing business. Supporters said making it felonious to sell synthetic drugs will hopefully make some sellers decide what they're doing isn't worth the potential price of a \$10,000 fine and five years in prison.

"Maybe this will get the message across the state that we don't want one more death in Minnesota as a result of these dangerous drugs," Barrett said.

Rep. Joe Mullery (DFL-Mpls) noted that synthetic drugs can be far more dangerous than the actual product.

"While synthetic cannabinoids may seem similar to marijuana, they are nothing like marijuana," Barrett said. "They are 10 to 100 times more powerful. ... These are harsh drugs."

— M. Cook

Tougher vulnerable adult penalties

People who willingly neglect a vulnerable adult could face a more serious criminal

charge. So could those who mistreat a child.

Sponsored by Rep. Steve Gottwalt (R-St. Cloud) and Sen. Warren Limmer (R-Maple Grove), HF1945/SF1586* would create a new felony crime for intentional deprivation of a vulnerable adult, such as with food, clothing, shelter or health care, when the caregiver "is reasonably able to make the necessary provisions."

"Many cases have come to our attention ... detailing some of the instances where people have been literally left to rot in their own filth, horrible stories of abuse of vulnerable adults, and up until now we've only been able to charge these people with gross misdemeanors," Gottwalt said.

The bill was successfully amended on the House floor March 27 by Rep. Jeanne Poppe (DFL-Austin) to add HF2220, which would reduce the level of harm required for a felony offense for child mistreatment by replacing "substantial bodily harm" in statute with "demonstrable bodily harm."

As amended, the bill was passed 128-4. The Senate, which passed the initial bill 64-0 March 19, did not concur with the amended bill. A conference committee is expected to work out the differences.

Gottwalt said the bill is a bipartisan collaboration of many interested parties, including the provider community, law enforcement and prosecutors.

The bill provides for three affirmative defenses:

- the person employed by a facility is unable to "reasonably make the necessary provisions due to inadequate staffing levels, inadequate supervision, or institutional policies";
- the defendant operates or manages a facility and did not knowingly or intentionally permit an employee to permit the criminal act; and
- where the caregiver "was acting reasonably and necessarily to provide care to another identified vulnerable adult."

The Poppe-sponsored bill, which stalled in the House Public Safety and Crime Prevention Policy and Finance Committee, is based on a 2011 Mower County case where a 5-year-old child was chained to the slats of his crib every evening. The parents could only be charged with a gross misdemeanor.

Because there wasn't substantial bodily harm, only demonstrable bodily harm — any harm that can be observed by another person — could be used in the charging.

"This young boy had bruising, swelling and even a rust stain on his leg," Poppe said.

“What he didn’t have was a broken bone. He did have demonstrable bodily harm; he did not have substantial harm.”

— M. COOK

Recreation & Tourism

Tourism council may expand

Twelve new members could be added to a state council charged with improving the state’s tourism and travel industries.

Rep. Larry Howes (R-Walker) sponsors HF1629 that would expand the Explore Minnesota Tourism Council from 28 members to 40. Council members are not compensated and there would be no cost to the state.

The House passed the bill 112-19 March 27. It now goes to the Senate, where Sen. Chuck Wiger (DFL-Maplewood) is the sponsor.

Under the provisions, the 12 new members would be representatives of “natural resources, history, the arts, transportation, health, tourism, and related areas from public or private organizations and businesses.”

John Edman, director of Explore Minnesota Tourism, said at a March 7 committee hearing that the change would enable the council to provide more advice and consultation.

— N. BUSSE

State Government

Not a revisor’s bill, but a revisor’s bill

Sometimes bills are signed into law where it’s later determined that a substantial correction needs to be made, due to an inadvertent error in drafting.

The House Rules and Legislative Administration Committee approved a bill March 26 that could be termed a “just-in-case-it’s-needed” bill that would deal with that situation.

Sponsored by Rep. Tim Kelly (R-Red Wing) and Sen. Warren Limmer (R-Maple Grove), HF1702/SF1420* awaits action by the full House. The Senate passed the bill last session.

Deputy Revisor Paul Marinac gave the committee a quick tutorial about the process of making major corrections to laws enacted during the biennium.

This bill is only a placeholder and will wait on the House floor just in case corrections are

ON SO MANY LEVELS



PHOTO BY ANDREW VONBANK

A view of a busy cantilever stairway from above on March 26.

needed, Marinac said.

“There is a very detailed process that a correction needs to move through,” before the bill sponsors, Kelly and Limmer, would consider having corrections addressed, Marinac said. He’s not talking about simple grammatical errors or wrong statute references; this bill is in place to deal with such things as adding an effective date.

If errors are found in a bill that need to

be fixed, both House and Senate sponsors must sign off on the changes, as well as the chairs of both policy committees that the bill was reported out of and all the conference committee members, if the bill went through the conference committee process.

“Those signatures give the authors some assurance that the corrections are needed and reasonable,” Marinac said.

While commonly called the revisor’s bill,

Kelly's bill should not be confused with the revisor's bill, he said.

That bill, HF2770, sponsored by Rep. Doug Wardlow (R-Eagan) and approved by the House Civil Law Committee, would allow the revisor to make non-substantive changes to the statutes, if needed.

— L. SCHUTZ

'Flattening' state bureaucracy

As part of last year's government reform efforts, the Department of Administration has assembled a master list of contractors that state agencies can call on to help find efficiencies in things like building efficiency, tax collection and vehicle fleet management. One more category could soon be added.

Rep. Mike Benson (R-Rochester) sponsors HF1813 that would allow agencies to contract with private vendors to look for efficiencies in their management structure. It would require the department to provide a list of contractors who are eligible to perform those services.

The House passed the bill 81-50 on March 28. It now goes to the Senate, where Sen. Carla Nelson (R-Rochester) is the sponsor.

Benson said at a Feb. 24 committee hearing that the bill would give agencies a tool to "flatten" their internal management structure to eliminate layers of bureaucracy. The language of the bill is permissive, and would not require agencies to utilize the services. The department would be required to report back to the Legislature next year.

House Minority Leader Paul Thissen (DFL-Mpls) and Rep. Mark Buesgens (R-Savage) questioned whether the legislation was necessary. Thissen said the bill would merely be "telling the agency that it could do something that it could already do today."

— N. BUSSE

Contingency planning vetoed

**Vetoed
by
the
governor**

Gov. Mark Dayton vetoed a bill that would have required all state agencies that receive money from the federal government to plan for the possibility of "dramatically reduced or eliminated" federal payments.

Sponsored by Rep. Keith Downey (R-Edina) and Sen. Ted Daley (R-Eagan), the bill would have asked agencies to analyze the risks and recommend strategies to mitigate the impact of such a potential loss of federal funds. Downey and supporters said it was intended as a good government measure in light of the ballooning national debt.

EATING DISORDER'S TAX CREDIT



PHOTO BY PAUL BATTAGLIA

Kitty Westin, president of the Emily Program Foundation, holds a photo of her daughter, Emily, who died from an eating disorder, as she speaks March 27 to the House Taxes Committee in support of a bill that would give tax credits and exemptions to hospitals and health care providers for eating disorder treatment. The bill's sponsor, Rep. Tara Mack, right, listens to the testimony

In his veto letter, Dayton said the type of analysis the bill proposes would be of "dubious value." He also implied that the bill's supporters have ulterior motives.

"This bill perpetuates one of the majority party's current political stratagems: to raise doubts about the reliability of government," Dayton wrote. He also took time in his veto message to blame former President George W. Bush's tax cuts for creating the lion's share of the federal government's debt problem.

HF545*/SF1600/CH140

— N. BUSSE

Taxes

Missed deadlines mean LGA losses

Pat Lawson is the city clerk for the west central community of Hoffman, with a population of 672. As a penalty for missing the Office of the State Auditor's deadline for submitting financial paperwork, the town lost \$69,812 in 2011 local government aid.

There are 44 other towns in a similar

situation. And officials were before the House Property and Local Tax Division March 28, with explanations on why their paperwork wasn't in on time.

Beginning in 1983, the law has required cities to meet state auditor uniform financial accounting and reporting standard in order to receive their LGA payments, which are distributed twice a year. Due to missing the reporting deadlines, in 2011, a record 45 cities did not receive their payment in July and 19 in December. The record continues with 18 cities having multiple infractions and permanently losing all or part of their aid.

Rep. Chris Swedzinski (R-Ghent) sponsors HF2786 that would give certain communities one more chance to comply with the reporting requirement. The bill would provide LGA payments to any city that had its 2011 local government aid payment withheld due to noncompliance by May 31, 2012.

Lawson's explanation of a series of miscommunications, staff and council turnover, lack of understanding of state requirements and technology failure were

common among the officials offering testimony.

"The impact of not getting our LGA is more devastating than you know," she said. "We will have to cut from the fire department, ambulance, streets and economic development. We have cut maintenance, and my position is only part-time. They already depend on us to volunteer a lot of our time to make ends meet."

"This may be the tip of the iceberg," said Rep. Paul Marquart (DFL-Dilworth). Like Lawson, many cities have part-time staff, he said. "I do think the lack of knowledge on state requirements is a legitimate one."

Chairwoman Rep. Linda Runbeck (R-Circle Pines) suggested the division make decisions on each of the delinquent cities individually. Swedzinski, however, agreed with Marquart that all the cities be offered the opportunity to meet a new deadline. The bill was approved and moved to the House Taxes Committee.

A companion, SF2583 sponsored by Sen. Sen. Bill Ingebrigtsen (R-Alexandria), awaits action by the Senate Local Government and Elections Committee.

— L. SCHUTZ

Tax exemption for coin collectors

Collectors view coins and precious metal bullion as an investment, but the state categorizes these items as tangible personal property and their purchase is subject to sales tax.

Commonly known as the "bullion bill," HF1107, sponsored by Rep. Mary Kiffmeyer (R-Big Lake), would provide a partial sales tax exemption on any single transaction by an individual in excess of \$1,000 on these commodities. The House Taxes Committee laid the bill over for possible inclusion in an omnibus bill. Its companion, SF1944, sponsored by Sen. Chris Gerlach (R-Apple Valley), awaits action by the Senate Taxes Committee.

"This bill will create businesses and jobs for Minnesota," said Gary Adkins, from Burnsville, who buys and sells coins. He said the bill could bring coin conventions to Minnesota, and create new coin-related businesses. This, in turn, would create new revenue sources from income taxes and sales taxes.

He referenced a southern Minnesota coin club that held its convention in Iowa because coin transactions are tax exempt. "That is a sad, sad note that we have to go to the state of Iowa to do business," he said.

An analysis by the Revenue Department shows the bill would reduce revenue to the General Fund by \$870,000 in fiscal year 2013 and \$1.1 million in fiscal year 2014.

Rep. Jim Davnie (DFL-Mpls) said the bill singles out an exemption only for these collectors, while other collectors are subject to sales tax.

According to the revenue analysis, the averaged 2009 and 2010 total sales tax remitted by Minnesota coin, bullion and collectibles dealers was \$682,000. It was noted that these items are subject to price changes as determined by the markets.

— L. SCHUTZ

Transportation

Omnibus policy bill to floor

Speed limit violations, online driver's education training and dollars for organ donation are part of a proposed omnibus transportation policy bill.

Sponsored by Rep. Mike Beard (R-Shakopee), HF1284 is mostly what was proposed in last session's omnibus bill that was awaiting floor action when session concluded.

Approved March 29 by the House Ways and Means Committee, the bill awaits action on the House floor.

Potentially the most controversial part would prohibit speed limit violations of up to 10 mph over the limit in 55 mph and 60 mph zones from going on a driver's record. Currently, a ticket does not appear on someone's driving record if the person was driving up to 10 mph over the speed limit in a 55 mph zone, or 5 mph over the limit in a 60 mph zone.

Sponsored by Rep. Dean Urdahl (R-Grove City), a standalone bill for this (HF537) was passed 111-20 by the House last session, but tabled in the Senate.

Other provisions in the bill include:

- allowing a person under age 18 to complete the classroom/theory portion of driver's education online through a program approved by the Department of Public Safety;
- preventing prohibition of electronic-assisted bicycles on any state trail where bikes are allowed, unless there is a safety issue;
- allowing payment of driver's license and identification card fees by credit or debit card, and authorizing driver's license

agents to impose a convenience fee;

- designating part of Interstate 35 in Rice County as the "Deputy John W. Liebenstein Memorial Highway," and designating a pedestrian bridge over Highway 14 in Rochester as the "Arianna Celeste Macnamara Memorial Bridge";
- expanding the authority for buses to operate on freeway or expressway shoulders so that counties and towns having jurisdiction over the road can authorize the buses; and
- requiring the Driver and Vehicle Services Division of the Department of Public Safety to include a mechanism for vehicle owners to donate \$2 for organ donation educational programs as part of an in-person payment of vehicle registration taxes.

A companion, SF1072, sponsored by Sen. Joe Gimse (R-Willmar), awaits action on the Senate floor.

— M. COOK

Transit governance could change

In recent years, there has been discussion about transit oversight in the Twin Cities metropolitan area when it comes representation and equality.

Rep. Mike Beard (R-Shakopee) has developed a plan to make some broad-based changes.

A bill he had drafted, but not introduced, was heard March 26 by the House Transportation Policy and Finance Committee. No action was taken, but Beard hopes the dialogue leads to greater discussion during the interim and into the 2013 session.

The bill, in part, would create a Regional Transportation Governance Board for transportation planning, policymaking and fiscal administration purposes, while a Metro Transit Commission would be created to oversee Metro Transit operations. The Metropolitan Council currently has powers in both areas.

Beard noted that a January 2011 report by the Office of the Legislative Auditor indicated transit would better be served in the Twin Cities metropolitan area if the regional planning and oversight were separate from the day-to-day transit operations.

"There had become almost an attitude of mistrust, or at least suspicion, to put a kinder word on it, between those who were actually trying to move people and paying for it, and those who were actually managing the day-to-day operations of the largest component, Metropolitan Transit."

Board members would be elected officials from the respective counties, along with a few citizens at-large to meet federal requirements for a metropolitan planning organization. Current council members are appointed by the governor.

“Local officials probably are a little more attune to what is going on in their communities when it comes to public transportation, particularly when it’s juxtaposed against the needs for roads and bridges,” Beard said. “One size does not fit all.”

“This moves us in the right direction because transit needs to be separate from other planning functions,” said Rhonda Sivarajah, chairwoman of the Anoka County Board of Commissioners.

Rep. Frank Hornstein (DFL-Mpls) expressed concern the plan could move away from more governance efficiencies.

“I hope we can move forward on doing something,” he said. “I’m not really sure this idea gets us there.”

— M. Cook

State fair transport concerns

Properties and equipment could become defined as commodities as it relates to extended vehicle combinations on state roads.

Sponsored by Rep. Ron Shimanski (R-Silver Lake), and Sen. Al DeKruif (R-Madison Lake), HF2793*/SF2426 was passed 131-0 by the House March 26 and

64-0 by the Senate March 29. It awaits action by the governor.

Shimanski said the bill is needed because many Minnesota State Fair vendors transport their equipment and property using twin trailers. These trailers are commonly used by shipping companies like Federal Express or UPS.

“The State Fair Board was informed by the State Patrol that the twin trailers do not fall under the definition of commodities, which are authorized to operate in Minnesota,” Shimanski said. “In an effort to preserve the sanctity of the Great Minnesota Get-Together, the State Patrol and the Department of Transportation have drafted this language.”

— M. Cook

HIGHER CALLING



PHOTO BY ANDREW VONBANK

Visitors to the State Capitol ascend the Grand Staircase March 23.

Caring for those who care for others

Omnibus health and human services bill remains a moving target

By SUE HEGARTY

State health care spending hinges on a couple of state and federal rulings, making the omnibus health and human services finance bill, HF2294, a moving target even as it was being discussed on the House floor with a stack of amendments awaiting their fate.

Last week was pivotal for bill sponsors, especially after a Ramsey County District Court judge upheld the state's decision to help balance the state budget last year by paying Minnesotans who are employed as personal care assistants for family members 20 percent less than their non-related counterparts.

The cut was temporarily blocked by the court and the Department of Human Services put off spending the savings, pending the civil lawsuit. Now the bill's sponsor, Rep. Jim Abeler (R-Anoka), says he would like to negotiate less of a reduction.

"I'd like to save that money and make it only a 10 percent reduction, but I don't know that I can because of the threat of an appeal," he said.

Another ruling, this one at the federal level, will decide whether the state receives a federal waiver to pay lower rates for continuing care services, such as group homes and assisted living facilities. A previous Legislature tried to lower rates in 2009, but the cuts were not permitted under the American Recovery and Reinvestment Act of 2009. The state then applied for a waiver, expecting to save \$35 million; but the cuts were delayed one year. Human Services Commissioner Lucinda Jesson went to Washington, D.C. this week seeking to expedite the waiver. If the waiver is not granted by the end of the fiscal year 2012, HF2294 would authorize a 1.67 percent rate cut.

Rulings aside, Abeler called the bill's

"marquee accomplishment of the session" a provision that would relax the corporate adult foster care law regarding Community Alternatives for Disabled Individuals.

Currently, individuals on CADI waivers are limited to living in four-bed housing facilities. The bill would allow them to comprise up to 25 percent of a multi-family complex.

The goal is to encourage more people under age 65 who could live more independently to do so, and at a daily savings up to

\$100 per individual, according to Abeler.

Overall, the omnibus bill assumes a \$301,000 cost in fiscal year 2012, but those costs would be paid for through savings in 2013 by closing more corporate foster care beds.

"What we're doing here ... is pushing dates out to make the fiscal note go away," said Rep. Tina Liebbling (DFL-Rochester) on the House floor March 29. She called it an "accounting trick."

Other 2013 cost provisions would be paid for from nearly \$4 million in federal funds available for programs for families with children.

At press time, the bill was being discussed on the House floor. If passed, it would go to the Senate, where Sen. David Hann (R-Eden Prairie) is the sponsor.

Other housing issues

Another section of the bill aims to protect families living in poor conditions.

HHS continued on page 18



PHOTO BY ANDREW VONBANK

Rep. Jim Abeler presents the omnibus health and human services finance bill March 29 on the House floor.

Landlords of tenants who are Minnesota Family Investment Program recipients with drug offenses are paid directly as vendors, but these payments would stop if the rental property is deemed uninhabitable. The landlord also would be prohibited from evicting the tenant.

In response to more people moving out of corporate foster care and into smaller care facilities, providers have been instructed to close a bed permanently when a person leaves the home. The bill would grant more flexibility in deciding where in the state a bed should close, so that providers can be geographically responsive to where there is the most need.

Rep. Diane Loeffler (DFL-Mpls) successfully amended the bill in the House Health and Human Services Finance Committee so that when the commissioners of health and human services prepare a biennial report to the Legislature regarding long-term care services for the elderly, they must consider a policy to give a person leaving a facility up to 60 days to go back if the more independent living arrangement does not work out.

Children's issues

The Minnesota Visible Child work group would be created to identify and recommend issues that should be addressed in a statewide plan to improve the well-being of children who are or have been homeless. Members would include two state representatives, two senators, and about 12 other community child advocates. A report would be due to the Legislature by Dec. 15, 2012. A list of recommendations would also be submitted to the Children's Cabinet, a new state committee with members from three state agencies.

At the request of Rep. Diane Anderson (R-Eagan), the committee also approved appropriating a one-time \$500,000 for long-term homeless support service grants for low-income families. The funds would

come from the Temporary Assistance for Needy Families fund in 2013.

Teen parents trying to finish high school and who have licensed child care would be granted more absentee days before losing their day care assistance payments. Current law limits absentees from child care to 10 days per child, per year. That would increase to 25 days per child, but no more than 10 consecutive days, unless there is a medical reason for the child's absence. Rep. Nora Slawik (DFL-Maplewood) said easing the law may help teen parents

avoid unintended consequences, such as bringing a sick child to day care to avoid going over the limit or leaving the child in an unsafe place.

A controversial provision stems from HF2080, sponsored by Rep. Kurt Daudt (R-Crown), which would change where Electronic Benefit Transfer cards are used and add stiffer penalties for their misuse.

Card recipients would be restricted to purchases in Minnesota and contiguous states. Those found guilty of purchasing tobacco or alcoholic beverages with the card would be taken off the benefits one year for a first offense, two years for the second offense and permanently after the third offense.

Opponents said the proposed penalties would hurt children of the offenders. They also said not being able to use the card in other states while attending family events, seeking employment and similar types of uses is unfair and criminalizes the poor.

Medical services

When a person is appealing denial of Social Security disability benefits, they may need to obtain copies of their medical records. Medical providers would no longer be allowed to charge a per page fee. Rather,

a flat \$10 fee could be charged. Individuals represented by a volunteer legal aid service would not be charged.

The bill also includes HF2276, sponsored by Rep. Mary Kiffmeyer (R-Big Lake), to require some providers of advanced diagnostic imaging services to be accredited by Aug. 1, 2013, from one of three national accreditation organizations: American College of Radiology, Intersocietal Accreditation Commission or the joint commission. Providers would need to prove annually to the commissioner of health that they are properly accredited.

Hospitals would no longer be required to submit information to the Leapfrog Group, which rates hospitals on patient safety measures. Rep. Joe Schomacker (R-Luverne) successfully offered the amendment. In committee testimony, hospital representatives said the reporting procedures have grown exponentially, resulting in higher administrative costs, and the public has other choices for receiving similar information.

Rep. Tom Huntley (DFL-Duluth) successfully offered an amendment so that the Department of Health would receive \$563,000 in 2013 to add five licensed home care inspectors to help deplete a backlog of inspections. Funding would be drawn from the State Government Special Revenue Fund.

Studies

The Department of Health and the University of Minnesota would receive \$200,000 to study the cultural aspects of autism spectrum disorders that are unique to the Somali community in Minnesota. Huntley said research has shown that Somali children in the U.S. and Norway are disproportionately afflicted with unexplained autism.

Another \$79,000 would be used by the Health Department to study whether to allow for-profit health maintenance organizations to operate in Minnesota. 🐼



"I'd like to save that money and make it only a 10 percent reduction, but I don't know that I can because of the threat of an appeal."

— Rep. Jim Abeler
R-Anoka



"What we're doing here ... is pushing dates out to make the fiscal note go away."

— Rep. Tina Liebling
DFL-Rochester

A distinctive voice departs

A staunch conservative, Buesgens was more principled than partisan

By Nick Busse

Rep. Mark Buesgens (R-Savage) says he wouldn't change a thing about his 14 years of service in the House of Representatives. All the same, he plans to step down after finishing out his current term. His reasons are personal.

"It's time, that's all. Nothing more deep or philosophical," Buesgens said.

His exit will mark the departure of one of the Legislature's most conspicuous and unique conservative voices. His floor speeches are frequent and prodigious, and his eagerness to express his opinions is matched by a devotion to principle that occasionally

puts him at odds even with his own party.

"More often than not, the Republican party agrees with the way I see the world. But when we disagree, I believe I owe it to my constituents to behave in the way I said I was going to," he said.

A teacher and school administrator, Buesgens arrived at the House in 1999 seeking to provide a conservative voice in K-12 education policy debates. He got his wish, eventually chairing the House Education Policy and Reform Committee, but his work in the House reached far beyond education.

Buesgens spent his seven terms in the House working to protect, in his words, his constituents' "liberty" and their "ability to live their life as they choose." Every vote he's taken as a legislator has been to those ends. But his personal brand of conservatism is rooted in deeply held personal beliefs more than partisanship. He said he has always tried to show respect for his colleagues on both sides of the aisle.

"I hope I've treated people with kindness and respect, and for the most part kept the differences of opinion to policy and not personality," he said. "That's been very important to me."

The first bill he sponsored that became law allowed parents to civilly commit their 16-to-18-year-old children to chemical dependency treatment programs. Prior to that law, Buesgens said the

teenagers essentially had "veto power" over their parents.

"I had a constituent who was living that, and couldn't get their son help because their son didn't want help," he said.

Buesgens said the legislation he's most proud of expanded the ability for K-12 students to access online learning options. The law was sponsored in the House by Buesgens, in the Senate by a DFLer and signed by Gov. Jesse Ventura, resulting in what Buesgens calls a "tripartisan" success.

Buesgens dismisses the notion, often repeated by lawmakers, that the Legislature has grown more partisan over the years.

"It was partisan when I came here 14 years ago, it's as partisan now," Buesgens said. "I don't think I've seen a lot of changes, and that's the system I think the founders developed is one where change happens very, very slowly, and that's a good thing. It really is," he said.

Asked what advice he would give to those lawmakers who come after him, Buesgens said to study history and learn from the past. He recounts a quote widely attributed to Isaac Newton: "If I have seen further, it is by standing on the shoulders of giants."

"In other words, if you've got some idea of advancing the state, don't believe you've been endowed by God with some new gift or insight. It's your job to learn from what's happened before to take us to the next step. ... Put your ego aside and learn from others," he said.

Buesgens, a husband and father of four, said he isn't sure what comes next for him and his family. He knows only that he's happy to have had the opportunity to serve as a small piece in the great puzzle of the Minnesota Legislature.

"It's still incredibly awe-inspiring to have been one of nine children of a very blue-collar family from small town Jordan, to have served in this honored institution. It's incredible, and yet I'm still a small speck in the grand scheme of things, and I realize that now more than ever," he said. 🐼



PHOTO BY PAUL BATTAGLIA

Rep. Mark Buesgens has spent 14 years in the House of Representatives, but his is not seeking re-election. He's a staunch supporter of letting people "live their life as they choose."

Breakfasts with Bobby to continue

Champion hopes to inform constituents over a cup of 'Joe'

By SUE HEGARTY

While other candidates hold rallies and black-tie fundraisers, Rep. Bobby Joe Champion's (DFL-Mpls) secret to getting elected to his North Minneapolis House seat four years ago was through his constituents' stomachs.

Eggs, sausage, bacon and grits were the secret ingredients to gaining delegates for his first run for public office.

"I called them 'Breakfast with Bobby.' I would easily get 100 people to show up," he said.

He explained the election process for those who came, helping them to understand why and how they should get involved.

"I would say a caucus is just you and your neighbors getting together and deciding who is going to represent you. People call it caucus, but that's all it is," he said.

It worked so well, he's planning on doing it again as a candidate for the Senate seat currently held by Sen. Linda Higgins (DFL-Mpls), who is not seeking re-election.

He hopes the process is a little easier this time.

When he ran for the House in 2008, Champion received the party's endorsement, but he had a major issue to overcome: the DFL incumbent continued to run against him.

"The caucus did not like me because I was running against an incumbent," Champion said.

However, his wife, Angela, supported his decision to run, as did U.S. Rep. Keith Ellison, whose campaign Champion had helped.

While many gave him the cold shoulder at the state convention, one House member embraced his desire to serve the North Side.

"There was only one person, which is why I respect her to this very day, who opened her arms and gave me a hug on that day — (Rep.) Mindy Greiling. She saw my humanity, not as a person running for office, but as a human being who was being rejected."

Throughout his legislative career, Champion has fought to ensure that everyone gets a chance to succeed.

He's proud of

sponsoring the Disadvantaged Business Enterprise law, which certifies a business and enables it to bid for federal-aid highway, mass transit and transportation research and technology projects.

"If we don't want people on safety net programs, then we have to give them an opportunity by which to contract and be employed," he said.

That led to the Targeted Group Business Program legislation that would provide incentives to buyers who purchase from a business owned by women, minority groups or persons with disabilities. The bill awaits House action.

He also sponsors a bill awaiting floor action that would require convicted felons to be notified when their right to vote is restored, a problem he noticed firsthand. While door knocking in his district, there were constituents who did not know that their right to vote had been restored. An attorney, Champion said people are told in court that their voting rights are temporarily stopped, but when their probation ends they do not receive a notice that their right to vote has been restored.

"Some people have been off probation 10 or 20 years and don't know," he said.

As a candidate for Senate, he seeks to represent North Minneapolis, portions of the downtown district and a sliver of the Bryn Mawr neighborhood to the west. He finds the diversity of the district rewarding.

"I think it's important for us to engage communities in a way so that we expand their intellectual capacity around the issues, so that we can better represent them," he said.

For example, after he was elected to the House, he brought House Chief Fiscal Analyst Bill Marx to a community meeting to explain the Legislature's responsibilities.

"They light up. They become so much more engaged — and now you can all critically analyze issues that affect their quality of life," said Champion. 🗽



PHOTO BY ANDREW VONBANK

Rep. Bobby Joe Champion to seek Senate seat in a newly defined district.

First and last term

After two years in St. Paul, Mazorol plans to rejoin the private sector

By ERIN SCHMIDTKE

Rep. Pat Mazorol (R-Bloomington) is seeing his responsibilities pile up, and not just in the House. That's why he's stepping down after one term as a state representative.

After spending his working years in the private sector, Mazorol will be returning to business as senior vice president of university relations at Bethel University. Following a six-year stint as a trustee for the school, he started the job at the same time he began his first year as a legislator. Mazorol has juggled the duties of both ever since.

"Over the last couple of years since I've come here, those responsibilities have increased significantly and I just feel I need to give more attention to those," Mazorol said.

As a member of Wooddale Church in Eden Prairie for over 25 years, Mazorol is seeing yet another of his roles continue to grow. The senior pastor of the church recently retired, and as chairman of the board,

Mazorol must ensure that a replacement smoothly transitions into the job at the 11,000-member church.

"If I were to stay in the Legislature, I would want to make sure I was giving my full service here. I just don't feel that I can do all three," he said.

During his time in the House, Mazorol has kept busy with the subjects he knows best: business and law. As a financial executive for over 20 years and an attorney for 12, Mazorol sits as vice chairman for the House Judiciary Policy and Finance Committee, alongside the committee's chairman, Rep. Ron Shimanski (R-Silver Lake).

"I do appreciate the knowledge and maturity he has brought to the Legislature, being willing to participate and share his concerns with us in the House of Representatives. We will miss Pat," said Shimanski.

Mazorol has sponsored several bills

he hopes will bring economic growth to Minnesota. A bill he brought forth last session creates tax exemptions for data centers, which typically process information for larger companies. Mazorol says the bill becoming law earlier this session was one of his greatest accomplishments.

"That, I think, particularly made Minnesota far more attractive in terms of job growth. And there were some businesses that were waiting to come to Minnesota," Mazorol said.

Though Mazorol experienced success with that bill, he has also experienced disappointment as a lawmaker. He sponsored two bills this session that would have reformed interest payments and attorneys' fees in lawsuits. Both were vetoed by the governor.

Before he completes his term, Mazorol wants to see success of the omnibus tax bill, which the House passed earlier in March. He contributed a piece to that bill, which would allow growing biotechnology companies to sell net operating loss credits. Mazorol says that by selling those credits, those companies can continue to expand and create jobs in Minnesota. The companion bill awaits action by the Senate.

This biennium is Mazorol's first and last in the Legislature, but he is not new to the difficulties of politics. He ran in his first election in 1982, opposing Mike Freeman, who is now the Hennepin County attorney. The two differed on viewpoints but became friends during the election.

"It might be a little unusual, but I think it was a matter of mutual respect," Mazorol said.

Forming relationships with other lawmakers is the most important lesson Mazorol has learned as a representative. That's a piece of advice he wants to pass along to his successor.

"This isn't done lightly by anyone here. I have great respect for anyone who has gone through the process and spent some time here," he said. 🍷



PHOTO BY ANDREW VONBANK

During his term in the House, Rep. Pat Mazorol sponsored several bills targeted toward economic growth.

'Stepping up' to Senate race

Westrom hopes to continue renewable energy advocacy in different chamber

By Bob Geiger

After eight terms in the House, Rep. Torrey Westrom (R-Elbow Lake) is stepping down to run for a Senate seat in a much larger, newly redrawn Senate district. In fact, "stepping down" might not be the right way to put it.

"I've been saying I'm stepping up to the Senate," Westrom said.

Westrom's current House district covers 1,585 square miles in less than three counties. The Senate district he's running for contains more than three times that area — 4,834 square miles in west-central Minnesota.

Redistricting created a new Senate district that includes all or parts of eight counties currently represented by Rep. Paul Anderson (R-Starbuck), Sen. Joe Gimse (R-Willmar), Sen. Bill Ingebrigtsen (R-Alexandria) and Sen. Keith Langseth (DFL-Glyndon).

The sprawling Senate district poses a challenge for Westrom's wife, friends and volunteers who drive him to campaign meetings or to the Capitol. That's because Westrom is the state's first blind legislator.

Westrom said he owes a debt of gratitude to former House Speaker Steve Sviggum, who

was minority leader in the DFL-dominated House when he started his first term in 1997. He also thanked House Speaker Kurt Zellers (R-Maple Grove) for naming Westrom speaker pro tempore, making him the first blind person in state history to serve in that capacity.

Much has changed for Westrom since he was elected as a single 23-year-old. Since then, he married his wife, Anna, and the couple now has three children — twin 6-year-old daughters Madelyn and Whitney, and 2-year-old son Carter.

A graduate of William Mitchell College of Law in St. Paul, Westrom said the House has "become more citizen-friendly and family-friendly" during his time in office.

Westrom was first elected in 1996, when Republicans were in the minority and lawmakers were more collegial than today. However, there is now "less getting together as colleagues," he said, because of the increasingly partisan nature of politics. He believes not discussing each others' concepts is unfortunate because it limits trading ideas with other lawmakers.

"Once you get to know somebody during a (House) floor fight, you know where they're coming from," Westrom said. Ultimately, that understanding is beneficial because areas of common interest emerge.

"There's always a similar issue that you can help with," he said, adding that burning political bridges can harm future efforts.

A wind turbine in Westrom's office hints at what he deems his most

significant House accomplishment. That was a 2003 law that increased the number of fuel casks containing spent nuclear fuel adjacent to Xcel Energy's Prairie Island plant, and provided a road map for renewable energy investment.

Westrom encouraged executives of Xcel Energy to meet with members of the neighboring Prairie Island Indian community to consider increasing the number of fuel casks and boosting Xcel's commitment to renewable energy at the same time. The resulting law was enacted four years before former Gov. Tim Pawlenty signed a 2007 law requiring Minnesota utilities to generate 25 percent of their electricity from renewable sources by 2025. Westrom's bill also required Xcel to contribute \$16 million annually to a Renewable Development Account.

The largest city in Westrom's House district, located along Minnesota's wind-rich border with North Dakota and South Dakota, is Morris, a city of 5,286 people that is home of the University of Minnesota-Morris. There, renewable energy provides at least 70 percent of the campus's electric needs. On-campus projects include two wind turbines capable of generating up to 3.3 megawatts, a biomass gasification research facility and a solar array.

Westrom characterized the wind turbines as "freedom towers." While support of renewable energy among Republicans has decreased since the 2010 GOP landslide, Westrom remains a centrist on energy policy; believing that a diversified portfolio of conventional and renewable energy creates jobs. He characterized himself as a "huge supporter" of renewable energy, including 2001 legislation he sponsored to mandate a 5 percent biodiesel fuel blend for vehicles used by the state.

Westrom's advice to his successor? "Ninety percent of what we do isn't as controversial as what you read about in the newspapers," he said. 🗽



PHOTO BY ANDREW VONBANK

Many things have changed in Rep. Torrey Westrom's life since he was first elected in 1996. He is hoping for more change as he seeks a Senate seat.

BILL INTRODUCTIONS

MARCH 26 - 29, 2012

HOUSE FILES 2962 - 2982

Monday, March 26

HF2962-Scott (R)

Civil Law

Marriage dissolution grounds modified and two-year waiting period required in instances of contested dissolutions involving minor children.

HF2963-Franson (R)

Commerce & Regulatory Reform

Employers prohibited from requiring social network passwords as a condition of employment.

HF2964-Franson (R)

Education Finance

Union dues and fair share fee deductions from early childhood scholarships prohibited.

HF2965-Lesch (DFL)

Government Operations & Elections

Publicly owned stadiums and sports facilities serving a professional sports franchise market rate rent required.

HF2966-Anderson, S. (R)

Environment, Energy & Natural Resources Policy & Finance

Disabled veterans' free deer license made permanent.

HF2967-Holberg (R)

Ways & Means

Equalizing factors and threshold rates updated to reflect the changed adjusted net tax capacity tax base, and education and human services appropriations updated for changes reflected in the February forecast.

Tuesday, March 27

HF2968-Hackbarth (R)

Environment, Energy & Natural Resources Policy & Finance

Electric fish barriers to address Asian carp threat funding provided; bonds issued and money appropriated.

HF2969-Lesch (DFL)

State Government Finance

Among veterans commemorative statue funding provided; bonds issued and money appropriated.

HF2970-Hamilton (R)

Agriculture & Rural Development Policy & Finance

4-H and Future Farmers of America foundations established and money appropriated.

HF2971-Davids (R)

Taxes

Bond allocation carryforward rules modified.

HF2972-Kahn (DFL)

Government Operations & Elections

Legislative meetings required to be open to the public; model legislation lobbyists and principals, and scholarship fund principals and public officials requirements added; public campaign fund established; political contribution refund amount increased; and money appropriated.

Wednesday, March 28

HF2973-Beard (R)

Transportation Policy & Finance

Trunk highway better public land and buildings acquisition spending authorized; funding provided; bonds issued and money appropriated.

HF2974-Dean (R)

Health & Human Services Reform

Health care and health care coverage freedom to choose preserved and constitutional amendment proposed.

HF2975-Carlson (DFL)

Transportation Policy & Finance

Motor vehicle title transfer-on-death provided.

HF2976-Swedzinski (R)

State Government Finance

Tracy; wastewater treatment improvements funding provided; bonds issued and money appropriated.

HF2977-Hansen (DFL)

Environment, Energy & Natural Resources Policy & Finance

Aquaculture license violations administrative authority established; civil penalties, fees and surcharges increased and established; aquatic invasive species prevention program established; portable boat lifts and docks licensing required; criminal penalties provided and money appropriated.

HF2978-Paymar (DFL)

Health & Human Services Reform

Health care interpreter spoken language roster modified.

HF2979-Erickson (R)

Public Safety & Crime Prevention Policy & Finance

Tribal-state compact compliance required.

Thursday, March 29

HF2980-Mack (R)

Health & Human Services Reform

Maternal depression public education and prevalence reduction plan development required, and commissioners of human services and health required to provide technical assistance related to maternal depression screening and referrals.

HF2981-Quam (R)

Higher Education Policy & Finance

Unemployment compensation; non-covered employment definition modified.

HF2982-Lesch (DFL)

Commerce & Regulatory Reform

Employers prohibited from requesting or requiring social network user names.

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MINNESOTA INDEX

Jobs, Jobs, Jobs

Minnesota's seasonally adjusted unemployment rate, as percent, in February 2012	5.7
Percent in January 2012	5.6
Percent in February 2011	6.7
Adjusted unemployment rate nationally, as percent, in January and February 2012	8.3
Percent in February 2011	9
State, national unemployment rates in 2010	7.3, 9.7
In 2008	5.4, 5.8
Jobs gained in Minnesota between February 2011 and February 2012	27,900
Percent increase	1.1
Percent increase nationally	1.6
Estimated number of new jobs between February 2011 and February 2012	
in professional and business services	14,220
Jobs in environment and health services	10,980
Jobs in manufacturing	6,430
Jobs in construction	3,730
Estimated number of job losses between February 2011 and February 2012	
in leisure and hospitality	10,180
Job losses in government	5,510
Estimated number of jobs added by private firms in the state between February 2011 and February 2012	33,420
Growth rate, as a percent	1.5
National growth rate, as percent	2.1
Number of statewide job vacancies in the fourth quarter of 2011	49,890
Of the job vacancies, percent that were in the Twin Cities metropolitan area	59
Number of unemployed workers for each job vacancy statewide	3.2
State's labor force participation rate in 2010, as percent	71.4
Percent in 2007, 2002	72, 75.7
Initial claims for unemployment insurance in Minnesota in 2010	365,626
In 2009	460,333
In 2007	274,311
Number of state WorkForce Centers	49
Number to call to locate a center	1-888-GET-JOBS
Position openings at noon March 27 on www.minnesotaworks.net	46,035
State rank by Business Facilities in 2009 among states with the most educated workers	1

— M. COOK

Sources: Department of Employment and Economic Development, including Local Area Unemployment Statistics, Minnesota Unemployment Benefits Program and www.minnesotaworks.net.

SESSION WEEKLY



HEROES FOR HIRE
A GREEN THUMBS UP
BILLS, HILTY, HOSCH LEAVE THE HOUSE
EARLIER 'FISH' OUT

HF2983 - HF2998

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 10 • APRIL 6, 2012

Flashback to 1992 and 2002

LeVander remembered

Flags over the State Capitol were lowered in memory of Harold LeVander who died March 30 at the age of 81. The Republican was elected in 1966 to become Minnesota's 32nd governor.

During his single term, he assisted in establishing the Minnesota Pollution Control Agency, the Department of Human Rights and the Metropolitan Council. He is most remembered for governing when the state's sales tax was adopted — despite his veto of the tax on two occasions.

He did not seek re-election when his term expired in 1971.



Gov. Harold LeVander

— Session Weekly April 3, 1992

Criminals would pay for time behind bars

Criminals who are sentenced to serve time in county jails would be required to pay for time they spend behind bars.

During debate on the House floor on HF2841, sponsored by Rep. Maxine Penas (R-Badger), some lawmakers worried that the bill would affect family members of inmates more than the convict.

Rep. Mary Murphy (DFL-Hermantown) said the family of the convicted person may have to rely on social services if the family's money goes to the county to pay for jail time.

The bill also requires inmates to make other payments such as fines and child support payments before money would be taken for the jail time.

— Session Weekly April 5, 2002

Photo courtesy of the Minnesota Historical Society

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SESSION WEEKLY

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On the cover: Rep. David Dill, *far left*, speaks on the House floor during session April 2. Now that all committee deadlines have passed, most of the work of the House shifts to the floor.

— Photo by Paul Battaglia

Heroes for hire

Minnesota's veterans do battle with rampant unemployment

By Nick Busse

When the 2,700 members of Minnesota National Guard's 34th "Red Bulls" Infantry Division return home from Kuwait later this month, they will have many things to look forward to. Unfortunately, for approximately 19 percent, a job isn't one of them.

"The job market was bad when they left; a lot of them were 18 to 23 or 24 years old, many of them had been in college or in school," said Jim Finley, director of veteran employment services for the Department of Employment and Economic Development. "When they left, they were unemployed, and when they come back obviously they're going to be unemployed."

The Red Bulls aren't alone. Minnesota's

unemployment rate for post-9/11 military veterans is estimated to be 23 percent — the third-highest in the United States. Throw in older veterans and the picture looks only marginally better: a total of 9.4 percent of the state's veterans are unemployed, compared to just 5.7 percent for all Minnesotans.

It's not just young soldiers, either. Bruce Olson, a 53-year-old former Red Bull, returned home from a 22-month long

deployment in 2007 and spent almost a full year looking for work. Even now, he says he's making ends meet with temp jobs. Back when he returned from Iraq, Olson said he feels the Guard didn't do much to help him find work.

"They could have done more to help you when you come back looking for a job," Olson said. "They can't cover everybody, but I think they could've done more to help us."

The situation has not gone unnoticed by state officials, who have begun a coordinated effort to combat the problem. Now, lawmakers and Gov. Mark Dayton are looking at providing additional pathways for veterans back into the state's workforce.

Rep. Carolyn McElfrick (R-Deer River) sponsors HF2909 that would expand the state's underutilized GI Bill program so that it would fund apprenticeship and on-the-job training programs for post-9/11 veterans. The program currently only subsidizes postsecondary education. Dayton proposed a similar expansion in his supplemental budget request.

"With the drawdown, there will be even more men and women returning, and it's important that we plan in advance as much as possible to provide for re-entry into civilian life and quality jobs," McElfrick said at a March hearing.

The stigma of war

On the face of it, veterans would seem to possess many qualities that an employer should want in an employee: self-discipline, teamwork, leadership skills and the ability to work under pressure, to name a few. So why is it so hard for veterans to find jobs?

Part of the reason simply boils down to bad timing. The current generation of veterans left for their overseas deployments amid the worst job market in decades. Many of them joined the service straight out of college or high school, without ever gaining any entry-level work experience in the civilian world. Finley said these young veterans return home with huge gaps in their civilian resumes.

"You've got a group of people back home in Minnesota who have not been in Kuwait with you; they've not made this sacrifice. And they've been looking for jobs. They've

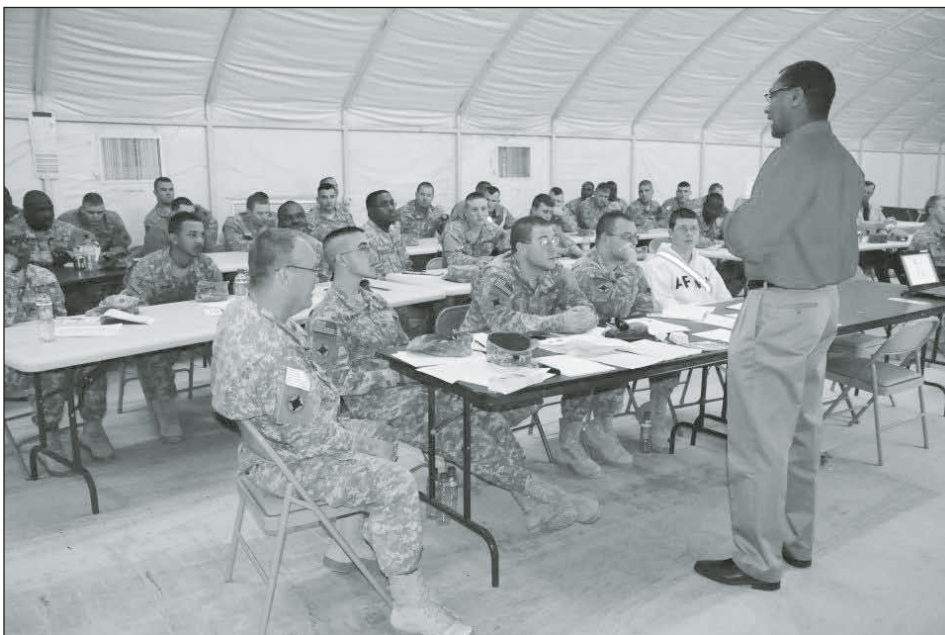


Photo courtesy of the Minnesota National Guard

Marvin Hamilton, right, a Target Corporation executive and former U.S. Army officer, speaks to a group of Minnesota National Guard soldiers in Kuwait. Hamilton was part of an "Employment Resource Team" that visited the troops in March to prepare soldiers to look for jobs after their deployment ends.

First Reading continued on page 4

First Reading continued from page 3

been honing their interviewing skills, they've been perfecting their resumes, and that's who you're going to compete with," Finley said.

But the problem goes deeper than just the competitive job market. Col. John Morris, state chaplain for the Minnesota National Guard, says veterans are up against a stigma that exists in the minds of many employers and human resources professionals: namely, that veterans returning from combat zones are damaged.

"There's two big messages out there: one is 'Thank a veteran,' and the other is, 'All the veterans have post-traumatic stress disorder and are potential walking time-bombs,'" Morris says.

For employers, Morris says it often comes down to a simple equation. If there's one job opening and many candidates, why should an employer take on the risk of hiring a veteran? He says employers who haven't served in the military themselves can't see the inherent value in the kind of skills, training and experiences that veterans possess.

"I don't think it's malicious; I think we have a constant drumbeat that comes through the media, and we have a lack of understanding of us because most people have never been us," he said.

From combat to careers

In March, Minnesota quietly made military history when it sent a team of soldiers, government officials and corporate executives into a combat zone to train the Red Bulls on how to get civilian jobs once they return home. The so-called "Employment Resource Team" coached the troops on strategies to look for jobs, improve their resumes, hone their interview skills and network with potential employers.

Finley and Morris, both of whom were on the team, said the training sessions were a hit with the Red Bulls.

"Target, Best Buy and U.S. Bank stepped up to the plate and provided us hiring executives," Finley said. "These guys at this level are not available to soldiers or the general public to tell them the tricks of the trade... But this group of a thousand soldiers in Kuwait heard all of this stuff. It was incredibly valuable."

The Employment Resource Team represented a first-of-its-kind effort, but it's



PHOTO BY ANDREW VONBANK

Bruce Olson, a veteran of the Minnesota National Guard's "Red Bulls" infantry division, has struggled to find a permanent job since his 22-month long deployment in Iraq ended in 2007.

far from the only strategy the state is using to put veterans back to work.

DEED employs its own small army of veteran employment representatives to help veterans look for jobs, apply for benefits and seek educational and job training opportunities. Each of the state's 49 workforce centers has a representative assigned to it.

"Our only purpose in life is to assist other service members in their job search,"

Finley said. "All my staff, including me, are all veterans. Most of us are disabled veterans. We've been through our own reintegration, so we know where these guys are at. We know some of the obstacles because we've had to deal with them."

Finley said the Dayton administration has made veteran employment a top issue. A series of workshops are being planned in which state officials will meet with employers to assess local workforce needs and develop customized training that can help put veterans in high-demand jobs. He said the proposed legislation to expand the GI bill would also go a long way toward opening new opportunities for veterans.

In the long run, Morris says the state needs to find ways to guide what he calls the

"next Greatest Generation" into productive careers.

"Let's challenge them to fill those critical needs, and let's counsel them, show them where the needs are going to be, and let's point them toward the Minnesota schools that can prepare them to get there," he said.

McElfrick's bill awaits action on the House floor. Sen. Mike Parry (R-Waseca) sponsors the companion, SF2488, which awaits action by the full Senate.

Need a job? Want to hire a veteran? The Department of Employment and Economic Development encourages you to check out positivelyminnesota.com/veterans. The website contains a number of resources to help connect veterans to employers and vice versa.

HIGHLIGHTS

MARCH 29 - APRIL 5, 2012

Editor's note: The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held March 29-April 5. 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 acted on by the governor.

Lawmakers are taking a break to commemorate Easter and Passover. There will be no Session Weekly published April 13. The next scheduled Session Weekly publication date is April 20.

Business & Commerce

Annuity assurance proposed

Customers generally purchase annuities to ensure a monthly payback during retirement. However, with the increasing number of baby boomers reaching retirement age, regulators see the need for more uniform regulation to make sure products are well-suited to the customer.

Rep. Joe Hoppe (R-Chaska) sponsors HF1134, which, as amended, was passed by the House 125-6 April 2. It now awaits action by the full Senate. Sen. Roger Chamberlain (R-Lino Lakes) is the Senate sponsor.

Hoppe said the bill would enact a model regulation adopted by the National Association of Insurance Commissioners, and would make Minnesota's law "the strongest in the country — one that will be model legislation for other states."

According to the nonpartisan House Research Department, the bill's focus is on requiring that an annuity product recommended to a consumer by an insurance agent be suitable for that consumer. It adds a new requirement that the insurance company independently review the agent's suitability determination.

— L. SCHUTZ

Derivative transactions authorized

Signed
by
the
governor

Derivative transactions will be allowed at state charter banks and holiday closures for financial institutions have been clarified.

Each is part of a new law signed March 30 by Gov. Mark Dayton.

Derivative transactions involve investments that have no value in themselves, but derive value from other investments. Derivatives may be based in a variety of assets, such as

mortgage loans. Financial institutions could bundle 1,000 of those loans together and sell shares to investors.

Proponents said banning derivative transactions would put state charter banks at a disadvantage to other banks, which may make these transactions. Opponents expressed concern that derivatives pose a potential danger to Minnesotans, who may make investments that are actually worth much less than they seem, as was the case leading up to the recession.

The new law also allows banks to close on Mondays following Sunday holidays. Banks may also close on Saturdays if the preceding Friday or following Sunday or Monday is a holiday.

Rep. Diane Anderson (R-Eagan) and Sen. Dan Sparks (DFL-Austin) sponsor the law. Clarification of bank operating hours is effective March 31, 2012, while the provision addressing derivative transactions takes effect Jan. 21, 2013.

HF2227/SF1735*/CH142

— E. SCHMIDTKE

Sump pump installation changes

Signed
by
the
governor

Minnesota's plumbing code will broaden to allow licensed waterproofing contractors to install a sump pump in an existing single-family dwelling.

Gov. Mark Dayton signed the new law April 4 to address code inconsistencies between cities and counties as it relates to sump pump installation. Sponsored by Rep. Tim Sanders (R-Blaine) and Sen. John Pederson (R-St. Cloud) it takes effect Aug. 1, 2012.

"Basically what it is saying is that you don't need a full-blown license to do the work," Sanders said.

HF2354/SF1993*/CH159

— L. SCHUTZ

Travel insurance gets new definitions

Signed
by
the
governor

To adapt to the changing modes of travel and traveler expectations, changes need to be made to state statute regarding travel insurance.

Signed by Gov. Mark Dayton April 4, and effective July 1, 2012, a new law "modernizes the definition of travel

insurance and regulates how travel agents disseminate travel insurance information," according to Rep. Jenifer Loon (R-Eden Prairie), who sponsors the law along with Sen. David Brown (R-Becker).

Of note, the new law clarifies that travel insurance does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting six months or longer, including those working overseas as an expatriate or military personnel being deployed.

HF2544/SF2069*/CH157

— L. SCHUTZ

Civil Law

Legal framework for receiverships

Signed
by
the
governor

The process where a court orders an outside party to take custodial responsibility of another's property is called receivership.

It's a common law process that goes back about 500 years or so; however, there is no guidance in state law regarding the practice.

Rep. Joe Hoppe (R-Chaska) and Sen. Dave Thompson (R-Lakeville) sponsor a new law, signed by Gov. Mark Dayton March 30, which lays out a framework for receiverships. It takes effect Aug. 1, 2012.

The law also makes limited changes to statutes by clarifying receivership requirements in an effort to provide transparency to the rules and requirements.

Court-appointed receiverships can be used to protect real estate, liquidate fraudulently operated businesses or seize assets being withheld in a divorce.

HF382*/SF352/CH143

— L. SCHUTZ

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.

Consumers

Defensive driving bill discount

**Signed
by
the
governor**

At age 55, people are eligible to take a defensive driving class managed by the Department of Public Safety. If a driver successfully completes the course, he or she receives a certificate from the department authorizing a discount. To maintain the discount, drivers must renew their certificates every three years.

A new law signed March 30 by Gov. Mark Dayton will allow those qualified to take a four-hour refresher course instead of retaking the full eight-hour course for certificate renewal. Rep. Jenifer Loon (R-Eden Prairie) and Sen. Paul Gazelka (R-Brainerd) sponsor the law, which is effective March 31, 2012.

HF2441/SF1542*/CH141

— E. SCHMIDTKE

Omnibus liquor bill passed

College football fans might be able to purchase alcohol at the University of Minnesota's TCF Bank Stadium.

A portion of the omnibus liquor bill would authorize sale of alcohol during intercollegiate football games at the stadium. Alcohol would be available to the general public as well as those seated in suites.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Chris Gerlach (R-Apple Valley), HF2784/SF2392* also includes provisions relating to farm winery licenses, wine tastings, liquor store clothing sales and out-of-state craft brewers. The House passed the bill as amended 107-16 March 30. The Senate passed it 58-4 two days earlier. A conference committee will next review it.

An avid fan and alumnus of the university, Atkins said the bill was a fair compromise to bring alcohol to the stadium.

The bill received criticism from some lawmakers. Rep. Mike Benson (R-Rochester) said the change could harm a family-friendly dynamic at Gopher games. "It doesn't take very much before a person's tongue is loosened and the kind of comments that come from that lack of inhibition make for a terrible experience."

Members also heard a series of amendments, including two similar measures unsuccessfully introduced by Rep. Steve Drazkowski (R-Mazeppa) and Rep. John Kriesel (R-Cottage Grove) that

would authorize liquor stores to operate on Sundays.

Rep. Phyllis Kahn (DFL-Mpls) unsuccessfully offered two amendments intended to reduce binge drinking among minors. Her amendments would allow those under age 21 to drink at on-sale locations with guardians and those ages 19-20 to drink at on-sale locations independently.

"I continually pride myself on being the legislator with the wettest voting record and the driest lifestyle," she said.

— E. SCHMIDTKE

Education

Dayton vetoes school shift plan

**Vetoed
by
the
governor**

Gov. Mark Dayton vetoed a contentious bill April 5 that seeks to repay money owed to the schools.

Education funding was withheld by the state to balance its budget and help end the 2011 state government shutdown. Lawmakers agree that money must go back to the schools, but have different ideas on where it should come from.

Both bodies passed the bill April 2; the House 75-56 and the Senate 35-28. Rep. Pat Garofalo (R-Farmington) and Sen. Gen Olson (R-Minnetrissa) sponsor the bill.

Following the February budget forecast, the state owes \$1.8 billion in aid payment. The bill sought to repay \$430 million of that, leaving \$1.5 billion in aid still owed to schools. The state also owes \$550 million in property tax shift, which the bill did not address.

The repayment plan divided members of the House because it would draw from the \$1 billion the state is expected to have in reserve. Republicans praised the bill because it pays off the debt with existing money. DFLers accused the majority of political posturing by attempting to drain the account the state uses for fiscal emergencies.

Dayton echoed that concern in his veto letter. He cited data from Minnesota Management & Budget, which anticipates a difficult fiscal year 2013 for the state.

"Raising the reserve fund would put the State's newly-achieved fiscal stability at unacceptable risk ... Just getting out of a deep budgetary hole is no reason to cut corners now," Dayton wrote.

He acknowledged that the proposed plan

"has superficial appeal," but supports another plan DFLers unsuccessfully offered during the bill's floor debate. As an alternative to tapping the reserve fund to repay schools, the minority caucus had previously proposed a tax increase for corporations who keep money in overseas accounts.

HF2083*/SF2492/CH154

— E. SCHMIDTKE

School annexation requirements

Residents of a northeast Edina neighborhood live within the Hopkins school district, which means their children must ride the bus further than if they were able to attend school in Edina. Rep. Keith Downey (R-Edina) sponsors HF2939, which would ease the process for residents like these to become part of their hometown school districts.

The House passed the bill 73-57 March 29 and sent it to the Senate, where it awaits action by the Senate Education Committee. Sen. Geoff Michel (R-Edina) is the Senate sponsor.

Currently, for the neighborhood to be annexed into the Edina district, it would have to receive approval from both the Hopkins and Edina school boards. Under the bill, neighborhoods that want to change districts would only need approval from the annexing district. This proposed change would only apply to those who live in the seven-county Twin Cities metropolitan area.

Republicans spoke in support of the bill, saying that it would allow increased local control for families whose property taxes fund schools their children are unable to attend.

"This is a bill that smells a heck of a lot like freedom. It allows parents to petition their government to find the right place for their kids to go to school," said Rep. Kelby Woodard (R-Belle Plaine).

DFLers voiced opposition, saying that the bill would bypass the jurisdiction of local school boards. They also warned that the bill could have broad-reaching negative consequences.

"The point is this could really set in motion a bad situation where you have districts directly or indirectly trying to raid one another's tax bases," said Rep. Steve Simon (DFL-St. Louis Park). He worried that could create unnecessary conflict between neighborhoods.

Rep. Tom Anzelc (DFL-Balsam Township) spoke as the sole DFLer to support a "yes" vote.

"These are two silk stocking districts and I've learned that wealth always prevails. I am

sure these parents and citizens and school boards and, at the end, the county board will figure this out," he said.

— E. SCHMIDTKE

School bus crossing arm requirement

**Signed
by
the
governor**

Future school buses used in the state will need to have an extra safety device.

Sponsored by Rep. Larry Howes (R-Walker) and Sen. Pam Wolf (R-Spring Lake Park), a new law will require all school buses used in the state that are manufactured after Jan. 1, 2013, 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.

It costs about \$300-\$350 for a new bus to have the approximately 8-foot arm, a small price to help keep children safe, supporters say. If an elementary school student is too close to a bus, the driver may not see them over the hood.

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.

The law, signed March 29 by Gov. Mark Dayton and effective Aug. 1, 2012, also provides permissive authority for the placement of cameras on buses, modifies color requirements and allowed equipment around the flashing signal lamps and eliminates minimum seat depth and seat back height requirements because those are addressed in federal law. This will raise the minimum seat back height from 20 to 24 inches.

HF392*/SF992/CH137

— M. COOK

Flexibility for adult basic education

**Signed
by
the
governor**

Adult basic education programs will no longer face funding penalties for an interruption of their services due to factors outside of their control, like construction or

weather.

These education programs help adults become literate and obtain skills needed for employment. They also work with students so they may earn their high school diplomas or equivalency certificates.

To receive state funds, adult basic education programs must be in contact with students for a certain number of hours. When a disruptive force like a natural disaster occurs, the program could become inaccessible to students for

a limited amount of time. Under the new law, signed March 30 by Gov. Mark Dayton, adult basic education programs can make adjustments to the scheduled hours they spend instructing learners, without facing penalties.

Rep. Carlos Mariani (DFL-St. Paul) and Sen. Carla Nelson (R-Rochester) sponsor the law, which is effective for fiscal year 2013 and later.

HF2291*/SF2346/CH145

— E. SCHMIDTKE

CADILLAC CAPITOL



PHOTO BY ANDREW VONBANK

The State Capitol is reflected in the chrome and finish of a 1939 Cadillac. More than 25 classic automobiles were on display April 3 on the Capitol Mall as part of Minnesota Street Rod Association's "Run to the Hill."

Buying lunchroom equipment

**Signed
by
the
governor**

Schools will no longer need approval from the Department of Education to purchase lunchroom equipment with surplus funds from their food service fund.

Gov. Mark Dayton signed into law March 29 a plan to simplify the buying process for districts.

School administrators brought forth a concern that making updates to lunchrooms was too cumbersome under the previous law. The new law is effective for purchases made on or after July 1, 2012.

Rep. Mike LeMieur (R-Little Falls) and Sen. Paul Gazelka (R-Brainerd) sponsor the law.

HF2376*/SF1971/CH138

— E. SCHMIDTKE

Continuing education for principals

Signed
by
the
governor

Retired principals serving as substitute or assistant principals for 15 days or fewer will not be subjected to continuing education requirements typically required of the position, under a new law signed March 29 by Gov. Mark Dayton.

Supporters said the law, effective March 30, 2012, is intended to streamline the process for temporary principals working in a limited capacity.

Rep. Carlos Mariani (DFL-St. Paul) and Sen. Terri Bonoff (DFL-Minnetonka) sponsor the law.

HF1524*/SF1932/CH139

— E. SCHMIDTKE

Prone restraint use reauthorized

Signed
by
the
governor

School staff with specific training may physically restrain out-of-control students with special needs. The technique, called “prone restraints,” involves holding a student face-down until the situation becomes manageable.

Gov. Mark Dayton renewed the authorization for qualified staff to use this technique through the upcoming school year, with the requirement that the Department of Education gather data on its use. In Minnesota, prone restraints may only be used with the minimum amount of time and the force it takes to ensure the student or another person will not be injured.

The new law, signed April 2 and effective the next day, states that the department must examine this information with the intent of eventually replacing the practice with a safe alternative.

Rep. Jim Davnie (DFL-Mpls) and Sen. Pam Wolf (R-Spring Lake Park) sponsor the law.

HF2293/SF1917*/CH146

— E. SCHMIDTKE

Textbook aid expanded

Signed
by
the
governor

State aid for textbook purchases made by schools now may extend to software and other educational technology.

The law, sponsored by Rep. Denise Dittrich (DFL-Champlin) and Sen. Benjamin Kruse (R-Brooklyn Park), will allow districts flexibility in using those funds for materials other than traditional books.

The statute requires that these materials, as currently required of books, must be secular, non-ideological and neutral in tone. Gov. Mark Dayton signed this into law March 30. The new law takes effect July 1, 2012.

HF2078/SF1990*/CH144

— E. SCHMIDTKE

Increased PSEO opportunities

An omnibus bill that would, in part, expand opportunities for students to take college courses through the Postsecondary Enrollment Options program was approved by the full House April 2.

Sponsored by Rep. Pat Garofalo (R-Farmington), the bill provides for a variety of changes to statewide education.

Besides expanding postsecondary options, the bill would ban public school employees from using school resources to engage in political activities. It also addresses early graduation achievement scholarships for high school students and establishes a task force that would examine methods of incorporating career and technical education into high school curriculums.

Passed 78-54, HF2949 awaits action on the Senate floor where Sen. Gen Olson (R-Minnetrista) is the Senate sponsor.

Members heard a series of amendments, including one unsuccessfully offered by Rep. Nora Slawik (DFL-Maplewood), that sought to strike a controversial portion of the bill to set aside \$250,000 of a \$4 million early childhood education scholarship fund created by the Legislature last session. The money would create need-based grants for a parent-child home program, which critics say only serves to defund similar programs that also help low-income children.

Slawik said that she hoped to strike that language because the grants may be paid to a variety of child care providers, regardless of quality standards. She also spoke against the requirement that the grants be divided evenly between Greater Minnesota and the Twin Cities metropolitan area.

Garofalo called on members to vote

against Slawik’s proposal, which he called an “anti-rural amendment.”

The amendment divided members along party lines, as did the larger bill.

“It’s full of mandates, it cuts education funding and it does so in a way that particularly destabilizes our schools and opportunities for our children,” said Rep. Jim Davnie (DFL-Mpls).

Garofalo refuted this claim, saying that “if there was ever a white flag of surrender from the Democratic Party, I think we just saw it.”

— E. SCHMIDTKE

Elections

Primary could move to June

The state’s primary elections could move from August to June — a change that supporters say would encourage greater public participation and align Minnesota more closely with other states.

Rep. Kurt Daudt (R-Crown) successfully offered the provision as an amendment to HF2545/SF2296*. It passed on a 66-65 vote. Rep. Tim Sanders (R-Blaine) and Sen. Roger Chamberlain (R-Lino Lakes) sponsor the bill.

In 2010, Gov. Tim Pawlenty signed a law moving the state primary from September to August. The September primary date was seen as disadvantageous to military and overseas voters, and the change had overwhelming bipartisan support in the Legislature.

As amended, the bill would designate the first Tuesday following the third Monday in June as the date for the state’s primary elections. Primary elections currently take place on the second Tuesday in August.

Supporters include Rep. Steve Simon (DFL-St. Louis Park), who said the change would bring more voters to the polls. He also said putting an end to the “intra-party squabbles” of the primary earlier in the process would focus more attention on the general election.

“I think the earlier you go, the better it’s going to be,” Simon said.

However, Rep. Rick Hansen (DFL-South St. Paul) said making the general election season longer would only increase the costs of campaigns. Rep. Sarah Anderson (R-Plymouth) called the amendment “self-serving” and said an earlier primary would favor incumbents.

UROBOT



PHOTO BY PAUL BATTAGLIA

Dario Canelon, from the Center for Distributed Robotics at the University of Minnesota, operates a scout robot during a demonstration at the annual "Support the U" rally in the Capitol Rotunda March 30. The center works to automate tasks that may be inconvenient or dangerous for people.

The House passed the amended bill 78-51. It now returns to the Senate, where a different version passed 60-1 on March 19.

Other election changes in the bill include:

- eliminating a requirement that absentee ballots be rejected if the voter fails to write in the date on the envelope;

- banning political party units from punishing non-endorsed candidates from running for office by imposing financial penalties (successfully offered as an amendment by Rep. Ryan Winkler (DFL-Golden Valley); and
- a technical change necessary to accom-

modate the date for this year's Republican National Convention (successfully offered as an amendment by Sanders).

— N. BUSSE

Employment

E-Verify new state employees

A federal system that checks whether employees are eligible to work in the United States might be checking all new state employees.

Rep. Ernie Leidiger (R-Mayer) sponsors HF1976 that would require new hires in all three branches of state government to submit to a check through the E-Verify system, which is run by the U.S. Department of Homeland Security.

The House passed the bill 77-53 April 2. It now goes to the Senate, where Sen. Al DeKruif (R-Madison Lake) is the sponsor.

E-Verify cross-checks data from federal agencies to determine whether someone is a U.S. citizen or is otherwise authorized to work legally in the country. Supporters say it's a useful tool to ensure that jobs only go to legally eligible workers.

"Since the state government is one of the largest employers in the state, we should set the example," Leidiger said.

Opponents cite recent state and federal studies demonstrating inaccuracies in the system. They say it sometimes produces "false positives" that accidentally screen out workers who are perfectly legal.

"This current E-verify system has too many problems with it right now," said Rep. Mike Nelson (DFL-Brooklyn Park). He also cited a letter from Minnesota Management & Budget Commissioner Jim Schowalter, who expressed concerns about the system's accuracy.

Rep. Steve Simon (DFL-St. Louis Park) said he thought E-Verify is "generally a good idea," but said the bill should include due process provisions for eligible workers who are accidentally screened out by the system.

Simon also noted that the Minnesota Chamber of Commerce opposes the bill because it prefers a federal solution to immigration issues as opposed to a piecemeal state-by-state approach.

— N. BUSSE

Public employee labor contracts

When union contracts expire in the public sector, the contract terms continue in effect.

A green thumbs up

Ag policies seek to protect garden and landscape consumers

By SUE HEGARTY

S hopping for spring gardens and landscape materials would be easier under provisions included in the omnibus agriculture and rural development policy bill.

Sponsored by Rep. Paul Anderson (R-Starbuck), the House passed the bill 102-20 March 30. The Senate passed the bill 59-3 on April 4. Sponsored by Sen. Doug Magnus (R-Slayton), the bill was amended by Sen. Gen Olson (R-Minnetrissa) to designate Lester soil as the state soil. The bill was returned to the House for concurrence, but it opted to bring the differences to a conference committee.

HF2398 would require nursery stock to be labeled so that consumers could know if the plant is appropriate for Minnesota weather extremes.

A “non-hardy” label would mean a plant that cannot be expected to survive or produce flowers in certain growing zones.

Similarly, nursery stock collected from the wild would be labeled as wild stock when sold. Buyers would also be able to read how many seeds are contained in vegetable and flower seed packets, instead of the packet’s net weight.

Where there are plants you can usually find plant pests and weeds, both of which are addressed in the bill.

The definition of “infested” would be modified to help the Department of Agriculture regulate nursery stock growers and retailers. A plant would be considered infested if it contains or harbors enough plant pests to threaten other plants.

Pests, particularly the emerald ash borer found in Minnesota trees, have resulted in

quarantines that restrict the movement of firewood. Hennepin and Ramsey counties, along with the southeastern corner of the state, are subject to quarantine restrictions. The bill would also require wrappers on firewood sold or distributed in Minnesota to include the county and state where the wood was harvested.

Weeds, particularly noxious ones on public land, are also targeted.

A county would be able to fine public land owners up to \$1,000 per violation if landowners fail to control noxious weeds on their property. Farmers brought the issue forward because of the vast amounts of state-owned land in northern Minnesota that abuts cropland. Thistles, labeled as noxious weeds, would need to be sufficiently eradicated on public right-of-ways, wildlife management areas, state parks and other publicly owned property or counties could assess the state a fine.

The bill would expand the Agriculture Department’s nursery and plant inspection and enforcement powers to include its Wholesale Produce Dealer, Grain Buyer/ Grain Storage and Warehouse oversight responsibilities. The department could enter sites, inspect and sample products, issue commissioner’s orders, and pursue administrative and criminal penalties for failure to follow the law.

Other provisions would:


- allow about \$150,000 remaining from a 2010 Lutheran Social Services disaster relief and mental health appropriation for flooded rural communities to be used in more counties;
- exempt feed distributors who produce and use their own feed from being charged an inspection fee on the portion they use themselves;
- remove a requirement to submit several reports to the Environmental Quality Board and legislative committees;
- enable a joint powers agreement for the collection of household hazardous waste disposal; and
- allow some pesticide dealers to be exempted from showing the gross sales fee paid on the sale of agricultural pesticides.

The bill also contains HF1347, sponsored by Anderson, which would establish the Dairy Research, Teaching and Consumer Education Authority as a public entity. The authority would meet at least quarterly to focus on dairy systems that:

- produce high quality, nutritious dairy products to promote human health and fitness;
- optimize animal welfare;
- sustain natural resources; and
- sustain profitability in all segments of the dairy industry.

The authority, which would be governed by a board of directors, could arrange for development of a research facility with barns, milking parlor, classrooms, a lab, visitor’s center, student housing and a dairy retail store. Funding could be obtained through grants and gifts.

Some members have said that the existing Agricultural Utilization Research Institute, which has facilities located in Crookston, Marshall and Waseca, is similar in design and could be tasked with the same objectives.

Another section would move enforcement of food safety regulations into a new chapter of law and would grant authority for the Department of Agriculture to issue civil penalties, in addition to criminal or administrative penalties. 

Reel out those fishing rods

Omnibus game and fish bill contains earlier opener provision

By **BOB GEIGER**

Mother's Day and the state fishing opener may not conflict this year, even though they are scheduled the same weekend.

The omnibus game and fish bill passed April 3 by the House would start the fishing season a week early this year, if it is signed into law.

Sponsored by Rep. Tom Hackbarth (R-Cedar), HF2171 also includes a Minnesota wolf-hunting season that coincides with the start of the deer hunting season. The bill awaits action by the Senate, where Sen. Bill Ingebrigtsen (R-Alexandria) is the sponsor. If the Senate fails to pass the identical bill, a conference committee would be needed to work out the differences.

Rep. David Dill (DFL-Crane Lake) offered the amendment that would jump-start Minnesota's 2012 fishing season, which is officially scheduled to start May 12, with a "bonus week" starting May 5. The shift would only apply for this year.

"(Because of unseasonably warm temperatures) the fish have done most of the work that they must do to make other fish," said Dill. "The fish already are moving out (into deeper water). This is a bonus week. We have a constitutional amendment that says we have the right to hunt and fish."

Culling the wolf, stopping the carp

The late-2011 removal of wolves from the federal Endangered Species List resulted in the transfer of management of Minnesota's estimated population of 3,000 wolves to the state on Jan. 27, 2012. Under the bill, up to 400 wolves could be taken during the first season, which could begin the same day as the deer hunting season.

Prospective wolf hunters would pay a \$4 fee to enter a lottery that would pick up to 6,000 hunters for the season.

A large part of the floor debate was devoted to a series of amendments that would have changed or deleted a section of the bill that could require publicly owned shooting ranges to host youth firearms safety tests four times a year.



PHOTO BY PAUL BATTAGLIA

Rep. Tom Hackbarth sponsors the omnibus game and fish bill.

Rep. Ann Lenczewski (DFL-Bloomington) contends that requirement represents an unfunded mandate to local governments and creates taxpayer-funded competition for privately owned shooting ranges.

"This is real government-creep into private enterprise," said Rep. Bev Scalze (DFL-Little Canada). "Why would we want to interfere with small business?"

Rep. Jean Wagenius (DFL-Mpls) expressed concern that the bill contains zero funding to defend Minnesota's western border from the invasive Asian carp.

"South Dakota is home to Asian carp," said Wagenius. "It's the same carp that are coming up the Mississippi River. We are working hard, particularly on the Legacy bill to defend against that. But what we are not doing is working on the carp coming in from South Dakota."

She referred to \$12.2 million in that bill to, in part, erect barriers on the Mississippi River to block the carp from advancing further

north. Asian carp barriers are limited to the Mississippi River in the Legacy bill, rather than the Missouri River and tributaries that extend toward the Minnesota-South Dakota border.

"If this goes to conference committee, we really need to worry about this because the Senate has no carp language in its bill," Wagenius said.

Other provisions in the bill include:

- expanding the Department of Natural Resources' mission to include recruitment of new anglers and hunters and keep existing participants, including women and minorities;
- allowing electronic sales of hunting and fishing licenses during a government shutdown (the DNR estimates \$2.2 million in license sales were lost during the July 2011 state shutdown);
- setting a \$26 wolf hunting fee and establishing a wolf management and monitoring account funded by wolf license fees to provide wolf management, research, damage control, enforcement and education;
- establishing a "walk-in access program" to provide public access to private land for hunting;
- allowing bear hunters to leave hunting stands in the wild overnight if the owner's address, driver's license and DNR license numbers are attached;
- allowing road crews to trap beaver whose dams are causing damage or threaten to damage public roadways;
- providing for state authorities to drain shallow lakes to manage invasive species;
- allowing use of snowmobiles with metal traction devices on paved public trails unless they are specified as closed trails by a local government or DNR; and
- specifying that holders of commercial licenses to transport minnows must ship them in tagged containers and be kept separate from minnows from Minnesota. It also requires a \$1 million bond be provided in case a licensee is convicted of letting invasive species into Minnesota waters. 🐟

Stadium debate kicks off

Supporters hope late-session game plan provides new home

By **MIKE COOK**

An audible was called in the debate for a stadium to house the Minnesota Vikings. Supporters are betting that the change is a winning game plan.

However, the backup funding plan has received a less-than-enthusiastic welcome from many legislators and the governor.

Nonetheless, the bill has begun to barrel its way toward the goal line.

Sponsored by Rep. Morrie Lanning (R-Moorhead), HF2810 calls for a \$975 million fixed-roof stadium to be built on the Metrodome site. The team would cover \$427 million of construction costs; the state \$398 million; and Minneapolis \$150 million. The team has played in the downtown Minneapolis stadium since 1982, but team officials say the facility is antiquated and does not provide the needed revenue to remain competitive, nor does it offer a top-notch fan experience.

Without much discussion, the House Commerce and Regulatory Reform

Committee approved the bill on a split-vote April 2 and sent it to the House Rules and Legislative Administration Committee for referral to the House Government Operations and Elections Committee. A number of other committee stops would be necessary before the bill could potentially reach the House floor. A companion, SF2391, sponsored by Sen. Julie Rosen (R-Fairmont), awaits action by the Senate Local Government and Elections Committee.

Rep. Terry Morrow (DFL-St. Peter), co-sponsor of the bill, said time is of the essence. "I do believe the team will leave if something is not done." He also noted that more than \$800 million in income tax over 30 years from players, staff and visiting players would disappear if the Vikings left.

Lanning said Minnesota would lose business from out-of-state visitors who make up 40 percent of game attendees.

He stressed that no statewide income or sales tax increases would be used for stadium funding. However, increased gambling revenue from electronic pull tabs, electronic bingo and sports tip boards could be part of the solution a win-win in the eyes of supporters.

Under the bill, charities would receive more money from the games and pay lower taxes on their proceeds. The state also would get more revenue, which would be used to fund its share of the stadium.

It is estimated that \$88 million in new annual tax revenue would be generated by tip boards, electronic pull tab and electronic bingo games. The first \$72 million

would be split between charities' tax relief and the state to pay off stadium bonds. Tip boards are expected to generate \$16 million annually for the state.

Lanning said \$42 million per year will be needed to pay debt service on the bonds. If the numbers come in as projected, the excess \$10 million would be put in reserve in case revenues down the road do not meet projections.

Gov. Mark Dayton initially offered charities \$10 million in tax relief, a number the charities said was not enough.

Dayton has expressed concern that the sports-themed tip boards may not be legal under federal law, something that could not be refuted with certainty by supporters. Under federal law, gambling on sports is illegal except in states that were grandfathered in, such as Nevada and New Jersey.

King Wilson, executive director of Allied Charities, said the proposed tip boards would be legal because they would be strictly based on numbers, and not dependent on a specific team's score. For example, he said a player with 1 and 6 on their board would win no matter which team won, say, 21-16 or 26-21.

The bill contains four back-up proposals in case, as some Legislators predict, electronic gambling devices do not meet revenue estimates:

- a 10 percent tax on stadium luxury boxes and suites;
- a sports-themed lottery game;
- redirecting excess Hennepin County taxes that now go towards Target Field; or
- a 10 percent admissions tax.

Lanning said these "blink-on, blink-offs" could raise a combined \$7 million to \$10 million annually toward debt service.

Rep. Jenifer Loon (R-Eden Prairie) wondered why the admission tax was low on the list, when game attendees would be the most enthusiastic about the plan.

"The Vikings don't particularly like the admissions tax idea," Lanning said.

Rep. Sheldon Johnson (DFL-St. Paul) questioned if things like stadium naming rights and potential personal seat licenses would be counted toward the team contribution. Team officials said they would.

"If this is the people's stadium, shouldn't the people get that revenue?" Johnson said.

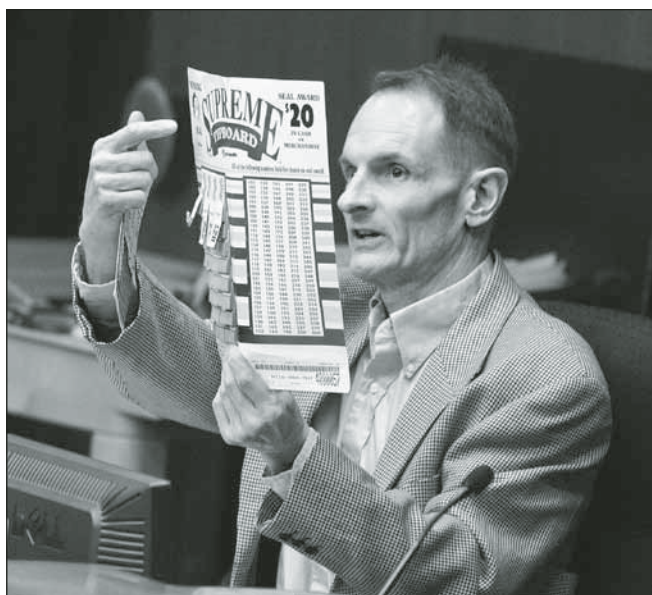


PHOTO BY ANDREW VONBANK

King Wilson executive director of Allied Charities, shows members of the House Commerce and Regulatory Reform Committee an example of tip board numbers during discussion of a bill that help would provide funding for a new stadium to house the Minnesota Vikings.

Voters to decide on photo ID

Fate of constitutional question now rests in the people's hands

By NICK BUSSE

Lawmakers have spent years debating the pros and cons of requiring photo identification for voting. The debate is now over for the Legislature; the voters themselves will have the final say.

On April 4, the House and Senate gave the final OK to a proposed constitutional amendment that would require all voters in the state to prove their identity using an approved form of photo ID. Minnesotans will be asked to vote on the measure on this November's ballot.

The Legislature passed a statutory voter ID requirement in 2011, but Gov. Mark Dayton vetoed it. Putting the question on the ballot allows the Legislature to bypass the governor's desk.

Rep. Mary Kiffmeyer (R-Big Lake), who sponsors the law with Sen. Scott Newman (R-Hutchinson), said it's fitting that an issue so crucial to the integrity of Minnesota's election system be put directly to the voters.

"This is a momentous day here in Minnesota

that we listened to the people, and we give the people the opportunity to vote on this constitutional amendment, as the constitution gives the right to do so," she said.

It will be the second constitutional amendment to be placed on the ballot: last year, lawmakers passed a proposed constitutional amendment that would define marriage as strictly between one man and one woman.

Passing a photo ID requirement has long been a top priority for Republican lawmakers, who say it's needed to ensure the integrity of the state's elections. DFLers argue the state's election system is already secure, and that there is no evidence to suggest that voter identity fraud is a problem in Minnesota. They say a photo ID requirement would make

voting more difficult for certain groups, like poor people and the elderly.

In keeping with the bill's history as a partisan lightning rod, the final House and Senate votes landed squarely along party lines. No DFLers voted for the bill, and only one Republican, Sen. Jeremy Miller (R-Winona), voted against it.

The bitterly partisan track record of the bill was noted by many

DFLers, who argued that changes to the state's founding document should only be made with bipartisan support.

"We will have placed, for the first time in our history, a purely, 100 percent partisan constitutional amendment on the ballot and started a political arms race when it comes to constitutional amendments. That's going to be the legacy of this bill," said Rep. Steve Simon (DFL-St. Louis Park).

Opponents also echoed criticisms made by the Office of the Secretary of State, saying the language of the proposed amendment is unclear and could make same-day registration and absentee voting illegal. Rep. Keith Downey (R-Edina) said those claims are patently false, and that photo ID opponents have been deliberately spreading misinformation. He noted that other states with photo ID laws have no documented instances of voter disenfranchisement.

"I think this generalized concept that this is somehow going to result in chaos is simply a scare tactic," Downey said.

House Majority Leader Matt Dean (R-Dellwood) said the bill's opponents have tried to unnecessarily complicate what is ultimately a straightforward issue.

"The issue is a very, very simple issue: Are you who you say you are when you go to vote? It's a pretty simple issue and it's a pretty simple question," Dean said. He called the bill a "common sense piece of legislation that half of the other states are already doing."

The question that will appear on the ballot reads as follows:

"Shall the Minnesota Constitution be amended to require all voters to present valid photo identification to vote and to require the state to provide free identification to eligible voters, effective July 1, 2013?"

A majority of voters would have to approve the amendment in order for it to take effect. The next Legislature would then be tasked with passing an enabling law spelling out the details of how the photo ID requirement would be implemented.


HF2738*/SF1577/CH167 



PHOTO BY ANDREW VONBANK

Rep. Mary Kiffmeyer discusses the voter ID constitutional amendment during floor debate March 20.

In practice, this can result in employees getting automatic wage or benefit increases even while their unions and employers are negotiating the terms of the next contract.

On a vote of 68-63, the House passed a measure March 29 that would preclude this from happening.

Rep. Steve Drazkowski (R-Mazeppa) sponsors HF1974 that would provide that public-sector union contracts do not continue in effect after they've expired.

Supporters include school boards and other local government units, who say the measure would put them in a better position to negotiate with the unions. They argue that unions have little incentive to come to the bargaining table when the terms of the old contract remain in effect, providing the workers with automatic compensation increases.

Opponents say that the opposite is true: if the contract terms did not continue in effect, then government entities would have too much leverage over the unions during contract negotiations, creating an unfair playing field.

"What we're doing here is messing in public employee labor law and the negotiations between the state and public employees," said Rep. Mike Nelson (DFL-Brooklyn Park).

The bill now awaits action by the full Senate. Sen. Mike Parry (R-Waseca) is the Senate sponsor.

— N. BUSSE

Env. & Natural Resources

House passes Legacy funding

Asian carp and other aquatic invasive species could find it tougher to spread north into Minnesota waters.

The Legacy funding bill approved 101-28 by the House April 4 includes \$7.5 million to construct fish barriers in the Mississippi River. Another \$4.7 million is included in the bill to provide research funding and staff to the University of Minnesota to conduct aquatic research.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF2430/SF2493*, as amended, now returns to the Senate, where Sen. Bill Ingebrigtsen (R-Alexandria) is the sponsor. The Senate, which passed the bill 63-0 March 22, did not concur with the House amendments April 5. A conference committee has been requested to work out the differences.

"This bill makes the first significant



PHOTO BY PAUL BATTAGLIA

Rep. Dean Urdahl outlines the Legacy funding bill April 4 on the House floor.

progress in figuring out how to stop invasive species," said Rep. Jean Wagenius (DFL-Mpls).

The anti-Asian carp language is one part of the \$105.1 million going to four funds created by the 2008 Legacy Amendment: Outdoor Heritage, Clean Water, Parks and Trails, and Arts and Cultural Heritage. However, the parks and trails section did not receive any funding.

Garnering the most funding for fiscal year 2013 is \$97.4 million for the Outdoor Heritage Fund, including the Asian carp funding. Other appropriations are \$6 million to the Clean Water Fund and \$1.7 million to the Arts and Cultural Heritage Fund.

Despite passing by a comfortable margin, House members debated numerous amendments, including one by Rep. Mark Buesgens (R-Savage) to use \$30 million in Arts and Cultural Heritage Fund money annually for seven years to restore the State Capitol.

Buesgens said that could save the state \$116 million in debt service on the proposed \$221 million project. "I think we all agree that this building needs to be fixed up and repaired," he said.

However, using Legacy funds to pay for an entire project challenges the mission of the amendment which is to supplement, not substitute, conventional financing of state projects.

"If this isn't Minnesota's history and cultural heritage, I don't know what is," Buesgens said. The amendment failed 77-52.

The bill also includes almost \$30 million to buy land, including \$14 million for the Mississippi Northwoods Habitat Complex and \$13.8 million to pay for Phase IV of the Reinvest in Minnesota/Wetlands Reserve.

All that spending to buy public land didn't escape the eye of Rep. Steve Drazkowski (R-Mazeppa), who noted that governments already own nearly 8.5 million acres of land in the state.

"The definition of socialism is when the state owns the capital. And we continue to march continually toward putting this government into ownership," Drazkowski said.

— B. GEIGER

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

Permitting bill signed into law

Signed
by
the
governor

Environmental permitting for Minnesota projects will speed up after Gov. Mark Dayton signed a new law April 2 that streamlines the process and creates a “permit applicant professional” to submit applications to state agencies.

“This is an historic day in the state of Minnesota,” said Rep. Dan Fabian (R-Roseau), who sponsors the law with Sen. Bill Ingebrigtsen (R-Alexandria). Added Dayton: “We want to make sure the state is viewed as an ally rather than an adversary” during the permitting process.

Effective April 3, 2012, the law requires the commissioner of the Pollution Control Agency to notify project applicants if permits are complete or incomplete within 30 days. If incomplete, the PCA must detail application deficiencies and how they can be solved. The law requires all environmental permits to be issued or denied within 150 days.

Another nuance in the law is the creation of a multi-agency entity, “Minnesota Business First Stop,” to coordinate federal, state and local government programs related to air, water and land resources.

Additionally, an alternative environmental review program involving the Department of Natural Resources and PCA would be able to process up to three projects without environmental assessment worksheets. The projects are designed to extract iron ore in northern Minnesota.

HF2095/SF1567*/CH150

— B. GEIGER

Health & Human Services

EMS technical bill passed

Several definitions having to do with emergency medical services would be updated to conform to federal terminology, under a bill passed 129-0 by the House March 29.

HF2128, sponsored by Rep. Duane Quam (R-Byron), also would require ambulances to be equipped with a two-way radio that is programmed and operating, and would expand the types of conduct for which the Emergency Medical Services Regulatory Board can take disciplinary action. In addition, the bill specifies that education standards must meet the National Highway Transportation Safety Administration’s

National EMS Education Standards.

The Senate passed a different version of the bill 64-0 April 3. A conference committee has been appointed to work out the differences. Sen. Gretchen Hoffman (R-Vergas) is the Senate sponsor.

— S. HEGARTY

Automated drug dispensing passes

Nursing homes would be able to distribute medications using an automated system designed to deter pharmaceutical waste and save money, under a bill passed 130-0 as amended by the House April 3.

HF2626/SF2173* would expand a pilot program statewide that uses managing pharmacies to fill automated drug dispensers. Rep. Kathy Lohmer (R-Lake Elmo) and Sen. Benjamin Kruse (R-Brooklyn Park) are the sponsors.

As amended by the House to exempt rural areas of the state where pharmacies are not in close proximity to nursing homes, the Senate repassed the bill 64-0 April 4. It awaits action by the governor.

As amended, the bill would allow for issuance of a restricted limited service pharmacy license in health professional shortage areas, such as the Littlefork Medical Center in Koochiching County.

Automatic drug dispensers are refilled daily, resulting in fewer medication errors, reduced drug waste from blister packs and improved control over prescription drugs, Lohmer said.

“Remote dispensing is a step forward to getting pharmaceutical waste out of the environment and saving taxpayer dollars,” said Rep. Melissa Hortman (DFL-Brooklyn Park).

— S. HEGARTY

Treatment options expanded

Signed
by
the
governor

Parents of children who are deaf, deaf blind or hard-of-hearing and who need mental health treatment will have more options for where they can seek treatment for their children.

Current law limits public health cost reimbursement for the specialized mental health services to facilities located in Minnesota or in bordering states.

Sponsored by Rep. Kathy Lohmer (R-Lake Elmo) and Sen. Michelle Benson (R-Ham Lake), a new law will allow parents of deaf, deaf blind or hard-of-hearing children who need mental health treatment to seek residential treatment in any state that meets a set of criteria.

Signed April 2 by Gov. Mark Dayton and effective Aug. 1, 2012, the new law requires the chosen facilities to meet the following criteria: be located in a state that is a member of the Interstate Compact on Mental Health; accept clients who use American Sign Language as their first language; and be licensed by the state in which it is located.

Proponents said the additional options will save public money, too, because of lower residential treatment rates in other states.

HF2253*/SF1861/CH148

— S. HEGARTY

Pregnancy grant eligibility expands

Newer facilities that offer “alternatives to abortion” programming will be eligible to apply for state grants to counsel pregnant women.

Signed April 4 by Gov. Mark Dayton, the new law is retroactive to Feb. 1, 2012.

Previously, grants were available to programs in place by July 1, 2004, but several new ones have started since then, according the House sponsor, Rep. Larry Howes (R-Walker).

Other criteria require an applicant to be a private, nonprofit organization and to provide the services to pregnant women free of charge. Services may include medical care, parenting education, housing assistance, adoption services and child care assistance.

Sen. John Carlson (R-Bemidji) is the Senate sponsor.

HF2676*/SF2330/CH152

— S. HEGARTY

Local Government

Scaled-back land use bill

The House passed a dramatically scaled-back version of a bill that addresses land use disputes between local governments and developers.

The amended version of HF389*/SF270, sponsored by Rep. Mike Beard (R-Shakopee), would require local governments to give greater public notice before adopting interim ordinances that can halt developments for one to two years.

Earlier versions of the bill proposed much tighter restrictions on adoption of the ordinances, which are also known as “land use moratoria.” Rep. Mike Nelson (DFL-Brooklyn Park) successfully amended

the bill, with Beard's support, to remove a number of provisions that were opposed by counties and townships.

Under the new language, the local elected body would have to provide a 10-day notice before holding a public hearing at which an interim ordinance could be adopted. Beard said the proposal represents a compromise that he and the bill's proponents worked out with representatives of local governments. He called it "about as good a consensus as we can find on this bill."

The House passed the bill 76-53. It now goes to the Senate, where Sen. Ray Vandever (R-Forest Lake) is the sponsor.

Supporters claim interim ordinances can be misused in order to arbitrarily delay development projects and wear the developers down financially. Opponents say they provide local officials with a tool to protect their communities from potentially harmful new kinds of land uses.

The issue has recently gained publicity because interim ordinances have been used to halt a number of proposed frac sand mining operations in southeastern Minnesota.

The bill would also prohibit municipalities from requiring land dedication or fees in development contracts that are not authorized by statute or mutually agreed upon by all parties to the development.

— N. BUSSE

Public Safety

Notifying an abuse victim's parents

Signed
by
the
governor

An extra phone call will need to be made when a child is a crime victim.

Sponsored by Rep. Bruce Vogel (R-Willmar) and Sen.

Gary Dahms (R-Redwood Falls), a new law will add to the custody order in a divorce agreement so that each party must "notify the other party if the minor child is the victim of an alleged crime and shall provide the name of the investigating law enforcement officer." It will also require law enforcement to immediately notify a local welfare agency if the child is a victim of neglect, physical abuse or sexual abuse outside the family.

Signed April 4 by Gov. Mark Dayton, the law takes effect July 1, 2012.

"The (law) stems from an incident where we had a young child, 6 years old, who was abused by a neighbor child who was also a minor," Vogel said. "When they went to contact the father he said he didn't want to press charges; therefore, law enforcement let the case go, didn't follow up in notifying the mom. This was a divorce case and the child was staying with the dad at the time this happened."

The mother did not find out until four years later when her son told a social worker. She subsequently spoke with a county investigator who informed her that her ex-husband was informed, and that state statute was followed because they contacted "a parent."

Parents who are under a protective order or in the Safe at Home program will have the notification provided through a third party so as to avoid direct contact with their former spouse.

HF1899/SF2297*/CH153

— M. COOK

Fireworks expansion bill reignites

Minnesotans looking to buy some fireworks may be able to stay within the state's borders.

"Sometimes you just got to ignite the light and let it shine," Rep. John Kriesel (R-Cottage Grove), the sponsor of HF1774, said April 3 on the House floor.

"Current Minnesota law allows for the use of party poppers, snappers, toy smoke devices, snakes glow worms or sparklers. This bill expands legal fireworks in Minnesota to include bottle rockets, firecrackers and other fireworks classified by the American Pyrotechnics Association as consumer fireworks," Kriesel said. "This bill does not make cherry bombs or M-80s legal, or the consumer use of large display fireworks like

Military & Vet. Affairs

Honor guards given equal priority

Signed
by
the
governor

Honor guards are paid up to \$50 each time they provide services, such as playing "Taps," at the funeral of a military veteran.

Effective July 1, 2012, the veterans affairs commissioner cannot prioritize these payments based on whether the honor guard units are sponsored by organizations that have charitable gambling operations. Previously, when funding ran low, honor guards that were sponsored by charitable gambling organizations could see their payments delayed until the end of the year due to permissible language.

The new law, sponsored by Rep. Dean Urdahl (R-Grove City) and Sen. Mike Parry (R-Waseca), was signed by Gov. Mark Dayton April 2.

HF1903*/SF1814/CH149

— S. HEGARTY



PHOTO BY PAUL BATTAGLIA

Jacob Gould and his sister, Emily, listen April 4 as their mother, Sarah Corder Guggisberg, answers a reporter's question after Gov. Mark Dayton signed "Jacob's Law" into effect. The law says that both parents must be notified if their child is suspected of being the victim of an alleged crime.

you see at your community Fourth of July celebrations.”

Local governments would be permitted to charge an annual license fee to stores wanting to sell consumer fireworks, but they couldn’t, among other things, regulate structures where fireworks could be sold.

However, after more than an hour of floor discussion the bill was re-referred to the House Government Operations and Elections Committee so local units of government could discuss local control issues.

Approved by that committee April 5 on a split-voice vote, the bill awaits action by the House Rules and Legislative Administration Committee. A companion, SF1694, sponsored by Sen. Michael Jungbauer (R-East Bethel), awaits action on the Senate floor.

During the floor debate, supporters spoke of Minnesotans crossing into neighboring states to spend their money for fireworks.

Rep. Steve Drazkowski (R-Mazeppa) said there’s a seasonal store across the bridge from Wabasha that’s open three or four months a year “only to collect money from Minnesotans that are coming over to buy their fireworks and head back.”

Among arguments made by opponents was the dangers of fireworks, especially to children, and that fire and police chiefs have expressed fear about an expansion.

“I think this bill is just a terrible idea,” said Rep. Tina Liebling (DFL-Rochester). “What about the personal responsibility of somebody who injures somebody else, somebody who’s a complete and total bystander, somebody whose parent didn’t agree to them using the firework? This is a ridiculously reckless bill.”

“We can’t wrap our world in bubble wrap. We can’t protect everybody,” said Rep. Larry Hosch (DFL-St. Joseph).

— M. Cook

Inmate gardening program

Signed
by
the
governor

Part of the omnibus corrections law signed April 4 by the governor is a provision calling for the Corrections Department to establish an inmate gardening program at each correctional facility where space and security allows.

“The produce is to be used for feeding the offenders; excess produce would be donated to food shelves or charities,” said Rep. Glenn Gruenhagen (R-Glencoe), who sponsors this provision in the House as HF467.

“Some of the results of this in other states is they see lower recidivism rates with gardening programs, it also saves thousands of dollars — some states save several million dollars — in food costs to the prisoners,” Gruenhagen said, adding inmates have sought a gardening program for many years.

Rep. Carly Melin (DFL-Hibbing) said it’s important to teach prisoners skills to help reduce recidivism when they are released. “We’re taking a step in the right direction here.”

Other provisions in the omnibus law:

- will allow victims who want to be informed when their offender is released from prison or a secure hospital to be notified electronically;
- allow the Department of Corrections’ Fugitive Apprehension Unit to apply for a search warrant;
- bar offenders convicted of murder, manslaughter, criminal sexual conduct, assault, drive-by shooting, assault, robbery, arson and other specified crimes from participating in the Challenge Incarceration Program; and
- eliminate an annual performance report from the Department of Corrections,

instead reverting back to a biennial report. This is expected to save the department approximately \$8,000.

The Challenge Incarceration Program and biennial report provisions are effective April 5, 2012; the remainder Aug. 1, 2012.

Rep. Tony Cornish (R-Vernon Center) and Sen. Warren Limmer (R-Maple Grove) sponsor the law.

HF2415/SF2084*/CH155

— M. Cook

Transportation

Commodities definition addressed

Signed
by
the
governor

Properties and equipment can be defined as commodities when it comes to extended vehicle combinations on state roads.

Sponsored by Rep. Ron Shimanski (R-Silver Lake) and Sen. Al DeKruif (R-Madison Lake), the law adds property and equipment to the types of transport allowed for vehicle combinations that can exceed the general maximum combined length of 75 feet.

The new law is needed because many Minnesota State Fair vendors transport their equipment and property using twin trailers. Last year, the fair board was informed by the State Patrol that the contents did not fall under the definition of commodities, which are authorized to be transported in Minnesota.

Signed March 30 by Gov. Mark Dayton, the law is effective March 31, 2012.

HF2793*/SF2426/CH147

— M. Cook

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Chief Clerk of the House

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House Index

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Meeting Call line, House 296-9283

House Research

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Senate Index

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Senate Counsel, Research and Fiscal Analysis

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Governor’s Office

130 Capitol 201-3400

Wanting to go to Washington

After one term, Bills seeks to serve Minnesota in the nation's capitol

By Mike Cook

Two years ago, Rep. Kurt Bills (R-Rosemount) was teaching economics full-time to teenagers.

The freshman representative still starts most weekday mornings talking financial matters in a first-hour advanced placement class at Rosemount High School before spending the rest of his day in or near the State Capitol. However, if things go well this fall, Bills will no longer be teaching in the south suburb or driving to St. Paul.

Bills has his sights set on another dome — one in Washington, D.C. He is leaving the Minnesota House in hopes of joining the U.S. Senate.

"It's a great lesson to everybody. No matter what party you are or what is your political ideology, get involved," Bills said.

The change would be a tremendous jump for someone that had not served on a governmental body until elected to the city council in 2008.

It was a student asking him what today's youth should do about the economy that sparked his interest in running for office. "That

one kid's question got me going, and now I'm going to keep going until I'm done, and then I will be an economics teacher again," he said. "Whether it's two months, nine months, six years or 12 years, I cannot wait until I'm back fully in the classroom again. I cannot wait to bring this knowledge back to help kids."

The nation's economic future is a primary motivation for Bills' desire to move up the political ladder. He believes today's young people deserve answers to questions that have arisen from our nation's continually increasing debt.

"You need to reform bureaucracy and spending, you need to talk about entitlement reform," he said. "You can't keep putting things off."

A self-described citizen-legislator, Bills is in a contest for the Republican Party nomination with Army National Guard Capt. Pete Hegseth and former Rep. Dan Severson (R-Sauk Rapids). Bills said he'll abide by the mid-May party endorsement and not look back. Nor will he use his current House seat as a backup should he not be the chosen Senate candidate.

"I'm going all in," he said. "I'm a teacher and I have a job as a teacher, that's what I do for a living. This is where I'm trying to serve the people, and I'll try to do that. If it works out, it works out, and if it doesn't, it doesn't."

Whoever gets the nomination is expected to square off against Sen. Amy Klobuchar in the general election. Many so-called "experts" have said the Democrat is nearly unbeatable.

Bills doesn't buy that. He's running with the message of "Facing the Giants."

"She's not the giant. Our deficits, entitlement reform, monetary policy, the way we've handled our money, that's the giant," Bills said. "From what I've seen, she's a very caring person ... but the main issue I have is that she has not been a voice willing to talk about these issues that I see facing the kids in my classroom."

One of the most important things Bills said he learned in the House is that things are not as partisan as it may seem to the outside world.

"There are people willing to work on things; there are people willing to compromise and get things done. I've learned how to talk to people both within my own party and the other party," he said. "I've learned there's the textbook how a bill becomes a law and then there's how a bill becomes a law. These are all things I can take back to my classroom and teach kids how the process works."

Among his accomplishments in St. Paul, Bills lists a bill passed March 28 by the House that would ban public school employees from using district resources to promote any political candidate or cause. "It's not hindering anyone's free speech. You can still privately on your time contact your legislator; you can still work for any cause you want," he said.

He's also proud of this year's bill to create a veteran's hiring tax credit for employers, and the creation of an early graduation achievement scholarship program that made it into last year's omnibus education law.

Bills advice to his successor is simple: be willing to listen and learn. 🙏



PHOTO BY ANDREW VONBANK

Rep. Kurt Bills said, foremost, he's a teacher; but it's important for everyone to be involved in the political process.

Hilty: 'It's time'

Pragmatic legislator best known as renewable energy advocate

By SUE HEGARTY

As a freshman legislator, Rep. Bill Hilty (DFL-Finlayson) looked up to his mentor, former Rep. Henry Kalis (DFL-Wells). When Kalis announced he was leaving, Hilty was really disappointed and asked him why.

Kalis replied, "You just know when it's time."

After 16 years of serving his constituents, Hilty has decided "it's time."

He'll return home to the 120-acre property and machine shop where he and his wife operated a small business manufacturing children's bedroom furniture. The business has since closed but the building is still there, and would make a suitable man-cave for tinkering.

"It has 16 years of deferred maintenance," he said.

He's also looking forward to spending more time with the grandchildren, including a 9-month-old granddaughter who lives nearby.

Hilty originally settled in Minnesota to attend the University of Minnesota, where he intended to earn a Ph.D in American Studies. There he read American psychologist and philosopher William James' work about the philosophy of pragmatism. James influenced how Hilty approached his work in the House.

"I've always tried to be pragmatic and focus on results, and not so much on the theater part of politics," he said.

He recalled how Rep. Mary Murphy (DFL-Hermantown) handed him a bill to create the Agate and Geological Center at Moose Lake State Park and said to him, "This is yours now."

"We did manage eventually to cause that to happen," he said.

Opened in 2003, the center contains a multi-purpose classroom, nature store gift shop, restrooms and an exhibition hall that showcases Minnesota's gemstone, the Lake Superior Agate.

But Hilty is probably best known for his leadership on policies that seek to reduce

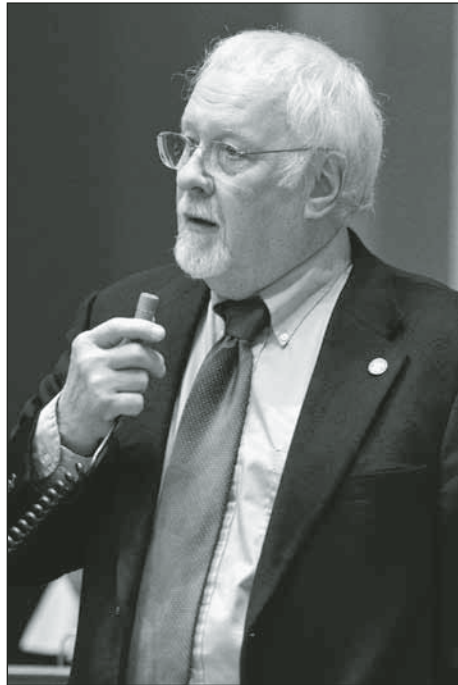


PHOTO BY ANDREW VONBANK

After 16 years of serving his constituents, Rep. Bill Hilty is leaving the House. He plans to spend more time with his grandchildren.

greenhouse gas and carbon monoxide emissions and to promote more efficient uses of energy. He's proud to have helped pass the renewable energy standards, and then became the sponsor of the Next Generation Energy Act. He's a strong advocate for increased production of wind energy and counts on fellow DFL proponents to continue his work.

He has high regard for those who can juggle a family, career and the so-called part-time job of a legislator. His advice to his successor is to "find out how much the job pays and make sure you can afford to do this," he said. "I'm somewhat serious about that."

"I was at a point in my life and business career that it was possible to do this, but really, 10 years earlier there was no way possible for me to serve in the Legislature. That has to be true for innumerable people," he said.

When former Rep. Becky Lourey (DFL-Kerrick) left her House seat to run for

the Senate, Hilty, who had been Lourey's campaign manager, was urged to replace her in the House. It was a period when there was national pressure to deregulate the electric utilities.

"I did not want that to happen," he said.

During Hilty's eight terms in office, the DFL has been both the minority and majority party. There are very obvious differences, particularly as a minority legislator.

"It's very frustrating to have things that you think should happen and you have no prospect of accomplishing," current term included, he said. Even more frustrating are attempts to undo many of the provisions he helped put into place, he added.

Besides energy policy, he's been very interested in election issues and said Minnesota is a national leader in election laws.

"Now that is poised to go down the drain and that's kind of discouraging," he said, referring to a proposed constitutional amendment to require voters to present photo identification before being allowed to vote.

Another thing that has changed during his time in office is the decorum, he said. "When I started here there was a lot more attention to respect for the process."

More recently, he believes finance bills have not been fully vetted in committee hearings and have passed out of committee before the issues were resolved.

"There was a greater sense of common purpose that I don't think we have anymore," he said.

Perhaps one of the greatest philosophical mysteries yet to solve is how the Legislature can return to those bygone days when there was less polarization.

"When you have conflicting goals and values it's very difficult to bridge those gaps," he said. If the next freshmen class wants some philosophical advice, they can find him Up North bouncing his granddaughter on his knee. 🐾

A family man heads home

Shifting priorities cause for Hosch to step down

By Nick Busse

Mondays are a bittersweet affair for Rep. Larry Hosch (DFL-St. Joseph). The excitement he feels at the start of another week at the Capitol is tempered by the heart-wrenching ritual — familiar to many rural lawmakers— of saying goodbye to his family.

“I’ve got a 4-and-a-half-year-old and a 16-month-old at home, and I miss them,” Hosch said.

This year, the ritual became too much to bear. His children are getting old enough to ask questions about why daddy’s not home

more often, and the weight of their questions is crushing. After one particularly tearful goodbye at the start of this year’s legislative session, Hosch decided it was time to step down and focus on his family.

“It’s not for a lack of passion or a lack of love for the job,” Hosch says. “I still want to fight the fight; I just have to fight it in a different way.”

Hosch was just 27 when he first arrived at the Capitol, having already served four years as mayor in his hometown of St. Joseph. He’s spent most of his adult life in

public office, during which time he also completed a master’s degree, married his wife Holly, had two children (Garrett and Gavin) and co-owned a construction business.

In short, it has been a busy life. In spite of this, Hosch said he’s loved serving in the Legislature.

“I believe in what happens down here. I believe in good public policy,” he said.

Of all the bills he’s sponsored, Hosch said the one he’s most proud of allowed for extended orders of protection for people in abusive relationships.

Although it was a “smaller bill” that didn’t get much attention, he said it involved one of this favorite parts of the job — constituent work.

“That came out

of a direct constituent issue, in which a constituent was dealing with trying to serve their ex with a fourth order for protection, and I’ve come into contact with a lot of people who have been impacted by that bill,” Hosch said.

Hosch thinks the nitty-gritty of solving constituents’ problems is some of the most important work legislators do. He said he’s proud to represent one of the most conservative districts of any DFL House member, and attributes his success to the work that he and his staff have done directly addressing the concrete needs of the people in his district.

“That is where you can see a difference being made, where somebody calls you up with a problem or a frustration, needing help, whether it be navigating government or getting an answer on an issue,” he said.

Asked about advice to his successor, Hosch has plenty: work hard for your district; always be open to others’ ideas; and don’t stake out a final position on an issue until you’re ready to vote on it. Above all, he said lawmakers should always focus on people and ideas over partisanship.

“Don’t allow partisanship to define people here. We may have disagreements, but those disagreements shouldn’t be perceived as being personal,” he said.

Hosch said the thing he’ll miss the most about the Legislature is the friends he’s made. He said the hectic and often tumultuous legislative session breeds unique friendships.

“It’s hard to explain, because you go through so much down here,” he said. “We’ve gone through special sessions, government shutdowns, late night budget negotiations with a lot on the line, and you share an experience with people that builds a bond and builds friendship.”

Hosch isn’t sure what comes next for him. He said it’s likely he’ll continue to work on public policy again in some form or fashion. But in the meantime, he plans on taking a well deserved vacation from public office.

“My children have yet to watch a parade from the curbside where they can run after candy being thrown their way,” he wrote in a letter to his constituents. “It is time to take a break from electoral politics and focus on catching candy.” 🍬



PHOTO BY ANDREW VONBANK

Eight years in the House is enough for Rep. Larry Hosch, who is not seeking re-election. With a young family, Hosch wants to step back and focus on his family.

BILL INTRODUCTIONS

MARCH 30 - APRIL 5, 2012

HOUSE FILES 2983 - 2998

Friday, March 30

HF2983-Simon (DFL)

Government Operations & Elections

Polling place roster use of photographs required and money appropriated.

HF2984-Simon (DFL)

Government Operations & Elections

Elections; criminal penalty modified for deceiving another person with the intent to prevent the person from voting in an election.

HF2985-Dettmer (R)

Taxes

Estate taxation federal exemption amount conformed.

HF2986-Crawford (R)

Civil Law

Polling place challengers immunity from civil liability provided.

HF2987-Dettmer (R)

Environment, Energy & Natural Resources Policy & Finance

New school building construction on a landfill site prior review required.

Monday, April 2

HF2988-Hackbarth (R)

Government Operations & Elections

Housing and vacant building fees and charges limited, hazardous buildings municipal ordinances preempted and Citizen Housing Review Board created.

HF2989-Dettmer (R)

Taxes

Forest Lake and Forest Lake Economic Development Authority tax increment financing authorized and authority extended.

HF2990-Hilty (DFL)

Taxes

Agricultural property tax classifications modified to include trees grown for sale as Christmas trees.

HF2991-Davids (R)

Education Finance

Rushford-Peterson school district money appropriated for a new school to replace an aged school extensively damaged by flood water.

Wednesday, April 4

HF2992-Lenczewski (DFL)

Taxes

Retail property excluded from the areawide pool, and the 1971 base value subtraction eliminated.

HF2993-Lenczewski (DFL)

Taxes

National Football League stadium alternative backup financing provided for.

Thursday, April 5

HF2994-Kriesel (R)

Government Operations & Elections

State lottery director authorized to adopt rules for electric scratch ticket devices.

HF2995-Mahoney (DFL)

Government Operations & Elections

Vikings stadium; National Football League stadium in Minnesota provided for, Minnesota Stadium Authority established, Metropolitan Sports Facilities Commission abolished, local tax revenue use provided for, electronic pull-tabs and bingo authorized, state appropriation bonds issued, and money appropriated.

HF2996-Peppin (R)

Jobs & Economic Development Finance

Minnesota Small Business Trademark Protection Act enacted, and dispute settlement conference provided for.

HF2997-Murdock (R)

Commerce & Regulatory Reform

Preneed group life insurance and graded death benefit policy provisions modified.

HF2998-Crawford (R)

Jobs & Economic Development Finance

Endow Minnesota program established, and matching grants authorized and tax credits provided to encourage contributions.

SILHOUETTES

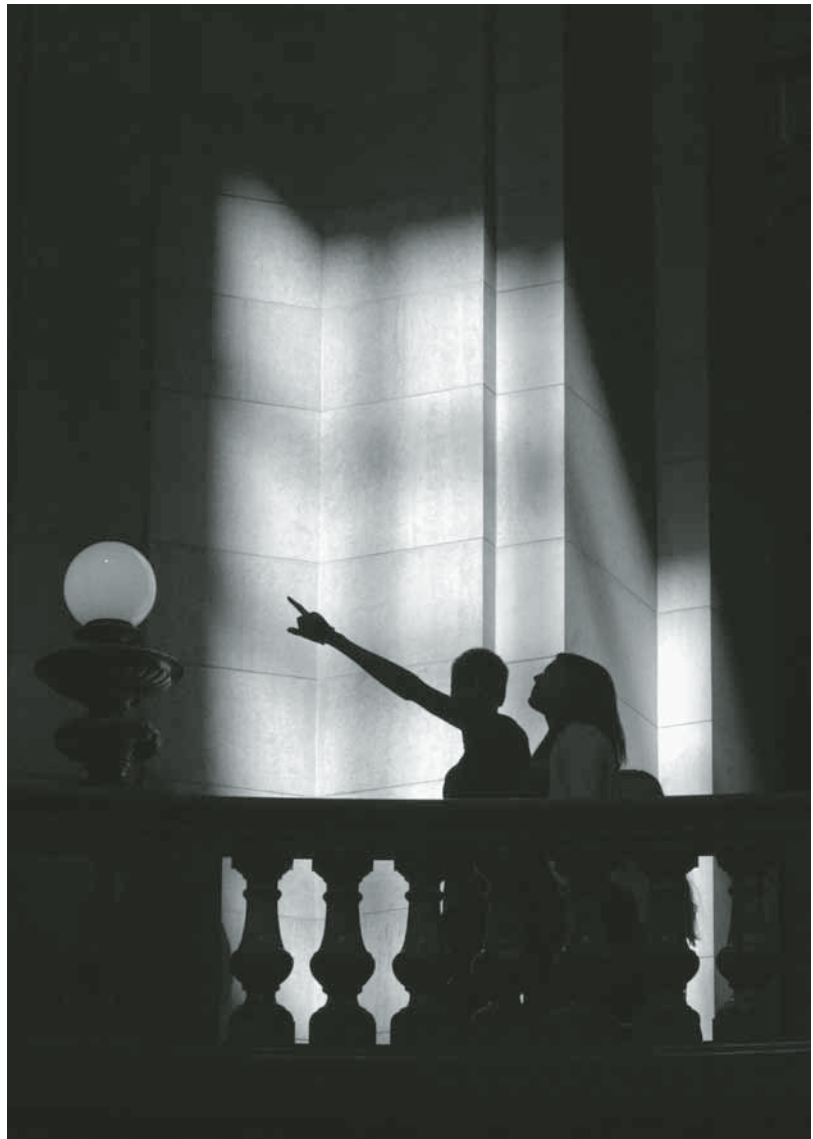


PHOTO BY ANDREW VONBANK

Sunlight creates silhouettes of excited visitors in the State Capitol Rotunda March 29.

Members not returning to the House

Some to step down, some step aside, some hope to move on

Following this year's redistricting, all House and the Senate members are up for election. However, several House members have announced their intention to run for a different office, while others have announced their retirement, and two lost the endorsement to a fellow party member after they were pitted against each other in newly drawn districts. Here is an unofficial listing of members, as of April 4, who won't be returning to the House.

House members who have announced they will not seek re-election:

Rep. Mark Buesgens (R-Savage)
Rep. Denise Dittrich (DFL-Champlin)
Rep. Mindy Greiling (DFL-Roseville)
Rep. Bill Hilty (DFL-Finlayson)
Rep. Larry Hosch (DFL-St. Joseph)
Rep. Kate Knuth (DFL-New Brighton)
Rep. John Kriesel (R-Cottage Grove)
Rep. Pat Mazorol (R-Bloomington)
Rep. Mark Murdock (R-Ottertail)
Rep. Nora Slawik (DFL-Maplewood)

Seeking Senate seats:

Rep. Bruce Anderson (R-Buffalo Township)
Rep. Bobby Joe Champion (DFL-Mpls)
Rep. Connie Doepke (R-Orono)
Rep. Keith Downey (R-Edina)
Rep. Kent Eken (DFL-Twin Valley)
Rep. Mary Kiffmeyer (R-Big Lake)
Rep. Lyle Koenen (DFL-Clara City)
Rep. Branden Petersen (R-Andover)
Rep. Bev Scalze (DFL-Little Canada)
Rep. Torrey Westrom (R-Elbow Lake)

U.S. Senate hopeful:

Rep. Kurt Bills (R-Rosemount)

Lost endorsement to fellow party member:

Rep. Marion Greene (DFL-Mpls)
Rep. Ron Shimanski (R-Silver Lake)

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Mark Dayton (DFL)

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— L. SCHUTZ

Sources: Department of Natural Resources, Minnesota Ornithologists' Union, Audubon Minnesota, Hawk Ridge Bird Observatory.

SESSION WEEKLY



VIKINGS STADIUM IN DOUBT

ONE VOTE SHORT FOR FIXING THE CAPITOL

STEPPING DOWN: DITTRICH, KOENEN, KRIESEL, SLAWIK

MORE NEW LAWS, VETOES

HF2999 - HF3006

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 11 • APRIL 20, 2012

Flashback to 1992 and 2002

Double down on exemption from emission testing

Drivers with diesel-powered vehicles are now required to drive to state emissions testing stations to get proof that they are exempt from the testing. An amendment to a clean air bill (HF2437) contains a provision by Rep. Harriet McPherson (IR-Stillwater) that would allow owners of these vehicles that are already exempt from the testing to verify the exemption when they get their license tabs instead of driving to a testing station.

The Department of Public Safety says it won't require diesel drivers to make second trips to the testing stations anyway, but the new measure will help newly registered diesel vehicles.

About 1.1 million vehicles were inspected for air pollution emissions since the new state law became effective in the Twin Cities metropolitan area in 1991. Vehicle owners pay \$8 annually for the test.

— Session Weekly April 17, 1992

Covering your tracks

"I've learned something in my few years here at the Legislature," said Rep. Tony Sertich (DFL-Chisholm) during the House-Senate conference committee on the omnibus economic development bill.

Sertich and other House conferees were being asked if they had signed a particular petition. His comment lends insight into the nuances of legislative debate.



Rep. Tony Sertich

"Don't write down what you can say, and don't say what you can nod," he said grinning.

— Session Weekly April 19, 2002

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SESSION WEEKLY

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On the cover: A participant from the Hancock Recreation Center in St. Paul connects for a hit as the St. Paul Saints baseball team brought players to the State Capitol to boost support for a new Saints' ballpark.

— Photo by Paul Battaglia

Wait until next year, maybe

House committee defeats stadium funding bill, Vikings' future unclear

By MIKE COOK

The consensus after a negative House committee vote was that a "Hail Mary" pass may be about the only chance the Minnesota Vikings have left to get a stadium bill passed this legislative session.

Despite the session likely entering its final days, the stadium outcome remains cloudy as the pressure to reach a deal amps up.

A very clear message has been sent that next year is too late for a deal, Gov. Mark Dayton said April 19 after he spoke with NFL Commissioner Roger Goodell and Art Rooney II, chairman of the league's stadium committee, by phone for about 20 minutes.

"If there's a willingness to do it, now is the time," Dayton said.

Goodell and Rooney are expected to fly to Minnesota to meet with Dayton April 20. The governor hopes legislative leaders will also take part. Without a deal this year, Dayton believes the league will have to

seriously consider the viability of this market.

The meeting would be four days after the House Government Operations and Elections Committee failed to approve a bill that calls for funding a new stadium that would house the NFL team. The April 16 vote was 9-6 with five of nine Republicans voting for the bill and just one of six DFLers.

"We can't pass the stadium by ourselves," House Speaker Kurt Zellers (R-Maple Grove) said the next day. "This has always been a bipartisan process."

Sponsored by Rep. Morrie Lanning (R-Moorhead), HF2810 calls for a \$975 million fixed-roof stadium to be built primarily on the Metrodome site on the

eastern edge of downtown Minneapolis. The team would cover \$427 million of construction costs; the state \$398 million; and Minneapolis \$150 million.

Money from electronic pull tabs, electronic bingo and tipboard games would be used to pay the state's share of the cost. Supporters noted that charities would get tax relief and more gambling proceeds while the state also would get more revenue. Lanning said \$42 million per year would be needed to pay debt service on the bonds. The bill contains four back-up proposals in case, as some legislators predict, electronic gambling devices do not meet revenue estimates.

During his presentation, Lanning said four stadium funding proposals have been put forth in the past seven years, but this was by far the best. "This proposal has had more work and effort going into it than any of the other past bills. It has been vetted more; it has been tested more than any other bill. ... We need to get this bill on the floor of the House and Senate where the members can once and

First Reading continued on page 4



PHOTO BY ANDREW VONBANK

It was standing room only at the House Government Operations and Elections Committee April 16 as members take up the Vikings stadium bill.

for all decide if we're going to do something relative to this stadium issue or not."

Lester Bagley, the team's vice president of public affairs and stadium development, appeared frustrated when he spoke after the vote, saying the team has done everything it's been asked, and after more than a decade of trying there still hasn't been a vote on the House floor. "This sends a strong message to the Vikings and the NFL," he said without elaborating.

He refused to issue an ultimatum about the team departing the Upper Midwest. "I won't speculate. We've got time and people trying to move it forward," he said. "To have an NFL team in this market we have to address this issue."

The bill's companion, SF2391, sponsored by Sen. Julie Rosen (R-Fairmont), awaits action by the Senate Local Government and Elections Committee. It's been sitting in the committee for a month. In addition, a legislator could try to amend the stadium language onto another bill.

Bagley said the team would continue to push the proposal as long as the Legislature remains in session.

Lanning acknowledged that the issue isn't going away anytime soon, and will be a constant topic during the upcoming election season. "The only way this will go away is if we get it to the floor and vote it up or down."

"While this may not be the perfect package yet, I think it's worthy of continuing forward," said Rep. Carol McFarlane (R-White Bear Lake).

Before each voted against the bill, Rep. David Hancock (R-Bemidji) expressed concern about expanding gambling in the state, while Rep. Bev Scalze (DFL-Little Canada) noted the proposed gaming revenue going into the General Fund would better be spent paying off some of the \$2.4 billion the state owes K-12 education.

Importance of team

The team has played in the Metrodome since 1982, but team officials say the facility is antiquated and does not provide the needed revenue to remain competitive, nor does it offer a top-notch fan experience.

"The Vikings will not play another 10, 20, 30 years in the Metrodome," said Rep. Terry Morrow (DFL-St. Peter), a co-sponsor on the bill.

Supporters said this is a jobs bill, citing the 3.4 million man hours from the construction



PHOTO BY ANDREW VONBANK

Rep. Morrie Lanning, right, and Rep. Terry Morrow testify before the House Government Operations and Elections Committee April 16 in support of a bill that would provide a stadium for the Minnesota Vikings. Lanning is sponsor of the bill.

industry that would be needed to build the facility.

Bagley said there is "no doubt" that the Vikings are Minnesota's team. "More than half of our residents of Minnesota follow the Vikings every season. Over the last three seasons the team has averaged a 65 television share which means 65 percent of televisions are tuned to Vikings' games. When you add our radio audience of more than 700,000 and the 63,000 at the stadium, approximately 3 million Minnesotans follow the Vikings every Sunday. There's no other event or happening in Minnesota that can come close."

In addition to quality of life issues, Morrow said if the team was to leave, Minnesota would lose an estimated \$800 million in state income taxes over 30 years from players, staff and visiting players.

Bagley pointed out that the Metrodome was built with zero cost to the state, and since its opening has generated \$340 million in tax revenue to the state.

Ted Mondale, chairman of the Metropolitan Sports Facilities Commission, said that without the Vikings, the Twins Cities image will suffer. "Sooner or later if we don't act on this they will leave and we will be a major league city that will look like a B-class city. ... The state in this deal brings in \$450 million more than it puts in over the 30-year lifecycle of this funding."

Funding options

Bagley said the \$427 million team capital contribution would be the third-largest in league history, and the \$13 million in annual rent would be the league's highest.

Nonetheless, he and Steve Poppen, the team's chief financial officer, faced some pointed questions from members about the team's funding contribution, including why the state should help out a billionaire owner who could pay for it all himself.

Bagley said the so-called "People's Stadium" would be owned by the public and would only be used by the Vikings 10 dates a year. The rest of the year it could be used for amateur sports and other activities. "We have an opportunity to leverage the third-largest private contribution up front to make sure we have a facility that can be used by everyone going forward with all the events consistent with what currently occur at the Metrodome."

Rep. Ryan Winkler (DFL-Golden Valley) expressed displeasure that the team would not be transparent about its net worth, especially when its value would increase with a new stadium. "As representatives of public taxpayers, how do we know we're getting a good deal? ... If we knew better how much you were going to make off this deal, we could better judge and better negotiate how much of this facility should be funded by the taxpayer. Right now we're kind of negotiating in the dark."

Poppen, who said naming rights would likely net the team \$4.5 million to \$7.5 million annually, said the team has had its financial statements reviewed at the request of the governor's office and the business community in a confidential manner. "We believe this is a good deal for Minnesota."

City charter override

Committee Chairwoman Rep. Joyce Peppin (R-Rogers) successfully amended the bill to require that Minneapolis voters have a say in their city's plan to spend \$150 million for the stadium. An amendment to the city charter approved by voters in the 1990s states that no more than \$10 million can go toward financing a professional sports facility without voter approval. The bill, as proposed, would invalidate that provision.

Minneapolis City Council President Barbara Johnson said the Legislature has overridden the city's charter "over 20 times" since 1980. 🗽

HIGHLIGHTS

APRIL 5 - 19, 2012

Editor's note: The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held April 5-19. 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 acted on by the governor.

Business & Commerce

Health care term confusion

Signed
by
the
governor

State statutes lay out definitions to help clarify what is meant by terms that are used. Confusion over the use of "health plan company," prompted a new law sponsored by Rep. Tim Sanders (R-Blaine) and Sen. Gary Dahms (R-Redwood Falls).

Sanders said the term health care company is used 130 times in statute, but the products referenced are "expressly excluded from the definition of health plan company." The excluded products are ones that are not usually considered to be conventional health insurance, but are specialized products that provide such coverage as disability or long term care, or income protection.

Signed by Gov. Mark Dayton April 5, the new law, effective Aug. 1, 2012, states "the usage of the term does not apply to an entity that offers, sells, issues, or renews only products expressly excluded from the definition of a health plan," as laid out by statute.

HF1998/SF1793*/CH160

— L. SCHUTZ

House rejects alcohol change

Debate surrounding a bill permitting certain alcohol purchases turned into a heated discussion on the House floor April 16 regarding who was responsible for last summer's state government shutdown.

Sponsored by Rep. Mike LeMieur (R-Little Falls), HF2463 seeks to allow licensed bars, restaurants and other entities to purchase alcohol without an official buyer's card if the state is unable to issue one, such as during a state government shutdown. The House declined to pass the bill 67-63.

DFLers expressed outrage that the bill

would ensure alcohol sale in the event of a shutdown, rather than guarantee other services they said were more critical, such as state-provided child care.

"I think the priorities this reflects shows that we're not focused on the things Minnesotans really care about," said Rep. Melissa Hortman (DFL-Brooklyn Park).

DFLers also argued that the legislation would only facilitate future shutdowns.

"The next shutdown will go down a lot easier for Minnesotans as long as they can get a beer through it," said Rep. Terry Morrow (DFL-St. Peter).

Republicans refuted these claims, instead blaming the DFL for the 2011 shutdown.

Rep. Joe McDonald (R-Delano) credited his party with resolving last year's budget crisis. He criticized DFLers for what he said was an over-reliance on tax revenue, adding, "It's not always about taxing the rich. We spend enough money here."

Rep. Larry Howes (R-Walker) urged members to pass the bill, questioning the need for debate about responsibility for the state shutdown.

"What we're offering here is just to be able to buy beer. It's pretty simple. It's not the end of the world."

Sen. Chris Gerlach (R-Apple Valley) sponsors SF2186, the companion. It awaits action by the full Senate.

— E. SCHMIDTKE

Changes to MCHA are now law

Signed
by
the
governor

The Minnesota Comprehensive Health Association will see a series of technical changes in its governing rules.

Created by state law, the association is a private, nonprofit corporation that offers health insurance to Minnesotans who would otherwise be unable to obtain coverage at an affordable rate, or at all, due to pre-existing conditions.

A number of alterations to the organization's method of calculating premiums, its rate calendar and the products it offers were signed into law April 9 by Gov. Mark Dayton. The law took effect the following day.

Rep. Joe Hoppe (R-Chaska) and Sen. Chris Gerlach (R-Apple Valley) sponsor the

law. Hoppe said the law was needed as part of technical changes to the association's governing requirements.

HF2216*/SF1910/CH170

— E. SCHMIDTKE

Liability for trucking companies

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by
the
governor

Companies that use trucking firms to transport goods will no longer be allowed to contractually hold themselves harmless for merchandise damage.

Supporters say the law, signed April 5 by Gov. Mark Dayton, will promote personal responsibility and ensure that trucking companies, especially those that are small businesses, are not unfairly held liable for damage outside their control.

Rep. Tim Kelly (R-Red Wing) and Sen. Julianne Ortman (R-Chanhassen) sponsor the law, which is effective April 6, 2012, and applies to existing contracts and those entered or renewed on or after that date.

HF1992*/SF1687/CH165

— E. SCHMIDTKE

Licensing for satellite installers

Those who install satellite systems at customers' homes may find themselves going through a separate licensing process beginning in October.

Currently these installers, as well as those who work with pools, heating and air conditioning, must obtain a low-voltage technician license. Rep. Tim Sanders (R-Blaine) sponsors HF2732/SF2324* that would provide for a separate licensing structure that he believes more appropriately fits the duties of satellite installers.

The House passed it 133-0 April 18. Sen. John Pederson (R-St. Cloud) sponsors the bill in the Senate, where it passed 53-8 on April 5. It now moves to the governor for action.

Sanders said the bill was needed because a 2002 statute creating the current licensing structure unnecessarily included satellite installers, whose work differs from others who need the license. He said the change would not affect the Department of Labor and Industry, which would still oversee the issuance of these licenses.

— E. SCHMIDTKE

Insurance for farm homes clarified

Signed
by
the
governor

Township mutual insurance companies insure a high percentage of the state's farms; however, some agents argue that the regulating statutes need clarification.

A new law, signed by Gov. Mark Dayton April 5, will tweak current law as it relates to insuring farm homes through combined policies.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Gary Dahms (R-Redwood Falls), the law comes in response to a case now before the Minnesota Supreme Court. It pertains to a value dispute between a farmer and his insurance company over the home that was a total loss due to fire.

Davids said the law will add needed clarification for insurance companies that operate under laws that don't quite line up with those covering more standard insurance coverage. The new law is effective April 6, 2012, and is not retroactive. Therefore it will not affect the outcome of the suit before the courts.

HF2342/SF1934*/CH162

— L. SCHUTZ

SESSION PLAN



PHOTO BY PAUL BATTAGLIA

House Speaker Kurt Zellers, right, and Sen. Majority Leader David Senjem, speak to the media after an April 17 meeting with Gov. Mark Dayton to discuss how they might proceed toward the end of session.

Civil Law

Protecting private data

Prevailing wage refers to a formula used to calculate the wages that contractors must pay their workers for building projects funded in whole or in part by the state.

A provision in a technical data practices bill related to prevailing wage reporting had DFLers concerned that it was an assault on the issue that nearly splits along party lines.

Rep. Peggy Scott (R-Andover) and Sen. Warren Limmer (R-Maple Grove) sponsor HF1466/SF1143* that would detail how private data is collected, maintained or disseminated. The House passed the bill 133-1, but only after the addition of several successful amendments. It now returns to the Senate, where the original bill was passed 57-0 on May 16, 2011.

Of concern to Rep. Joe Mullery (DFL-Mpls) was a provision to classify the contact information of an employee and/or contractor doing business with a government entity as private data.

He said this would, in effect, make policing of the state's prevailing wage law impossible. There is little state oversight of contractor

reporting of these wages, and without contact information, it would be nearly impossible to verify their accuracy, he said.

"You are allowing companies to get by with fraud against the taxpayers," Mullery said about the system that relies on contractors policing themselves.

He offered a successful amendment to delete the provision; however, Rep. Sondra Erickson (R-Princeton), who voted on the prevailing side, argued successfully for the amendment's reconsideration.

After further discussion, Mullery withdrew the amendment and proposed another that included language supported by Rep. Denny McNamara (R-Hastings) that says information can be disclosed for prevailing wage law enforcement purposes.

An amendment of note receiving overwhelming support was offered by Rep. Tom Rukavina (DFL-Virginia).

A recent change to law requires those covered by state insurance benefits to provide verification to Minnesota Management & Budget of dependent eligibility. His amendment would prohibit the practice.

"It has caused a lot of consternation. Why state employees would have to be forced to give that information out is beyond me. My amendment repeals the special session law

that says they can't ask for that information; that is private information."

— L. SCHUTZ

Presumption of joint child custody

An emotional debate that crossed party and gender lines had members characterizing a bill to change the state's child custody laws as "long overdue," while others termed it "problematic and would negatively affect children for years to come."

Sponsored by Rep. Peggy Scott (R-Andover) HF322 would change current law to a presumption of joint legal and joint physical custody with a minimum of 45.1 percent of parenting time for each parent. A parent is currently entitled to receive at least 25 percent of parenting time. Provisions would be extended to those who are not married, but where parentage has been established.

The bill passed the House 80-53 April 18, and it now moves to the Senate where Sen. Pam Wolf (R-Spring Lake Park) is the sponsor.

At every committee stop the bill has made over its two-year journey to the House floor, testifiers' stories have been "heart-wrenching and breath taking," Scott said. The current system pits parents in a divorce situation



PHOTO BY PAUL BATTAGLIA

Victor Toso draws a crowd as he expresses his support for HF322 that would establish a rebuttable presumption of joint legal and joint physical child custody in divorce cases.

against one another, she said. "It is a contest to see who is the most fit. The day before a divorce, (someone) is considered a fit parent, and then at the end of the day they are considered a noncustodial parent.

Rep. Tina Liebling (DFL-Rochester) said the bill would make "extreme changes" to the state's custody laws. She said it proposes a one-size-fits-all solution when each family situation is different. She is concerned that the bill does not take the child's needs into consideration, but only those of the parents.

A successful amendment, directed mostly toward helping deployed service members, would make virtual parenting time part of the plan. Put forward by Rep. John Lesch (DFL-St. Paul), he said the provision would reflect the new technology that people use to stay in touch.

The bill is expected to cost the General Fund \$1.5 million in fiscal year 2013 and \$4 million in each of the following two fiscal

years. The cost reflects the additional court staffing that will be added, according to a nonpartisan fiscal note.

"I think this is a small amount of money to invest in making children have as close to equal access to both parents as possible," Scott said during an April 16 House Ways and Means Committee meeting.

Rep. Jean Wagenius (DFL-Mpls) disagreed. "I'm very troubled by changing the standard we have in the state which is in the best interest in the child, to essentially moving to a parent standard which is the best interest of the parent. I think we are taking a huge expensive road that is not good for children, either."

— L. SCHUTZ

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Judge could decide relocation costs

**Signed
by
the
governor**

Current law provides for relocation assistance funds for those whose property is acquired by a local jurisdiction through eminent domain.

However, a new law will address situations when agreement can't be reached.

Sponsored by Rep. Denise Ditttrich (DFL-Champlin) and Sen. Benjamin Kruse (R-Brooklyn Park) the new law, signed by Gov. Mark Dayton April 18, would provide an opportunity for an administrative judge hearing if an agreement can't be reached.

The law would provide for a contested case hearing to determine whether a person is eligible to receive relocation assistance in the first place, if it is denied by the acquiring authority. The administrative law judge's determination of the amount of the assistance would be final.

The law is effective April 19, 2012, and applies to relocation assistance claims and claims of eligibility for relocation assistance pending on or made after that date.

HF1833/SF1620*/CH184

— L. SCHUTZ

Timeshares face foreclosure problem

**Signed
by
the
governor**

Timeshares, seen as the affordable way to own a vacation getaway, are facing their own foreclosure problems, with owners defaulting on maintenance

assessments.

Associations, formed to look out for all the owners' interests, including property maintenance, are left to foreclose on those who are delinquent in payments. For some associations, how the property's title is recorded can make the process extremely expensive.

Signed by Gov. Mark Dayton April 18 and sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Sen. Warren Limmer (R-Maple Grove), a new law could provide some relief and eliminate a barrier to timeshare resale. It is effective Aug. 1, 2012.

Carrie Ruud, a governmental lobbying consultant from Breezy Point, told a House committee that there are 12,000 timeshare owners in Breezy Point represented by 14 timeshare associations. Because the county uses a Torrens recording system, the legal costs can be prohibitive for associations.

Timeshare values average between \$200 to \$600 a week. The cost to foreclose can

average \$2,000 to \$2,500, she said; however, in a Torrens situation, the costs can double.

The law, while protecting due process, would allow associations to secure new certificates of title after the completion of property conducted foreclosures.

HF2763/ SF2184*/CH178

— L. SCHUTZ

Child support liens addressed

**Signed
by
the
governor**

A law was enacted in 2010 that extended the time a lien could be in place on real estate for unpaid child support. But the 20-year timeframe has caused some problems for those tracking real estate liens, because all others are established at 10 years.

Signed by Gov. Mark Dayton April 18 and sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Scott Newman (R-Hutchinson), a new law will change the lien provision to 10 years and make it retroactive to April 15, 2010.

Holberg said that since enactment of the original law, “they tried to come up with some sort of solution, but it is unworkable the way real estate records are kept.”

Rep. Tim Mahoney (DFL-St. Paul) acknowledged the sensitivity over the issue. “Anytime you get into the area of child support, people get a little worried,” he said.

HF2476/SF2114*/CH183

— L. SCHUTZ

Successor liability still stands

**Vetoed
by
the
governor**

Crown Holdings, Inc. is a century-old packaging company that has a facility in Owatonna. At the expense of those suffering from asbestosis and mesothelioma, it would have been the beneficiary of a bill vetoed by Gov. Mark Dayton April 9.

The legislation would have “fundamentally and unfairly” altered state law regarding corporate successor liability, Dayton wrote in his veto letter. “I am convinced that this legislation will have a broad scope and will set a dangerous precedent for future efforts to shield corporate defendants from liability.”

Crown faces several asbestos-related lawsuits, encumbered through their merger decades ago with a company that used asbestos before the dangers were known.

The bill, sponsored by Rep. Kelby Woodard (R-Belle Plaine) and Sen. Mike Parry (R-Waseca), would have overturned Minnesota law on corporate successor

liability as it relates to asbestos-related injuries.

“The cancer causing nature of asbestos has long been known, and it will continue to claim lives across Minnesota and the country for years to come.” Dayton wrote. He added that people should expect fairness in the courtroom and “demand legislation that does not change the course of litigation when potential injuries are known to exist.”

HF1418/SF1236*/CH168

— L. SCHUTZ

Clawbacks reduced to two years

**Signed
by
the
governor**

The statute of limitations on so-called “clawback lawsuits” has been trimmed from six years to two years.

Signed April 3 by Gov. Mark Dayton, a new law that took effect the next day aims to protect nonprofits and religious groups from the lawsuits that are often used in an attempt to recover funds stolen from Ponzi-scheme victims.

Rep. Greg Davids (R-Preston), who sponsors the law with Sen. Benjamin Kruse (R-Brooklyn Park), said the legislation comes as a result of the Tom Petters case. A trustee for the Petters fraud victims is currently trying to get millions of dollars back from charities that received Petters-run foundation donations, in some cases

many years after the donation was made.

Because the donated money was fraudulently obtained by the donor, state law allows demands to give the money back so it can be fairly distributed among all victims. The law requires recipients to return tainted contributions, if a lawsuit seeking the return is begun within two years after a donation.

Although he understands the bill could hurt investors in Ponzi schemes, Davids said it’s very difficult for charities operating on a shoestring budget to return large sums of money they may have received and already spent many years ago.

HF1384*/SF1084/CH151

— M. COOK

Education

Settlement info could become public

The Burnsville-Eagan-Savage School District 191 paid an employee more than a quarter-million dollars as part of a settlement package earlier this year. Due to legal restrictions, it was unable to provide the public with information about the agreement.

Rep. Pam Myhra (R-Burnsville) sponsors HF2647 that would allow that type of information to become public data. Though it

LAUGHTER YOGA

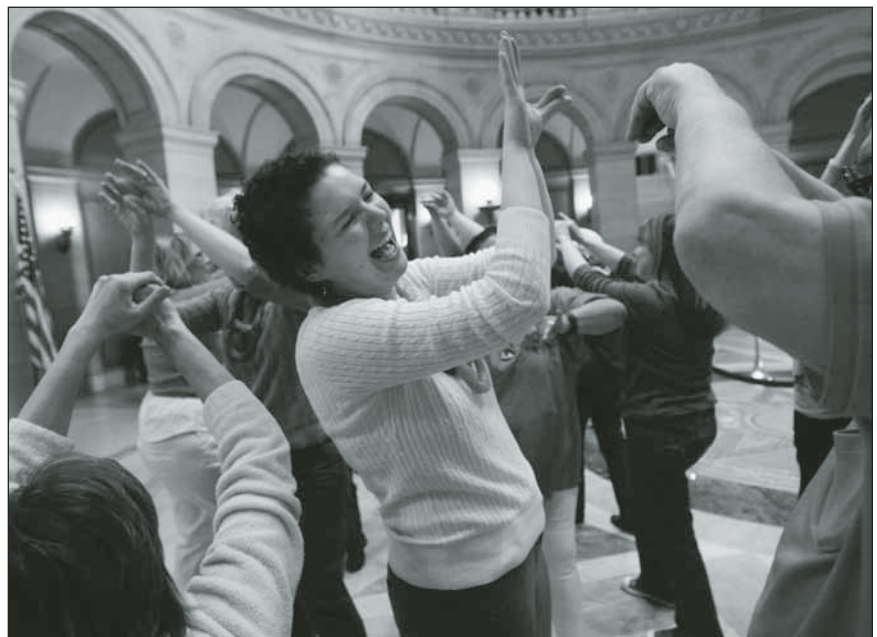


PHOTO BY PAUL BATTAGLIA

Lynn O'Brien of Minneapolis participates in a Laughter Yoga class in the Capitol Rotunda April 18. Laughter Yoga is an exercise routine and a complete wellbeing workout that combines unconditional, contagious laughter with deep breathing.

wouldn't retroactively impact the Burnsville agreement, the bill does seek to affect future agreements involving government entities paying out \$10,000 or more of public money to employees. When a payment is made, specific reasons for the agreement would need to become available.

The House passed the bill 131-0 April 16. It now goes to the Senate, where Sen. Dan Hall (R-Burnsville) is the sponsor.

Myhra said the bill would lend further clarity and transparency to government.

While supporting the larger bill, Rep. Rick Hansen (DFL-South St. Paul) raised concerns about an author's amendment Myhra successfully offered, which would limit these transparency requirements to counties of 5,000 residents or more. His motion to strike that language failed following arguments that the bill could put undue stress on smaller counties.

— E. SCHMIDTKE

Elections

Lobbyist disclosure requirements

The House voted April 17 to tighten disclosure requirements for lobbyists, but rejected a measure that would have impacted groups that disseminate "model legislation" to state lawmakers.

Sponsored by Rep. Joyce Peppin (R-Rogers) and Sen. Ray Vandeveer (R-Forest Lake), HF2684/SF2334* would clarify reporting requirements for public utility companies. It would require that lobbying disclosures be itemized rather than reported as one total number.

On the House floor, DFLers successfully offered several amendments to add to the list of types of spending lobbyists in the state must publicly disclose, including:

- spending related to efforts to influence recommendations of a legislative council or commission;
- spending on industry conventions, facility tours, travel arrangements, private jets and other hospitality-related expenses; and
- spending on efforts to promote or defeat a ballot question or a candidate for public office.

Peppin said she would accept the DFL amendments as "friendly" because she believed they are already covered by current law.

The bill was passed 131-0. The Senate, which passed its version 64-0 on March 27,

refused to accept the changes. A conference committee has been requested to work out the differences.

Rep. Ryan Winkler (DFL-Golden Valley) unsuccessfully offered an amendment that would have expanded the definition of lobbying to include groups that disseminate "model legislation" for state legislatures to adopt. It would have forced disclosure of spending on things like hotel or travel accommodations for lawmakers to attend conferences where model legislation is promoted.

Supporters said the amendment would bring greater transparency to the activities of groups like the American Legislative Exchange Council, which many Democrats allege has greatly influenced Republican legislative priorities.

"People who want to influence legislation are paying a lot of money to bring legislators to nice locations to influence them, and the public is not being told," said Rep. Tina Liebling (DFL-Rochester).

Opponents said the amendment could have unintended consequences, such as impacting nonpartisan organizations like the National Conference of State Legislatures. Rep. Sondra Erickson (R-Princeton) said she regularly attends a variety of conferences around the country to learn from colleagues and discuss new ideas.

"I go to those conferences to glean ideas from other states ... this is what we're supposed to do," she said.

The amendment failed on a vote of 60-72.

— N. BUSSE

Employment

Prevailing wage could change

A proposal to change the prevailing wages for construction projects outside the seven-county Twin Cities metropolitan area is headed for the House floor, but even some of its supporters doubt its chances of becoming law this year.

Rep. Peggy Scott (R-Andover) sponsors HF1476 that would modify the formula used to calculate the wages that contractors must pay their workers for building projects funded in whole or in part by the state. This is known as the "prevailing wage."

Under the proposed changes, the method of calculating the prevailing wage would switch from the "mode," or the wage paid to

the largest number of workers, to the "mean," or average wage. The prevailing hours of labor would also change to accommodate four 10-hour workdays instead of five eight-hour days. The latter change would apply to the entire state.

The House Ways and Means Committee voted 17-14 to approve the bill April 16 and send it to the House floor. In March, committee members had voted 14-13 to table the bill.

Supporters argue the bill would lower construction costs and help small businesses compete for state contracts. Opponents say the bill will drive down wages for workers.

Rep. Steve Gottwalt (R-St. Cloud) said Minnesota's method of calculating prevailing wages is different from most other states. He said opponents had mischaracterized the bill as a repeal of the prevailing wage law.

"We are not repealing prevailing wage in this bill, we're reforming it," Gottwalt said.

Rep. Tom Rukavina (DFL-Virginia) said it doesn't matter what other states do, and that Minnesota's prevailing wage calculations are "the right way to do it."

All DFL committee members and two Republicans — Rep. Larry Howes (R-Walker) and Rep. Steve Smith (R-Mound) — voted against the measure. Rep. Jim Abeler (R-Anoka) said he was only supporting it because he's confident that it won't become law in its current form. He said the two sides need to work out a compromise on the issue.

Sen. John Pederson (R-St. Cloud) sponsors the companion, SF1199, which the Senate passed 37-29 on April 18.

— N. BUSSE

Env. & Natural Resources

Let the concrete slurry stand

Signed
by
the
governor

Road construction crews can generally leave concrete slurry by the roadside rather than hauling it to distant landfills.

Concrete slurry is a smooth liquid-like version of regular concrete that binds old concrete and new concrete surfaces.

Effective April 6, 2012, road crews can leave the substance at the construction site unless it is near sensitive wetlands or a lake.

Supporters said the change will make it easier for road crews to complete their work in a timely manner. It will also save companies

money by reducing transportation costs.

Gov. Mark Dayton signed the law, sponsored by Rep. Tim Sanders (R-Blaine) and Sen. John Pederson (R-St. Cloud), April 5.

HF2316/SF1860*/CH161

— B. GEIGER

Health & Human Services

Electronic compliance extension

Medical clinics with only one or two doctors would have until Jan. 1, 2015 to comply with new electronic prescription drug requirements. The provision is one of several in a health and human services policy bill passed 114-17 by the House on April 16.

Sponsored by Rep. Steve Gottwalt (R-St. Cloud), HF2627 would also allow the Department of Health to include coverage expiration dates on a monthly roster of Medical Assistance and MinnesotaCare enrollees, if the provider requests them. This would help providers prevent lapses in public health care coverage.

Counties and other local social service agencies would be given the ability to negotiate supplemental agreements with vendors regarding residential placement contracts. The agreement must be designed to encourage successful and cost-effective outcomes for clients and may include incentive payments for performance.

Last year, Rep. Joe Hoppe (R-Chaska) successfully offered a provision to allow Minnesota to enter into a reciprocal agreement with the country of Bermuda to enforce child support obligations. The provision was part of a larger health care bill that passed the Senate last year but not the House.

Hoppe's constituent told a House committee that her ex-husband owed more than \$53,000 in child support payments for her two sons. Hoppe said larger countries have reciprocity with the U.S., but that the federal government leaves it up to each state to share reciprocity with smaller countries. The provision is included in this bill to address the situation.

The bill now moves to the Senate, where Sen. David Hann (R-Eden Prairie) is the sponsor.

— S. HEGARTY

Administering abortion pill

When the RU-486 pill is dispensed to women seeking an abortion during the first

It's A LONG WAY UP



PHOTO BY PAUL BATTAGLIA

Students from Princeton South Elementary School in Princeton check out the ceiling of the Capitol Rotunda as they tour April 18.

few weeks of pregnancy, the doctor would need to be in the room when the drug or another chemical used to induce an abortion is administered, under a bill passed by the House.

The doctor would also need to encourage the woman to return within 12 to 18 days to confirm that the pregnancy was properly terminated, according to HF2341 sponsored by Rep. Joyce Peppin (R-Rogers). The bill

now moves to the Senate after the House passed it 80-48 on April 18. Sen. Paul Gazelka (R-Brainerd) is the Senate sponsor.

Opponents said the bill is an attempt to stop women from exercising their right to have an abortion and that it will lead to more late-term surgical abortions.

The U.S. Food and Drug Administration approved RU-486 with the restriction that only a physician can administer the drug.

That includes tele-medicine practices that have enabled doctors to administer the drug by remote methods.

— S. HEGARTY

Automated dispensing expands

Signed
by
the
governor

More nursing homes will be able to distribute medications to their residents using an automated dispensing system designed to deter pharmaceutical waste and save money.

Rep. Kathy Lohmer (R-Lake Elmo) and Sen. Benjamin Kruse (R-Brooklyn Park) sponsor a new law, which expands a previous pilot program statewide. Signed by the governor April 9, it takes effect Aug. 1, 2012.

Automatic drug dispensers are refilled daily at pharmacies, resulting in fewer medication errors, reduced drug waste from blister packs and improved control over prescription drugs, Lohmer said.

In rural areas where pharmacies are not in close proximity to nursing homes, the nursing home physician may obtain a restricted limited service pharmacy license to fill the automated dispensers.

HF2626/SF2173*/CH166

— S. HEGARTY

MA billing for volunteer dentists

Signed
by
the
governor

Dentists who voluntarily treat patients on Medical Assistance at free clinics, who are not otherwise enrolled as Medical Assistance service providers, will be able to treat and bill Medical Assistance under the clinic's auspices, beginning Aug. 1, 2012.

The Good Samaritan Dental Clinic in Rochester provides emergency dental services to Olmsted County residents and is staffed by volunteer dentists, hygienists, and community volunteers, but due to current law, doctors have had unintended consequences in their own practices if they volunteer their services.

On April 18, Gov. Mark Dayton signed the law, which Rep. Kim Norton (DFL-Rochester) and Sen. Carla Nelson (R-Rochester) sponsor.

HF2094/SF1626*/CH181

— S. HEGARTY

Watch for House Public Information Services
updates at
www.twitter.com/MNHouseInfo

Comparing health care delivery

Signed
by
the
governor

In 2008, the state began a process to reform health care by directing the health commissioner to design a way to rank hospitals on the quality and cost of care and to make the data available to the public.

However, the methodology and process was flawed and the information was never published. Officials went back to the table, resulting in Rep. Steve Gottwalt (R-St. Cloud) and Sen. David Hann (R-Eden Prairie) sponsoring a law that tweaks how hospital information is gathered, verified, appealed or corrected prior to publication.

The Minnesota Medical Association, Minnesota Hospital Association and the Minnesota Council of Health Plans worked with legislators on how to manage the Provider Peer Grouping process and the health provider's right to review their data prior to public release.

A new advisory committee will help the Health Department sift through the available data. Committee members may include health care providers, health plan companies, consumers, state agencies, employers, academic researchers and other organizations.

The law, mostly effective July 1, 2012, also requires that data submitted by health care providers for comparison with their peers must be the most recent data available. Providers will have 60 days, instead of the previous 30 days, to review their data as presented by the state and prior to its public release.

The law will empower consumers and reward providers who deliver high quality and lower cost care, according to Gottwalt. Eventually, all medical clinics will be ranked.

Last year, the Health Department was also directed to work on a plan to develop and approve community health initiatives. At the same time, Statewide Health Improvement Program grants, which help pay for community health initiatives, were reduced due to budget cuts.

Hospitals and medical clinics that engage in community benefit programs said their initiatives are in response to local needs and that they don't need the additional state oversight that last year's legislation required. The law, signed April 5 by Gov. Mark Dayton, removes some of the department's oversight responsibilities that passed last year.

For example, effective Aug. 1, 2012, a

mandate is repealed that local community grantees must implement a plan approved by the commissioner to reduce obesity and tobacco use.

HF2237/SF1809*/CH164

— S. HEGARTY

Paramedic services reimbursed

Signed
by
the
governor

Last year, the Legislature directed the human services commissioner to determine which community paramedic services could be covered under Medical Assistance and to seek federal approval to reimburse for those services.

A new law authorizes community paramedics to now be reimbursed for such services, effective July 1, 2012, or if granted federal approval, whichever is later.

For example, Medical Assistance may cover chronic disease monitoring, medication compliance, immunizations and vaccinations for eligible recipients when the services are provided by a community paramedic. Eligibility is based on individuals who more frequently use emergency rooms or nursing homes for services that can be provided by a community paramedic at reduced costs.

Sponsored by Rep. Tara Mack (R-Apple Valley) and Sen. Julie Rosen (R-Fairmont), the law was signed by Gov. Mark Dayton on April 9.

HF2060/SF1543*/CH169

— S. HEGARTY

Options for abandoned babies

Mothers of newborns choosing not to keep their baby could have another legal option of where and when they can safely relinquish the child.

The "Give Life A Chance" provision in HF1967/SF1675*, sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Michelle Benson (R-Ham Lake), would allow ambulances to pick up a child after a 911 call is placed by the mother or a person with the mother's permission to relinquish the child.

The House passed the bill 127-1, as amended with a technical amendment. It now goes back to the Senate where the original bill passed 64-0 March 22.

Under current law, the mother has 72 hours after giving birth to relinquish her child to a hospital. Additionally, the bill would lengthen the time period from 72 hours after birth to up to seven days.

Other provisions include clarifying language related to children's adoption;

protection, support and care laws; and aligning them with federal laws and definitions. It also addresses adult foster care and mental health issues.

— S. HEGARTY

Local Government

Grants to EMS providers

Cities and townships might soon be able to make grants to first responders, just as they are able to do now for hospitals.

Rep. Carolyn McElfattrick (R-Deer River) sponsors HF2861 that would allow local governments to make grants to emergency medical services agencies that serve their communities. The grants would have to be authorized by the local town board or city council.

"This is not a mandate. This is an option for our local governments," she said, adding that the need to contribute money to first responders is a concern for many Greater Minnesota communities.

The House passed the bill 113-14. It now awaits actions by the full Senate. Sen. Tom Saxhaug (DFL-Grand Rapids) is the Senate sponsor.

McElfattrick said she knew of no organized opposition to the bill. Still, some members expressed concern that public grant money could end up in the hands of private organizations.

"The grant is not free money. The grant is taxpayer money, and is that an appropriate use of taxpayer money?" said Rep. Mark Buesgens (R-Savage).

— N. BUSSE

Met Council staggered terms

**Vetoed
by
the
governor**

A plan to stagger the terms of Metropolitan Council members has been nixed by Gov. Mark Dayton.

The council is a regional planning agency serving the Twin Cities metropolitan area. The governor appoints its members, and their terms are "coterminous," meaning they end at the same time. Dayton vetoed a bill that would have allowed eight of the council's 17 members to begin and end their terms two years after a change in gubernatorial administrations.

The bill's supporters say the ability to replace all the members at once makes the council less effective and more dependent on staff. They argue staggered terms would

provide for greater institutional knowledge to be retained between gubernatorial transitions.

In his veto message, Dayton said the current arrangement has worked well. He quoted his predecessor, former Gov. Tim Pawlenty, who vetoed a similar measure in 2008. Pawlenty wrote that the council's current structure "was the result of reforms intended to increase Metropolitan Council accountability."

A January 2011 report on metropolitan transit governance from the Office of the Legislative Auditor recommended staggered terms for the council. Staggered terms have also been proposed by the Legislative Commission on Metropolitan Government.

The measure had bipartisan support among lawmakers, but the council opposed it.

Rep. Peggy Scott (R-Andover) and Sen. Benjamin Kruse (R-Brooklyn Park) are the sponsors.

HF2404/SF2014*/CH158

— N. BUSSE

Public Safety

Immigrant information sharing

Supporters say a bill passed by the House would help make things safer for everyone, while opponents believe it could result in profiling of certain citizens.

Sponsored by Rep. Bob Barrett (R-Shafer), HF358 would prevent local units of government from prohibiting or restricting their employees from sharing immigration data with federal authorities.

"Certainly, one thing we can take away from the tragic events of the last 10 years, specifically Sept. 11, 2001, is that communication between the different branches of government is critically important to the security of our citizens, and lack of communication between jurisdictions can result in tragedy," Barrett said.

Passed 77-52 by the House April 18, the bill now goes to the Senate, where Sen. Sean Nienow (R-Cambridge) is the sponsor.

Barrett said the bill is not anti-immigrant. "This bill supports immigration that happens through the current legal process in our country that we've had in place for hundreds of years to support immigration to the United States."

He hopes to help law enforcement do their jobs "without being hampered by city

ordinances that conflict with our federal laws."

Rep. Carlos Mariani (DFL-St. Paul) said the bill has a number of problems, including it being an unfunded local mandate; it takes away local control; it subjects Minnesotans to arbitrary police stops; and it could open all sorts of legal action for people who say their rights to not be harassed have been violated.

"Opening up racial discrimination is not a far-fetched intended consequence of this kind of proposal," he said.

Countered Rep. Tony Cornish (R-Vernon Center), "To pull people over because of their skin color, there's nothing in here, no mandate or hint or suggestion that cops have to pull anybody over."

Rep. Debra Hilstrom (DFL-Brooklyn Center) said the bill is not just about law enforcement personnel. "This bill says you can't restrict any public employee from investigating anyone's immigration status, street worker, municipal liquor store employee. ... I thought we wanted our public employees to do the job we pay them to do, not spend their time on vigilante justice."

— M. COOK

County attorneys can carry guns

**Signed
by
the
governor**

County attorneys or assistant county attorneys can now carry a firearm on duty provided they have a state-issued permit to carry.

State statute previously prohibited local government employees, other than licensed peace officers, from carrying firearms.

Rep. Tony Cornish (R-Vernon Center), who sponsors the law with Sen. Bill Ingebrigtsen (R-Alexandria), stressed the law is not a knee-jerk reaction to the Dec. 15, 2011, shooting of Cook County Attorney Tim Scannell by a defendant who was convicted of third-degree criminal sexual conduct. Supporters said the law is about personal safety, not courtroom security, and will, for example, let them carry a weapon in their vehicle or keep one in their office.

The law, effective April 10, 2012, one day after it was signed by Gov. Mark Dayton, does not supersede a judge's right to ban firearms from their courtroom or courtroom complex, nor does it prohibit a county attorney from restricting a assistant county attorney from carrying while on duty.

HF1829*/SF1648/CH171

— M. COOK

LIGHTING THE WAY

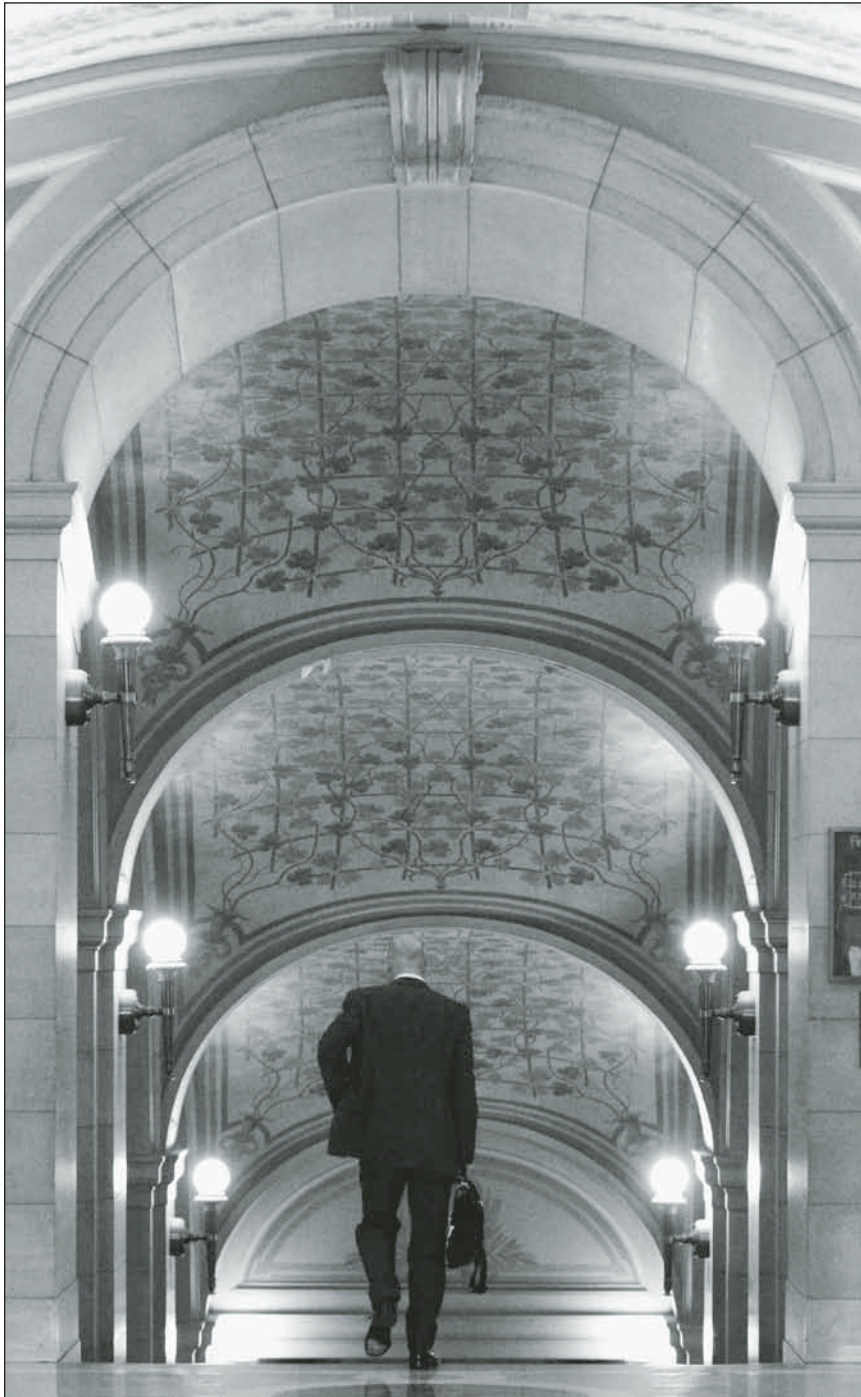


PHOTO BY PAUL BATTAGLIA

Lobbyist Ward Einess descends the stairs from the first floor of the Capitol April 17.

Civilian review authority changes

**Signed
by
the
governor**

An exemption the Civilian Review Authority in the state's largest city has had since 1991 will be no more.

Sponsored by Rep. Ron Shimanski (R-Silver Lake) and Sen. Scott Newman (R-Hutchinson), a new law will allow Minneapolis to give its law enforcement personnel the same rights and

privileges as other law enforcement agencies across the state.

Under current law, the Minneapolis Civilian Police Review Authority has a statutory exemption from compliance with the Peace Officer Discipline Procedures Act. The law will prohibit the authority from making binding findings of fact about police complaints and imposing discipline on peace officers, and, like other authorities,

could only make advisory recommendations. Signed April 5 by Gov. Mark Dayton, the law takes effect Aug. 1, 2012.

Shimanski said the law is all about due process. The Civilian Review Authority can now make findings of fact and determinations that become a part of an officer's record even if he or she is exonerated or the chief does not agree with the charges. The chief decides whether to impose discipline.

In the past year, the authority filed 53 complaints against officers, but only seven were acted upon by the police chief.

HF2409/SF1981*/CH156

— M. COOK

Firefighters memorial day change

**Signed
by
the
governor**

The date of the state's Fallen Firefighters Memorial Day will change to accommodate the dedication of a new memorial on the State Capitol grounds.

Sponsored by Rep. Doug Wardlow (R-Eagan) and Sen. Ted Daley (R-Eagan), a new law designates the last Sunday in September as the new memorial day. Previously, it was the first Sunday in October.

Wardlow said the change is needed to incorporate the unveiling of the state's new Minnesota Fire Service Foundation Memorial, which will be located on the Capitol Mall, near the Veterans Service Building. It is scheduled to be dedicated Sept. 30, 2012.

"This will allow family members of fallen firefighters to visit the dedication of the new memorial, and then one week later travel to Washington, D.C., if they so desire, to observe National Fallen Firefighters Memorial Day," Wardlow said.

The memorial will honor the state's 194 firefighters who have died in the line of duty. A previously built memorial has existed for many years at the Minneapolis-St. Paul International Airport, but supporters successfully raised enough money to build a larger memorial at the Capitol.

HF2365/SF1492*/CH188

— N. BUSSE

Seeking to demonstrate silencers

**Signed
by
the
governor**

Federally licensed firearms dealers, manufacturers or importers will be permitted to possess silencers for the purpose of selling them or firearms tested with silencers for authorized activities.

The issue was brought forth by some federally licensed firearm dealers authorized to sell silencers; however, under current state statute, the possession and use of firearm silencers is prohibited, except for certain law enforcement and wildlife control activities. Therefore, salespeople were forced to sell a product that they could not demonstrate. There are an estimated 1,600 dealers in the state.

The law, sponsored by Rep. Mike Benson (R-Rochester) and Sen. Bill Ingebrigtsen (R-Alexandria), is effective Aug. 1, 2012. It was neither officially supported nor opposed by law enforcement associations.

Although 37 states allow anyone to own suppressors, the law does not allow personal use of silencers. One dealer testified during the committee process that if he were to sell a silencer to someone for personal use he could face prison time, a hefty fine and the loss of his license to sell.

Among concerns expressed by opponents was that these silencers will be stolen from dealers and used for illegal purposes.

HF1816*/SF2125/CH194

— M. Cook

Buying junkers for parts, metal

Signed
by
the
governor

The number of people who can purchase vehicles at insurance auctions is expanding.

A new law allows new and used motor vehicle dealers who hold a scrap metal processor license to acquire a vehicle declared a total loss and sell both the vehicle parts and remaining scrap metal. Under current law, only dealers with a used parts vehicle dealer license can perform such activity.

According to the nonpartisan House Research Department, “a scrap metal processor license permits the licensee to engage in the business of acquiring operable vehicles for selling the metal for remelting, while a used vehicle parts dealer license permits the licensee to operate a business that acquires vehicles, dismantles it for parts, and sells both the parts and the remaining scrap materials.”

Supporters said the change will be beneficial for car insurance purchasers because theoretically they’d get more money for resale than if there is a more limited set of buyers.

Signed April 5 by Gov. Mark Dayton, the law takes effect Aug. 1, 2012.

Rep. Chris Swedzinski (R-Ghent) and Sen. John Howe (R-Red Wing) are the sponsors.
HF2736/SF2273*/CH163

— M. Cook

Harsher vulnerable adult penalties

Signed
by
the
governor

People who willingly neglect a vulnerable adult will face a more serious criminal charge. So will those who mistreat a child.

Sponsored by Rep. Steve Gottwalt (R-St. Cloud) and Sen. Warren Limmer (R-Maple Grove), a new law creates a felony crime for intentional deprivation of a vulnerable adult, such as with food, clothing, shelter or health care, when the caregiver “is reasonably able to make the necessary provisions.”

Supporters said the law comes in response to a number of cases where people were literally left to rot in their own filth and other abuse stories where the perpetrator could only be charged with gross misdemeanor.

Gottwalt said the law is a bipartisan collaboration of many interested parties, including the provider community, law enforcement and prosecutors.

The bill provides for three affirmative defenses:

- the person employed by a facility is unable to “reasonably make the necessary

provisions due to inadequate staffing levels, inadequate supervision, or institutional policies”;

- the defendant operates or manages a facility and did not knowingly or intentionally permit an employee to permit the criminal act; and
- where the caregiver “was acting reasonably and necessarily to provide care to another identified vulnerable adult.”

Additionally, the law reduces the level of harm required for a felony offense for child mistreatment by replacing “substantial bodily harm” in statute with “demonstrable bodily harm.”

The provision comes from HF2220/SF1725, sponsored by Rep. Jeanne Poppe (DFL-Austin) and Sen. Dan Sparks (DFL-Austin), which is based on a 2011 Mower County case where a 5-year-old child was chained to the slats of his crib every evening. The parents could only be charged with a gross misdemeanor.

Because there wasn’t substantial bodily harm, only demonstrable bodily harm — any harm that can be observed by another person — could be used in the charging.

Signed April 18 by Gov. Mark Dayton, the law takes effect Aug. 1, 2012.

HF1945/SF1586*/CH175

— M. Cook



PHOTO BY ANDREW VONBANK

Surrounded by legislators and interested parties, Gov. Mark Dayton signs a bill April 18 that will protect vulnerable adults.

Transportation

Design-build program extension

**Signed
by
the
governor**

A 2009 law established a pilot program for selecting and undertaking local transportation projects on the municipal state-aid street and county-state aid highway systems using a design-build contracting method.

A new law removes the Oct. 1, 2012, expiration date for the program so nine projects can be completed before the statutory authority expires. So far, one project is underway in Anoka County.

The law is effective April 19, 2012, one day after it was signed into law by Gov. Mark Dayton.

In a traditional design-bid-build process, an agency completes the plans and specifications and the contractor builds exactly what was designed. In the design-build process, the agency completes a portion of the plan, creates the necessary environmental documents and purchases the right-of-way before going out to bid. It's up to the design-build contractor to complete the final design and build the project.

Supporters said design-build benefits include singular responsibility through the engineering and construction phases of a project, cost savings and time savings. They say limiting the program to a handful of projects, as in the law, will provide information on what works well before opening it up for everyone to do this.

The law also:

- eliminates a council established to select projects for the program; transferring those duties to the Department of Transportation;
- expands MnDOT's oversight of the solicitation process;
- removes project distribution limits between the county and municipal systems; and
- eliminates an annual legislative report on the program.

Rep. Bruce Vogel (R-Willmar) and Sen. John Howe (R-Red Wing) sponsor the law.
HF2378/SF2131*/CH176

— M. Cook

Towing larger farm equipment

**Signed
by
the
governor**

Because farm equipment has increased in size, so must state statute governing its transport.

A new law, effective Aug. 1, 2012, will modify brake requirements for implements

of husbandry, so that the implement does not need to have brakes if it is part of a combination of vehicles and the towing vehicle's brake capacity meets state standards. It was signed April 18 by Gov. Mark Dayton.

"As farm equipment has grown larger and larger over the years, several of these pieces of equipment are technically not even legal to have on the highway. If they're over 24,000 pounds, they can't be there," said Rep. Dan Fabian (R-Roseau), who sponsors the law with Sen. John Howe (R-Red Wing). "I'm just trying to update laws that regulate farm machinery that's towed by either a farm tractor or a truck."

Fabian said the state patrol and the Department of Transportation support the law.

"If a farm implement dealer sells a piece of equipment that weighs over 12,000 pounds, they are required under current statute to pull that to the farm where they've sold it with a tractor," Fabian said. "This language updates it so they can tow it with their semi provided the semi tractor has the braking capacity to be able to stop the vehicle should it need to."

HF2775/SF2394*/CH172

— M. Cook

Restored pioneer vehicles titling

**Signed
by
the
governor**

Titles on cars and trucks from upwards of a century ago will more accurately reflect the age of the vehicle.

Signed April 18 by Gov. Mark Dayton, a new law will, in part, change the title application and type issued for the vehicle. It takes effect Aug. 1, 2012.

Brought forth by restorers, the law's intent is to create a titling process that allows for pre-1936 manufactured vehicles to have a pioneer plate and a title that says restored, rather than reconstructed, and have the proper vehicle identification numbers that are already stamped on the engine block.

Many of these cars are found in very poor condition and they take hundreds or thousands of hours and tens of thousands of dollars to restore.

According to Rep. Mike Benson (R-Rochester), who sponsors the law with Sen. Carla Nelson (R-Rochester), what happens now is when an owner seeks a new title they receive one saying the car is a reconstructed vehicle, it will have a Vehicle Identification Number that doesn't correspond to numbers previously on the vehicle and the year on the title will be the year the vehicle was restored, not its manufactured year.

For example, Benson said, a 1910 Buick with hundreds of hours and tens thousands of dollars invested, would come back as a 2010 Buick. That means far less value to the owner.
HF2239*/SF2202/CH195

— M. Cook

Vehicle plates, lien changes

**Signed
by
the
governor**

Auto dealers will be given extra flexibility when it comes to license plate and tab storage if they're using the optional computerized vehicle registration system, and they can help customers acquire a lien release.

Several years ago the auto dealers, deputy registrars and Driver and Vehicle Services Division in the Public Safety Department created a computerized vehicle registration system whereby the dealer and deputy registrar do the paperwork for the customer on a vehicle title. By using the optional system, the consumer receives their title usually within a week to 10 days.

However, the number of dealers using the system has reached a plateau. Among reasons cited by those not participating is state statute that requires the plating and stickering of cars at the time of sale. Supporters hope more dealers will join the system by removing the requirement that the vehicle plate and registration sticker be attached to the vehicle at the time of sale when using the CVR system. They believe this will allow dealers to have better control over their license plate and sticker inventory and in turn wanting them to be part of the CVR system.

This part of a new law, signed April 18, 2012, by Gov. Mark Dayton, is effective the next day.

Effective Aug. 1, 2012, the law also allows auto dealers to help customers more quickly get a lien release from a previous lien holder.

Currently, if a vehicle owner has fully paid their lien but cannot locate the hold to obtain a lien release, the person can obtain a lien release on liens at least seven years old by sending a certified letter to the lien holder. The letter then serves as evidence of an attempt to contact and can be used to obtain a clean title from the Department of Public Safety. The law allows dealers to obtain a lien release in the same manner on behalf of their customer.

Rep. Bruce Vogel (R-Willmar) and Sen. Al DeKruif (R-Madison Lake) sponsor the law.
HF2187*/SF1791/CH174

— M. Cook

Fixing the state icon

By one vote, State Capitol restoration funding bill fails on the House floor

By LEE ANN SCHUTZ

By one vote, funding for needed repairs to the State Capitol may have to wait.

Crumbling marble, flaking paint and outdated mechanical infrastructure are apparent throughout the 107-year-old building. But needing the support of a House super-majority, a bill that would commit \$221 million in bond proceeds to the project failed to garner enough “yes” votes. The April 19 vote was 80-50; however, capital investment bills must be approved by three-fifths of the body, or 81 votes.

Rep. Larry Howes (R-Walker), chairman of the House Capital Investment Committee, sponsors HF2754. He said after years of commissions, studies and plans, it is time to “commit” to the renovations. Restoration would take place over a four-year period, with work limited to that “necessary to restoring building integrity and structural soundness,” according to the bill. Besides mechanical and electrical retrofits, new security would be implemented and there would be a telecommunications upgrade.

While supportive of the restoration, DFLers questioned the need to bond the complete project this year. They said that if the project cost could be staged over the years, it would leave money now to bond for other construction projects across the state.

Rep. Alice Hausman (DFL-St. Paul), a previous capital investment committee chair, said the amount needed to fund the project would directly affect

bonding for other infrastructure. She referred to the roughly \$250 million capital investment bill (HF2622) awaiting House action.

“(Howes) has made a wonderful case for this building, but we have the broader needs across the state. I would argue there is another whole set of needs, projects ready for construction right now that will support jobs.” She said support is there for the project, but she advocated for a larger overall bonding bill.

When questioned about the future of that bill, Howes wouldn’t commit to a time

when the bill would be considered on the floor, but said it would be soon. He opted to commit the money for the complete Capitol project now because it will, in the long run, save taxpayers money. He said, however, that bonding could be part of end-of-session negotiations with the governor.

Howes said that if the project is only partially funded and money runs out then “scaffolding has to be taken down and workers have to leave the project and wait until the money is there. We get the best price if it is fully funded.”

He said this is a bill the governor supports.

“What I’ve learned is to have patience, keep moving forward, keep moving hard. When the governor signs this bill, in a very short time people will be going to work — the architects and engineers. By fully funding it we get a guaranteed price, instead of nickel-and-diming it. If we can’t commit to this, maybe we can’t commit to nothing.”

House Minority Leader Paul Thissen (DFL-Mpls) called Howes’ approach putting the Capitol (cart) before the horse. He called the bill “political theater,” and said a jobs bill put forward by the Democrats includes funding not only for the Capitol, but other statewide projects. He called it “robust,” rather than a piecemeal approach that the Republicans were taking.

He said any bonding bill needs bipartisan support, and that “going it alone is not a recipe for success.”

The bill’s companion, SF2531, sponsored by Sen. Carla Nelson (R-Rochester), awaits action by the Senate Capital Investment Committee. 🏛️



PHOTO BY ANDREW VONBANK

To illustrate the need for repairs, Rep. Dean Urdahl holds up a stone scroll that fell off the State Capitol. The House failed to pass a bill April 19 that would provide \$221 million to restore the building.

Education funding champion

Dittrich says serving was 'just the perfect pinnacle experience'

By ERIN SCHMIDTKE

When Rep. Denise Dittrich (DFL-Champlin) entered the House eight years ago, she had a set of goals in mind. Now, after advocating for increased education funding and an agenda to support small businesses, she is stepping down.

Dittrich's reasons for leaving are both professional and personal. Her youngest son will graduate from high school this year, leaving her and her husband, Allen, empty nesters.

"It was just the perfect pinnacle experience where someone else can come in and also see things anew, hear things anew and do different things and leave their own legacy," Dittrich said.

For years, Dittrich has kept busy with education finance, a longtime passion of hers. As a parent of three boys in the Anoka-Hennepin School District, which she also attended as a student, Dittrich immersed herself in school funding. She took classes on the subject and was later elected to the school board.

She began to notice the district only received a fraction of the compensatory aid of other districts, which is based on district size and the number of students who qualify for free or reduced lunches. Dittrich's work to secure that funding for the district took her from the school board to the House in 2004.

"I remember being on the House floor and thinking, 'Wow, this is an issue I have worked on for almost 10 years now,'" Dittrich said. Following efforts by her and other supporters, the district's compensatory aid has tripled since 2005.

Not content with increasing funding for only her home district, Dittrich has also spent her time in

office working to change the way the state manages its school trust lands. She learned that Minnesota received millions of acres of land from the federal government when it became a state, with the requirement that the land be leased, sold or used to fund education. She believes that the state has missed opportunities to maximize profit from the land.

"I had always dreamed before I got here, in the previous 10 years, that we need a stable, long-term predictable funding source for education, so people can look at this Legislature and know they're going to get that every single year," Dittrich said. She believes that source could come from the trust lands.

Dittrich served as the chairwoman of the

School Trust Land Oversight Committee in 2009 and co-sponsors a bill this session, HF2244, which would transfer the responsibility of managing the land from the DNR to a separate entity established by the Legislature. A conference committee is in the process of working out an agreement.

Throughout her time as a lawmaker, Dittrich has tried to represent her district on a nonpartisan level. That promise she made to constituents has motivated her as a politician.

"That I am extremely proud of, and that's more of a personal thing for me to walk away with that integrity," she said.

Her effort to be nonpartisan extended to another priority: economic growth. In 2010, along with Rep. Keith Downey (R-Edina) and former Rep. Maria Ruud (DFL-Minnetonka), she formed a small business caucus that focused on improving the state's business climate.

"We made it bipartisan, we developed it to be results-oriented and we said that we were going to be collaborative. And we did that," she said.

The caucus saw a series of bills passed, including the Angel Investor Tax Credit, which provides a 25 percent tax credit for investments in qualified small high-tech businesses. The caucus also successfully brought forth measures that would streamline business permits, study business regulations in the Midwest and support programs facilitating use of renewable energy in businesses.

Throughout her eight years in office, Dittrich has noticed an increased focus on accountability and reform in the legislative process. To help navigate through state politics, Dittrich advises her successor to find a mentor. She herself found one in Rep. Ann Lenczewski (DFL-Bloomington). She also believes that political effectiveness requires work.

"Do your own research. Don't take everything at face value and just nod your head and say, 'OK, thank you very much for that report.' The job requires homework," she said. 🐾



PHOTO BY ANDREW VONBANK

Rep. Denise Dittrich is leaving the House after eight years. She has been an advocate for education funding and small business.

Complicated road to the Senate

Koenen wins one Senate seat, but hopes to switch to another

By **LEE ANN SCHUTZ**

Several House members are planning a run this fall for the Senate. But none has a more complicated road for a seat than former Rep. Lyle Koenen (DFL-Clara City).

Because redistricting paired him with Rep. Andrew Falk (DFL-Murdock), Koenen, a five-term House member, opted to run for the Senate seat that opened when Sen. Gary Kubly (DFL-Granite Falls) passed away.

Koenen won the April 10 special election, and while he was sworn-in April 18 to serve out Kubly's term, his future in the Senate remains in question.

At the recent Senate District 17 convention, he and another candidate went through a

grueling four rounds of balloting before delegates opted for no endorsement, triggering an August primary to determine the district's DFL candidate. If Koenen wins the primary, he will be on the November ballot.

His trek to the Senate actually began before redistricting after the 2000 census. He was serving as the Chippewa County DFL chairman, when he was prompted to run against Republican incumbent Charlie Berg. "No one was running, and I was asked at the last minute — just to get my name out," he said.

He was victorious in the 2002 election, and since then has represented an area that has experienced radical change — with district counties seeing some of the greatest population declines in the state. But Koenen says that doesn't mean the needs are any less or should be ignored.

"Let's take a small town that is losing population, they are still Minnesotans, and I believe they need the basic infrastructure — water, sanitary sewer. So I believe the state should be living up to its responsibilities there," he said. A bonding bill is critical for many Greater Minnesota communities because it affords them the chance to repair and replace aging infrastructure, he said.

Having served many years on House taxes committees, he has seen the changes to local government aid, leaving some tax-poor communities strapped.

"The LGA (local government aid) system was set up based on need, and if the system is working properly, they should be getting their portion of

LGA," he said. If re-elected to the Senate, Koenen would like to continue to focus on the area of taxes. "My goal is that the tax system be fair, so that it doesn't overburden working people."

A big part of the county tax levy comes from farmers, he said. "So anything we can do to level out the county aid, and for the state to pick up its fair share would in turn benefit farmers."

Koenen said a continuing problem in rural areas is job creation, so that young people can stay in their home communities. He believes addressing the problem begins with increasing education opportunities.

"One of the most important things I would like to see happen in our part of the state is more good paying jobs, so our young people don't have to leave. That's the No. 1 thing." He praised the Minnesota State Colleges and Universities system campuses and its program offerings. "MnSCU students tend to stay in Minnesota," he said.

But for good jobs to take root, the area will need faster and more reliable Internet access along with road improvements.

"If you take a look at the state and where the four-lane roads are, there is a big void in the southwestern part of the state." He added that many roads need to be brought up to safety standards as they are not able to carry heavy loads.

In the end, however, it all comes back to sustaining farming and farm-related industries, which are the economic lifeblood of western Minnesota, he said.

Koenen does have regrets about leaving the House.

"Personally I'd be just as happy serving in the House. I have quite a bit of seniority here. In the Senate, however, there are fewer members, and there's a little bit more opportunity for me to inject myself into what's going on."

He said Kubly's shoes are big ones to fill. "He was always a good example of how a legislator should act. Nobody can replace him." 🐾



PHOTO BY ANDREW VONBANK

Former Rep. Lyle Koenen won an April 10 special election to fill a Senate seat. He'll need to win two more elections to keep the seat.

Putting family first

Kriesel steps down after a brief but eventful first term

By Nick Busse

In just one term, Rep. John Kriesel (R-Cottage Grove), a decorated Iraq War veteran, made a name for himself as an outspoken, independent and popular young legislator. Kriesel knows he could probably have a future in politics if he wanted it — and he does.

But he also knows that some things are more important, namely his wife Katie, and his sons Broden and Elijah. It's for his family and he has decided not to seek re-election.

"I love this place, I love this job. But my family really needed me to be at home more — my kids especially," he said.

Kriesel certainly isn't the first lawmaker to step down for family reasons. But his decision might be better appreciated in the context of how much family time he's already sacrificed.

Kriesel missed two years of his kids' lives — first when his National Guard unit was deployed to Iraq, and then when he was

resigned to a hospital bed recovering from a roadside bomb attack that took both of his legs. His family would visit him in the hospital, but he said it wasn't the same.

"It really hit me, I think, within the last few months. I've been looking at pictures and videos my wife sent when I was deployed, like them singing songs to me. Nothing will ever get those years back; those are gone," he said.

The schedule of a "part time" lawmaker is often full. Kriesel has found that during session and even during the legislative interim, he's often unable to spend enough time with his family. Moreover, Kriesel said his wife basically put her career on hold to let him chase his dreams. He said it's time for him to step up and be there for her now.

"My wife has been so amazing throughout this, and just has put her life on hold," he said.

During his time in office, it was Kriesel's common-sense, "regular guy" approach to legislating that made him stand out.

A moderate Republican, Kriesel showed a willingness to break rank with his party when necessary to vote his conscience. He took populist stances on issues like fireworks sales, expanding gambling and the proposed new stadium for the Minnesota Vikings. He also made a now-famous speech on the House floor denouncing the proposed constitutional ban on gay marriage.

That speech got him in trouble with some of his own supporters, but Kriesel wasn't fazed. He thinks there's too much partisanship in the Legislature, and said legislators ought to focus on staying true to their personal beliefs and representing their constituents.

He offers this bit of advice to the person who takes his seat next session: "Don't be afraid to stand up for what you believe in. There's always going to be the temptation to go with the flow. And you know, if you vote with your heart, you're never wrong," he said.

Kriesel is proud of his service in the Legislature, and said he's loved every day of it. He thinks of himself as ordinary, and so feels privileged to have had a say in how the state is run. But he has found certain things frustrating too.

Kriesel said Republicans and Democrats don't spend enough time together on a personal basis, getting to know each other and establishing the kinds of relationships that would be helpful in passing difficult legislation. He said establishing the kind of trust that's needed at the Capitol could start with simple conversations.

"I wish that they had a bar in the basement. As crazy as that sounds, that would be the one thing that would foster a lot of bipartisanship," he said. "Have a beer with someone from the other side of the aisle. Talk. You learn about what you have in common, and that's where you need to start with everything, not just focus on differences."

Kriesel plans to keep his full-time job doing marketing for the Minnesota National Guard. But what's really "next" for Kriesel is helping his sons with their baseball teams, teaching them how to fish and doing "the stuff that dads are supposed to do." 🐟



PHOTO BY ANDREW VONBANK

Rep. John Kriesel showed a willingness to break rank with his party when necessary to vote his conscience.

Educator, lawmaker, advocate, mom

Slawik prepares to leave on a high note for her key issue: early childhood

By Nick Busse

When Rep. Nora Slawik (DFL-Maplewood) first took office, she was eight months pregnant with her second child. Much of her life thereafter, both inside and outside the House chamber, has revolved around children.

"My specialty became early childhood. Part of it was having my daughter in my first term, and the other part was it's an intense interest of mine," Slawik said.

Her seven non-consecutive terms in the Legislature have been marked by the dual struggles — and rewards — of a single mom raising two kids and a hard-working policymaker working diligently on early childhood issues. For a while, those two responsibilities went hand-in-hand.

Slawik's children campaigned with her and marched with her every year in the local parade. They ran around on the House floor and became frequent customers at "Ulcer Gulch" — the affectionate moniker given to the Capitol's second-floor snack food market.

"In many ways, this is a great working mom job, because you're working part of the year and have the rest of the year off. And so for my kids growing up, it really worked great," she said.

Today, Slawik's life and career are at a crossroads. With her son Sean in college and daughter Tori set to join him, Slawik's obligations to her family are changing. Her kids need less of her time and more of her financial support. She needs to focus more on her private career.

"It's time for me to get a job that pays better, so I can contribute more to their college expenses," she said.

She's happy to be able to leave the House at a time when many exciting things are happening in the area of early childhood policy.

Several key measures that Slawik

spent years working toward have recently been put into effect, including creation of an Office of Early Learning within the Education Department; an expansion of the child care quality rating system; and the state's \$45 million Race to the Top grant for early childhood funding.

"Everything has sort of come together, and that's been very gratifying to watch," she said.

Slawik served four years as chairwoman of the House Early Childhood Finance and Policy Division — something she calls "a wonderful experience" and the highlight of her legislative career. One of the things she'll miss the most is the opportunity to work with like-minded advocates, parents, experts and policymakers.



PHOTO BY ANDREW VONBANK

Rep. Nora Slawik said the highlight of her career was serving as chairwomen of House Early Childhood Finance and Policy Division.

"I'll miss the work on early childhood and the variety of people I get to work with," she said. "I'll definitely miss the relationships a lot."

Slawik said the Legislature has become more partisan over the years. She considers herself a moderate and worries that other moderates, both DFL and Republican, are leaving the House.

"Folks are either really liberal or really conservative," she said.

The tone has even changed among her constituents, she said. As she's out campaigning and door-knocking, Slawik sees more people are now divided along party lines. She blames a lack of focus on priorities at the Capitol.

"I think it's really unfortunate that legislators and those who will be running this summer have to talk about issues like voter ID and these constitutional amendments. I came here to talk about education and health care and jobs and very basic issues, and the conversation has really changed," she said.

Slawik currently teaches a fall class at the University of Minnesota on, appropriately, early childhood education policy. It's been tough to maintain a career outside the Legislature — something Slawik said has become a common problem for legislators in a certain age group.

"We tend to now be getting either people that are really young or people that are retired. Because those folks that are in their working years and raising family years, 30s and 40s, it's very difficult on their families," she said.

Before coming to the Legislature, she worked for nonprofits like the Boy Scouts of America and the United Way. She plans to return to the nonprofit sector when her legislative career is over. Though she won't get to vote on bills anymore, she basically hopes to continue the same work she's been doing as a lawmaker.

"I hope to just build on my work here and go back into the community and do good work," she said. 🙏

GOVERNOR'S DESK

JANUARY 24 - APRIL 18, 2012

CHAPTERS 118 - 195

Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects.

The timing of these actions is as important as the actions themselves.

In the second year of the biennium, (even-numbered years) a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. (Sundays are not counted in the three-day time limit, but holidays are.)

The governor normally signs the bills and files them with the secretary of state, but his or her signature is not required. If a bill is passed during the last three days of session, the governor has a longer time to act. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die." If the governor does not sign a bill within this time frame, it will not become law — an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. With the exception of pocket vetoes, the governor must include a statement listing the reasons for the veto with the returned bill.

Here, too, the timetable is three days after the governor receives the bill.

Policy items contained in appropriation bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota Constitution (Article IV, Section 23).

More information is available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link.

Key:

CH=Chapter; HF=House File; SF=Senate File

CH	Bill that passed	Companion bill	Description	Signed	Vetoed
CH118	SF149	HF211	Liability limits modified for tort claims against the state and political subdivisions, conciliation court claims regulated, right of appeal provided on class action orders, statute of limitations on claims modified, prejudgment interest modified, attorney fees regulated, and cause of action for sex trafficking violations provided.		2/10/12
CH119	SF373	HF654	Limitation period reduced for bringing certain actions.		2/10/12
CH120	SF429	HF747	Attorney fee relation to damages awarded factor provided.		2/10/12
CH121	SF530	HF770	Interest on verdicts, awards, and judgments regulated.		2/10/12
CH122	HF1770	SF1493	Teacher candidates required to pass basic skills exam.	2/22/12	
CH123	HF2394	SF1994	Minnesota sex offender program; community notification required when a person is released from the program.	2/23/12	
CH124	HF1926	SF1527	Certification provided for good manufacturing practices for commercial feed and feed ingredients, voluntary certification fees authorized, rule provisions relating to animal feed modified, and money appropriated.	3/01/12	
CH125	HF1585	SF1322	Minnesota State High School League; time period reduced for good faith effort before interscholastic conference membership arrangement.	3/01/12	
CH126	HF1467	SF1357	Firearms; public official authority to disarm individuals at any time clarified and delimited, law clarified on use of force in defense of home and person, Minnesota's self-defense and defense of home laws codified and extended, common law duty to retreat in cases of self-defense outside the home eliminated, boundaries of dwelling expanded for purposes of self-defense, presumption created in the case of a person entering a dwelling or occupied vehicle by stealth or force, rights available extended to a person in that person's dwelling to a person defending against unlawful entry of that person's occupied vehicle, and recognition provided by Minnesota of other states' permits to carry a pistol within and under the laws of Minnesota.		3/5/12
CH127	SF1371	HF1468	Forfeited firearm sale by law enforcement agencies authorized to federally licensed firearms dealers.	3/5/12	
CH128	SF1240	HF1535	DWI, off-highway vehicle, drive-by shooting, designated offense, and controlled substance forfeiture laws changes made to provide more uniformity; monetary cap raised on the value of property forfeitures that may be adjudicated in conciliation court; forfeited property prohibited from being sold to prosecuting authorities or persons related to prosecuting authorities; and general criminal code forfeiture law, necessity of conviction, and burden of proof clarified.	3/08/12	
CH129	SF134	HF212	Public employee definition modified.		3/08/12
CH130	SF1213	HF1484	Adult education tracking system modified.	3/08/12	
CH131	SF1183	HF032	State and local government tort liability limits restored to pre-2008 levels, and state and local government contracts that require contractors to provide liability insurance or other security in excess of those limits prohibited.	3/15/12	
CH132	HF1515	SF1272	Late fee provisions modified, and provisions clarified relating to eviction from property subject to foreclosure.	3/20/12	
CH133	HF1560	SF993	Office of Administrative Hearings disposition of contested case hearings provided.		3/20/12
CH134	HF2152	SF1739	Real estate licensee responsibility specified for property management activities on real property owned by the licensee or by an entity in which the licensee has an ownership interest.	3/20/12	

CH	Bill that passed	Companion bill	Description	Signed	Vetoed
CH135	HF1738	SF1450	Municipality detachment provided.	3/20/12	
CH136	HF300	SF1160	Early childhood development screening notice modified.	3/26/12	
CH137	HF392	SF992	School bus safety and standards provisions modified.	3/29/12	
CH138	HF2376	SF1971	School food service fund equipment purchase approval process simplified.	3/29/12	
CH139	HF1524	SF1932	Substitute principal continuing education requirements clarified.	3/29/12	
CH140	HF545	SF1600	State budget document required to include federal contingency planning.		3/29/12
CH141	SF1542	HF2441	Defensive driving refresher course requirements modified.	3/30/12	
CH142	SF1735	HF2227	State bank closures for holidays clarified, state bank lending limits changed to comply with federal law, and obsolete language repealed relating to deposits payable on demand.	3/30/12	
CH143	HF382	SF352	Receiverships, assignments for the benefit of creditors, and nonprofit corporation statutes amended; and Uniform Disclaimer of Property Interests Act changed, updated, and clarified.	3/30/12	
CH144	HF2078	SF1990	Nonpublic pupil textbook aid expanded.	3/30/12	
CH145	HF2291	SF2346	Adult basic education; process created for contact hours lost due to a service disruption.	3/30/12	
CH146	SF1917	HF2293	School districts; ability to use prone restraints extended to one additional year, and data collection and reporting required.	4/2/12	
CH147	HF2793	SF2426	Vehicle combination allowed to transport property and equipment.	3/30/12	
CH148	HF2253	SF1861	Out-of-state residential mental health treatment allowed for children who are deaf, deafblind, or hard of hearing and who use American Sign Language as their first language.	4/2/12	
CH149	HF1903	SF1814	Honor guard stipends preference modified.	4/2/12	
CH150	SF1567	HF2095	Environmental permitting efficiency provided, environmental review requirements modified, and money appropriated.	4/2/12	
CH151	HF1384	SF1084	Charitable or religious organization transfers excluded from the fraudulent transfers act.	4/3/12	
CH152	HF2676	SF2330	Abortion; grant eligibility modified for abortion alternative programs.	4/4/12	
CH153	SF2297	HF1899	Jacob's law established, law enforcement notification required to social services if a child is neglected or abused outside the home, and parental rights under custody orders amended to include police reports on minor children.	4/4/12	
CH154	HF2083	SF2492	Omnibus K-12 bill.		4/5/12
CH155	SF2084	HF2415	Fugitive apprehension unit authorized to apply for search warrants, commissioner directed to implement a gardening program at state correctional facilities, selection criteria narrowed for challenge incarceration program, and victim notification permitted to include electronic and written notification.	4/4/12	
CH156	SF1981	HF2409	Police civilian review uniform authority procedures provided.	4/5/12	
CH157	SF2069	HF2544	Travel insurance offer and dissemination regulated.	4/4/12	
CH158	SF2014	HF2404	Metropolitan Council staggered, four-year terms provided for members.		4/5/12
CH159	SF1993	HF2354	Plumbing requirements modified relating to sump pumps and drain tiles.	4/4/12	
CH160	SF1793	HF1998	Health plan company definition modified.	4/5/12	
CH161	SF1860	HF2316	Solid waste definition modified to exempt highway construction, improvement, or repair activities.	4/5/12	
CH162	SF1934	HF2342	Township mutual fire insurance company combination policies regulated.	4/5/12	
CH163	SF2273	HF2736	Junked motor vehicle buyer class eligibility expanded, and commissioner of public safety directed to make changes to Minnesota Rules.	4/5/12	
CH164	SF1809	HF2237	Hospital community benefit programs and health maintenance organization collaboration plans; evidence-based strategy requirements removed.	4/5/12	
CH165	HF1992	SF1687	Motor carrier contract indemnity provisions prohibited.	4/5/12	
CH166	SF2173	HF2626	Automated drug distribution system authorized.	4/9/12	
CH168	SF1236	HF1418	Successor corporation asbestos-related liabilities limited.		4/9/12
CH169	SF1543	HF2060	Medical assistance coverage provided for community paramedic services.	4/9/12	
CH170	HF2216	SF1910	Minnesota Comprehensive Health Association; premium rate-setting process flexibility permitted.	4/9/12	
CH171	HF1829	SF1648	County attorneys and assistant county attorneys authorized to carry firearms on duty under the terms of a permit to carry.	4/9/12	
CH172	SF2394	HF2775	Towed implements of husbandry brake requirements amended.	4/18/12	
CH173	HF2333	SF1870	Motor fuel theft specifically included in the theft crime, and permissive inference created.	4/18/12	
CH174	HF2187	SF1791	Motor vehicle registration plate and sticker provisions amended, and dealer allowed to obtain cancellation of lien more than seven years old.	4/18/12	
CH175	SF1586	HF1945	Criminal neglect of vulnerable adult penalty modified.	4/18/12	
CH176	SF2131	HF2378	Design-build projects approved under pilot program completion authorized.	4/18/12	
CH177	SF1621	HF2097	Child care accreditation provisions modified.	4/18/12	
CH178	SF2184	HF2763	Time share interests registration provided.	4/18/12	
CH179	SF1815	HF1989	Incumbent electric transmission owner rights established, and commission procedures established.	4/18/12	

CH	Bill that passed	Companion bill	Description	Signed	Vetoed
CH180	SF1553	HF1972	Dentists, dental hygienists, and dental assistant guest license provisions modified.	4/18/12	
CH181	SF1626	HF2094	Volunteer dental services coverage provided for and regulated.	4/18/12	
CH182	SF1964	HF2263	Window cleaning safety measures implemented.	4/18/12	
CH183	SF2114	HF2476	Child support 20-year survival judgements provisions eliminated.	4/18/12	
CH184	SF1620	HF1833	Relocation assistance amount or denial hearing required.	4/18/12	
CH185	SF1875	HF2307	Guaranty association coverage written disclosure permitted when a policy is delivered, and access expanded to accident reports to include all parties involved.	4/18/12	
CH186	SF1599	HF2100	Veterans and spouses of a disabled or deceased veteran hiring and promotion preference by private employer permitted.	4/18/12	
CH187	SF2060	HF2770	Legislative enactments; erroneous, ambiguous, and omitted text and obsolete references corrected; redundant, conflicting, and superseded provisions removed; and miscellaneous corrections to laws, statutes, and rules made.	4/18/12	
CH188	SF1492	HF2365	Fallen Firefighters Memorial Day designated date changed.	4/18/12	
CH189	SF2360	HF2587	Health professional education loan forgiveness program requirements amended.	4/18/12	
CH192	SF1689	HF1416	Military affairs; nonpublic employees reemployment rights protections extended.	4/18/12	
CH193	HF2128	SF1876	Emergency medical personnel licensed.	4/18/12	
CH194	HF1816	SF2125	Federally licensed firearm importers, manufacturers, and dealers authorized to possess and sell firearm silencers to government agencies, the military, and other licensed firearms importers, manufacturers, and dealers.	4/18/12	
CH195	HF2239	SF2202	Motor vehicle titling and license plate requirements amended and clarified for pioneer vehicles.	4/18/12	

BILL INTRODUCTIONS

APRIL 16 - 19, 2012
HOUSE FILES 2999 - 3006

Monday, April 16

HF2999-Kelly (R)
Government Operations & Elections

New tribal-state compact negotiation and new forms of gambling authorized.

HF3000-Anderson, P. (R)
Transportation Policy & Finance

Logo sign program hours of operation criteria amended.

HF3001-Quam (R)
Environment, Energy & Natural Resources Policy & Finance

Federal lands transfer to the state required.

Tuesday, April 17

HF3002-Swiedzinski (R)
Government Operations & Elections

Motor vehicle fuel sale restriction and criminalization prohibited by local government units.

Wednesday, April 18

HF3003-Fritz (DFL)
Government Operations & Elections
State correctional facilities fresh produce consumption local growers or distributors purchasing preference required.

Thursday, April 19

HF3004-Davnie (DFL)
Education Reform
Harassment, bullying, intimidation and violence in education prevention policies provided.

HF3005-Howes (R)
Health & Human Services Reform
Orthotics, prosthetics and pedorthics practice regulated and licensure required.

HF3006-Kahn (DFL)
Agriculture & Rural Development Policy & Finance
Food animal non-therapeutic use of antimicrobial drugs, and sale of food produced from animals administered antimicrobial drugs for non-therapeutic purposes prohibited.

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MINNESOTA INDEX

Enjoying the outdoors

Number of state park and recreation areas in Minnesota.....	75
Combined acreage, as estimate.....	227,000
Year that Itasca State Park was established as the first state park.....	1891
Months in advance a state park reservation can be made	12
Cost of a 2012 year-round state park vehicle permit.....	\$25
Cost of an additional vehicle permit.....	\$18
Cost of a daily permit.....	\$5
Daily fee in 2012 for a standard campsite (modern bathrooms with showers) in a state park.....	\$12-22
Fee for a rustic campsite (primitive toilets, no showers).....	\$12
Approximate miles of hiking trails in the state	1,030
Miles of the Superior Hiking Trail.....	286
Backcountry campsites along the trail	89
Miles of horse-riding trails, as estimate, in Minnesota's state forests and state parks....	1,000
Miles of ATV trails in the state, as approximate.....	900
Number of multi-use state trails in state.....	24
Number of state water trails	32
Miles of mapped routes throughout the state, as approximate.....	4,400
Miles of Lake Superior Water Trail.....	155
Approximate number of miles of natural rivers and streams in Minnesota	69,200
Number of lakes in Minnesota that are 10 acres or greater in size.....	11,842
Acres of the state covered by lakes and deep water rivers.....	2,560,299
Annual sport fishing expenditures in Minnesota, as estimated in billions.....	\$1.58
Number of residents per boat in the state	6
Fishing piers and shore-fishing sites in Minnesota	340
Estimated number of bird species in Minnesota.....	420
Public wildlife areas in state	1,440
Millions of acres of habitat within these areas.....	1.29
Estimated number of golf courses in the state.....	400
Miles of snowmobile trails, as estimate, in the state	20,000

— M. Cook

Sources: Explore Minnesota Tourism; Department of Natural Resources; Superior Hiking Trail Association.

SESSION WEEKLY



**THE END IS NEAR
LOTS OF NEW LAWS, VETOES
EDUCATION BILL AWAITS FINAL GRADE
GREENE, LeMIEUR STEP DOWN**

A NONPARTISAN PUBLICATION
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES
VOLUME 29, NUMBER 12 • APRIL 27, 2012

Flashback to 1992 and 2002

Helping people keep their homes

Housing for low-and moderate-income people would become more available under a program receiving \$2 million in state bonding and an additional \$1 million in direct state appropriations this year.

Under the proposal, cities and other housing authorities could tap into the account funded by the bonding to purchase and convert neighborhood properties into affordable living units. Billed as a housing trust, occupants then would have the opportunity to buy the house while the housing authority retains title to the land.

The program would help people buy living space without the added cost of purchasing the property they occupy.

— Session Weekly April 24, 1992

Legalizing fizzle but not the boom

Sparklers are in, but other fireworks are not part of a plan to legalize some fireworks now on its way the governor.

The bill, HF2525/SF2960*, would allow people 18 and older to purchase certain fireworks including sparklers, snakes and glow worms, and trick noisemakers for use on private property.

"There's no rocket's red glare, There's no bombs bursting in air," said Rep. Mark Holsten (R-Stillwater), the bill's sponsor.

"It's a bill that's going to start fires. It's a bill that's going to cause injuries. It's a bill that's not good for the children in the state," said Rep. Wes Skoglund (DFL-Mpls). He added that the measure would lead to the eventual legalization of other fireworks.

— Session Weekly April 26, 2002

Contents

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- PEOPLE:** Redistricting forces Greene to move on • 22
- PEOPLE:** LeMieur steps down to focus on family • 23
- INDEX:** Strike up the band • 24

SESSION WEEKLY

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. Produced during session, it covers the previous week's news from the House. No fee.

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On the cover: Tom Schepers salutes his fallen comrades at the Vietnam Veterans Memorial on the Capitol Mall April 20. Schepers runs daily, carrying his flags in support of our troops. While serving in Vietnam, he made a promise that soldiers like those he fought with would not be forgotten.

— Photo by Paul Battaglia



PHOTOS BY PAUL BATTAGLIA

From the speaker's rostrum, House Speaker Kurt Zellers chats with, from left, House Minority Leader Paul Thissen, Senate Majority Leader David Senjem and House Majority Leader Matt Dean at various times throughout the day April 23.

Drawing to an uncertain close

Major bills are in limbo as the end of session looms

By SESSION WEEKLY STAFF

With perhaps only a few days left before lawmakers adjourn for the biennium, the most closely watched bills this year — the bonding bill and the stadium to house the Vikings — remain in limbo at Session Weekly press time.

Legislative leaders have been meeting privately with Gov. Mark Dayton to try to hash out an agreement on key legislation, but with little sign of progress. In a departure from the usual end-of-session proceedings, House Speaker Kurt Zellers (R-Maple Grove) told Capitol reporters April 25 that this year's negotiations are unlikely to yield a "global agreement" — a catch-all deal that wraps up the session. Instead, Zellers suggested that the stadium package, the bonding bill, an omnibus tax package and other significant bills will simply have to sink or swim on their own merits.

"I don't think this year is one of those years where you'll see that here we all are standing in front of a microphone saying, 'It's done and we're moving on,'" Zellers said.

The House and Senate have been meeting in session on an almost daily basis during the past couple of weeks, passing dozens of bills to reform state government, protect vulnerable adults, boost veterans programs and improve health care and education. More controversial measures to loosen restrictions on fireworks and tighten restrictions on abortions have also passed the House floor.

Some of these measures have been signed into law; others have been met with the governor's veto pen. But the fate of the biggest bills is still in doubt. But as Dayton said during an April 25 press availability, "It ain't over 'til it's over, as Yogi Berra said."

Complicating the situation is the session's aggressive timetable. Recognizing that legislators would want to return home

quickly to campaign in their newly redrawn legislative districts, Zellers announced before the start of the 2012 session that the Legislature would adjourn no later than April 30.

Legislative leaders have remained firm on that deadline. But even if they opt to extend the session out to the May 21 constitutional adjournment deadline, it's unclear what the path forward is. As of this writing, the Legislature has already used up 110 of its 120 legislative working days, meaning they can only meet in session 10 more days this year.

All this is to say that the clock is ticking.

Agriculture

Awaiting action by Gov. Mark Dayton, the omnibus agriculture bill would name a state soil, change requirements for labeling of landscape and garden stock and delay an ethanol mandate.

Sponsored by Rep. Paul Anderson (R-Starbuck) and Sen. Doug Magnus (R-Slayton), HF2398*/SF2061 would designate Lester as the state soil. That would coincide with the University of Minnesota's 2013 celebration of the 100th Anniversary of the soil science program and the 40-year-old Minnesota Association of Professional

First Reading continued on page 4

First Reading continued from page 3

Soil Scientists. (See omnibus agriculture bill story on page 6.)

Bonding

A bill that would commit \$221 million in bonding proceeds to repair the State Capitol failed in the House April 19 on an 80-50 vote — capital investment bills must be approved by three-fifths of the body, or 81 votes.

However, a \$443.9 million bonding bill (HF1752) that includes money to restore the State Capitol and fund other capital investment projects awaits action on the House floor. Appropriations include:

- \$221 million for the Capitol repairs;
- \$102.5 million for transportation projects;
- \$60 million for Higher Education Asset Preservation and Repair (HEAPR) projects;
- \$30 million for flood hazard mitigation;
- \$20 million for wastewater infrastructure;
- \$10 million for housing programs; and
- \$433,000 for bond sale expenses.

Rep. Larry Howes (R-Walker) sponsors the bill. He has been clear that the amount remains in flux and could change with end-of-session negotiations.

DFLers would like to see more money spent on bonding because interest rates are low and the projects would help create jobs. Republicans, however, say that the state carries a large debt load, and that a nearly \$500 million capital investment bill was enacted in 2011.

Gov. Mark Dayton has said he wants a bonding bill to be in the \$775 million range. The Senate bill, SF1463, sponsored by Sen. Julie Rosen (R-Fairmont), awaits action by the Senate Capital Investment Committee.

Education

This session has seen two key bills emerge from the House. HF2083*/SF2492 sought to repay some of the funding owed to the K-12 schools that was withheld by the state to balance its budget and end the 2011 state government shutdown.

Rep. Pat. Garofalo (R-Farmington) and Sen. Gen Olson (R-Minnetrista) sponsor the bill that was vetoed by Gov. Dayton April 5 because he said it would shrink the state's budget reserve too much.

The omnibus education bill, HF2949*/SF2482, awaits action by the governor. It would expand postsecondary enrollment options, make changes to pay for school employees deployed in the military, and allow

districts to withhold salaries for teachers charged with a felony. Also sponsored by Garofalo and Olson, the conference committee report was passed 119-9 by the House and 64-0 by the Senate.

The House has yet to hear the so-called "Last In, First Out" bill, which would authorize schools to base teacher layoffs on evaluations, rather than seniority alone. A conference committee agreed on a final version of the bill April 3, but the House and Senate have yet to re-pass the report. The governor opposes the proposal.

HF1870 has drawn criticism from some teachers and union officials, who say the legislation is yet another piece in the continued Republican assault on educators. Rep. Branden Petersen (R-Andover), who sponsors the bill with Sen. Pam Wolf (R-Spring Lake Park), said the bill will bring fairness to the practice of teacher layoffs.

Environment

Republicans wanting to loosen environmental regulations got their wish when the House passed its omnibus environment bill April 5. Differences between the House and Senate versions were resolved by a conference committee, and now the report is referred back to each body for consideration.

Sponsored by Rep. Denny McNamara (R-Hastings) and Sen. Bill Ingebrigtsen (R-Alexandria), HF2164*/SF1830 includes permit streamlining, environmental deregulation and a statewide course to identify aquatic invasive species.

Other features of the House bill would allow state parks and recreation areas and the Minnesota Zoo to remain open during a government shutdown and expedite the exchange of school trust lands in the Boundary Waters Canoe Area Wilderness for land that generates income for the trust fund, possibly nonferrous mining.

Differences between the bills are inclusion of a minor permit in the House; House language that would limit the state from paying more than 20 percent more than the tax-assessed value for land; allow shallow lakes to be drained to help fight aquatic invasive species; and remove the state Executive Council from the decision-making process in many cases, including permitting of nonferrous mining.

Conferees met April 26 and reached agreement on the bill that now returns to each body for consideration.

Game and Fish

A conference committee is meeting to work out differences in the House and Senate omnibus game and fish bills.

Included in both bills is the proposed creation of a wolf-hunting season. Sponsored by Tom Hackbarth (R-Cedar) and Sen. Bill Ingebrigtsen (R-Alexandria), the bills would allow 400 wolves to be taken as well as a variety of related measures.

Differences between the House and Senate versions of the omnibus bill are increases in hunting and fishing license fees by the Senate; House language requiring shooting ranges that are partly or wholly owned by the public to host youth firearms safety tests four times a year; and restrictions on importing minnows into Minnesota contained in the House bill.

Health care

Autism studies, group homes, personal care assistants and electronic benefit transfer cards are just a few of the dozens of health and human services reform policies awaiting the governor's signature in HF2294*/SF2093, the omnibus health and human services bill, sponsored by Rep. Jim Abeler (R-Anoka) and Sen. David Hann (R-Eden Prairie).

One of the more controversial provisions of the bill would limit electronic benefit transfer card purchases to stores in Minnesota and adjacent states. The bill also adds liquor stores, tobacco stores and tattoo parlors to the list of prohibited uses. (See omnibus health and human services bill story on page 13)

Higher Education

A bill containing bonding and provisions for the Minnesota State Colleges and Universities system and University of Minnesota awaits House and Senate action after an April 25 approval of a compromise bill by a conference committee.

Sponsored by Rep. Bud Nornes (R-Fergus Falls) and Senate President Michelle Fischbach (R-Paynesville), the major feature of HF2065/SF1573* is increasing the bonding authority of MnSCU from \$300 million to \$405 million.

The bill provides endowment funding of up to \$25 million to create a mining, metallurgical or engineering degree program offered by the University of Minnesota at Mesabi Range Community and Technical College — and scholarships of up to \$6,500 a year for students in the program.

It also would create a textbook work group to study ways to lower textbook costs for students and a one-time \$645,000 appropriation from the university to Hennepin County Medical Center for graduate family medicine programming.

Legacy Funding

After changes in funding levels and language, a conference committee approved \$99.9 million in Outdoor Heritage funding April 25. Passed by the Senate 61-4 April 26, it awaits action by the House.

Conferees approved \$11.3 million to fund aquatic invasive species efforts, including \$7.5 million to build Asian carp barriers on the Mississippi River and \$3.8 million in research and clean water projects for the state's lakes and rivers.

That \$4.8 million appropriation is intended to create an Aquatic Invasive Research Center at the University of Minnesota. The center would collaborate with the Department of Natural Resources to control the spread of Asian carp, zebra mussels and invasive aquatic plant species.

"The AIS was the most important part to get in," said Rep. Dean Urdahl (R-Grove City), who sponsors HF2430/SF2493* with Sen. Bill Ingebrigtsen (R-Alexandria).

Other provisions in the conference committee report include spending \$11 million to buy the 1,882-acre Mississippi Northwoods Habitat project in Crow Wing.

Removed by conferees was House language to create a grassland grazing program.

Stadium

The plan to build a \$975 million "People's Stadium" on the eastern edge of downtown Minneapolis, including the Metrodome site, has been changing almost by the day, in the final week of session.

As of press time, HF1485 was awaiting action on the House floor. Sponsored by Rep. John Kriesel (R-Cottage Grove), the bill initially was designed to provide tax relief to charities, but the House Ways and Means Committee amended the stadium language of HF2810 onto the bill earlier in the week.

The move was necessary because the latter, sponsored by Rep. Morrie Lanning (R-Moorhead), was thought to be dead after failing to get out of the House Government Operations and Elections Committee April 16. After that vote, Lanning said a rabbit would need to be pulled out of a hat to get a stadium bill done this session.

NFL Commissioner Roger Goodell visited with Gov. Mark Dayton and legislative leaders April 20. Although no threats were issued, Goodell indicated something must be done on the issue this session.

Under the plan, the team would cover \$427 million of construction costs; the state \$398 million; and Minneapolis \$150 million. Money from electronic pull tabs, electronic bingo and tipboard games would be used to pay the state's share of the cost. Supporters noted that charities would get tax relief and more gambling proceeds while the state also would get more revenue.

The Senate version, SF2391, sponsored by Sen. Julie Rosen (R-Fairmont), is awaiting action by the Senate Taxes Committee.

Taxes

Republicans have been clear their goal this session has been to reduce business taxes, while DFLers said they want to protect the renters property tax credit from further erosion and bring property tax relief to homeowners.

Labeled as a vehicle for "Tax Relief and Jobs Creation," a phase-out of a state property tax levy paid by seasonal/recreational property owners and business property owners is a cornerstone of the omnibus tax bill, HF2337*/SF1972. Sponsored by Rep. Greg Davids (R-Preston) and Sen. Julianne Ortman (R-Chanhassen), the bill passed the House 72-62 March 21, but the Senate passed a different version 34-26 nine days later.

A conference committee has held two meetings, and it is expected the bill will be part of end-of-session negotiations.

Davids said the bill's provisions are aimed at improving the state's business climate by phasing out the state property tax levy over 12 years beginning in 2014 and excluding 70 percent of the first \$150,000 value of all business property in 2013.

Critics say the tax benefit comes at the expense of renters, namely seniors and the poor through a decrease in the renters property tax credit.

The House file would also:

- freeze local government aid at 2012 amounts;
- provide targeted tax relief for homeowners equal to 90 percent of any tax increase over 12 percent for pay 2012 only;
- replace the foreign operating cooperation deduction with a tax credit;

- increase, in some cases, the research and development tax credit, as well as the angel investment credit; and
- provide a jobs credit for businesses hiring qualified veterans.

Transportation


The 2011 and 2012 omnibus transportation policy bills have been sitting on the House Fiscal Calendar for approximately a week.

Sponsored by Rep. Mike Beard (R-Shakopee), the 2012 version, HF2685, would, in part, allow suburban opt-out transit providers to "establish a pilot program that adds a distance-based surcharge to standard transit fares." Such a surcharge could only be implemented on routes whose total length exceeds 15 miles. The pilot program would expire on Jan. 1, 2016. Metro Transit could also impose an increase on its express bus service.

Other provisions in the bill include: directing the Employment and Economic Development and Transportation departments to conduct a freight rail economic development study and broaden a "first haul" exception to vehicles that exceed weight limits by no more than 10 percent and are performing the first transport of unprocessed farm products or unrefined forest products to a location within 100 miles.

The Beard-sponsored 2011 version (HF1284), which was awaiting action on the House floor when last year's session concluded, includes provisions related to speed limit violations, online driver's education training, electronic-bicycle use and organ donation education.

Potentially the most controversial part would prohibit speed limit violations of up to 10 mph over the limit in 55 mph and 60 mph zones from going on a driver's record. Currently, a ticket does not appear on someone's driving record if the person was driving up to 10 mph over the speed limit in a 55 mph zone, or 5 mph over the limit in a 60 mph zone.

The companion bills, SF1072 and SF2321 await action by the full Senate. Sen. Joe Gimse (R-Willmar) sponsors both. 

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HIGHLIGHTS

APRIL 19 - 26, 2012

Editor's note: The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held April 19-26. 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 acted on by the governor.

Agriculture

Horse livestock classification

**Signed
by
the
governor**

Horses are considered livestock for agricultural purposes but equine operations may mean something entirely different when it comes to assessing property taxes.

A new law, effective Aug. 1, 2012, clarifies a discrepancy between an agriculture classification and property tax laws for horse breeders.

St. Michael horse breeder David Dayon sought the clarification after he was assessed at a higher property tax rate, rather than a lower agricultural rate.

Rep. Bruce Anderson (R-Buffalo Township) and Sen. Doug Magnus (R-Slayton) sponsor the law, which states that horse training and breeding farms are considered agricultural operations and that such uses cannot be considered when determining the property's tax classification. The law was signed April 18 by Gov. Mark Dayton.

There are about 13,000 horse farms in the state, typically consisting of 20 acres, according to an equine extension specialist at the University of Minnesota.

HF539/SF396*/CH203

— S. HEGARTY

State soil in omnibus ag bill

Minnesota could soon have an official state soil.

Included in the conference committee report for the omnibus agriculture bill is a Senate provision to designate Lester soil as the state soil. The purpose is to help the University of Minnesota celebrate the 100th anniversary of the soil science program and in recognition of the 40-year-old Minnesota Association of Professional Soil

Scientists in 2013. Also, a Smithsonian soil exhibit is expected to come to Minnesota in 2013, according to Rep. Paul Anderson (R-Starbuck), who sponsors the report with Sen. Doug Magnus (R-Slayton).

The House adopted the conference committee report 111-20 April 24 and sent it to the Senate where it passed 66-0 on April 25. It now awaits action by the governor.

A large section of HF2398*/SF2061 may help consumers choose hardy stock for Minnesota's extreme growing conditions by requiring new labeling.

It would define "non-hardy" as a plant that cannot be expected to survive or produce flowers in certain growing zones and would require non-hardy nursery stock to be labeled as such.

Similarly, nursery stock collected from the wild must be labeled as such when sold; unless it has been grown in nursery rows for at least two years. Additionally, vegetable and flower seed packets could list the number of seeds in the packet, instead of the net weight.

The Department of Agriculture's nursery and plant inspection and enforcement powers would expand to include the department's Wholesale Produce Dealer, Grain Buyer/Grain Storage, and Warehouse oversight responsibilities. The department could enter sites, inspect and sample products, issue commissioner's orders, and pursue administrative and criminal penalties for failure to follow the laws.

Farmers who grow feed for their own use and commercially would no longer be charged a fee on the portion they use themselves, according to the report. The provision would be retroactive from Jan. 1, 2012.

Other provisions would:

- establish a pilot microloan fund for those of a protected class who want to grow specialty crops or own livestock for production of products to market;
- establish a Dairy Research, Teaching and Consumer Education Authority; and
- enable the remaining portion of a 2010 Lutheran Social Services appropriation for disaster and mental health relief in rural communities to be expanded to more counties until spent.

The proposed legislation is also referred

Dear Readers,

Although the Legislature is constitutionally required to adjourn by May 21 this year, the expectation is that the bodies will adjourn sine die by April 30. As this issue of Session Weekly goes to press, there remain several outstanding issues.

If the Legislature does adjourn before the month's end, this would be the session's last regular issue of Session Weekly. However, if the Legislature continues well into next week, we would most likely publish a magazine May 4.

Regardless of the sine die date, we plan to publish a special 2012 Session Weekly Wrap-up issue once all bills have been acted upon by the governor. In the second year of the biennium, if a bill is passed during the last three days of session, the governor must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns sine die.

To stay informed, you can:

- visit Session Daily website at www.house.mn/hinfo/sdaily.asp;
- follow us on Twitter at twitter.com/MNHouseInfo;
- like us on Facebook at www.facebook.com/MNHouseInfo; or
- view our videos on YouTube at www.youtube.com/user/MNHouseInfo

— Lee Ann Schutz
Session Weekly editor

to as the food safety bill because it moves enforcement of food safety regulations into a new chapter of law and grants authority for the Department of Agriculture to issue civil penalties, in addition to criminal or administrative penalties.

— S. HEGARTY

Business & Commerce

Collection agency licensure amended

**Signed
by
the
governor**

Collection agencies are required to run criminal background checks, search for locations of past residences and conduct other screening processes on applicants to determine whether they are eligible for collector registration.

Debt collectors must also give written notice to the state regarding change of address and name within 30 days. A new law will also ban those who have been convicted of identity theft or financial crime from being registered by the state.

Signed April 23 by Gov. Mark Dayton,

the law takes effect Aug. 1, 2012.

Rep. Tim Sanders (R-Blaine), who sponsors the law with Sen. Dave Thompson (R-Lakeville), said it “expands consumer protection and clarification in the debt collector industry.”

HF2335*/SF1888/CH225

— E. SCHMIDTKE

Alterations for insurance services

Signed
by
the
governor

Insurers may obtain accident reports from the Department of Public Safety without authorization from customers.

This, along with several other changes relating to insurance, became law April 19, 2012, one day after a law was signed by Gov. Mark Dayton.

The law also permits insurance identification cards to be provided in an electronic form, if the insured person has given approval.

A third section of the law states that when insurers or insurance agents sell property or casualty insurance policies over the phone, they may provide a written notice of guaranty association coverage when the policy is delivered.

Rep. Kurt Daudt (R-Crown) said the law will allow insurers to streamline their processes of delivering services to customers. He and Sen. Gary Dahms (R-Redwood Falls) sponsor the law.

HF2307/SF1875*/CH185

— E. SCHMIDTKE

New window washer requirements

Signed
by
the
governor

New window cleaning safety measures are now part of codes for buildings at least four stories tall.

The law requires the installation of dedicated anchorages on the exterior of the building for the purpose of suspended window cleaning. It will only apply to new buildings or those undergoing construction that exposes the structure of the roof.

The law is effective April 19, 2012, one day after it was signed by Gov. Mark Dayton.

Rep. Kirk Stensrud (R-Eden Prairie) and Sen. Ted Daley (R-Eagan) sponsor the bill. Stensrud said the law will help ensure that cleaners are not injured on the job.

HF2263/SF1964*/CH182

— E. SCHMIDTKE

Civil Law

Responsibility clarification in cases

Signed
by
the
governor

Clarification of responsibilities for providing public defense and appointed counsel when it comes to criminal and juvenile court is part of a new law.

In addition to statewide consistency, supporters say the law should help resolve some issues that have been outstanding for 20 or more years regarding public defense and when public defenders are appointed to a case. They say the lack of clarity has resulted in county attorneys spending a lot of time going through an appeals process of who is to provide this representation.

Rep. Kelby Woodard (R-Belle Plaine), who sponsors the law with Sen. Dan Hall (R-Burnsville), said the law is the result of discussion over the past few years between county attorneys, public defenders and the state judiciary. It also incorporates gubernatorial recommendations regarding income guidelines for public defenders.

Among its provisions, the law deletes the statutory right to counsel on sex offender end-of-confinement risk-level assignment appeals and expands the right to representation by a public defender for a person appealing a conviction of a misdemeanor crime.

Other provisions in the law include:

- specifies whether various parties in child protection cases will be represented by a public defender or court-appointed counsel at county expense;
- establishes financial responsibility for misdemeanor appeals, which the Supreme Court, in a 2011 case deemed is a state responsibility;
- in an effort to prove paternity as soon as possible and reduce social service costs, provides that a court shall appoint counsel in paternity proceedings if the party would be unable to afford counsel and limits such representation to establishment of parentage;
- pre-sentence investigation and lifetime imprisonment reports will be provided at no charge to counsel representing the defendant on appeals or post-conviction relief petitions;
- the state court administrator's office will pay costs if a court appoints standby or advisory counsel; however, if the prosecutor has requested one, the governmental unit conducting the prosecution must pay; and

- prior to the appointment of a public defender to represent a defendant charged with a misdemeanor, the court shall inquire of the prosecutor whether the prosecutor intends to certify the case as a petty misdemeanor. If an offense is certified as a petty misdemeanor, the defendant is not eligible for a public defender.

Signed April 23 by Gov. Mark Dayton, most of the law takes effect Aug. 1, 2012.

HF2059/SF1678*/CH212

— M. Cook

Voter list access authorization

Signed
by
the
governor

An inadvertent repeal from 2004 has been corrected.

When the state courts create a jury source list, information on driver's license and state identification card holders is taken from the Driver and Vehicle Services Division of the Public Safety Department and merged with the registered voter lists from the Office of the Secretary of State.

When originally enacted, the law prohibited the use of voter birth dates in the jury selection process. Effective Aug. 1, 2012, a new law will permit the sharing of such information.

Rep. Ron Shimanski (R-Silver Lake) and Sen. Warren Limmer (R-Maple Grove) are the sponsors. Gov. Mark Dayton signed it into law April 23.

HF2680/SF2379*/CH208

— M. Cook

Consumers

Ad regulations going to governor

Licensed health care providers would be unable to contact those injured in automobile accidents, unless they clearly provide their names and the clinics where they work.

Rep. Jim Abeler (R-Anoka) and Sen. Paul Gazelka (R-Brainerd) sponsor HF2749/SF2342* that would require this information to be disclosed to consumers. Violating the statute could result in license revocation.

Passed 128-0 by the House April 25, the bill awaits action by Gov. Mark Dayton. It passed 63-0 in the Senate March 27.

Abeler explained that the bill would impact companies that may promise specific financial damages to those injured, or use actors posing as law enforcement to attract customers.

NFL VISIT



PHOTO BY PAUL BATTAGLIA

NFL Commissioner Roger Goodell talks with the media after meeting April 20 with Gov. Mark Dayton and legislative leaders about the need for a new stadium to house the Minnesota Vikings. Goodell stressed that this is the year to act on a new facility for the team.

“When you get these people in a room for this topic, they are most comfortable sitting at the perimeter looking in, because they are so uncomfortable about what might happen to them,” he said.

While he was hoping the legislation would expand to address areas like treatment guidelines and fee schedules, Abeler said he was pleased with the bill.

“I hope this is the beginning to working together in this area. This has been hard-fought.”

— E. SCHMIDTKE

Horse racing drug limits may change

Veterinarians would be given more authority to prescribe drugs to horses at Canterbury Park and Running Aces Harness Park, under a provision sponsored by Rep. Joe Hoppe (R-Chaska).

HF2795 would remove statutory restrictions on the concentrations of non-steroidal anti-inflammatory drugs, instead allowing the Minnesota Racing Commission to set those standards. The House passed the bill 131-0 April 24.

“The idea is that they will be able to use less of the drugs. It’s good for horses and it’s good for horse racing,” said Hoppe.

The bill now awaits action by the full Senate. Sen. Claire Robling (R-Jordan) is the Senate sponsor.

— E. SCHMIDTKE

Economic Development

Redevelopment loans

Local governments could apply to the state for loans to demolish old buildings and make way for economic redevelopment.

Sponsored by Rep. Bob Gunther (R-Fairmont), HF1721 would tap into a fund used for redevelopment grants in Greater Minnesota. Loans made from the fund could be used to tear down properties that pose a public safety threat and that meet certain other criteria.

“This is a way that you can take and destroy unused, unoccupied buildings, so you can make room for new taxable property by putting in light industry and other types of businesses in that property,” Gunther said.

The House passed the bill 110-14. It now now awaits action by the full Senate. Sen. Julie Rosen (R-Fairmont) is the Senate sponsor.

The bill would also create an ombudsman within state government to help small businesses navigate government regulations. The “small business advocate office” would be established within the Department of Employment and Economic Development.

According to the bill’s language, the office would provide “one-stop access” for businesses in need of information or

assistance in obtaining or renewing licenses, meeting state regulatory requirements, or resolving disputes with state agencies.

Another provision in the bill would address an issue in Albert Lea, where the city has excess sewer capacity and seeks to entice new industrial developments. It would allow the city to establish a “sewer charge rebate program” to incentivize new or expanded businesses.

Rep. Tim Mahoney (DFL-St. Paul) supported the bill, but he criticized House Republicans for not putting more funding into programs that help small businesses grow.

“This is the omnibus jobs bill for this year,” he said. “We’re not doing anything to help small businesses move forward.”

Rep. Keith Downey (R-Edina) responded that DFLers are to blame for not supporting tax relief measures that would help businesses.

“It’s really something to think that the only concept of a jobs bill on the other side of the aisle is that the state is going to pass a bunch of spending,” he said.

— N. BUSSE

Education

School administrator fee

School administrators who do not pay their annual fees to the Board of School

Administrators could have their licenses suspended.

Rep. Sondra Erickson (R-Princeton) and Sen. Gen Olson (R-Minnetrissa) sponsor HF2759/SF2535* that would allow the board to withhold the license until the \$75 fee is paid. The House passed the bill 128-0 April 25.

Erickson said that this was especially necessary because the board's funding is entirely fee-based. The bill also provides that the board may adjust the fee amount as it transitions from an annual to a fiscal year fee structure.

Rep. Mark Buesgens (R-Savage) successfully amended the bill to require that the board give notice of how long administrators have to pay the fee before their licenses are revoked.

As amended, the bill will now return to the Senate for concurrence.

— E. SCHMIDTKE

District fund deposits expanded

**Signed
by
the
governor**

School districts will now be able to deposit more than the \$250,000 FDIC-insured amount into a financial institution, such as a credit union or bank.

The financial institution may place the funds into a transaction account with another institution in excess of the insured limit. That money could be deposited throughout the country in an exchange program. The money beyond \$250,000 would be insured through another bank's FDIC account.

Rep. Tim O'Driscoll (R-Sartell), who sponsors the law with Sen. Ted Lillie (R-Lake Elmo), said this will allow schools to deposit funds without risking taxpayer money.

The law is effective April 24, 2012, one day after it was signed by Gov. Mark Dayton.

HF2174*/SF1737/CH209

— E. SCHMIDTKE

Transition options encouraged

**Signed
by
the
governor**

School districts will be encouraged to help students explore their options for college and career aspirations, starting next school year.

Rep. Carol McFarlane (R-White Bear Lake) and Sen. Carla Nelson (R-Rochester) sponsor the law, which offers a plan for schools to use when assisting students in determining their interests and learning styles, with the intention that these tools

FLAG INSPECTORS



PHOTO BY ANDREW VONBANK

Students from St. Robert Bellarmine Academy in St. Cloud inspect one of the historic flags in the Rotunda after an April 20 Capitol tour.

would provide assistance when students need to make career and college-related choices.

The law will require these plans to emphasize the need for students to develop good academic habits and teamwork skills.

Plans will also need to implement programs that would increase students' and families' access to information about college and careers.

McFarlane said that this plan will be

especially helpful because it would prevent problems students may encounter following graduation from high school. She also claimed that a growing number of jobs in Minnesota require college education, which is a change the law seeks to address.

The law is effective April 24, 2012, the day after it was signed by Gov. Mark Dayton, and affects students graduating in 2014 or later. An additional portion of the law strongly encourages schools to maintain an adequate student-to-counselor ratio starting in the 2015-16 school year.

HF1272/ SF1073*/CH207

— E. SCHMIDTKE

School spending flexibility allowed

Signed
by
the
governor

School districts will no longer be required to use a particular formula to determine how they distribute staff development revenue.

The new law strikes previous language that mandated schools spend 50 percent of that revenue at each school site, 25 percent for district-wide efforts and 25 percent on grants for sites to use on best practice methods.

The law is intended to give schools increased flexibility in how they spend state funds. The Legislature previously suspended this requirement for the biennium; the law will make that suspension permanent.

This new statute also requires that schools provide one-time, hands-on CPR training to students in grades 7-12, starting in the 2014-15 school year. The training must include automatic external defibrillator, or AED, instruction.

The portion of the law pertaining to CPR is effective April 24, 2012, one day after the law was signed by Gov. Mark Dayton. The section relating to spending is effective July 1, 2012.

Rep. Jenifer Loon (R-Eden Prairie) and Sen. Carla Nelson (R-Rochester) sponsor the law.

HF2506*/SF2059/CH206

— E. SCHMIDTKE

Trust lands reform progresses

The conference committee report of a bill that seeks to overhaul management of school trust lands awaits gubernatorial action.

When it became a state, Minnesota received the lands from the federal government with the requirement of using, selling or leasing the land to fund education. Critics say that isn't actually happening.

Sponsored by Rep. Tim O'Driscoll (R-Sartell), HF2244 would provide that responsibility of overseeing trust lands be removed from the Department of Natural Resources, which proponents say has missed opportunities to maximize profit for the schools.

The bill would transfer land oversight to a school trust lands director and a Permanent School Fund Commission, which would equally represent the minority and majority parties with members from the House and Senate. Along with the input of the commissioner of natural resources, the legislative commission and director would review bills related to the lands and ensure the lands are managed efficiently to increase economic returns.

Following the 110-21 vote, the bill passed the Senate 42-20 on April 25. Sen. Benjamin Kruse (R-Brooklyn Park) is the companion sponsor.

"It has been said over and over again, but it is so true: we can't change the past, but we can change the future. We can return the inheritance of the trust lands back to the children through a director who can give undivided loyalty to the beneficiaries of the state," said Rep. Denise Dittrich (DFL-Champlin).

Rep. Jean Wagenius (DFL-Mpls) opposed a provision within the bill regarding lakeshore lands owned by the state.

"It is not necessary for the purposes of your bill to change the law to say the Legislature no longer has to approve the sale of lakeshore lands. It looks to me like there are other interests that are piggybacking on your bill," she told O'Driscoll, who said that provision was added on the request of the Senate in the conference committee.

— E. SCHMIDTKE

Education rule enforcement vetoed

Vetoed
by
the
governor

Gov. Mark Dayton has vetoed a bill aiming to render unenforceable any unadopted policies, guidelines or other pronouncements fitting the description of official rules from the commissioner of education.

In a statement issued along with the April 20 veto, Dayton criticized what he called an attempt to interfere with the Department of Education's jurisdiction.

"This bill is a disappointing attempt to strip away the powers expressly granted to the executive branch by the Minnesota Constitution," he wrote.

Dayton also expressed concern that the bill would prevent the department from stepping in to advocate on behalf of students in schools.

Rep. Connie Doepke (R-Orono) said that the change was needed to prevent "chaos" in Minnesota schools by clarifying the requirements for rule enforcement. She and Sen. Dave Thompson (R-Lakeville) sponsor the bill.

HF2596/SF2183*/CH191

— E. SCHMIDTKE

Elections

Disclosure requirements removed

Conferees removed a number of proposed lobbyist disclosure requirements from a bill after the state's top campaign finance official testified against them.

Gary Goldsmith, executive director of the Campaign Finance and Public Disclosure Board, testified in support of HF2684/ SF2334*, but warned that several provisions added as amendments on the House floor were problematic and potentially unconstitutional.

Sponsored by Rep. Joyce Peppin (R-Rogers) and Sen. Ray Vandeveer (R-Forest Lake), the bill would allow public utility companies to itemize their disclosure reports rather than report a single dollar amount. Goldsmith said the bill would help clarify how much money utilities are spending on actual lobbying vs. certain work they do with the Public Utilities Commission.

Requirements that lobbyists report will include:

- spending related to efforts to influence recommendations of a legislative council or commission;
- spending on industry conventions, facility tours, travel arrangements, private jets and other hospitality-related expenses; and
- spending on efforts to promote or defeat a ballot question or a candidate for public office.

Goldsmith said that in each case, the disclosure requirements were already covered by current law. Moreover, he said the language of the amendments is confusing and could lead to possible constitutional challenges.

"I'm not sure what the purposes of these amendments are," he said.

The House repassed the bill 126-1 as amended by conference on April 26, after

the Senate re-passed it 61-0 one day earlier. It now goes to the governor.

— N. BUSSE

Employment

Housekeeping changes

Signed
by
the
governor

A handful of policy changes are included in a new law that makes housekeeping and federal conforming changes relating to the state's unemployment insurance system.

Rep. Bob Gunther (R-Fairmont) and Sen. John Pederson (R-St. Cloud) sponsor the law, which represents the work of the Unemployment Insurance Advisory Committee. The bipartisan group works under the umbrella of the Department of Employment and Economic Development.

Policy changes in the law include:

- requiring that penalties and interest payments be deposited in the UI trust fund rather than the administration account (effective July 1, 2013);
- clarifying when the tax rate for "new employers" applies (effective July 1, 2012);
- reducing from 55 percent to 50 percent the amount of weekly employment earnings that can be deducted from an applicant's weekly benefit amount in cases where their earnings are less than their benefits (effective July 1, 2013);
- providing that overpayment, penalty and interest balances must be canceled after 10 years instead of 15 years (effective July 1, 2012); and
- banning agreements whereby employers agree not to contest payment of benefits in exchange for certain concessions from the employee (effective July 1, 2012).

The federal conforming changes in the law deal with penalties levied against employers who fail to provide requested information on unemployment applicants' eligibility for benefits, resulting in overpayment of benefits. These changes mostly take effect July 1, 2013.

The law also includes a number of noncontroversial housekeeping provisions that replace obsolete references, clarify statutes and make technical changes. These take effect July 1, 2012.

HF2582/SF2224*/CH201

— N. BUSSE

Energy

Renewable account management

Signed
by
the
governor

A new law clarifies oversight of an account by the Public Utilities Commission, which approves renewable energy grants and removes \$5 million a year from the University of Minnesota's Initiative for Renewable Energy & the Environment.

Xcel Energy pays \$19.5 million a year into the renewable account. Payment into the account is based on the number of nuclear fuel casks stored near the utility's Monticello and Prairie Island nuclear power plants. It has paid more than \$180 million into the fund since 1999.

Sponsored by Rep. Mike Beard (R-Shakopee) and Sen. Julie Rosen (R-Fairmont), the new law is effective April 24, one day after it was signed by Gov. Mark Dayton.

The law specifies that renewable account funds be spent to increase market penetration of renewable energy; promote the start-up, expansion of renewable energy projects; stimulate research and development of renewable electric technology; and develop renewable electric and infrastructure projects that enhance delivery of renewable energy.

The law specifies that the account is to be managed by Xcel, which must consult with an advisory group representing Xcel ratepayers and other interests determined by the commission. While Xcel can apply for a grant, an independent third-party must evaluate grant applications. Xcel must attempt to reach agreement with the advisory group regarding projects to be funded, but has sole authority to make funding recommendations to the commission.

HF2650/SF2181*/CH196

— B. GEIGER

Lights on for transmission law

Signed
by
the
governor

As wind and solar energy increasingly are integrated into the electric grid, the rights of public utilities to build transmission lines carrying 100 kilovolts will be more clearly defined.

A new law, signed April 18 by Gov. Mark Dayton, establishes the right of first refusal for Minnesota utilities for transmission lines connecting to their facilities. It takes effect Aug. 1, 2012.

State action was needed after the July 2011 transfer of regional high-voltage transmission lines to individual states by the Federal Energy Regulatory Commission. The law does not limit the rights of transmission lines carrying less than 100 kilovolts. Those lower voltage transmission lines commonly are from wind and solar energy installations.

In addition to transferring transmission oversight to states, the law requires transmission owners to give the Public Utilities Commission 90-days notice on whether they intend to build a transmission line and 18 months to file a certificate of need for the line.

If the commission does not receive notice, it may determine whether the existing utility or another entity should build the transmission line.

Rep. Tom Hackbarth (R-Cedar) and Sen. David Brown (R-Becker) sponsor the law.

HF1989/SF1815*/CH179

— B. GEIGER

Health & Human Services

Child care accreditation modified

Signed
by
the
governor

A handful of national programs are named in state law to grant accreditation of child care centers, in order for the center to be paid more than non-accredited centers for taking care of children on public child care assistance.

Rep. Joyce Peppin (R-Rogers) said that resulted in the state picking winners and losers and "excluded other high quality (programs)."

Peppin and Sen. Benjamin Kruse (R-Brooklyn Park) sponsor a new law that modifies who can serve as an accrediting agency. The law was signed April 18 by Gov. Mark Dayton. It takes effect Aug. 1, 2012.

The law directs the commissioners of health, human services and education to collaborate on developing a new application and approval process for child care accreditation. A report on their progress is due Feb. 15, 2013, to the legislative committees on early childhood issues.

The current list of accrediting programs will remain in place until the new criteria is established.

HF2097/SF1621*/CH177

— S. HEGARTY

HOKEY POKEY STAR



PHOTO BY PAUL BATTAGLIA

Rayah Evelyn Toles does the Hokey Pokey on the Star of the North during the Voices for Children Advocacy Day rally in the Capitol Rotunda April 24. This year's theme, "Step Up for Kids," focused on physical development and wellness.

Guest license for charity dental care

**Signed
by
the
governor**

Visiting dentists who plan to volunteer their services at an Aug. 17-18, 2012, event in Mankato will be able to obtain a guest license to practice in Minnesota.

Rep. Greg Davids (R-Preston) and Sen. John Carlson (R-Bemidji) sponsor the law, which will allow the visiting dental professionals to provide charity care, including free fillings, cleanings and extractions. Signed April 18 by Gov. Mark Dayton, the law will grant a guest license to a dentist, dental hygienist or dental assistant to provide free dental services for up to 10 days annually in Minnesota. It takes effect Aug. 1, 2012.

For a fee, the Board of Dentistry will grant guest licenses that expire annually. The Minnesota Dental Foundation has agreed to pay the license fee for the August event.

HF1972/SF1553*/CH180

— S. HEGARTY

Loan forgiveness problem fixed

**Signed
by
the
governor**

The omnibus health and human services law passed during the 2011 special session changed the definition of "designated rural area" for purposes of the Health Professional Education Loan Forgiveness Program.

As a result, about seven individuals who had been accepted to the loan forgiveness program were suddenly disqualified because the areas they served no longer qualified as "designated rural areas."

Rep. Pat Garofalo (R-Farmington) and Sen. Amy Koch (R-Buffalo) sponsor a new law to fix the effective date of the definition so those individuals accepted into, and later dropped from, the program can still have their loans forgiven.

Gov. Mark Dayton signed the law April 18. The law is retroactive to July 21, 2011.

HF2587/2360*/CH189

— S. HEGARTY

Ambulance, EMT regulations

New sanitation rules for ambulances will be required under a law that also updates emergency medical service definitions to conform to federal terms.

Ambulances will need to be equipped with a two-way radio that is programmed and operating according to the statewide radio board. Procedures for periodic equipment testing must be developed and used equipment must be kept in a container until disposed of or recycled for reuse.

The Emergency Medical Services Regulatory Board will have more detailed dates for those wishing to register as an emergency medical responder. The board will also have more power to suspend, deny or revoke a responder's registration, including if the person violates controlled substance laws; engages in sexual behavior, including verbally, with a patient; and if the responder engages in other unprofessional conduct. Similar rules will apply to paramedics.

In addition to current requirements, emergency medical technician instructors will be required to complete eight hours

of continuing education every two years.

Rep. Duane Quam (R-Byron) and Sen. Gretchen Hoffman (R-Vergas) sponsor the law, which was signed April 18 by Gov. Mark Dayton. It has various effective dates.

HF2128*/SF1876/CH193

— S. HEGARTY

Licensing for social workers

Signed
by
the
governor

Licensure and training requirements for Minnesota social workers will change, under a law that will require licensing and background checks for anyone wanting to work as a social worker after July 1, 2016. Until that time, current unlicensed social workers can voluntarily apply to be considered “grandfathered in” to licensure.

Under current law, a social work license is required to practice in Minnesota, except for individuals employed by city, county and state agencies.

Social workers currently exempt from licensure can voluntarily obtain a license from the Board of Social Work and may be charged a fee for the board to perform a background check on the licensee. Those voluntarily seeking a license have between Jan. 1, 2013, and Dec. 31, 2014, to submit an application and the required fee.

Newly hired social workers at city or state agencies will be required to be licensed after July 1, 2016, in order to work as a social worker. County social workers will remain exempt. City, county and state agencies will still be allowed to employ licensed or unlicensed social workers.

The new law applies to persons seeking licensure as a licensed graduate social worker, a licensed independent social worker, a licensed independent clinical social worker and temporary licensees. Most of the law is effective Aug. 1, 2012, and after July 1, 2016, no one may represent themselves as a “social worker” without a valid license or if employed by a county in social work.

The law also creates a new statutory chapter and recodifies rules related to the regulation of alcohol and drug counselors. The Board of Behavioral Health and Therapy has been working on the language for alcohol and drug counselors for the past five years to replace outdated language.

Rep. Jim Abeler (R-Anoka) and Sen. Julie Rosen (R-Fairmont) sponsor the law, which was signed April 18 by Gov. Mark Dayton.

HF1191/SF753*/CH197

— S. HEGARTY

Child support reciprocity

Signed
by
the
governor

A constituent of Rep. Joe Hoppe (R-Chaska) may finally get the back child support owed her from her ex-husband who lives in Bermuda.

Hoppe sponsors a new law with Sen. Julianne Ortman (R-Chanhassen) that will allow the commissioner of human services to enter into a reciprocal agreement with Bermuda for the enforcement of child support obligations.

Hoppe’s constituent told a House committee last year that her ex-husband owes more than \$53,000 in child support payments for her two sons. Larger countries have reciprocity with the United States, but the federal government leaves it up to each state to share reciprocity with smaller countries, he said.

The law, signed by Gov. Mark Dayton on April 23, takes effect when Bermuda provides written agreement to enforce reciprocal child support orders. The law will expire Dec. 31, 2013, if Bermuda officials decline or fail to accept enforcement of Minnesota child support orders.

HF795*/SF639/CH204

— S. HEGARTY

Pharmacy audit framework set

Signed
by
the
governor

Beginning Aug. 1, 2012, entities that audit pharmacies will have new parameters for conducting the audits.

Rep. Rod Hamilton (R-Mountain Lake) and Sen. Gretchen Hoffman (R-Vergas) sponsor the new law, which provides a framework for audit procedures, an appeals process and prescribes who holds onto funds in question during the audit proceedings.

Pharmacists in Hamilton’s district said up to \$6,000 in state and federal Medicaid payments were withheld from one rural pharmacist. Another pharmacist said a \$200 claim was not paid because the prescription was faxed into the pharmacy, but the pharmacy attendant had checked that it was called in on the phone.

Newly established audit standards will require:

- giving a pharmacy 14 days notice before an initial on-site audit is conducted;
- consulting with the licensed pharmacist when the audit involves clinical or professional judgments;
- applying the same audit standards and parameters to each pharmacy;

- limiting an audit period to no more than 24 months;
- establishing a written appeals process and reporting back within specific timeframes; and
- disclosing the audit claims and returning any recouped funds to the employee benefit plan or plan sponsor.

The law was signed by Gov. Mark Dayton April 23.

HF1236*/SF973/CH215

— S. HEGARTY

Radiation therapy disclosure

Signed
by
the
governor

A moratorium in the 14-county metropolitan area on the construction of radiation therapy facilities that are not owned or operated by a hospital will expire Aug. 1, 2014; but those wishing to construct a facility must meet a new set of criteria.

A new law sponsored by Rep. Rod Hamilton (R-Mountain Lake) and Senate President Michelle Fischbach (R-Paynesville) will require proposed facilities to be built at least seven miles from an existing radiation therapy facility and be under common control with a hospital.

Effective July 1, 2012, a physician within the 14-county area who refers patients to a facility must give the patient a list of all radiation therapy locations within the 14-county area. Physicians with a financial interest in a radiation therapy facility must disclose that to the patient.

The law is needed, said proponents, because physicians were referring patients to locations that they had a financial interest in and that caused financial loss for hospitals.

The law also appropriates \$137,000 in fiscal year 2013 from the health care access fund for a study of the needs capacity for radiation therapy locations. Results of the study are due to the Legislature by March 15, 2013.

The law also allows HealthEast to move existing radiation therapy equipment from its Maplewood location to its Woodbury location.

HF383/SF248*/CH217

— S. HEGARTY

Omnibus bill focuses on reforms

Autism studies, group homes, personal care assistants and electronic benefit transfer cards are just a few of the dozens of health and human services reform policies in a conference committee report passed by the House.

As part of HF2294*/SF2093, the omnibus health and human services bill, an autism study of the Somali community would be conducted to determine why one in 27 Somali children are diagnosed with autism at birth. Another autism study would consider early intervention therapies and their projected outcomes.

A mandatory requirement to close a foster care bed when a resident no longer needs it would be delayed until 2013, and instead a needs determination model would indicate where bed closures are most available. Also, a four-bed adult foster care home could accept a fifth person for temporary respite care, in some circumstances.

Legislators decided last year to help balance the state budget by paying Minnesotans who are employed as personal care assistants for family members 20 percent less than their non-related counterparts. The rate cut was temporarily blocked by the courts and the Department of Human Services put off spending the savings. Under the report, the 20 percent cut would be delayed until July 1, 2013.

One of the more controversial provisions of the bill focuses on increased restrictions for the use of electronic benefit transfer cards that are issued to those who meet low-income requirements.

A provision proposed by Rep. Kurt Daudt (R-Crown) would limit the card purchases to stores in Minnesota and adjacent states. Opponents said the measure would prevent cardholders from using the funds to pay for food and shelter expenses when attending family events in other states.

The bill also would add liquor stores, tobacco stores and tattoo parlors to the list of prohibited uses.

Other provisions would:

- exempt Healthy Minnesota Contribution Program enrollees from the Minnesota Comprehensive Health Association six-month residency requirement;
- amend how patients may give permission to release their medical records;
- require postpartum information to be available at WIC locations; and
- restore emergency Medical Assistance for chemotherapy and dialysis.

Rep. Jim Abeler (R-Anoka) and Sen. David Hann (R-Eden Prairie) sponsor the bill, which the House re-passed 128-2. The Senate approved it 64-0. It now goes to Gov. Mark Dayton for action.

— S. HEGARTY



PHOTO BY ANDREW VONBANK

Rep. Jim Abeler, top left, and Sen. David Hann, chairs of the respective health and human services committees, listen to members discussion during the April 20 meeting of the Omnibus Health and Human Services Conference Committee.

Health care compact bill advances

Barring a gubernatorial veto, HF2339/SF1933* would enable the state to join a health care compact, contingent upon congressional approval.

Rep. Steve Gottwalt (R-St. Cloud) and Sen. David Hann (R-Eden Prairie) sponsor the bill, which passed the House 70-58 April 25 and the Senate 37-28 on April 26. It now goes to Gov. Mark Dayton for action.

Assuming congressional approval, the federal government would then return an estimated \$13.5 billion in state health care contributions and allow the state to spend it without federal strings attached.

"This is the ultimate global waiver," Gottwalt said.

"We need this compact to do pilot programs and to experiment on how to deliver health care more effectively and efficiently and to get higher reimbursements," said Rep. Glenn Greunhagen (R-Glencoe).

Opponents said the bill is an attempt to avoid designing a health insurance exchange as mandated by the federal Patient Protection and Affordable Care Act and that it may have the opposite effect by requiring Minnesota

to adopt a federal health insurance exchange in lieu of designing its own.

"There are some things you just don't mess with, and you don't mess with my momma's Medicare," said Rep. Joe Atkins (DFL-Inver Grove Heights).

Gottwalt said the bill would apply to Medicaid and MinnesotaCare.

Rep. Thomas Huntley (DFL-Duluth) said the way the bill is written, it would include Medicare, as well; Gottwalt said that was a mischaracterization.

"Minnesota already belongs to a compact. It's called the United States of America," said Rep. Tina Liebling (DFL-Rochester). "Contact your congressman; contact your senator, vote them out ... that's our process that we have. We don't need this bill," Liebling said.

— S. HEGARTY

Union dues receives veto

**Vetoed
by
the
governor**

A bill that would have prevented state deductions from child care assistance payments to pay union dues was vetoed by Gov. Mark Dayton.

Minnesota does not currently have a child care union, but Dayton signed an executive order last November calling for an election to decide whether providers wanted a union. However, the vote was stalled when a Ramsey County judge issued a temporary restraining order.

"This legislation is completely unnecessary because no union representation of child care providers exists in the State of Minnesota," Dayton wrote in his April 20 veto letter.

Child care providers supported the provision, saying they could opt for direct payment of union dues from their business checking accounts, rather than garnishing their state reimbursement checks.

Rep. Kathy Lohmer (R-Lake Elmo) and Sen. Ted Lillie (R-Lake Elmo) sponsor the bill.

HF1766*/SF1630/CH190

— S. HEGARTY

Housing

Motor home title process eased

**Signed
by
the
governor**

Motor home owners can affix their vehicles to land and change the property designation from "vehicle" to "real estate."

Owners can even get a mortgage on the house. But they have found it difficult to change back to "vehicle" status and sell their motor homes.

That process will be simplified under a new law signed April 20 by Gov. Mark Dayton. Effective Aug. 1, 2012, owners will be able to receive a title from the state when un-affixing their motor homes.

Rep. Mark Murdock (R-Ottertail) and Senate President Michelle Fischbach (R-Paynesville) sponsor the law. Murdock said the measure is intended to create a process that did not previously exist for those planning on selling their motor homes.

HF1595/SF1416*/CH198

— E. SCHMIDTKE

Local Government

HRA jurisdictions clarified

**Signed
by
the
governor**

A pair of housing redevelopment authorities — one in Anoka County and the other in Washington County — asked lawmakers to clarify their respective jurisdictions.

A new law will do that.

Sponsored by Rep. Kathy Lohmer (R-Lake Elmo) and Sen. Ray Vandever (R-Forest Lake), the law will make a series of technical changes to clarify that both of the HRAs have the authority to operate countywide. Supporters say the change is needed to preserve the status quo. It takes effect upon approval by the local governing bodies.

There is one difference between the counties: whereas the Washington County HRA will have the authority to operate even in those areas of the county where another HRA exists, the Anoka County HRA will be allowed to operate only where there is no other HRA.

Gov. Mark Dayton signed the law April 20.

HF2132*/SF2050/CH199

— N. BUSSE

Insurance changes vetoed

**Vetoed
by
the
governor**

Teachers and other local government employees won't have to get permission from their employers to join a statewide health insurance program.

Gov. Mark Dayton vetoed a bill April 23 that would have required local governments' approval before their employees could join the

VIKINGS VISIT



PHOTO BY PAUL BATTAGLIA

Minnesota Vikings running back Adrian Peterson, left, and linebacker Chad Greenway tour the Capitol after meeting with Gov. Mark Dayton and legislative leaders April 25 about a new stadium to house the team.

Public Employees Insurance Program. PEIP is an optional medical, dental and life insurance plan administered by the state and available to local government employees statewide.

Under current law, public employee unions can decide whether to join PEIP. Critics, including school boards, counties and municipal governments, say employers should have a say in what insurance plan their employees choose since it impacts them financially.

In his veto letter, Dayton wrote that the ability for small numbers of employees to join a much larger insurance pool has generated "millions of dollars in savings" for both the employees and their employers. He said the ability to join PEIP freely also generates more competitive bids by health insurance providers.

"Creating a new step in the approval process for police officers, teachers, maintenance workers, and local employees, as they attempt to access affordable health care is ill-advised," Dayton wrote.

Rep. Joe Hoppe (R-Chaska) and Sen. Gary Dahms (R-Redwood Falls) are the sponsors.

HF371/SF247*/CH213

— N. BUSSE

Military & Vet. Affairs

Private business vet preference

**Signed
by
the
governor**

A private employer will be able to give veterans preference in hiring and promotion practices, effective Aug. 1, 2012.

Rep. John Kriesel (R-Cottage Grove) and Sen. Ted Daley (R-Eagan) sponsor the new law, which makes the veteran's preference voluntary for private employers, who could also extend the benefit to the spouse of a disabled or deceased veteran. Some publicly funded agencies currently are allowed to give veterans hiring preference.

Kriesel, a veteran himself, said the law will help returning veterans obtain employment.

Although the federal Civil Rights Act considers voluntary veteran's preference in employment as discriminatory, it is permitted if allowed under state or local laws.

Gov. Mark Dayton signed the law April 18.

HF2100/SF1599*/CH186

— S. HEGARTY

State immunity waiver amended

Signed
by
the
governor

The Uniformed Services Employment and Reemployment Rights Act ensures that veterans are not fired or discriminated against at their civilian jobs because of their absence during military service.

However, these protections did not apply to employees who work in Minnesota, but live in another state and were mobilized by another state's governor.

Rep. Glenn Gruenhagen (R-Glencoe) and Sen. Al DeKruif (R-Madison Lake) sponsor a law that amends the civilian job protections of National Guard members employed in Minnesota, even if they don't live here.

It provides a waiver of immunity for veterans to sue the state as an employer in court for USERRA violations. The new law, effective April 19, 2012, was signed one day earlier by Gov. Mark Dayton.

State law is also amended so that a guard member who is convalescing due to injuries or disease resulting from active service may qualify for a leave of absence without pay, provided the required documentation is presented.

HF1416/SF1689*/CH192

— S. HEGARTY

Awards for the non-military

Signed
by
the
governor

Current state law allows the governor to award medals for valor, distinguished service, and good conduct, as well as certain marks of distinction to officers and enlisted personnel who served in war or other declared emergencies, provided the honor does not overlap with federal service medals.

A new law will allow the governor to also issue suitable awards to non-military individuals for distinguished service or support to military forces of the state.

Rep. Bruce Anderson (R-Buffalo Township) and Sen. Al DeKruif (R-Madison Lake) sponsor the law, which is effective Aug. 1, 2012. Gov. Mark Dayton signed it April 18.

HF2494/SF2271*/CH202

— S. HEGARTY

Veteran-owned small business bids

A construction bid program that allows up to a 6 percent bid preference to veteran-owned small businesses would be expanded under a bill passed as amended by the House April 25.

Sponsored by Rep. Bob Dettmer (R-Forest

Lake) and Sen. Al DeKruif (R-Madison Lake), HF1821/SF1597* would enable the transportation commissioner to designate a construction contract to be awarded only to veteran-owned small businesses, if at least three such businesses are likely to bid.

The purpose is to help veterans transition from military to civilian life and to "keep that pool of talent here in Minnesota," Dettmer said during a previous House hearing.

While most of the work awarded has been in the area of manual labor, the bill would expand bid preferences for construction-related goods and services. That may mean that veteran-owned architectural and design businesses could be included in the program.

Counties could create a similar hiring preference program.

Goals would be set by the commissioner for prime contractors to subcontract to small targeted businesses, such as veteran-owned companies. The prime contractors may receive financial incentives for exceeding the set goals.

A report would be due every other year to the Legislature giving a summary of the program and recommendations for any suggested changes.

The bill, amended with two technical changes, passed 125-0. The Senate re-passed the bill 63-0. It now awaits action by the governor.

— S. HEGARTY

Public Safety

Fingerprint taking of an arrestee

Signed
by
the
governor

Law enforcement will be permitted to take fingerprints from offenders for any offense if they are needed to resolve a file that is in suspense.

A file is in suspense when the Bureau of Criminal Apprehension is unable to link a record with a booking because law enforcement did not collect an offender's fingerprints during a previous booking.

When a person is arrested for a felony, gross misdemeanor or targeted misdemeanors they are required to be fingerprinted. Sometimes the fingerprinting does not occur or there is no arrest, but someone is charged. If the person does not have their fingerprints taken, there's a bad set of prints or some data inconsistencies, the record can end up in suspense.

Supporters note that fingerprints are important in building a person's criminal history and linking crimes together. For example, a person could use different names for different crimes, but their fingerprints do not change.

Authorities will not be permitted to pick up someone if it is discovered their file is in suspense; the person must first re-offend.

Rep. Tony Cornish (R-Vernon Center) and Sen. Bill Ingebrigtsen (R-Alexandria), sponsor the law that is effective Aug. 1, 2012. It was requested by the governor, who signed the law April 23, and public safety commissioner.

HF2160*/SF2108/CH211

— M. COOK

Filing a false lien penalty

Signed
by
the
governor

The number of people for which it is a five-year felony to file a false lien against will expand to include sheriffs, deputy sheriffs and county recorders.

Prosecutors, defense attorneys or officers of the court already have this protection.

Rep. Tony Cornish (R-Vernon Center), who sponsors the law and Sen. Bill Ingebrigtsen (R-Alexandria), said there are now people who when they do not like a sheriff's decision will, in retaliation, encumber their property by filing frivolous liens against property and land totaling millions of dollars in order to cause all sorts of financial problems for the law enforcement official. It also wastes court time.

Under current law, fraudulent lien filing against anyone is a gross misdemeanor.

Supporters said the tougher penalty is needed because sheriffs, deputy sheriffs and county recorders should not have to be harassed simply for doing their job, be it a sheriff's sale of real property or filing a lien placed on real property.

Signed April 23, by Gov. Mark Dayton, the law takes effect Aug. 1, 2012.

HF2373*/SF1874/CH210

— M. COOK

Gang activity definition expands

Signed
by
the
governor

An expansion of the 2009 criminal gang injunction law will close a loophole exploited by some adult gang members who use younger members to hold their firearms as a way to avoid additional criminal charges.

Sponsored by Rep. Carol McFarlane

(R-White Bear Lake) and Sen. John Harrington (DFL-St. Paul), the law will expand the list of offenses that constitute gang activity to include unlawful possession of a firearm by a minor. It takes effect Aug. 1, 2012.

According to McFarlane, a criminal gang that continuously or regularly engages in gang activity is considered a public nuisance, and a prosecutor can seek, and a court can enter, an order enjoining a person from engaging in gang activity.

The law was brought forth by Ramsey County Attorney John Choi and is supported by the law enforcement community, cities and public event organizers who've had trouble with gang activity.

Youth legally carrying a firearm for hunting or target practice would not be affected by the change.

HF1245/SF1123*/CH200

— M. Cook

Restraining order charge locale

Signed
by
the
governor

The venue options for charging violators of harassment restraining orders will expand.

Effective Aug. 1, 2012, a person who commits a violation in two or more counties can be prosecuted in either jurisdiction for all of the acts.

The new law also provides that if the harassment is done through wireless or electronic communication, such as by phone, text message or through social media sites, the perpetrator can be charged in the county from where the information was sent or where the victim resides.

Sponsored by Rep. Tony Cornish (R-Vernon Center) and Sen. Bill Ingebrigtsen (R-Alexandria), the law further requires the Department of Corrections to post on its website at least 30 days before a hearing to consider the release of an inmate sentenced to life imprisonment for first-degree murder involving the killing of a peace officer or correction facility guard information about the hearing.

Signed April 23 by Gov. Mark Dayton, the law is effective Aug. 1, 2012.

HF738*/SF1000/CH218

— M. Cook

Going after gas drive-offs

Signed
by
the
governor

With gas prices increasing, so does the number of people filling up and fleeing.

Sponsored by Rep. Chris Swedzinski (R-Ghent) and

Sen. Scott Newman (R-Hutchinson), a new law will help small businesses streamline the process of collecting money from motor fuel drive-offs.

The law will allow a trade association acting on behalf of member organizations and retailers to serve notice and collect payments within current collection statutes. It will also help local law enforcement by allowing the association to do an inference as to whether the person driving off meant to steal the fuel.

The Minnesota Petroleum Marketers Association, which represents many of the mom-and-pop or smaller convenience stores across the state, brought forth the proposal.

When a customer now drives off without paying, a station employee either contacts local police right away or they contact the trade association to determine the address, name, phone number of the individual that stole it based on the vehicle's license plate.

Under the law, the trade association, for a fee, will be permitted to contact the individual in certain circumstances and give them 30 days to reply and hopefully collect payment and give the money to the retailer.

Signed April 18 by Gov. Mark Dayton, it takes effect Aug. 1, 2012.

HF2333*/SF1870/CH173

— M. Cook

Restraining order jurisdiction

Signed
by
the
governor

Changes to the state's harassment restraining order are designed to clear up state statute and remove an administrative barrier for victims.

Sponsored by Rep. Glenn Gruenhagen (R-Glencoe) and Sen. Roger Chamberlain (R-Lino Lakes), the law will 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. Signed April 23 by Gov. Mark Dayton, it takes effect Aug. 1, 2012.

Because current statute doesn't clearly give direction to the courts about filing a restraining order, this has led to inconsistent handling of requests, especially in Greater Minnesota. Advocates working with victims found they would appear in one county to help their clients file an order for petition, only to be told that they would have to go to another county to seek court protection.

Supporters said it will help in cases like when 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 had harassed her.

Courts will 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. In order to be eligible for federal grants to combat violence crimes against women, states must certify their laws do not require victims of sexual assault, stalking or domestic violence bear the cost of filing for a protection order.

HF469*/SF574/CH223

— M. Cook

Sex offender grid calculation fix

Signed
by
the
governor

A mathematical rounding error has resulted in incorrect presumptive sentences on the sex offender grid.

Requested by the Sentencing Guidelines

Commission and supported by the judicial branch, a new law corrects the problem to ensure courts do not sentence someone beyond the presumptive range and potentially avoid lawsuits.

The change is needed so the commission can publish a new grid out of sequence, otherwise the change would not happen until next summer.

A person's criminal sexual misconduct sentence is determined by the severity of the offense and the person's criminal history score. When the lines are matched up on a grid, it shows the presumptive sentence for that offense. The commission is statutorily ordered to put a range — 15 percent below or 20 percent above the presumptive sentence — on the grid that a judge can sentence within.

When the grid was created in 2006 the math calculations were performed incorrectly, leaving some of the ranges off by one month. Once the error was discovered, the calculations were changed to be correct, and the grid was reissued. However, the commission's enabling legislation prevents it from officially putting the grid out until after its 2013 report to the Legislature. Those proposed modifications would be scheduled to take effect Aug. 1, 2013.

The new grid will apply to cases from the effective date forward. The commission has identified all offenders incorrectly sentenced. For offenders sentenced at the lower end of

FLURRY OF ACTIVITY



PHOTO BY ANDREW VONBANK

The area outside the House Chamber sees a flurry of activity April 23 in this 6-second exposure.

the range nothing will change because a court can't increase a sentence once it's been imposed. For offenders affected on the high end, there is a rule of criminal procedure allowing the courts to correct that sentence.

Rep. Doug Wardlow (R-Eagan) and Sen. Warren Limmer (R-Maple Grove) sponsor

the law that took effect April 24, 2012, one day after it was signed by Gov. Mark Dayton.

HF2896/SF2464*/CH229

— M. COOK

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

Felony DWI technical fix

Signed
by
the
governor

A legislative oversight from five years ago has been corrected.

Sponsored by Rep. Kurt Daudt (R-Crown) and Sen. Sean Nienow (R-Cambridge),

the law fixes some problems when legislative changes were made to allow enhanced sentences for DWI offenses.

In particular, a statutory reference was misstated and has since caused some legal problems.

When the law was changed and the statute was renumbered, reorganized and relisted some of the criminal vehicular operation offenses used different numbers, but that didn't carry over to the felony DWI statute.

The law is effective April 24, 2012, one day after it was signed by Gov. Mark Dayton.

HF2246*/SF1825/CH222

— M. COOK

State Government

Revisor allowed to clean up language

Signed
by
the
governor

Each session, a bill is needed to allow the Office of the Revisor of Statutes to clean up statute language that could include erroneous, ambiguous, and omitted text and obsolete

references.

Gov. Mark Dayton signed a law April 18 that gives that permission. Commonly known as the "revisor's bill," this year's law is sponsored by Rep. Doug Wardlow (R-Eagan) and Sen. Warren Limmer (R-Maple Grove).

The law has various effective dates.

HF2770/SF2060*/CH187

— L. SCHUTZ

'Back office' consolidation proposed

The state recently consolidated all of its information technology functions under a single agency. It might soon do the same for "back office" functions like accounting and payroll.

Rep. Keith Downey (R-Edina) sponsors HF418 that would fund a benchmarking study on the efficiency and effectiveness of the state's accounting, finance, procurement and human resources operations across state agencies. The Department of Administration would contract for the study and report back to the Legislature

with a plan to implement any recommended changes.

Downey, who sponsored the legislation that led to the IT consolidation under the Office of Enterprise Technology, hopes the bill might help get the ball rolling on a similar consolidation of the back office functions of government.

"These are the functions of government that frankly aren't adding value. They aren't essential to the program functions. They're just the day-to-day work that has to be done," Downey said.

He noted that the state recently implemented new standardized accounting software (Statewide Integrated Financial Tools, or SWIFT) that should make consolidation easier.

Passed 75-56 by the House, the bill passed the Senate 47-15. Sen. Ted Daley (R-Eagan) is the sponsor.

Some members raised concerns about the bill's funding mechanism, which proposes using potential cost savings generated by the results of the study itself or savings gained from the IT consolidation. Critics argued that amounted to spending imaginary money.

"I think it's basically a good idea, but I think it would be a better idea if we had a way of paying for it," said Rep. Phyllis Kahn (DFL-Mpls).

Downey said the funding mechanism might be revised if the bill goes to conference committee.

He also successfully offered an amendment that would allow the study to include the Legislature, if the Legislative Coordinating Commission requests it.

— N. BUSSE

Gainsharing award raised

Signed
by
the
governor

State employees who find ways to save the taxpayers' money will be eligible for a slightly larger one-time bonus.

A new law increases the maximum award provided by the state's gainsharing program for state workers. The program was hatched in 2011 as a way to encourage employees to find more cost-effective ways of conducting government business. Workers whose suggestions or involvement in a project results in documented cost savings to the state are eligible for the award.

Previously, participating employees were eligible for one-time bonus compensation of up to 10 percent of the savings achieved

in the first fiscal year, up to a maximum of \$1,000 per individual or \$2,500 per group of employees. Effective Aug. 1, 2012, the cap will be raised to \$50,000 for either individuals or groups.

Gov. Mark Dayton signed the law April 23. Rep. Keith Downey (R-Edina) and Sen. Julianne Ortman (R-Chanhassen) are the sponsors.

HF1850*/SF2253/CH205

— N. BUSSE

Helping agencies become efficient

Signed
by
the
governor

The Department of Administration has a master list of contractors that state agencies can call upon at their discretion to help improve things like state building efficiency, tax collection methods and vehicle fleet management. A new law will add one more category.

Signed April 23 by Gov. Mark Dayton, the law will allow state agencies to contract with private vendors to look for efficiencies in their management structure. The department will provide a list of contractors who are eligible to perform those services.

The law is permissive, and does not require agencies to take advantage of the contractors' services. The department is directed to report back to the Legislature next year on how agencies have utilized the program.

Rep. Mike Benson (R-Rochester) previously said that the bill would give agencies a tool to "flatten" their internal management structure to eliminate layers of bureaucracy.

The law takes effect Aug. 1, 2012. Benson and Sen. Carla Nelson (R-Rochester) are the sponsors.

HF1813*/SF1650/CH220

— N. BUSSE

Judges can serve past 70

Signed
by
the
governor

Administrative law judges and compensation judges will no longer face mandatory retirement at age 70.

Signed April 23 by Gov. Mark Dayton and effective April 24, 2012, a new law repeals the age ceiling for administrative law and compensation judges. The change was necessitated after the U.S. Equal Employment Opportunity Commission deemed the law unfair, and the Office of the Attorney General determined that the state would probably lose a potential court challenge.

Rep. Tim Mahoney (DFL-St. Paul) and Sen. Ted Lillie (R-Lake Elmo) sponsor the law.

HF2614*/SF2227/CH224

— N. BUSSE

Rulemaking oversight passed

Lawmakers might soon be taking a closer, more critical look at the administrative rules promulgated by state agencies.

Rep. Mike Beard (R-Shakopee) sponsors HF2169/SF1922* that would provide for greater legislative oversight of administrative rules, which have the full force and effect of law but which are created by state agencies rather than elected legislators. Sen. John Pederson (R-St. Cloud) is the Senate sponsor.

The bill proposes several measures to increase legislative oversight, including:

- requiring agencies to assess the cumulative effect of proposed rules with existing state and federal regulations;
- requiring a number of state agencies to issue reports describing the rationale behind their existing rules and any recommended changes;
- requiring agencies to notify the Legislative Coordinating Commission of their intent to adopt any proposed rules; and
- requiring agencies to submit their rulemaking docket for the year and the previous year's rulemaking record to the relevant legislative committees.

The bill in its current form has been scaled down from its original version, which proposed much tighter legislative oversight of rulemaking. Beard said he narrowed the bill's scope in hopes of getting it signed by Gov. Mark Dayton.

The House passed it 88-40. The Senate passed 50-12 on April 19. It now goes to the governor's desk.

Rep. Mark Buesgens (R-Savage) unsuccessfully offered an amendment that would have required the governor to sign off on administrative rules in order for them to take effect. The governor currently has the option to veto administrative rules but does not have to approve them.

Supporters said the governor, as an elected official, should take greater responsibility for the rules created by his own agencies.

"Things that do have the force and effect of law should be signed off on by an elected official," said Rep. Mindy Greiling (DFL-Roseville).

Opponents included Rep. Tim Mahoney (DFL-St. Paul), who said that complicated regulations like building codes are better left

to “professionals” rather than politicians. The amendment failed on a vote of 54-74.

— N. BUSSE

Outsourcing bill vetoed

**Vetoed
by
the
governor**

The Department of Administration will not be allowed to contract for waste removal if state employees are able and available to do the work themselves.

Gov. Mark Dayton vetoed a bill April 23 that would have provided for an exemption to a state law allowing agencies to outsource work to private vendors only if state workers can't already do it. Supporters had hoped to allow the department to contract out for waste-hauling services for the Capitol Complex.

The work is currently performed by a pair of employees of the department who also perform other functions.

In his veto letter, Dayton wrote that the current arrangement enables the department to “keep multiple business units adequately staffed without additional fulltime employees.”

Dayton said the bill would also send the wrong signal to public workers.

“Public employees have done remarkable jobs serving the people of Minnesota during difficult economic times. Unfortunately, there are too many in the legislature, who refuse to either recognize or appreciate that valuable work state employees perform,” he wrote.

Rep. Kirk Stensrud (R-Eden Prairie) and Sen. Paul Gazelka (R-Brainerd) are the sponsors.

HF1812*/SF1846/CH214

— N. BUSSE

E-Verify bill vetoed

**Vetoed
by
the
governor**

New state employees won't have to submit to a federal background check, after all.

Gov. Mark Dayton vetoed a measure April 24 that would have required all new hires in state government to submit to a check through the E-Verify system, which confirms whether an individual is legally authorized to work in the United States.

E-Verify is run by the U.S. Department of Homeland Security, and cross-checks data from federal agencies. In his veto letter, Dayton cited a recent study from the Government Accountability Office that found “significant problems with

fraud vulnerabilities and data accuracy” in the system. He noted that the errors “disproportionately affect particular segments of the population.”

“Requiring use of the E-Verify system would result in an inefficient and duplicative process, which could create appearances of unfair treatment and, thereby, cause an increase in employment litigation,” Dayton wrote.

He also noted that the legislation is opposed by a number of groups, including the Minnesota Chamber of Commerce, which has stated their preference for a federal solution to immigration issues.

Rep. Ernie Leidiger (R-Mayer) and Sen. Al DeKruif (R-Madison Lake) are the sponsors.
HF1976*/SF1842/CH221

— N. BUSSE

Taxes

Obsolete tax provisions cleaned up

This session's omnibus tax bill awaits final action in conference committee, but a tax bill passed 109-20 by the House April 24 would clean up some technical and obsolete issues enacted in previous sessions' tax bills.

Sponsored by Rep. Greg Davids (R-Preston), HF2690 would clean up language to the 2011 market value exclusion provision, which impacts calculation of city debt limits and tax capacity. These changes could cost the General Fund \$400 million in fiscal year 2014 and the same amount in the next fiscal year.

Other provisions in the bill include:

- repeal of the International Economic Development Zone program provisions that were enacted in 2005 to permit development of an airfreight zone in Rosemount. The zone was not designated and the promoters have abandoned the idea;
- elimination of provisions related to pre-1979 tax increment finance districts. These districts were grandfathered by the 1979 TIF Act and were required to be decertified by 2009. As of the end of 2011 all of these districts have been decertified;
- expands the permitted facilities and expenditures that may be financed with county capital improvement program bonds to include public works facilities, fairgrounds buildings, records and data storage facilities; and
- shortening from 14 to 10 days the

minimum number of days notice must be published before the public meeting on issuance of CIP bonds.

The bill now awaits action on the Senate floor. Sen. Julianne Ortman (R-Chanhassen) is the Senate sponsor.

— L. SCHUTZ

Transportation

New Scott County registrar

**Signed
by
the
governor**

A new library being built in Elko New Market will include a deputy registrar's office.

Sponsored by Rep. Mark Buesgens (R-Savage) and Sen. Claire Robling (R-Jordan), the law will require the Public Safety Department to open the facility.

Supporters say now is the time for the legislation because the office can be incorporated into the building, and the next closest registrar is approximately 10 miles away in the rapidly growing area of Scott County.

Signed April 23 by Gov. Mark Dayton, the law takes effect Aug. 1, 2012.

HF1175*/SF929/CH219

— M. COOK

Note: This past week HF3007-HF3031 were introduced. Short descriptions of the bills will be published in the next Session Weekly. Bill information is available on the House website www.house.mn.

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PHOTO BY PAUL BATTAGLIA

Rep. Pat Garofalo, standing, discusses his bill on the House floor April 23.

Waiting for the governor's final grade

Omnibus education bill nears finish line

BY ERIN SCHMIDTKE

Changes related to veteran's military pay, postsecondary enrollment options and payment to teachers charged with a felony are awaiting gubernatorial approval.

Sponsored by Rep. Pat Garofalo (R-Farmington) and Sen. Gen Olson (R-Minnetrista), the bill would require school districts to pay employee salary differential to those who have been deployed in the National Guard or other reserves. Funds remaining at the end of the year could be used to pay for substitutes for the deployed employees. Current law often results in partial payment to service members.

HF2949*/SF2482 also seeks to expand postsecondary enrollment options, as well. Currently, high school juniors and seniors may take classes at certain colleges while still completing high school. The bill would extend PSEO to 10th grade students. If a student receives a "C" or better in the class, he or she would be able to take additional credits at the school.

Under bill provisions, teachers with

felonies would also be impacted. Those under that type of investigation could be suspended without pay, pending the conclusion of a hearing. If the educator is found to be not guilty, he or she would be reinstated and repaid.

Proponents say this is necessary because it would authorize schools to withhold salaries from those who may be dangerous to students. Garofalo said this would allow more choices for all districts where an employee has been charged with a felony, instead of limiting that to cities of the first class, which are cities with 100,000 residents or more.

Rep. Carlos Mariani (DFL-St. Paul) praised the report's approach to student testing as a measure of achievement. For the current and upcoming school years only, students who have not passed the basic skills test by the end of last school year may instead meet the requirement by retaking the math GRAD test, while continuing to complete graduation requirements in their schools. Mariani said this would positively affect a small group of struggling students, many of whom are immigrants.

"I think it is illustrative of our need to be much more multi-dimensional, much more flexible, much more fair, quite frankly, to our

students," he said.

The bill would also facilitate transportation and enrollment of homeless students. Under the bill, if a homeless student's parent moves to another district, the student would still be allowed to attend class in the original district.

Districts would be responsible for the transportation of homeless students, even if their residence within the district cannot be verified.

Another part of the bill provides for an individualized learning agreement for districts that would allow schools to work with students to develop their own curriculum based on their unique interests and strengths.

A measure within the bill would allow charter schools to enter into two-year collaboration agreements with school districts to promote student learning.

A controversial section of the bill reserves \$250,000 for a parent-child home program designed to help children obtain literacy skills. This measure generated debate in various committees and on the floor this session because it would draw that money from a fund already intended to be used for early childhood learning. 🐼

Greene exits House after one term

Redistricting costs early childhood advocate a seat at the Capitol

By **BOB GEIGER**

Call her Rocky, without the gloves.

After a single session in the House, Rep. Marion Greene (DFL-Mpls) is stepping down after court-drawn redistricting mapped her into the same district as five-term Rep. Frank Hornstein (DFL-Mpls).

Greene ran against Hornstein for the DFL endorsement in the new District 61A, but bowed out after the third ballot. “We could have gone to a fourth ballot, but why bother?” she said, reflecting the conciliatory tone of the endorsement contest.

Her 2010 election meant that the first-term lawmaker entered the House in the minority caucus.

With state finances tight, Greene

chuckled when asked to name her biggest accomplishment during her lone House term.

“The things that give me the most personal satisfaction are conversations I’ve had about early childhood education, and trying to advance that issue,” Greene said.

Several legislators worked on that issue, but didn’t generate a ton of bills because they would stand little chance of passage, she said.

“If I were to come back in the majority, I would like to see some real investment in early childhood education. There are all these studies – I feel I’m like the same broken record that Art Rolnick is,” Greene continued.

Rolnick, a senior fellow at the University of Minnesota’s Humphrey School of Public Affairs, is a strong proponent of early childhood education.

Funding such programs is difficult for a variety of reasons, including partisan gridlock on many issues, which contributes to the frustration Greene has experienced since she took office, she said.

“There have been a lot of different times when I’ve been gripped by this sense that we can make positive change as a part of this group. I know when I come up the west stairs of the Capitol, I always feel like Rocky running up the steps of the Philadelphia Art Museum. It’s like it’s so great and there’s so much possibility,” Greene said.

But after reaching the Capitol’s second floor, she said, “I don’t want to say, ‘I keep my boxing gloves on,’ but maybe I do.” Greene’s feeling is rooted in the time-consuming, often-contentious exchanges on the House floor.

“The tenor right now is not one in which it’s easy to find a group

that wants to find a middle ground to move something forward,” Greene said. “That’s what everybody that I’ve spoken to out there says they want, yet here it’s just persistent partisanship. I think we’re going to have to hit bottom on that before we can find a way out.”

The biggest change in the legislative process during Greene’s term is that few changes have been made. “I suppose what I’ve been able to see is the evolution of a confident majority two years ago and, now, we haven’t been able to get anything done.”

Minnesota’s recession-strapped budget hasn’t helped the situation. Nor has an absence of getting together after session adjourns to get to know each other over a sandwich or beverage.

“I used to work at the New Mexico Legislature as a staff person, and that was so much the glue of how things got done,” said Greene.

Greene’s advice to her successor — she assumes it will be Hornstein — is to “keep doing what he’s doing. He has a fantastic track record and I think more of the same is great. The district was 70 percent mine (in area), but Frank is loved and well-known and we’ve always viewed ourselves as shared legislators.”

As for other incoming House members, Greene said, “I probably have more interesting advice for new legislators, which would be to get things done based on your relationships. So make that a measureable part of your experience.

“The second thing is pick an area of interest and passion that hopefully overlaps with the interest and passion of people in your district and go deep on that,” Greene added.

She has not yet defined her future in politics and plans to keep working in the medical industry. She worked for St. Jude Medical and Boston Scientific before being elected in 2010.

If she did return to the House, Greene said, “I’d love to be in the majority.” 🐼



PHOTO BY ANDREW VONBANK

Rep. Marion Greene says partisanship has hampered legislative productivity.

Going home to put out different fires

LeMieur plans to spend more time with sons

By ERIN SCHMIDTKE

After a single, busy term in the House, Rep. Mike LeMieur (R-Little Falls) has decided it's time to return home.

He is the father of twin boys, Isaac and Nicholas, 11, and son, Elijah, 13. LeMieur said that because they are at an "impressionable age," he wants to spend more time with them.

"They're growing up so fast. I believe the right thing to do now is to be at home to spend more time with my family and be there when my boys are growing up," he said.

Once the legislative session ends, LeMieur will go back to his life as the co-owner of the family business, Home Furnace Co. in Little Falls. He is also a volunteer firefighter with the Little Falls Fire Department, which he has been a part of for over 20 years.

LeMieur said it has been a struggle to balance that along with his legislative priorities. To get credit as a volunteer, LeMieur has spent his time outside of session fighting fires.

On top of those duties, LeMieur has focused on one of his top priorities as a lawmaker: pro-life legislation.

"It's always been a very important part of why I came here, to protect unborn life," he said.

LeMieur worked in support of bills that would place restrictions on abortion in Minnesota, including illegalizing taxpayer funding of abortions and banning human cloning. He calls the end result of that effort his biggest disappointment while in office. Those pieces of legislation were ultimately vetoed by the governor.

LeMieur has also seen some of his bills succeed during his term in office.

During the 2011 session, one of his first bills sought to change the Rural Preserves and Green Acres programs, which provide tax relief to farmers who own non-productive rural vacant land and productive agricultural land. His bill, which the governor signed into law, removes requirements for farmers looking to enroll in the Rural Preserves



PHOTO BY ANDREW VONBANK

Once session ends, Rep. Mike LeMieur will return fulltime to the family business in Little Falls, where he also serves as a volunteer firefighter.

program.

For the small remainder of the session, LeMieur plans to keep supporting issues that matter to him. Following the settlement of the state government shutdown last session, he said accomplishing that has been easier this year.

"We can concentrate on policy ... with less pounding on the doors," LeMieur said. He added he especially would like to see the Capitol bonding renovation bill become law.

At times, LeMieur admits he was surprised by the partisan nature of the House, but has also seen the good intentions of his fellow legislators. During the last two years, his relationships with his colleagues have turned into friendships.

"There are a lot of great people on both sides of the aisle. We might not agree on a lot of things, but we all want to make Minnesota a better place. ... I made a lot of friendships here I'll take with me," he said.

This becomes immediately apparent as Rep. Joe McDonald (R-Delano) steps off the House floor during the interview to make an interjection.

"This is a great guy," McDonald said of LeMieur.


LeMieur also expressed admiration for other state workers who assist in the day-to-day operations of government.

"The people behind the scenes, the state workers that take care of the Legislature, are wonderful people. Every one of them deserves our respect," he said.

Serving in the Legislature is not LeMieur's first time in politics. He previously spent time on the Little Falls City

Council as president. Despite having been elected to both local and state government, when asked if he had advice for his successor, he responded with a laugh: "No."

Although LeMieur approaches the end of his term in the House, this might not be the end of his political career.

"I'll never close the door on it, that's for sure. But it'd have to be a few years down the line." 

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MINNESOTA INDEX

Strike up the band

Year Chatfield Brass Band and Music Lending Library was established.....	1853
Year the first marching band was organized in Chatfield	1883
Pieces of music collected and cataloged at the library	30,000
Years considered to be the "Golden Age of Bands"	1870-1930
Year University of Minnesota Marching Band was founded	1892
First year a halftime show was presented during the Gopher football season.....	1910
Year women first entered the university's concert band	1934
Number of University of Minnesota band directors from 1892-2006	18
Year "Hail! Minnesota" (rouser) debuted	1904
First Vikingland Band Festival in Alexandria	1985
Date of this year's event that is always held the last Sunday in June	24
Number of high school marching bands participating in last year's completion.....	19
Number of high school marching bands participating in the daily mall parade at the 2011 Minnesota State Fair.....	42
Number of participating Minnesota State High School League schools with a band program in 2011	418
Number of band participants in 2011	4,126
Number of members comprising the 65-year-old Minnesota Brass corps, which features brass, drum and color guard components.....	128
Last year the corps took home the top prize at an world annual drum corps competition	2011
Year the Minnesota Police Pipe Band was founded	1963
Year St. Paul Police Band, formed in 1923, was inducted into the Minnesota Music Hall of Fame.....	2008
Year the marching-band themed "The Music Man" became a hit movie.....	1962
Year John Phillip Sousa assumed leadership of the U.S. Marine Band.....	1880
Year Sousa started his first civilian band	1892
Year Sousa wrote "The Stars and Stripes Forever"	1896
Year "Semper Fidelis" was written by Sousa and is now considered the official march of the United State Marine Corps	1888
Number of marches written by Sousa	136

— L. SCHUTZ

Sources: Chatfield Brass Band and Music Lending Library, University of Minnesota, Minnesota State Fair, Library of Congress, Minnesota History Center.

SESSION WEEKLY



2012 SESSION WRAP-UP

SESSION 2012: SUCCESSES, DISAPPOINTMENTS AND CONTROVERSIES
'PEOPLE'S STADIUM,' BONDING AND THE TAX TRIFECTA
BILLS MAKING IT TO LAW, AND THOSE THAT DIDN'T
SAYING GOODBYE

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HF3007 - HF3052

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Flashback to 1992 and 2002

New laws- A pocket pager to help catch fish

The Legislature sent approximately 245 bills to Gov. Arne Carlson for his consideration. As of April 23, he had acted upon 142, several of which were vetoed.

Awaiting action after the end of session was a compromise \$274.8 million public works bill. Overall spending in the bill targeted \$102 million for college campus projects; \$41 million for human development facilities; \$38.7 million for state government buildings; \$25.8 million for K-12 projects; \$11 million for environmental and park programming; and \$2.3 million for miscellaneous projects.

The governor signed a new law that allows use of an ice fishing gadget invented by a Minnesota entrepreneur that lets ice anglers know immediately when they've got something on the line — even when they're not paying attention. The fishing device uses a low-frequency transmitter, capable of sending a signal up to 100 feet to a pocket pager.

— Session Weekly April 24, 1992

Ventura uses 'pork stamp' to veto bonding projects

Throughout the 2002 session, Gov. Jesse Ventura received 185 bills for action, of those 175 were signed into law, two were filed into law without the governor's signature and eight bills received vetoes — including the bonding bill, which he exercised his ability to line-item. He left in more than \$500 million in projects, vetoing just under \$400 million.

In his veto letter, Ventura wrote that the Legislature spent too much money on capital projects, and said he might not have vetoed so many projects had they balanced the operating budget for future budget cycles.



A strong advocate of the Northstar Corridor, an 80-mile rail line from the St. Cloud area to Minneapolis, he cautioned legislators that if the money was not in the bonding bill, he would strike other projects he deemed less worthy. The final bill was void of any Northstar dollars.

— Session Weekly May 24, 2002

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SESSION WEEKLY

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On the cover: While most eyes are focused on a stadium vote inside the State Capitol May 9, workers put wooden planks up on scaffolds around the Capitol lantern 223 feet above the ground.

— Photo by Andrew VonBank

A session of compromise

Successes, disappointments and controversies mark 2012 session

By Nick Busse

If Minnesotans remember just one thing about the 2012 legislative session, it will likely be the controversial \$498 million public subsidy for the new “People’s Stadium” to house the Minnesota Vikings. Lawmakers nearly ran out the legislative clock gathering support for the new NFL facility, which some call a boon and others call a boondoggle.



First Reading continued on page 4

But the stadium was only one piece of a much broader agenda this year: creating jobs. Lawmakers from both parties came into the 2012 session pledging to focus like a laser on that issue. And as usual, they had very different ideas of how to go about it.

House Speaker Kurt Zellers (R-Maple Grove) and Republican legislators hoped to make 2012 all about cutting red tape, and focused on reigning in complex business regulations. They proposed a package of government streamlining initiatives that they labeled “Reform 2.0.” They also brought forward a tax relief package aimed largely at businesses.

“If you free up the entrepreneurs, the hard-working women and men of our great state, they’ll build an economy that is sustainable,” Zellers said in a pre-session interview.

Gov. Mark Dayton and DFL legislative leaders called for a more traditional jobs plan — a \$775 million capital investment bill that would give a boost to the state’s anemic construction industry. Dayton also called for an up-or-down vote on a new stadium to house the Minnesota Vikings, which he argued would provide a source of jobs and revenue that would last for decades. The fate of that proposal seemed far less certain when the Legislature convened on Jan. 24.

“It’s going to be something that we need

to give a full and robust debate to,” was all House Minority Leader Paul Thissen (DFL-Mpls) would say on the subject.

In the end, these competing agendas set the stage for the session’s three major jobs bills: the bonding bill, the tax bill and the stadium bill.

Only two of the three survived.

After weeks of wrangling over its price tag, lawmakers passed and Dayton signed a \$496 million bonding bill in the final days of the session. The \$975 million public-private stadium project also passed the House and Senate floors, despite protests from critics who complained that the bill’s details were negotiated behind closed doors.

Both the stadium and the bonding bills were passed with DFLers shouldering the bulk of the “yes” votes. Republican leaders allowed the votes to take place in spite of intense disagreements within their own caucus about the wisdom of increasing the state’s debt load.

And so it was doubly disappointing to many Republicans when their own signature job-creation bill, the tax bill, was vetoed.

In fact, the Republicans’ would-be package of property tax cuts aimed primarily at businesses was vetoed twice, even after they reworked it to address many of Dayton’s concerns. Republican leaders accused Dayton of negotiating in bad faith.

“Unfortunately, Governor Dayton

and the Democrats in the Minnesota Legislature do not share our goal of making Minnesota a better place to do business,” Zellers said in a post-session press release.

Democrats, however, said the Republican tax plan would have grown the deficit in the next biennium. They offered their own, alternate take on how the session ended.

“This session Republicans ran a do-nothing legislature except when Democrats took the lead,” Thissen said in a press release.

Competing agendas, narratives

From a far enough distance, the 2012 legislative session might look like an example of bipartisan success.

The two biggest bills (at least from a fiscal perspective) were the Vikings stadium and the bonding bill; both passed the House and Senate with bipartisan support. But the deep ideological divide that dragged the state into a government shutdown in 2011 remained just as powerful in 2012.

One of the session’s biggest partisan battles took place in April, when Republican lawmakers passed a constitutional amendment to require photo ID for voting without a single DFL vote. All but one Republican legislator voted in favor of the measure, which will appear as a question on this November’s ballot.

Partisan differences also killed a number of the Republicans’ other top priorities, such as the “Last-in, First-out” teacher layoff reform bill. Dayton vetoed the measure, along with tort reform legislation and a number of proposed changes to collective bargaining for public employees.

Including the 2011 special session, out of the 311 bills the Republican-controlled Legislature passed since January 2011, Dayton has vetoed 54 — more than the previous governor vetoed in his entire first term.

“We had a governor that was very uncooperative,” said House Majority Leader Matt Dean (R-Dellwood). “Unfortunately, we ran into a lot of vetoes.”

In spite of this, Republicans prefer to take the long view, focusing on what they’ve accomplished in total since they took control of the Legislature less than two years ago.

“We took a state that was



PHOTO BY ANDREW VONBANK

Rep. Mike LeMieur, left, jokes with his seatmates on the House floor during his May 10 farewell speech.

\$6.2 billion in deficit, a government that was out of control in a lot of different areas... and took it in a remarkably different direction,” Zellers said.

DFL leaders have a more positive take on the outcome of this session, and claim much of the credit for its achievements.

Thissen argues Republicans balanced the budget last year on the backs of the middle class, and he derided this year’s vetoed tax bill as a giveaway to businesses at the expense of ordinary Minnesotans. He also faulted Republicans for focusing their energies on divisive constitutional amendments.

As for Dayton, with the exception of the capital investment bill and the stadium bill, “I’d say the session was disappointing overall, salvaged by those two major jobs bills at the end,” he said.

The Legislature is likely to look very different next year. Twenty-six of the House’s 134 members have already announced they’re not coming back; the same goes for 13 of the state’s 67 senators. Legislators who do intend to return will all be campaigning in newly redrawn districts. 🗽

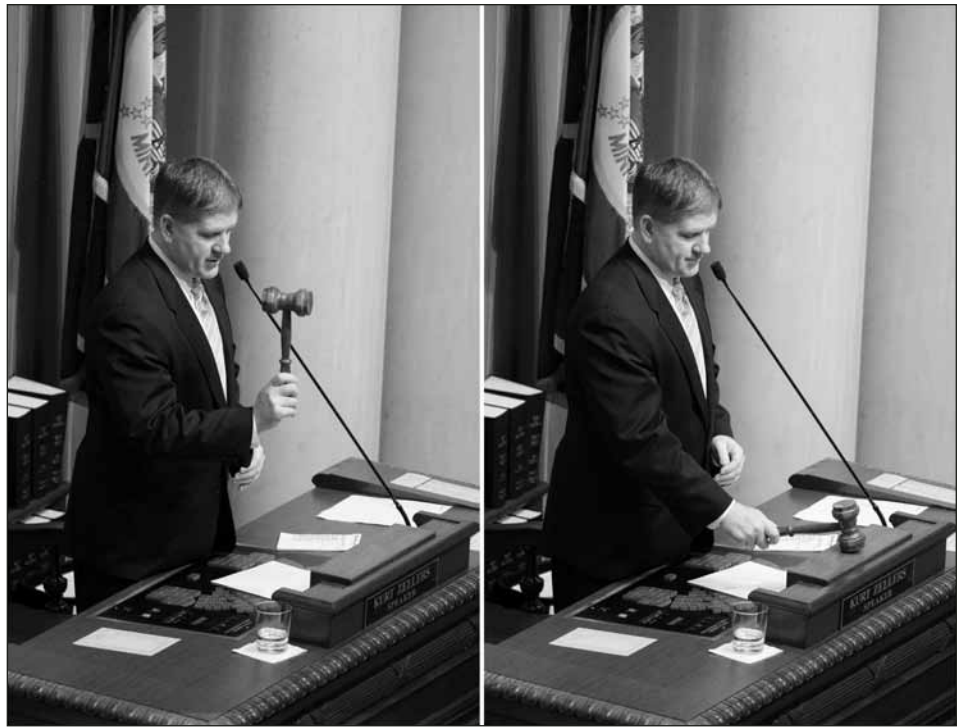


PHOTO BY ANDREW VONBANK

House Speaker Kurt Zellers adjourns the House sine die with the last gavel of the 2012 legislative session.

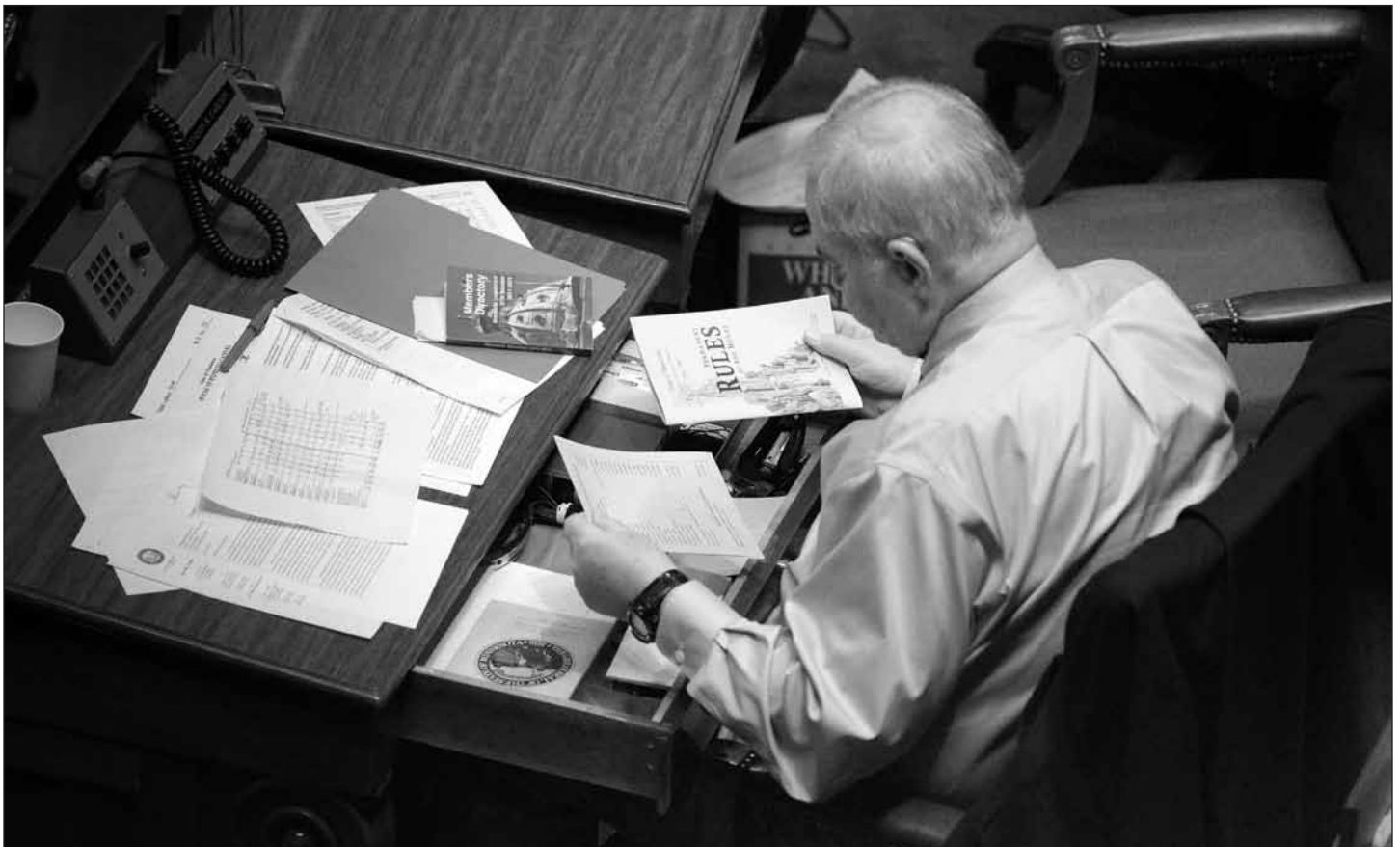


PHOTO BY ANDREW VONBANK

Rep. Lyndon Carlson Sr. cleans out his desk in the early morning hours of May 10, the last day of the 2012 session. Carlson has served in the Legislature for 40 years.



PHOTO BY ANDREW VONBANK

Rep. Morrie Lanning and Gov. Mark Dayton shake hands at a May 14 bill signing ceremony. Lanning is the House sponsor of the law that provides funding for a new stadium to house the Minnesota Vikings and potentially a pro soccer team.

‘People’s Stadium’ deal gets done

After years of trying, Minnesota Vikings get state approval for new home

By MIKE COOK

In a few years, the Metrodome will likely be replaced by a purple palace.

The dream of Minnesota Vikings’ owners and fans were realized when a funding plan to replace the domed facility received legislative approval, and the autograph of Gov. Mark Dayton.

“This is a great day for Minnesota, a great day for the Vikings’ fans throughout the entire country,” team owner Zygi Wilf said

May 14 after Dayton signed a law that will help build a new home for the NFL team.

Team officials say the 30-year-old Metrodome is antiquated and does not provide the needed revenue to remain competitive, nor provide a proper fan experience.

Sponsored by Rep. Morrie Lanning (R-Moorhead) and Sen. Julie Rosen

(R-Fairmont), the law calls for a \$975 million, 65,000-seat roofed state-owned “People’s Stadium” to be built primarily on the Metrodome site on the eastern edge of downtown Minneapolis. The team will cover \$477 million of construction costs; the state \$348 million; and Minneapolis \$150 million. The team could make the roof retractable at its expense, an idea that Wilf is strongly considering.

Although signed off on by the state, the project still needs final approval from the Minneapolis City Council. That vote is expected to occur May 25.

“This facility is not just for a professional football team; it’s for the whole state of

Minnesota for all kinds of events and activities that we've had the benefit of with the Metrodome," Lanning said.

The plan is to break ground next year, with the Vikings playing in the new facility in 2016. As currently envisioned, the team will play in the Metrodome through the 2014 season and then at the University of Minnesota's TCF Bank Stadium for a season, while the current stadium is razed and the new facility completed.

The team contribution is \$50 million higher than Vikings' officials consistently said the team was willing to contribute; however, it is \$55 million less than the contribution request passed by the House.

"We've agreed to contribute up front \$477 million, which remains the third-largest private contribution in NFL history. We've agreed to contribute \$13 million annually in operating costs, which is now 54 percent of the life-cycle costs of the project," Lester Bagley, the team's vice president of public affairs and stadium development said in announcing the team's approval of the deal May 10. "The Wilfs have stepped up and made a huge commitment to Minnesota and a huge commitment to Minnesota Viking fans. They've made a commitment to secure this franchise and to stabilize this franchise for the future generations in Minnesota."

"We're very, very pleased that the Minnesota Vikings and State of Minnesota have come to an agreement. We look forward to a long lifetime association," Lanning responded.

Not everyone was as excited.

"This will be a disservice to the state for many years to come," Rep. Tina Liebbling (DFL-Rochester) said a couple of hours later on the House floor. "I think the state got rolled."

State-issued bonds for the project will be funded from expanded electronic pull tabs and bingo. Sports-themed tipboards will be legalized; however, they are not tied to the law's financial structure. Instead, the lawful gambling organizations will be allowed to keep all the revenue from those



PHOTO BY PAUL BATTAGLIA

Vikings stadium supporters and opponents stand side-by-side outside the House Chamber May 7. The House passed its version of the stadium bill that day. The final bill was passed three days later.

games for lawful purposes and charitable contributions.

Supporters note that charities would get tax relief and more gambling proceeds under the law, while the state also would get more revenue. Minneapolis would kick in its \$150 million by extending until 2047 and redirecting sales taxes used to pay off construction bonds for the city's convention center to the stadium once the convention center bonds are paid off in 2020. The sales tax money comes from hospitality taxes collected from hotels, bars and restaurants.

It is anticipated that the state would get \$58 million per year in expanded gambling revenues. The charities would get \$14 million, although it is not as much tax relief as they sought.

In case the gambling revenue does not cover the state share, the bill contains two blink-on taxes: a sports-themed lottery game that is expected to produce at least \$2.1 million per year and a 10 percent admission tax on luxury seats that is estimated to bring in \$1 million annually.

Nonetheless, some members voting against the plan did so because they oppose any increase in gambling. Others said the state is overestimating how much money the expanded gambling will raise.

A supporter of user-funded financing, Rep. Glenn Gruenhagen (R-Glencoe) said increased gambling is a regressive tax,

especially on lower-income people. "We're robbing the poor to subsidize the rich."

Among arguments expressed by opponents is that the state should not be spending hundreds of millions of dollars to build a stadium for a billionaire, the team is not going to move if a deal were not completed this year and that the state has more important issues.

"If we're going to raise money or taxes of any sort, why doesn't it go to education or health care or the other things that have been cut or that we owe money to," Rep. Mindy Greiling (DFL-Roseville) said during the initial House passage of the bill. "I don't understand the priority tonight of voting for a stadium that a lot of people will not even be able to afford tickets to go to."

Supporters countered that the facility would be home to just 10 Vikings' games a year, and possibly one or two in the postseason, leaving the other 350 or so days available for other events, including high school and amateur sports, and community festivals. They also spoke about the estimated 13,000 construction jobs — approximately 4 million hours — that will be needed to build the facility.

"It's a fantastic opportunity in this down time for us to put a bunch of tradespeople to work," said Rep. Denny McNamara (R-Hastings). "Our trades are suffering; they need the work. We can build this building at a reasonable price today. It's the right thing to do."

In the days before the legislation was debated by the House and Senate, lawmakers were flooded with phone calls and e-mails from supporters. Hundreds of purple-clad fans also showed up at the Capitol to show their support.

"The passion of the fans carried us over the top," Wilf said.

A portion of the city sales tax money would also be reallocated to potentially rehabilitate the Target Center in Minneapolis. Lanning said that without that provision, the city would not support the stadium deal. To help on its side of the Mississippi River, the City of St. Paul will receive \$2.7 million for 20 years beginning in Fiscal Year 2014 "for the operating or capital costs of new or existing sports facilities." City officials first plan to pay off the estimated \$35.5 million in outstanding bonds for the RiverCentre debt, and not on a new ballpark for the St. Paul Saints.

For fans of the European football — or soccer, as it's known on this side of the

Atlantic Ocean — the law gives the Vikings an exclusive five-year agreement to bring in a professional team, a provision previously eliminated by the Senate. However, any such team will have to pay rent, unlike an earlier version of the legislation.

Other parts of the law include:

- a newly created Minnesota Sports Facilities Authority will oversee stadium operations;
- a 30-year lease for the Vikings;
- the team gets stadium naming-rights revenue;
- requiring the team to contribute 25 percent of a sale price to pay down remaining debt service if the team is sold within the first 10 years, declining to 15 percent in years 11-15 and 10 percent for years 16-20;
- the stadium must be operated in a first-class manner "consistent with other comparable" National Football League stadiums;
- construction cost overruns are the responsibility of the builder, and operating

cost overruns would be the responsibility of a newly formed public stadium authority;

- materials and supplies used to build the facility will be exempt from sales taxes;
- requiring the stadium authority "to contract with an employment assistance firm, preferably minority-owned, or owned by a disabled individual or a woman, to create an employment program to recruit, hire, and retain minorities for the stadium facility"; and
- requiring the Human Services Department to report annually to the Legislature, beginning in February 2014, "on the percentage of gambling revenues that come from gamblers identified as problem gamblers."

"We promise you that we will work together to build a first-class facility, one that we can all be proud of for generations to come," Team President Mark Wilf said at the bill signing ceremony.

HF2958*/SF2469/CH299 🏈



PHOTO BY PAUL BATTAGLIA

As the sun rises on the Capitol May 10, superfan Larry Spooner is asleep on the ground at the back of the van that had been the headquarters for fans from the "Vikings World Order." Spooner has advocated for a new stadium for more than a decade.

It's too little; it's too much

Money for new affordable housing initiative part of new bond funding

By LEE ANN SCHUTZ

Although not thrilled with the size of spending in the capital investment bill, Gov. Mark Dayton, nonetheless, signed off on the nearly \$500 million plan.

"It's not as much as I had hoped for, but [...] I signed the bill, and most of them are good and important projects, ones that will benefit the people of Minnesota, and benefit the institutions where they are going, and most importantly, will put thousands of people throughout Minnesota to work, which was the No. 1 priority of this legislative session," he said.

The law required some heavy-lifting from the DFL to move it off the House and Senate floors. Largely because of the jobs it will provide, the minority party put up the majority of the votes needed to move the bill along, even though many members said it should have included more projects. Republicans reminded them that when combined with the nearly \$500 million in bonding enacted last year that puts the biennial total close to \$1 billion.

Sponsors Rep. Larry Howes (R-Walker) and Senate Majority Leader David Senjem (R-Rochester) shepherded the bill in and out of committees, watching it morph and change at each stop.

The party divide remained evident in debate on the House floor. Several DFLers acknowledged the projects in the bill, but also pointed out those that were sidelined.

"We missed an opportunity to build strong regional centers," said Rep. Alice Hausman (DFL-St. Paul) referencing the omission of civic center funding for Mankato, Rochester and St. Cloud. However, she praised the \$44 million to begin the State Capitol building

renovation and the \$30 million in the law for affordable housing. She called the law "great for higher education as we train the workforce of the future." The law contains \$132.1 million for asset preservation and replacement projects at the Minnesota State Colleges and Universities system and \$64 million to the University of Minnesota for asset preservation.

Rep. Mark Buesgens (R-Savage) called the proposal, "the largest biennial borrowing package in state history. ... We are about to foist this onto the backs of the taxpayers. The projects in here can wait, but the debt is crushing."

Rep. Doug Wardlow (R-Eagan) said the bonding bill process is "befuddling," and that it needs reform. "I wish we could vote on each one of the projects" rather than making a collective decision. "If there is one project that makes us scratch our heads, then we have to vote no," he said.

In total, the new law, effective May 12, 2012, calls for \$496.4 million in general obligation bonding. Provisions include:

- \$49.4 million for Department of Transportation projects, including \$33 million for local bridge replacement and rehabilitation;
- \$47.5 million for Minnesota Sex Offender Program treatment facilities improvement; and
- \$46.5 million to the Department of Natural Resources, with \$30 million dedicated to flood mitigation.

The Department of Employment and Economic Development is allocated \$76.5 million, including \$47.5 million for the Business Development Through Capital Project Grants program.

Funded projects include:

- \$13.5 million to construct a new building addition to the Hormel Institute in Austin;
- \$3 million to construct a new regional public television station in Bemidji; and
- \$500,000 to design a floodwall extension in South St. Paul.


A new Greater Minnesota Business Development Public Infrastructure Grant Program receives \$6 million. Administered by DEED, the program seeks to help fund public infrastructure investment geared toward business expansion that would not occur without public financial assistance.

These competitive grants are available to local governmental units for eligible projects. The state grant must be matched with at least an equal amount from non-state sources. From the program, up to \$1.2 million as a matching grant is awarded to the Lake Superior-Poplar River Water District to help fund a water system. The grant program sunsets June 29, 2016.

The law also addresses affordable housing initiatives that Hausman said only happened because "housing advocates have been here every single day. They have had an enormous impact on the body here."

The new law allows DEED to issue up to \$30 million in bonds to finance the cost of supportive housing for those without a permanent residence; and for rehabilitation of foreclosed or abandoned housing that will be used for affordable rental housing.

The Harriet Tubman Center in Maplewood will receive \$2 million to help transition the facility to a regional safety service center for domestic violence shelter.

HF1752*/SF1463/CH293 

Tax trio trifecta

One makes it to law, but tax chair steamed over veto of 'smokin' hot' tax bill

By LEE ANN SCHUTZ

Three tax bills, two vetoes. As the session neared closure, it was clear, at least to the House Taxes Committee chairman, that the session's success was conditioned on passage of a bonding bill to appease the DFL; support for a new stadium to house the Vikings,

a measure pushed by the governor; and business property tax relief, a Republican session priority. You could call it a "trifecta" for job creation in Minnesota, said Rep. Greg Davids (R-Preston).

But in pretty short order, he saw Gov. Mark Dayton put the kibosh on the first tax bill, termed "smokin' hot" by Davids. That was followed up shortly after with the veto of a second, trimmed down version of the first tax bill. Both addressed the Republican priority of tax relief for business; but both, according to the governor, were "out of balance."

A third bill offering some targeted property tax relief to eligible homeowners, but mostly making technical changes to statute, made it to law; but neither the bill's sponsors or the governor were too happy with the product.

Credits – who pays?

The governor termed the first two tax bills "fiscally irresponsible," saying they provided tax relief for only one sector while ignoring others.

The first bill (HF2337*/SF1972/CH285) contained several tax credits for businesses and a proposed phase out of the state property tax levy paid by business owners and seasonal/recreational property owners. It would have cost the General Fund \$71.8 million in the 2014-2015 biennium. Republicans chose to pay for the provision

by using budget reserves, something that had little appeal to the governor.

Dayton gave the bill a quick turnaround before session's end as a signal of his willingness to work with the Legislature on a "balanced" tax bill.

Davids and Sen. Julianne Ortman (R-Chanhassen), the Senate sponsor, came back a few days later with HF247*/SF872/CH296, proposing to freeze the state tax property tax levy for one year. The General Fund impact of the new bill was to be \$46 million over the 2012-2013 biennium. The financial hole would have been filled by a \$27.9 million transfer from the budget reserve, with the rest (approximately \$18.4 million) to come from cost savings achieved in other bills passed during session.

Dayton nixed the "reduced version" after the Legislature adjourned sine die. He stated in his veto letter that the bill "ignored my requirement that any future spending must be paid for and avoid adding to the next biennium's projected deficit" of \$1.1 billion.

After the veto, Davids criticized the governor for not personally negotiating the tax bill, but leaving that to his revenue commissioner. "There was a workable solution," Davids said. "I should have pushed harder — demanded — that the business tax changes be part of any stadium negotiations.

He did a lot of damage with the veto. ... I wanted a tax bill signed."

The tax law that Davids finally got was enacted with reservations, according to a letter from Dayton laying out his concerns.


With various effective dates, the law:

- provides targeted tax relief for homeowners equal to 90 percent of any tax increase over 12 percent for pay 2012 only;
- freezes pay 2013 city local government aid payments at 100 percent of pay 2012 amounts for larger cities and at the greater of 2012 aid or 2013 aid under the LGA formula for smaller cities with a population under 5,000;
- provides additional aid payments of \$12,000 in 2012 and 2013 to the city of Tamarack; and
- forgives the LGA penalties for late filing of 2010 city financial reports with the state auditor provided that all reports are in by May 31, 2012.

Dayton said the reallocation of LGA funding nearly caused a veto because this provision "would create many winners (i.e., cities which would receive more aid than was allocated under the LGA formula), but also some very serious losers, who would receive considerably less money than under current law." Since the bill was passed overwhelmingly by both bodies, Dayton questioned if legislators fully understood the consequences when they voted.

He signed the law because of the \$4.1 million of property tax relief for some homeowners.

"While this program aids only those homeowners affected most severely, and only for one year despite permanent property tax increases, it is virtually the only aid this Legislature has provided them in the session," Dayton said.

HF2690*/SF2136/CH294 

NEW LAWS

JANUARY 24 - MAY 23, 2012

Editor's note: The following are governor's actions on bills through May 23. Designations used in New Law and Veto summaries: HF-House File; SF-Senate File; CH-Chapter; and *- the bill language acted on by governor.

Budget

Protections for newborn information

Parents of newborns will have the chance to more clearly understand a medical facility's newborn screening program and what happens with the blood samples and testing results it collects.

A new law, primarily crafted to align appropriations contained in the February Economic Forecast, also lays out the newborn screening provision.

Rep. Mary Liz Holberg (R-Lakeville), who sponsors the law with Sen. Clare Robling (R-Jordan), said the provision begins to address her concern that privacy laws are not keeping pace with the changes to medical technology.

Parents would clearly have the ability to opt out of the testing prior to it taking place. The law also details how long samples and test results can be kept and how parents can revoke their consent for storage and use. While most of the law is effective Aug. 1, 2012, the newborn screening provisions takes effect May 11, 2012.

One-time appropriations made in the law include:

- \$472,000 in fiscal year 2012 to the commissioner of public safety for soft body armor reimbursements;
 - \$457,000 in fiscal year 2013 for equipment updates needed by the Minnesota State Colleges and Universities system;
 - \$235,000 in fiscal year 2012 to provide a match for Federal Emergency Management Agency disaster assistance;
 - \$200,000 in fiscal year 2013 for Minnesota County Veteran Service Officers to help eligible veterans discern the availability of benefits they have earned and especially those relating to post-traumatic stress disorder; and
 - \$100,000 in fiscal year 2013 to compensate honor guards at the funerals of veterans.
- The new law also makes forecast

adjustments for K-12 education programs and human services programming.

HF2967*/SF2558/CH292

— L. SCHUTZ

Fund transfers to end in 2015

Beginning in 2015, the state will no longer take money out of a pair of special accounts to help shore up the General Fund.

The fire safety account and the construction code fund, both of which are funded by special surcharges, have been tapped in recent years to help balance the state's budget. Critics say this has diverted money away from these two funds' legitimate purposes: firefighting activities and building inspections.

Effective July 1, 2015 unless otherwise noted, a new law will end the statutory transfers of money out of these two accounts. It will also reduce the respective surcharges that fund them. Specifically:

- the 0.65 percent surcharge on homeowners' insurance that funds the fire safety account will be reduced to 0.5 percent, effective July 1, 2013; and
- the \$5 building permit surcharge that funds the construction code fund will be reduced to \$1, effective July 1, 2015.

Sponsored by Rep. Carolyn McElpatrick (R-Deer River) and Sen. Al DeKruif (R-Madison Lake), the law also establishes base funding for the state fire marshal and for firefighter training and education for fiscal years 2014 and 2015. It also appropriates \$4.5 million for fiscal year 2013 to the Department of Public Safety for fire-related activities.

HF2172/SF1983*/CH289

— N. BUSSE

Business & Commerce

Business solicitation restriction

Licensed health care providers will be unable to use third parties to solicit business from those who have been in automobile accidents, unless they clearly provide their names and the clinics where they work.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Paul Gazelka (R-Brainerd), the law will require this information to be disclosed

to consumers. Violating the statute could result in license revocation.

Abeler explained that the law would impact companies that may use unethical business practices, such as promising specific financial damages to those injured, or using actors posing as law enforcement to attract customers.

The law is effective Jan. 1, 2013.

HF2749/SF2342*/CH255

— E. SCHMIDTKE

Licensure clarification for closers

Some misplaced cross references in law significantly changed which entities would be exempted from licensure as a real estate broker when acting as a closing agent.

A new law, effective May 2, 2012, reinstates previous law. It exempts licensed attorneys

Dear Readers:

This final issue of Session Weekly provides a wrap-up of all action during the 2012 session, as well as an opportunity to renew your Session Weekly subscription for the following two years.

At the end of every biennium, postal regulations require us to purge our mailing list and start over. On page 47, you will find information about renewing your complimentary Session Weekly subscription. Rather than returning the form to our office, you can renew your subscription online at www.house.mn/swform.htm or by calling our office at 651-296-2146 or 800-657-3550.

On page 48 there is a survey that we hope you will take time to complete.

Of course, legislative activity does not come to a standstill during the interim, and updates will be available through a number of resources:

- Session Daily, a nonpartisan electronic news source, will be updated as necessary during the interim at www.house.mn/hinfo/sdaily.asp;
- follow us on Twitter at twitter.com/MNHouseInfo or like us on Facebook at facebook.com/MNHouseInfo;
- House committee and legislative commission schedules will be updated at www.house.mn/hinfo/hinfosched.asp; and
- some meetings will be streamed live on the House website. Information is available at <http://www.house.leg.state.mn.us/htv/schedule.asp>.

To receive any or all of these free updates from House Public Information Services, simply sign up at www.house.mn/hinfo/subscribesw.asp or call 651-296-2146 or 800-657-3550.

— Session Weekly staff

and their direct employees from being licensed by the Department of Commerce as a real estate closing agent in order to handle real estate closings.

The law is sponsored by Rep. Pat Mazorol (R-Bloomington) and Sen. Scott Newman (R-Hutchinson).

HF2705*/SF2340/CH260

— L. SCHUTZ

Licensing for satellite installers

Those who install satellite systems at customers' homes will find themselves going through a separate licensing process beginning Oct. 1, 2012.

Currently, these installers, as well as those who work with pools, heating and air conditioning, must obtain a low-voltage technician license.

Rep. Tim Sanders (R-Blaine) and Sen. John Pederson (R-St. Cloud) sponsor a new law that provides for a separate licensing structure that the sponsors believe more appropriately fits the duties of satellite installers.

Sanders said the law is needed because a 2002 statute creating the current licensing structure unnecessarily included satellite installers, whose work differs from others who need the license. He said the change will not affect the Department of Labor and Industry, which will still oversee the issuance of these licenses.

HF2732/SF2324*/CH262

— E. SCHMIDTKE

Contractor insurance law modified

A residential contractor providing home improvement or repairs cannot compensate a homeowner by paying his or her insurance deductibles in exchange for the homeowner hiring the contractor to do work covered by insurance.

This is outlined in a new law that expands a trade practices law already in place, which had previously banned only contractors doing repair or replacement of residential roofing or siding from offering to make those payments.

The law is effective Aug. 1, 2012. Rep. Joe Hoppe (R-Chaska) and Sen. Gary Dahms (R-Redwood Falls) are the sponsors.

HF2553/SF2137*/CH248

— E. SCHMIDTKE

TUNED IN



PHOTO BY PAUL BATTAGLIA

Reps. Kent Eken, Tina Liebling and Kerry Gauthier use headsets to listen to the debate on the House floor May 9. The acoustics in the House Chamber sometimes make it difficult for members to hear the proceedings.

Civil Law

More judges can perform marriages

Larry Neilson of St. Paul would like his sister to perform the marriage of his daughter. A new law will allow her to do so.

His sister is an administrative judge. While most judges are able to perform the duty, administrative judges were not, under previous law.

That will change effective Aug. 1, 2012.

Rep. Bev Scalze (DFL-Little Canada) and Sen. John Marty (DFL-Roseville) sponsor the law.

HF2447*/SF2106/CH241

— L. SCHUTZ

Conciliation court claim limit upped

The monetary limit for filing a civil action in conciliation court is increasing for the first time since 1994.

Effective Aug. 1, 2012, the general monetary limit will increase from \$7,500 to \$10,000. That cap will increase to \$15,000, which will coincide with the limit on forfeitures, beginning Aug. 1, 2014. Consumer credit transaction claims will keep a \$4,000 cap.

According to the Office of Attorney General, "Conciliation court is often called 'people's court' or 'small claims court' because its basic purpose is to help people recover relatively small sums of money without having to hire a lawyer. Conciliation court allows you to bring your legal disputes to a court without the hassles of confusing legal procedures and high costs. Court rules are generally simple and informal, and the cost of filing in conciliation court is low."

Opponents said this law will give Minnesota the second-highest limits in the country, which could be detrimental to consumers.

Rep. Ron Shimanski (R-Silver Lake), who sponsors the law with Sen. Julianne Ortman (R-Chanhassen), said the law is in response to a December 2011 report put forth by Minnesota Supreme Court Civil Justice Reform Task Force. He said the law meets the needs of the courts and provides a savings by removing some district court burden from hearing claims that can be addressed in the less expensive conciliation court.

HF868/SF506*/CH283

— M. COOK

Consumers

Protection against coercion

Anyone who thinks they have been coerced into purchasing a home improvement product or service from a door-to-door sales agent will have three days to cancel or request a return of payment or goods without penalty.

The protection is contained in a new law, effective Aug. 1, 2012, sponsored by Rep. Andrea Kieffer (R-Woodbury) and Sen. Ted Daley (R-Eagan).

The law also implements fraud prevention measures directed at those providing money transmitting services.

Each money transmitter shall:

- provide a clear, concise and conspicuous consumer fraud warning on all transmittal forms used by consumers;
- provide consumer fraud prevention training for agents involved with transmittals;
- monitor agent activity relating to consumer transmittals; and
- establish a toll-free number for consumers to call to report fraud or suspected fraud.

Additionally, the law protects a vulnerable adult who may be coerced by a scam artist into transmitting money.

According to the nonpartisan House Research Department, the law requires money transmitters to allow individuals to disqualify themselves from sending or receiving money transfers. The disqualification lasts for one year, unless the consumer asks for it to be in effect for a longer period or terminates the disqualification.

HF2173*/SF2067/CH234

— L. SCHUTZ

Alcohol permitted at Gopher games

College football fans will soon be able to purchase alcohol at the University of Minnesota's TCF Bank Stadium.

As part of this session's omnibus liquor law, alcohol will be available for the general public as well as those seated in suites. The law states that one of the beers served in the designated "beer garden" within the stadium must be brewed in Minnesota. The types of other beers sold would be determined by the university's Board of Regents. This section takes effect Aug. 1, 2012.

Sponsored by Rep. Joe Atkins (DFL-Inver

Grove Heights) and Sen. Chris Gerlach (R-Apple Valley), the law also:

- permits Kick's Liquor Store to operate at an interim location until the business can move to a new facility. The store was damaged beyond repair during the 2011 tornado in north Minneapolis. This is effective upon approval by the Minneapolis City Council;
- allows liquor stores to sell clothing bearing the logo of the store, effective April 28, 2012. This would expand the types of products stores may sell, which range from alcohol to home-brewing equipment to tobacco products; and
- grants liquor stores permission to hold classes where there is tasting of alcohol in limited amounts, effective April 28, 2012. Store owners previously testified that this is an additional service they would like to offer customers.

HF2784/SF2392*/CH235

— E. SCHMIDTKE

Portable electronic device insurance

Legislation regulating insurance on portable electronic devices will be clarified.

Rep. Diane Anderson (R-Eagan), who sponsors the new law with Sen. Paul Gazelka (R-Brainerd), said this insurance covers the loss or damage to portable devices such as

mobile phones, laptops and iPads. Coverage is typically sold at the place of purchase.

Legislation passed in 2010 exempted the counterperson from having to be an independent insurance agent and required a vendor to provide training and keep a list of all locations that sell the insurance. Because many more places now sell portable electronics devices, supporters said system updates are needed.

The largely technical law, effective Jan. 1, 2013, requires that the insurance must be sold separately, not as part of a package deal; allows training for the insurance to be done electronically; requires a mandated disclosure to affirmatively state that upon cancellation of the coverage that the premium will be refunded on a ratable basis to the customer; and allows coverage correspondence notice to be sent by mail or electronically.

HF2638*/SF2310/CH259

— M. COOK

Economic Development

Demolition loans, ombudsman office

Local governments will be able to apply for state loans to demolish old buildings and make way for redevelopment.

VIKINGS BONDING PROPOSAL



PHOTO BY PAUL BATTAGLIA

At an April 30 press conference, House Speaker Kurt Zellers, right, and Senate Majority Leader David Senjem discuss a bonding proposal to fund a stadium that would house the Minnesota Vikings.

NEW LAWS

The provision is among a handful of economic development programs included in a new law. Rep. Bob Gunther (R-Fairmont) and Sen. Julie Rosen (R-Fairmont) are the sponsors. Unless otherwise noted, all provisions take effect Aug. 1, 2012.

The law will add demolition loans to the possible uses of a redevelopment account operated by the Department of Employment and Economic Development. The loans, which can be up to \$1 million in principal, can be used to tear down properties that pose a public safety threat and that meet certain other criteria specified in the law. They will have a maximum term of 15 years and a maximum interest rate of 2 percent. Various other terms and conditions apply.

The law also creates an ombudsman position within DEED to help small businesses navigate government regulations. The "small business advocate office" will utilize existing resources and will not require any new employees or other expenditures. The office is meant to provide "one-stop access" for businesses that require "information or assistance in obtaining or renewing licenses, meeting state regulatory requirements, or resolving disputes with state agencies."

Another provision in the law addresses an issue specific to Albert Lea, where the city has excess sewer capacity and seeks to entice new industrial developments. It allows the city to establish a "sewer charge rebate program" to incentivize new or expanded businesses. This provision is effective upon local compliance.

HF1721*/SF1441/CH288

— N. BUSSE

Education

Administrators board can enforce fees

School administrators who don't pay their annual licensing fees to the Board of School Administrators will have their licenses suspended until they make the \$75 payment.

A new law states that the board must give administrators clear notification of the consequences of missing that payment. When an administrator's license is suspended, the board must notify the administrator's district of that change immediately.

This provision is effective for fiscal year 2013 and later.

The Board of School Administrators will also see a change in its calendar from an annual year

to a fiscal year. The law provides for the board to adjust fees as needed during the transition. This section is effective May 1, 2012.

The law also clarifies that, effective Aug. 1, 2012, the board may approve as well as disapprove preparation programs for school administrators.

Rep. Sondra Erickson (R-Princeton) and Sen. Gen Olson (R-Minnetrissa) sponsor the law.

HF2759/SF2535*/CH257

— E. SCHMIDTKE

Omnibus education law signed

A new law addresses veteran's military pay, postsecondary enrollment options and payment to teachers charged with a felony.

Rep. Pat Garofalo (R-Farmington) and Sen. Gen Olson (R-Minnetrissa) sponsor the law, effective Aug. 1, 2012, unless otherwise noted.

One section of the law requires school districts to pay employee salary differential to those who have been deployed in the National Guard or other reserves. Funds remaining at the end of the year can be used to pay for substitutes for the deployed employees. The change is effective for school districts with employees serving in active military duty on or after July 1, 2012.

Previously, the law oftentimes only resulted in partial payment to service members.

The law will expand postsecondary enrollment options as well. Through that program, students may take classes at certain colleges while still completing high school. The law will extend PSEO from only high school juniors and seniors to 10th grade students by permitting them to enroll in career or technical courses at qualified postsecondary institutions. If a student receives a "C" or better in the class, he or she will be able to take additional credits at the school.

Further changes to PSEO address low-income students by allowing them to apply for transportation reimbursement.

Teachers charged with felonies will also be impacted by the law. Those under that type of investigation can be suspended without pay, pending the conclusion of a hearing. This section is effective April 28, 2012.

Another part of the law provides for an individualized learning agreement for districts. Individualized learning allows schools to work with students to develop their own curriculum based on their unique interests and strengths. This section is also effective April 28, 2012.

HF2949*/SF2482/CH239

— E. SCHMIDTKE

CONSTRUCTION WORKERS RALLY



PHOTO BY PAUL BATTAGLIA

Rep. Tony Cornish, right, talks with construction workers Mike Connelly, from left, Josh Bassais and Dan McGowan who rallied May 1 with other workers in support of a new Vikings stadium.

Trust land management overhauled

Management of Minnesota's school trust lands will undergo significant changes, starting next summer.

When it became a state, Minnesota received the lands from the federal government with the requirement of using, selling or leasing them to fund education. Sponsored by Rep. Tim O'Driscoll (R-Sartell) and Sen. Benjamin Kruse (R-Brooklyn Park), the new law provides that responsibility of overseeing trust lands be removed from the Department of Natural Resources. It will transfer land oversight to a school trust lands director and the Legislative Permanent School Fund Commission.

Along with the input of the commissioner of natural resources, the legislative commission and director will review bills related to the lands and ensure the lands are managed efficiently to increase economic returns. Supporters of the new law say that the department has failed to do this. The department will continue to be the chief trustee of the lands until the law becomes effective July 1, 2013.

HF2244*/SF1889/CH249

— E. SCHMIDTKE

Education pilot program OK'd

A pilot program will allow school districts to pool resources to provide innovative delivery of programs and activities, with increased student achievement in mind.

Rep. Sondra Erickson (R-Princeton) and Sen. Al DeKruif (R-Madison Lake) sponsor the law that will establish a five-year pilot project managed by the Education Department. Groups of schools will apply for the program, with three to six selected to participate. The department will then monitor the project for successful results and recommend whether it should be continued.

Erickson said that the law will provide schools with an opportunity to be innovative and "move away from the status quo of programming or the status quo of using resources. ... I think this is really an exciting time for school districts to consider this."

The law is effective May 2, 2012, and applies to the 2013-2014 through 2017-2018 school years.

HF755/SF946*/CH263

— E. SCHMIDTKE

Digital learning grad requirements

A new law sponsored by Rep. Pam Myhra (R-Burnsville) and Sen. Carla Nelson (R-Rochester) will require students graduating in 2017 and later to receive one digital learning course credit. Though the subject matter can vary from English to economics, the method of instruction would need to be based in technology.

Myhra and other supporters said the law is needed for Minnesota's students to learn needed technology skills, which will help them stay competitive in later life. Myhra believes the "blended learning" approach helps students learn about subjects that interest them at an individualized pace.

Opponents said that low-income school districts, especially those in rural areas where broadband access is less common, would be unable to meet the standards.

HF2127/SF1528*/CH273

— E. SCHMIDTKE

Elections

Election changes now law

Absentee voters will no longer have their ballots rejected just because they forget to write the date on the envelope.

The change is included in a new law that makes a handful of mostly minor changes to the state's election statutes.

Previously, absentee voters' ballots were not counted if they forgot to write in the date next to their signature on the ballot envelope. Effective June 29, 2012, voters are still required to sign the required oath, but no longer have to write in the date.

Two other provisions are included in the law:

- effective April 28, 2012, banning political party units from punishing non-endorsed candidates from running for office by imposing financial penalties; and
- effective Aug. 1, 2012, making a technical change necessary to accommodate the date for this year's Republican National Convention.

At one point, a provision was included that would have moved the state's primary from August to June, but it was removed in conference committee.

Rep. Tim Sanders (R-Blaine) sponsors the law with Sen. Roger Chamberlain (R-Lino Lakes).

HF2545/SF2296*/CH250

— N. BUSSE

Disclosure requirements for utilities

Public utility companies will be required to itemize their lobbying disclosure reports instead of just reporting a single, summary dollar amount.

A new law is designed to help the public distinguish between different types of lobbying activity by electric utilities. It will require them to separate out normal lobbying activity from cases of rate setting, certificates of need, and power plant and power-line siting in their disclosure reports.

The utilities requested the change. They argued that the old requirement of reporting a single number made it appear as if their lobbying expenditures were unusually high, when in fact much of what fell under the disclosure reporting requirements didn't amount to "lobbying" in the usual sense.

The law takes effect March 15, 2013. Rep. Joyce Peppin (R-Rogers) and Sen. Ray Vandever (R-Forest Lake) are the sponsors.

HF2684/SF2334*/CH251

— N. BUSSE

It all begins with an election certificate

If you've got \$100 to put down as a filing fee, and you can meet the following requirements, you can run for the Minnesota House of Representatives or Senate.

Those seeking to file as a candidate for the Legislature must have been a resident of Minnesota for at least a year prior to the general election.

Candidates must be a resident of the district they seek to represent for a period of six months prior to the general election, and must be 21 years of age at the time the term to be served begins.

Those seeking to file in a multi-county legislative district must file at the Secretary of State's office and those within single-county legislative districts may file at the respective county auditor's office.

Dates to know:

Filing deadline for Legislature: May 22-June 5

Primary Election: Aug. 14

Election Day: Nov. 6

Legislature scheduled to convene: Jan. 8, 2013

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

FIRST TO FILE



PHOTO BY ANDREW VONBANK

Rep. Joyce Peppin prepares for a long night in front of the Minnesota Secretary of State's Election Office May 21 in an effort to be the first to file for office May 22.

HAVA appropriations

The Office of the Secretary of State will have another \$750,000 to carry out its election administration duties.

A new law appropriates funds from the Help America Vote Act reserve account, which is funded by the federal government. Appropriating money from the fund is a routine duty for the Legislature.

The law specifies that \$120,000 of the total amount is to support local election officials and \$50,000 is for compliance with the Military and Overseas Voter Empowerment Act.

A provision in the law also states that the office may not compensate for any funding reductions for its election duties by reducing business services.

The law takes effect July 1, 2012. Rep. Morrie Lanning (R-Moorhead) and Sen. Mike Parry (R-Waseca) are the sponsors.

HF2269*/SF1832/CH282

— N. BUSSE

Employment

Disclosure of settlement information

The Burnsville-Eagan-Savage School District paid an employee more than a quarter-million dollars as part of a settlement package earlier this year. Due to legal restrictions, it was unable to provide the public with information about the agreement.

A new law, sponsored by Rep. Pam Myhra (R-Burnsville) and Sen. Dan Hall (R-Burnsville), spells out the conditions for data release relating to dismissal of a public employee, if the government entity is paying out \$10,000 or more.

Regardless of the size of a community, if a complaint is filed against a chief administrative officer or a person acting in an equivalent position, they would be required to be identified. In a city with a population of more than 7,500 or a county with a population of more than 5,000, the law

would relate to a broader category of positions.

Data relating to a complaint or charge against an employee will be public only if the complaint or charge results in disciplinary action; the employee resigns or is terminated from employment while the complaint or charge is pending; or potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement with another person.

The law is effective May 5, 2012, and applies to any agreement entered into or modified after that date.

HF2647*/SF2409/CH280

— L. SCHUTZ

Pension changes now law

The state's pension system will have to assume a lower rate of return on its investments, under a plan that supporters hope will strengthen its long-term financial outlook.

The change is one of a handful of key provisions in this year's omnibus retirement

law. Sponsored by Rep. Morrie Lanning (R-Moorhead) and Sen. Julie Rosen (R-Fairmont), it comprises the work of the bipartisan Legislative Commission on Pensions and Retirement.

Under the provisions, the assumed rate of return used to calculate the fiscal health of the state's pension funds will be lowered from 8.5 percent to 8 percent for a period of five years, during which time actuarial studies would determine whether further adjustments are needed.

Supporters say the change will ensure the state's pension funds have a realistic assessment of their unfunded liabilities. Since 1980, the State Board of Investment has produced annualized returns of slightly less than 10 percent; however, in the last 10 years, the rate of return has been just 5.9 percent.

Lowering the assumed rate of return will not directly impact the levels of contributions or benefits affecting current and former public employees. However, since it might increase the state's unfunded liabilities, adjustments might be needed in the future.

Other provisions in the law include a variety of technical and federal conforming changes and provisions to address a number of specific pension issues around the state.

The law has various effective dates. A more detailed, article-by-article breakdown of its provisions can be found on the commission's website.

HF2199/SF1808*/CH286

— N. BUSSE

Fighting employee misclassification

Unscrupulous employers sometimes label their workers "independent contractors" to avoid paying things like unemployment insurance, workers' compensation and employment taxes. In doing so, they deny those workers the benefits and protections afforded to regular employees.

Supporters of a new law hope it will help put an end to the practice. Effective July 1, 2012, the law will clarify who is considered an "independent contractor" and require the Department of Labor and Industry to implement a pilot project to ensure that all construction workers are properly registered with the state.

Under the provisions, anyone performing construction services in the state who is not already licensed or registered under another

section of law will have to register under the new program. This program will replace the old Independent Contractor Exemption Certificate. There will be no registration fee, but penalties may apply to those who fail to register.

A 2007 report by the Office of the Legislative Auditor found that one out of every seven employers had misclassified one or more workers in 2005. The report stated that it was likely a conservative estimate, because it didn't account for employers who pay cash "under the table" or who don't register with the unemployment system. The report also found that the practice of misclassification was highest in industries like real estate and construction, particularly the areas of roofing, drywall and residential remodeling.

The law also includes a number of technical and housekeeping changes requested by the Department of Labor and Industry. These take effect Aug. 1, 2012.

Rep. Tim Sanders (R-Blaine) and Sen. John Pederson (R-St. Cloud) are the sponsors.

HF2093/SF1653*/CH295

— N. BUSSE

Energy

Energy efficiency funds available

Community energy assistance totaling \$500,000 will be available for efficiency projects through the Department of Commerce.

Effective July 1, 2012, grants for renewable energy and energy efficiency projects will be available through June 30, 2013.

Sponsored by Rep. Paul Torkelson (R-Nelson Township) and Sen. Doug Magnus (R-Slayton), the law also requires that people or organizations receiving grants submit detailed reports of efficiency project spending to the Legislature by Oct. 1, 2013.

HF2731*/SF2216/CH237

— B. GEIGER

Easing co-op regulations

Electric cooperatives that generate more than 80 percent of their business outside Minnesota will be relieved of filling out Minnesota regulatory forms.

A new law, effective April 29, 2012, applies to electric associations that have at

least 80 percent of its member distribution cooperatives located outside the state, and that provide less than 4 percent of the electricity annually sold at retail in the state.

In lieu of filing a resource plan, the cooperative can elect to file an annual report that must include projected demand levels for the next 15 years and generation resources to meet any projected generation deficiencies.

The law is sponsored by Rep. Rich Murray (R-Albert Lea) and Sen. Dan Sparks (DFL-Austin).

HF2747/ SF2098*/CH268

— B. GEIGER

Env. & Natural Resources

Omnibus environment law signed

Fighting invasive species, helping business owners and improving water management are among the major themes of this year's omnibus environment and natural resources law.

Effective July 1, 2012, the law establishes an advisory inspection process to help businesses proactively comply with regulations. Rather than find out the hard way that they're in violation of state laws or rules and face financial penalties, businesses can contact state agencies and request an advisory inspection.

If an inspector identifies violations, the business can avoid any penalties as long as they're corrected within 60 days. Several agencies are exempted from the provisions, including the Department of Revenue. The law also states that the exemption from penalties does not apply to conduct involving fraud and various other circumstances.

Another focus of the law is combating the spread of aquatic invasive species. It increases civil penalties for transporting certain aquatic invasive species and doubles the fines for repeat offenders. Conservation officers will also be granted authority to order watercraft and other equipment to be removed from waters when necessary, and the DNR can require mandatory inspections at water access sites.

The law will also establish a new aquatic invasive species prevention program that includes educational courses and testing. Beginning July 1, 2015, the law will require that all watercraft trailers display an "aquatic invasive species trailer decal." (Failure to do so



PHOTO BY PAUL BATTAGLIA

Rep. Denny McNamara discusses the omnibus environment conference committee report on the House floor April 27.

will be punishable only by a warning, however.)

To improve watershed management in the state, the law includes a number of provisions that will allow the Board of Water and Soil Resources to better coordinate with local entities and create “comprehensive water management plans.”

Other provisions include:

- allowing local governments to establish alternative standards for subsurface sewage treatment systems, under certain conditions;
- requiring the balance of the minerals management account in excess of \$3 million be distributed proportionally to certain counties as well as the permanent school fund and the permanent university fund; and
- establishing a number of requirements for agencies to make reports and recommendations to the Legislature on various subjects.

The law takes effect Aug. 1, 2012, except where otherwise noted. Rep. Denny

McNamara (R-Hastings) and Sen. Bill Ingebrigtsen (R-Alexandria) are the sponsors. HF2164*/SF1830/CH272

— N. BUSSE

Stopping aquatic invasive species

Land purchases and funding for aquatic invasive species projects are the primary focus of the 2012 omnibus Legacy Funding law, which provides \$99.9 million for prairie, forest and wetlands projects for Outdoor Heritage Fund projects in fiscal year 2013.

Sponsored by Rep. Dean Urdahl (R-Grove City) and Sen. Bill Ingebrigtsen (R-Alexandria), the law includes \$11.3 million to defend Minnesota waters against Asian carp and other aquatic invasive species. That funding is part of the \$28.62 million devoted to habitats.

The largest portion of that funding, \$7.5 million, will be appropriated to the Department of Natural Resources to design, construct, operate and evaluate structural deterrents against the fish.

The University of Minnesota will receive \$1.8 million to create an Aquatic Invasive Species Cooperative Research Center. The university will collaborate with the DNR to develop aquatic invasive species controls. A portion of the funding will be spent to educate Minnesotans on how to prevent the spread of aquatic invasive species. The remaining \$2.5 million will be available to accelerate existing aquatic invasive species program funding, including a best management practices program for public water access facilities and \$50,000 to produce a documentary about the challenges presented by the spread of aquatic invasive species.

The law also contributes:

- \$31.14 million for wetlands, including \$13.81 million to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve Program;
- \$24.64 million for prairie projects, including: \$4.3 million for the DNR to accelerate restoration and enhancement of wildlife management areas, scientific and natural areas and land under native prairie bank easements; and
- \$15.3 million for forests, including \$11.04 million for the Mississippi Northwoods

Habitat Complex. Located near Brainerd, the 1,882-acre tract gives the state valuable river frontage.

Other funding includes a framework for a film production jobs program to be administered by the Minnesota Film and TV Board and overseen by the Department of Administration. A related effort designed to attract feature film producers to Minnesota is a \$600,000 incentive program. Funding for the incentive program will be dispersed by the board and the Independent Feature Project/Minnesota.

Funding of \$80,000 will be appropriated to commemorate the sesquicentennial of the American Civil War and Dakota Conflict — \$50,000 to the Minnesota Public Television Association and \$30,000 for public radio grants. The law also contains \$35,000 to create a searchable historical rulemaking website for state agency rulemaking.

HF2430/SF2493*/CH264

— B. GEIGER

Health & Human Services

Registration for dental labs

Ever wonder where the materials come from that dentists use for filling your teeth or inserting dental implants?

A new law will require dental laboratories to register with the Board of Dentistry and track the origin of lab materials. The law calls for an initial biennial registration fee of \$50, with a biennial renewal fee of \$25.

Sponsored by Rep. Tim Kelly (R-Red Wing) and Sen. John Howe (R-Red Wing), most provisions in the law are effective Jan. 1, 2013.

The law also defines a dental laboratory as a corporation, partnership, sole proprietor or business entity engaged in the manufacture or repair of dental prosthetic appliances. This definition does not include a dental laboratory that is physically located within a dental practice if the dental prosthetic appliances are manufactured or repaired for the exclusive use of the dentist or dentists within the practice.

No registered dental laboratory will be authorized to perform or authorize any dental technological work without a valid work order from a licensed dentist, which may be handwritten, faxed or sent

electronically using an electronic signature.

During fiscal year 2013, \$15,000 is appropriated from the state government special revenue fund to the Board of Dentistry to help implement the new law.

HF614/SF288*/CH269

— L. SCHUTZ

MRI services need accreditation

Advanced diagnostic imaging services will require the provider and facility to be accredited beginning Aug. 1, 2013, according to a new law.

Sponsored by Rep. Mary Kiffmeyer (R-Big Lake) and Sen. Sean Nienow (R-Cambridge), the law is needed to protect consumers and to align with federal standards for Medicaid reimbursement policy.

Services may be accredited by the American College of Radiology, the Intersocietal Accreditation Commission or another relevant accreditation organization designated by the federal government. The facilities must report their accreditation annually to the state health commissioner.

HF2276*/SF1811/CH228

— S. HEGARTY

Electronic prescriptions permitted

Technical changes will be made to laws governing how doctors submit prescriptions to pharmacies for controlled substances, effective Aug. 1, 2012.

The modifications will allow doctors to issue prescriptions electronically in instances where current law requires prescribing through a written or oral method.

Rep. Bob Barrett (R-Lindstrom) and Sen. David Hann (R-Eden Prairie) sponsor the law.

Proponents said the technical changes should result in more efficient prescribing and a cost savings.

HF2532*/SF2128/CH246

— S. HEGARTY

Miscellaneous health policies

Medical clinics with only one or two doctors will have more time to comply with electronic prescription drug requirements. All others were required to comply in 2011. Effective July 1, 2012, the smaller clinics will have until Jan. 1, 2015, to comply.

Sponsored by Rep. Steve Gottwalt (R-St. Cloud) and Sen. David Hann (R-Eden Prairie), the new law also contains the

following provisions:

- allowing the health commissioner to include Medical Assistance and MinnesotaCare enrollee's coverage expiration dates on a monthly roster, if the provider requests it. Proponents said this will help providers prevent lapses in public health care coverage (Art. 1, Sec. 3);
- enabling counties and local social service agencies to negotiate supplemental agreements with residential placement contract vendors. The agreement must be designed to encourage successful and cost-effective outcomes for clients and may include incentive pay for positive performance;
- entering into a reciprocal agreement with Bermuda to enforce child support obligations, effective when Bermuda agrees in writing or expiring if not enforced by Dec. 31, 2013;
- allowing an exemption so that nursing service providers may participate in an elderly waiver assessment for people with disabilities; and
- exempting Webber swimming pond in Minneapolis from having to comply with certain Health Department swimming pool regulations, effective May 1, 2012.

HF2627*/SF2208/CH253

— S. HEGARTY

Council sunset dates extended

A quartet of advisory councils will have their sunset dates extended.

A new law extends the expiration date from June 30, 2012, to June 30, 2014, of the American Indian Advisory Council, which advises the human services commissioner on developing policies and procedures relating to chemical dependency and the abuse of alcohol and other drugs by American Indians, and the Citizens Advisory Council, which advises the commissioner on issues related to alcohol and other drug dependency and abuse.

Also extended by those dates are the American Indian Child Welfare Advisory Council and the Traumatic Brain Injury Advisory Council.

The law also recognizes the authority of the Sunset Commission to review the continuance of these councils when the Human Services Department is scheduled to do so 2014.

Rep. Bob Barrett (R-Lindstrom) and Sen. Dan Hall (R-Burnsville) sponsor the law that

takes effect Aug. 1, 2012.

HF1993/SF1679*/CH271

— M. COOK

Higher Education

Bonding, textbook, changes

Bonding authority for the Minnesota State Colleges and Universities system will increase from \$300 million to \$405 million as part of the omnibus higher education law.

The law is effective Aug. 1, 2012, unless otherwise noted.

Sponsored by Rep. Bud Nornes (R-Fergus Falls) and Senate President Michelle Fischbach (R-Paynesville), the law will allow MnSCU to fund priority projects at five state universities and design future projects at other campuses. The law is effective Aug. 1, 2012, unless otherwise noted.

The law also reallocates, beginning Jan. 1, 2013, up to \$25 million of the permanent University of Minnesota fund mineral research account for the Natural Resources Research Institute to fund development of a mining-related engineering program offered by the University of Minnesota at Mesabi Range Community and Technical College, and provide scholarships for students in the program.

MnSCU and the university must post course information, including, to the extent possible, a list of the required and recommended course materials on a website. Instructors will be required to notify bookstores of required and recommended course material at least 45 days before the start of each term.

Other provisions in the law include:

- effective July 1, 2012, both systems will be able to stay open during a government shutdown;
- the MnSCU Board of Trustees is to establish a work group to study ways to lower textbook costs for students;
- the university is to transfer \$645,000 to the Hennepin County Medical Center for graduate family medicine programs in fiscal year 2013; and
- public postsecondary institutions must grant waivers from their required student health insurance plan coverage if the student has plan coverage from another source and requests a waiver.

HF2065/SF1573*/CH270

— B. GEIGER

Local Government

Grants to EMS providers

Cities and townships will be able to make grants to first responders, just as they've done in the past with hospitals.

Effective Aug. 1, 2012, a new law will allow local governments to make grants to emergency medical services agencies that serve their communities. The grants will need to be authorized by the local town board or city council.

Under current statute, qualifying EMS agencies include any "agency, entity, or organization that employs or uses emergency medical services persons as employees or volunteers."

Rep. Carolyn McElfattrick (R-Deer River) and Sen. Tom Saxhaug (DFL-Grand Rapids) are the sponsors.

HF2861*/SF2466/CH226

— N. BUSSE

Military & Vet. Affairs

Time limit for termination hearing

In cities or counties where there are civil service boards or merit system authorities, a military veteran employed in a public service job has certain rights before he or she can be terminated. The employer must first notify the employee, which starts the clock. Within 60 days, the employee can request a hearing.

Where there is no board or authority, a three-person panel is appointed. The employee chooses one representative to serve on the panel; the employer chooses one representative; and the third panelist is a mutually agreed upon person.

A new law will change the hearing process to ensure a timely hearing. It will require the employee being terminated to identify within 60 days who they want to represent him or her at a three-person panel hearing. In some instances, hearings have been delayed for months or years because the employee did not provide a name.

If the employee does not produce a panel representative within the 60 days required, he or she will waive the right to a hearing and all other remedies available for reinstatement of employment.

Under current law, only the veteran can appeal a panel's decision. A second provision in

LONE VIEWER



PHOTO BY PAUL BATTAGLIA

Lobbyist Bill Schreiber is the lone viewer of legislative action televised on one of the monitors in a Capitol corridor May 7.

the law will enable the employer to also appeal.

Rep. Bruce Anderson (R-Buffalo Township) and Sen. Doug Magnus (R-Slayton) sponsor the law, which is effective Aug. 1, 2012.

HF2495/SF2316*/CH230

— S. HEGARTY

Appointments for disabled veterans

A military veteran with a disability rating of 30 percent or more will be eligible for appointment to a classified service position on a non-competitive basis.

Sponsored by Rep. Bruce Anderson (R-Buffalo Township) and Sen. Ted Daley (R-Eagan), the new law will allow appointment of a veteran who meets the qualifying criteria and prevents interviewing anyone else. Additionally, the veteran must

To find out who represents you at the Capitol . . .
Call House Public Information Services
at 651-296-2146 or 800-657-3550

show written federal documentation of the disability and must meet the minimum qualifications for the vacant position.

Anderson estimated that there are more than 30,400 veterans in the state who fall under the category of being disabled 30 percent or more.

The law is effective Aug. 1, 2012.

HF2493/SF2354*/CH231

— S. HEGARTY

Honor guard stipends increased

Members of some military honor guards will be eligible for a larger stipend for their performances.

Effective Aug. 1, 2012, charitable gambling organizations will be authorized to pay a per diem stipend of up to \$50 per person for military honor guard, color guard or “marching unit” performances. The stipend was previously capped at \$35.

Under statute, stipends for military honor guards are among the lawful uses of gross profits from charitable gaming operations.

Rep. Bob Dettmer (R-Forest Lake) and Sen. Mike Parry (R-Waseca) are the sponsors.

HF2259/SF1754*/CH242

— N. BUSSE

Contract preference expansion

A construction bid program that allows up to a 6 percent bid preference to veteran-owned small businesses will expand.

Sponsored by Rep. Bob Dettmer (R-Forest Lake) and Sen. Al DeKruif (R-Madison Lake), a new law, mostly effective May 1, 2012, will enable the transportation commissioner to designate a construction contract to be awarded only to veteran-owned small businesses, if at least three such businesses are likely to bid.

The purpose is to help veterans transition from military to civilian life and to “keep that pool of talent here in Minnesota,” Dettmer said.

While most of the work awarded thus far has been in the area of manual labor, the law will expand bid preferences for construction-related goods and services. That may mean that veteran-owned architectural and design businesses could be included in the program.

Counties will be able to create a similar hiring preference program. This section takes effect July 1, 2012.

Goals will be set by the commissioner for prime contractors to subcontract to small

targeted businesses, such as veteran-owned companies. The prime contractors may receive financial incentives for exceeding the set goals.

A biennial report will be due to the Legislature, providing a summary of the program and recommendations for any changes.

HF1821/SF1597*/CH254

— S. HEGARTY

Public Safety

Genital mutilation enhanced penalty

Within the state’s domestic violence statutes is a list of offenses that qualify a person for an enhanced offense, potentially leading to a harsher sentence.

Effective Aug. 1, 2012, a new law adds to that list the crime of female genital mutilation against a family or household member.

The law is based on a July 2011 case in Hopkins where a man held his wife against a wall by her chest and neck during an argument and then threw her to the floor.

Following the man’s arrest, the city’s prosecuting attorney reviewed the man’s criminal history to see if he had been previously convicted of a qualified domestic violence-related offense that would have allowed the case to start as a gross misdemeanor, rather than a misdemeanor.

Current qualified domestic violence-related offenses include: murder; violating an order for protection; harassment restraining order or no-contact order; stalking; domestic assault; or criminal sexual conduct. None of these was in the man’s past, but he had been convicted of female genital mutilation in 2000 for which he was on probation until 2001.

Rep. Steve Simon (DFL-St. Louis Park) and Sen. Ron Latz (DFL-St. Louis Park) sponsor the law.

HF2149*/SF1657/CH227

— M. COOK

Fighting synthetic drug sale, use

It isn’t easy for law enforcement to keep up with the changing compounds of synthetic drugs, but a new law tries to help.

Sponsored by Rep. Bob Barrett (R-Lindstrom) and Sen. Scott Newman (R-Hutchinson), it will enhance the penalty

for selling such substances to a felony, expand the list of synthetic substances and grant the Board of Pharmacy expedited rulemaking authority to handle new chemical formulas used by drug producers.

The law piggybacks on a 2011 law that added substances known as 2C-E and 2C-I, “plant food,” “bath salts” and synthetic cannabinoids to the Schedule I drugs in the controlled substances chapter of state law; made it a gross misdemeanor to sell synthetic marijuana; and made possession a misdemeanor. The goal of both laws is to help keep synthetic drugs — also called designer drugs — out of storefronts and off the streets by making them more difficult to sell.

According to the law, if the Board of Pharmacy adds a drug to the schedule through expedited rulemaking they must notify the Legislature, which must ratify the addition the following session to keep it on the schedule. Additionally, there is a two-year sunset on the expedited rulemaking.

Because not all shops have been compliant with the 2011 law, and instead are willing to pay the fine for a misdemeanor in order to keep doing business, the law makes it a felony to sell synthetic drugs. Supporters hope some sellers will decide what they’re doing isn’t worth the potential price of a \$10,000 fine and five years in prison.

Courts will also be permitted to offer a diversion program to first-time users of synthetic drugs, just as they can to other first-time other drug users.

HF2508*/SF2319/CH240

— M. COOK

Explosives background check

Law enforcement will be given electronic access to the Human Services Department civil commitment data for a background check on an applicant for a permit to possess explosives.

Currently, permits for explosives and firearms require a review of civil commitment as part of a determination as to whether an individual should receive the license or permit. However, law enforcement must get that information through a phone call or written request to the department.

This technical change, effective Aug. 1, 2012, will allow law enforcement access to the electronic civil commitment records within the department. Supporters said authorizing the access, like is currently the

case with firearm permits, will minimize disruptions and promote efficiency.

Additionally, under current law it is illegal for a minor “to work in any occupation which the commissioner shall find to be particularly hazardous for the employment of children under 18 years of age or detrimental to their well-being.”

The law states this section does not apply to minors who work in permanent, non-seasonal retail stores, like a Target or Wal-Mart, even though they are selling explosives or pyrotechnics. The language was requested by the Labor and Industry and Public Safety departments. This section is effective May 3, 2012.

Rep. Kelby Woodard (R-Belle Plaine) and Sen. Warren Limmer (R-Maple Grove) sponsor the law.

HF2046*/SF1958/CH266

— M. COOK

Capitol area security

State Patrol officers can now be assigned to protect state lawmakers and other high-ranking state officials, if they’re believed to be in danger.

Effective May 2, 2012, a new law authorizes state troopers to provide security on a short-term basis in response to “credible threats” against legislators, Supreme Court justices and constitutional officers.

The law does not specify criteria for what constitutes a credible threat. Instead, that decision will be left to the governor and the commissioner of public safety.

The law also establishes an Advisory Committee on Capitol Area Security, consisting of the lieutenant governor, two House members, two senators and the chief justice of the Minnesota Supreme Court (or their designee). The committee will meet at least four times a year to discuss security concerns and make recommendations to the Legislature. It will sunset on June 30, 2022.

Rep. Kelby Woodard (R-Belle Plaine), who sponsors the law with Sen. Michelle Benson (R-Ham Lake), said the provisions are partially a response to the January 2011 mass shooting near Tucson, Ariz., that killed or wounded 19 people, including former congresswoman Gabrielle Giffords. After that incident, Gov. Mark Dayton convened a joint executive-legislative committee to make recommendations on improving security in

the Capitol Complex. The group advocated for many of the provisions embodied in the new law.

HF1607*/SF1283/CH258

— N. BUSSE

Recreation & Tourism

Card clubs, simulcasting can expand

Purses should be enhanced at Minnesota’s horse racing tracks thanks to a new law that changes statutes governing the state’s existing card clubs and allows simulcasting at tribal casinos.

Sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Claire Robling (R-Jordan), the law, in part, authorizes Canterbury Park and Running Aces Harness Park to increase the number of tables in their card rooms from 50 to 80 and increase the poker bet limit from \$60 to \$100. It also establishes limits on the number of poker tournaments the tracks can conduct; limits on the number of tables used in poker tournaments; and will allow banked and unbanked games at the establishments.

The law, effective Aug. 1, 2012, unless otherwise noted, also establishes a framework for the possible implementation of pari-mutuel simulcasting at the state’s tribal casinos of horse races conducted at the tracks.

The law also removes statutory restrictions on the concentrations of non-steroidal anti-inflammatory drugs administered to horses, instead allowing the Minnesota Racing Commission to set those standards. This section is effective May 5, 2012.

HF2795/SF1727*/CH279

— E. SCHMIDTKE

State Government

Annual claims law

Nearly \$24,000 will be paid out to settle claims against the state “brought for losses suffered while incarcerated in a state correctional facility or for injuries suffered by and medical services provided to persons injured while performing community service or sentence-to-service work for correctional purposes or while incarcerated in a state correctional facility.”

The largest award is \$12,270.75 to Chad Westring “for wage loss resulting from permanent injuries to his spine while performing sentence-to-service work in

Todd County.” Other payments range from to \$825 to \$5,268.

Each year, a Joint House-Senate Subcommittee on Claims meets to determine which petitions will be funded. All state agencies are eligible to receive funding to cover the claims.

Rep. Steve Smith (R-Mound) and Sen. Michael Jungbauer (R-East Bethel) sponsor the law, which is effective July 1, 2012.

HF2437/SF2112*/CH232

— M. COOK

Council, board sunsets delayed

Several state councils and boards scheduled to expire this year, as recommended by the Sunset Advisory Commission, have a reprieve for two or four more years.

Rep. Mary Kiffmeyer (R-Big Lake) and Sen. Terri Bonoff (DFL-Minnetonka) sponsor the law, which is effective Aug. 1, 2012, unless otherwise noted.

The Chicano Latino Affairs Council, Council on Black Minnesotans, Council on Asian-Pacific Minnesotans and the Indian Affairs Council and their advisory boards will now sunset June 30, 2014. The Capitol Area Architectural and Planning Board, Amateur Sports Commission, health-related licensing boards and State Council on Disability and their advisory boards will sunset June 30, 2018.

The Office of the Legislative Auditor is directed to conduct a financial audit of the Council on Black Minnesotans by Dec. 1, 2013, and review the sunset process in 2018.

The management and budget commissioner is also directed to report the number of full-time employees and the salary structure for each agency under review by the Sunset Advisory Commission, and the Department of Administration will serve as a resource for smaller agencies preparing for their review.

The Indian Affairs Council will be required to submit an annual report to the Legislature that identifies the major problems and issues confronting American Indian people and recommendations to address those issues.

The law also abolishes the Combative Sports Commission and transfers its duties to the Department of Labor and Industry, effective July 1, 2012.

The law also:

- makes public any corrective actions taken by the Board of Medical Practice, in

VIKING 'VALHALLA'

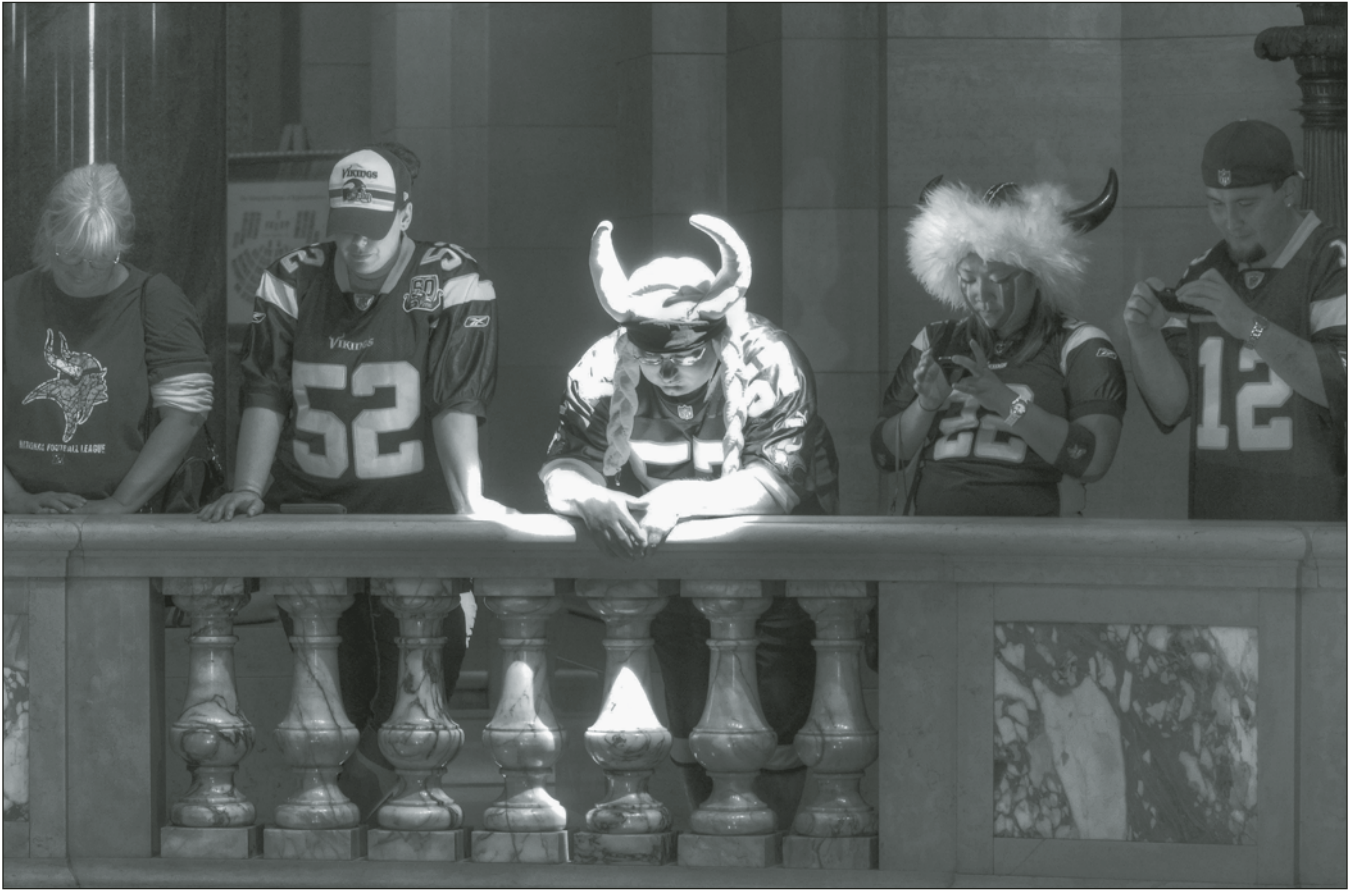


PHOTO BY ANDREW VONBANK

Vikings fans, bathed in light, enter "Valhalla" through the Capitol Rotunda May 14 as Gov. Mark Dayton signs into law a bill that will help fund a new stadium for the Minnesota Vikings.

- addition to disciplinary measures;
- makes health care professionals and facilities who fail to report actions that may result in disciplinary or corrective action, subject to civil penalties;
- requires health-related licensing boards to post on their public website the name and business address of each regulated person convicted of a felony or gross misdemeanor, beginning July 1, 2013. Malpractice judgments and disciplinary or corrective action must also be posted;
- prohibits fees paid by speech pathologists and audiologists from being transferred to the General Fund;
- requires several reports by various health licensing boards will be due the Legislature in January 2013 regarding fees, information systems, administrative support services and background checks; and
- modifies the complaint, hearing and

investigation processes for health-related licensing boards.

The new law appropriates funds from the General Fund for the Sunset Advisory Commission and from the State Government Special Revenue Fund for the various state medical and licensing boards.

HF2555*/SF2304/CH278

— S. HEGARTY

Protecting private data

A 2011 law change requires those covered by state insurance benefits to provide verification of dependent eligibility to Minnesota Management and Budget. This year's omnibus data practices law prohibits the commissioner from terminating the enrollment of a dependent in the State Employee Group Insurance Program for failing to submit proper documentation. It requires that notice be provided at least 30

days before the proposed termination, and an alternate method of compliance if the covered plan member has demonstrated that compliance is impractical.

Rep. Peggy Scott (R-Andover) and Sen. Warren Limmer (R-Maple Grove) sponsor the law that details how private data is collected, maintained or disseminated. It also updates the Data Practices Act and open meeting law.

Other provisions include:

- allowing disclosure, under certain conditions, of certain electronic licenses and registrations issued by the Department of Natural Resources, currently classified as private data;
- classifying certain data related to adopt-a-highway program participants as private data, such as home addresses (except ZIP codes), e-mail addresses and telephone numbers; and
- adding veteran status to the list of data that

VIKINGS VS. WELFARE RIGHTS



PHOTO BY PAUL BATTAGLIA

Kim DeFranco, a member of the Welfare Rights Committee, argues with Greg Hansen of Cold Spring outside the House Chamber April 30 about publicly funding a new stadium.

are public on an applicant's application for appointment to a public body.

The following items are added to the list of additional data that becomes public once an individual is actually appointed to a public body: first and last dates of military service; the existence and status of any complaints or charges against the appointee; and a final investigative report once an investigation is complete, unless access would otherwise jeopardize an active investigation.

HF1466/SF1143*/CH290

— L. SCHUTZ

Statute clarification and correction

After session ends, the Office of the Revisor of Statutes reviews the state statutes and proposes clarifications and corrections to the Legislature the following session. This

could include such items as incorrect cross references and grammatical errors.

A new law makes clarifications and corrections from sessions past and some laws enacted in 2012.

The law has various effective dates, corresponding to those of original enactment. It is sponsored by Rep. Tim Kelly (R-Red Wing) and Sen. Warren Limmer (R-Maple Grove).

HF1702/SF1420*/CH298

— L. SCHUTZ

Rulemaking oversight

Lawmakers might soon be taking a closer, more critical look at the administrative rules promulgated by state agencies.

A new law will provide for greater legislative oversight of administrative rules,

which have the full force and effect of law but which are created by state agencies rather than elected legislators. Provisions include:

- requiring agencies to assess the cumulative effect of proposed rules with existing state and federal regulations;
- requiring a number of state agencies to issue reports describing the rationale behind their existing rules and any recommended changes;
- requiring agencies to notify the Legislative Coordinating Commission of their intent to adopt any proposed rules; and
- requiring agencies to submit their rulemaking docket for the year and the previous year's rulemaking record to the relevant legislative committees.

Rep. Mike Beard (R-Shakopee) and Sen. John Pederson (R-St. Cloud) sponsor

the law, which takes effect Aug. 1, 2012.
HF2169/SF1922*/CH238

— N. BUSSE

Transportation

Salvage title requirements

Greater clarity and simplification in the administration of salvage title and damage disclosure is the goal of a new law.

The law, effective Aug. 1, 2012, changes the time an insurance company has before being required to notify the Driver and Vehicle Services Division of the Department of Public Safety of acquiring a vehicle through paying a damage claim, so that the notification must occur within 10 days of obtaining a vehicle's title instead of within 48 hours of taking possession of the vehicle.

It also provides a new monetary threshold for requiring a salvage title by raising the cutoff of self-insured vehicle owners in the amount of vehicle damage from 70 percent to 80 percent of actual cash value, while eliminating an exclusion of airbag replacement costs from the calculation of vehicle damage.

The definition of "high-value vehicle" is amended to raise the minimum value on a vehicle before being damaged from \$5,000 to \$9,000; the definition of a "late-model vehicle" is amended to make a vehicle essentially those with a model year matching the current or five preceding calendar years; and the definition of an "older model vehicle" is amended to mean all vehicles older than late model vehicles.

Rep. Tim Sanders (R-Blaine), who sponsors the law with Sen. Paul Gazelka (R-Brainerd), said the legislation is the result of collaboration between the Alliance of Automotive Service Providers, the Insurance Federation of Minnesota, the Minnesota Automobile Dealers Association and the Department of Public Safety.

HF2136*/SF1734/CH267

— M. COOK

FINAL VOTE



PHOTO BY PAUL BATTAGLIA

Members and staff watch the House Voting Board during final passage of the stadium funding bill May 10.

New laws online

A complete review of all new laws passed this year is expected to be available after July 1 on the New Laws 2012 Web page, www.house.mn/hinfo/NewLaws/NewLawsmain.asp. To receive an electronic notification when the new laws have been posted, go to www.house.mn/hinfo/subscribe.sw.asp.

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Business & Commerce

Fire sprinklers in new construction

Snuffed out by a gubernatorial veto was a bill that would have prevented a requirement to install fire sprinklers in homes.

Under the bill, sponsored by Rep. Mike LeMieur (R-Little Falls) and Sen. Jeremy Miller (R-Winona), the state fire code or the state building code could not be changed to require the installation of fire sprinkler systems in any new or existing single-family detached dwelling unit.

Gov. Mark Dayton's veto letter states: "I take very seriously the concerns which fire safety professionals have expressed about the safety of home residents ... They are concerned that newly built homes burn more quickly, and that more firefighters are injured when floors collapse during fires. They contend that, with sprinkler systems in place, fires could be more readily contained, resulting in fewer injuries and deaths to homeowners and firefighters."

The bill would have also clarified statutory language regarding certain occupational licenses and apprenticeship agreements, which the governor expressed his support.

HF2087/SF1717*/CH284

— L. SCHUTZ

Annuity assurance changes

Customers generally purchase annuities to ensure a monthly payback during retirement. However, regulators see the need for more uniform regulation to make sure products are well-suited to the customer.

Gov. Mark Dayton vetoed a bill that he said does not provide the necessary protections for seniors or enough accountability for insurance companies.

Rep. Joe Hoppe (R-Chaska), who sponsored the bill with Sen. Roger Chamberlain (R-Lino Lakes), said it would enact model regulation adopted by the National Association of Insurance Commissioners, and would make Minnesota's law "the strongest in the country — one that will be model legislation for other states."

However, in his veto letter, Dayton restated his earlier objection to the legislation.

"I made it very clear to the bill's authors and interested parties that I would not support this legislation unless it: (1) required

meaningful, independent, elevated review by insurance companies of the suitability of long-term deferred annuities for seniors in certain circumstances; and (2) limited the FINRA exemption, which would provide a huge loophole for insurers regarding annuities sold by a securities broker to senior citizens." FINRA stands for the Financial Industry Regulatory Authority.

HF1134*/SF877/CH261

— L. SCHUTZ

Education

No extra academic oversight

Gov. Mark Dayton vetoed a plan that would have required legislative approval to any changes or revisions to the academic standards or graduation requirements after they've gone into rulemaking.

Sponsored by Rep. Sondra Erickson (R-Princeton) and Sen. Carla Nelson (R-Rochester), the bill would have allowed the education commissioner to review and revise school standards and benchmarks, but would have required specific legislation to authorize those revisions as official rules.

"Minnesota's existing standards review

and revision process is carefully designed and thorough. It has successfully produced rigorous academic standards in math, science, English, language arts, social studies, and the arts," Dayton wrote in his veto letter. "Even when issues of a controversial nature emerge in specific subject areas, the current process has produced standards which have been widely accepted by stakeholders and held in high esteem nationally. This bill would delay the academic standards process by inserting it into the legislative arena."

In addition to assigning a role of the executive branch to the legislative branch, the governor also expressed concern about finding people to serve on a standards committee. He said this process would create ambiguity because the Legislature could change standards a committee worked hard to create, and there could be potential delays in implementation timelines causing loss of federal dollars that would put additional costs on local districts.

"Adding an additional review process could considerably lengthen the amount of time it would take to develop the standards, which in turn would make it difficult for districts to align, purchase, or create new curriculum to train their teachers and to

STATEHOOD DAY

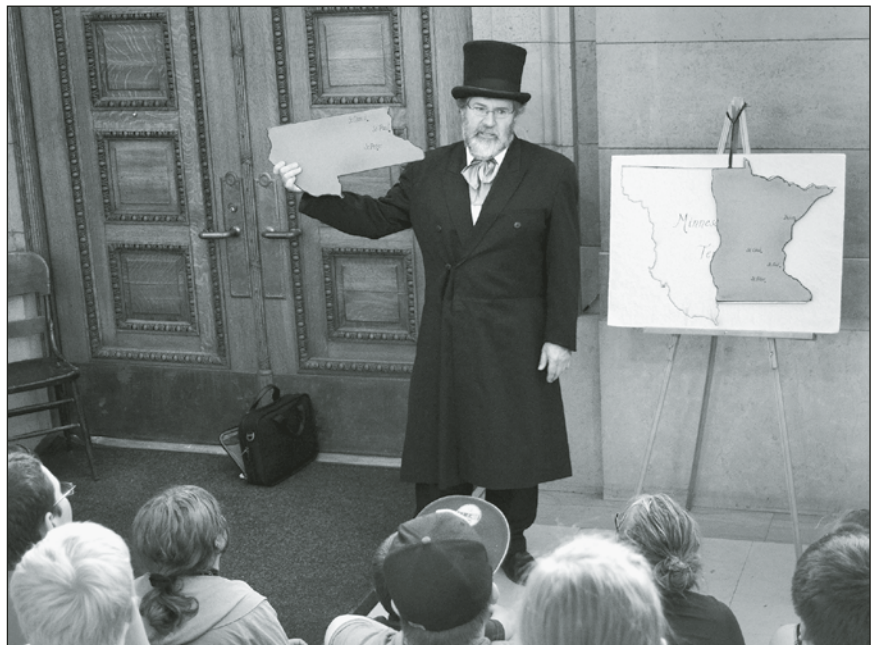


PHOTO BY ANDREW VONBANK

Kerry Foerster portrays Lewis L. McKune, an 1857 Constitutional Convention delegate, for Capitol visitors on May 11, Minnesota Statehood Day.

implement the standards,” Dayton wrote.
HF1847/SF1656*/CH281

— M. COOK

Teacher layoff policy won't change

Gov. Mark Dayton vetoed one of the most contentious education bills of the session. The so-called “Last In, First Out” bill would have addressed the procedure of teacher layoffs.

Currently, when schools need to lay off teachers, they must determine who will lose their jobs based on seniority within the district. The bill sought to change that policy by authorizing districts to use performance evaluations in making that decision.

Supporters of the bill said that it would introduce fairness to school layoffs. Proponents like Rep. Branden Petersen (R-Andover), who sponsors the bill with Sen. Pam Wolf (R-Spring Lake Park), claim that the measure would reward teachers who are most effective.

The bill drew criticism from DFLers, who expressed frustration at what they called a hasty approach to education reform. Teachers’ union representatives and the governor said the bill was part of a continued Republican assault on educators this session.

“This bill, with the rhetoric accompanying it, is yet another example of this prejudice against public school teachers,” Dayton wrote in his veto letter. “Once again they are singled out as ‘the problem,’ for which some legislators’ solution is to override the long-established rights of local school boards and teachers’ elected representatives to negotiate the terms of their employment and their dismissals.”

Though parts of the bill would have taken effect the day following enactment, it would have become fully incorporated in school policy for the 2015-2016 school year.

“It is unclear why the Legislature feels such an urgency to mandate something that will not take effect for four years. After the evaluations have been designed and tested would be a far more appropriate time for the Legislature to determine, in 2015 or 2016, how best to incorporate them into layoff decisions,” Dayton wrote.

HF1870*/SF1690/CH274

— E. SCHMIDTKE

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

Employment

Union contract changes vetoed

The terms of public-sector labor contracts can be extended even if they provide automatic pay or benefit increases, despite the best efforts of Republican lawmakers who tried to ban the practice.

Gov. Mark Dayton vetoed a measure that would have stopped public employees’ labor contracts from continuing past their expirations.

Bill supporters argue the unions have little incentive to settle on a new contract when the terms of the old contract already provide them with automatic compensation increases. But in his veto letter, Dayton argued that the bill would have tipped the scales too far in favor of the employers.

“The Legislature is well aware that I have opposed, and will continue to oppose, unilateral changes to the collective bargaining process,” Dayton wrote.

He also noted that the bill would have posed logistical problems for Minnesota Management & Budget, which negotiates state worker contracts.

Rep. Steve Drazkowski (R-Mazeppa) and Sen. Mike Parry (R-Waseca) are the sponsors.
HF1974*/SF2078/CH245

— N. BUSSE

Labor contract changes vetoed

A measure that would have given the Legislature greater involvement in state labor contract negotiations was vetoed by Gov. Mark Dayton.

The bill would have required Minnesota Management & Budget to notify the Legislature at least five days before executing a memorandum of understanding to amend a labor contract. In his veto letter, Dayton said the provision would “interfere with the day-to-day flexibility needed by the Executive Branch to manage most effectively and efficiently.”

The bill also proposed allowing negotiators to agree to implement unpaid leave and reductions in work hours to avoid layoffs when necessary. Dayton said this ability is already provided for under current law.

Finally, the vetoed bill contained a provision that would have made offers made by MMB during the course of contract negotiations public data. Dayton said this

would “disrupt the long-established process between the Executive Branch and its employees.”

HF1977/SF1755*/CH291

— N. BUSSE

Health & Human Services

Trust accounts plan gets vetoed

A plan to authorize the use of trust accounts to pay for health insurance premiums was met with a gubernatorial veto.

Rep. Steve Gottwalt (R-St. Cloud), who sponsored the bill with Sen. David Hann (R-Eden Prairie), said the bill would help Minnesotans achieve access to affordable health care coverage in the private market. It would have allowed multiple sources to contribute money to a unified personal health premium account that would allow a person to pay for an individual, private health insurance account. Employers would have been able to contribute on a tax-preferred basis.

Supporters said the bill would help, for example, underemployed and uninsured part-time workers.

“On the one hand, the goals of this bill are closely aligned with those of the federal Affordable Care Act,” Gov. Mark Dayton wrote in his veto letter. “Both offer new ideas for how to aggregate public and private sector contributions for purchasing private health insurance coverage. Both allow the government to take a more active role in determining how consumers find affordable health insurance policies. Both would expand and maximize the use of government-funded tax subsidies and employer contributions for the purchase of health insurance.”

However, Dayton said the bill would weaken consumer protection and the need for contributors to have a different account “would create a complex maze of interwoven funding streams, accounts and contracts. Consumers might have even less ability to know and predict their health care resources and liabilities, putting them at even greater risk of being ensnared by the health care industry’s debt collection tactics.”

The governor wrote that a health insurance exchange is a better way to go because it “would offer a consumer-friendly, online marketplace where consumers can choose

a private health insurance plan without the need for multiple accounts, contracts, and other unnecessary roadblocks.”

HF8*/SF32/CH276

— M. COOK

No licensing for abortion clinics

Abortion clinics will not be subject to Department of Health licensing and inspection requirements as proposed in legislation vetoed by Gov. Mark Dayton.

A bill sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Claire Robling (R-Jordan) would have required a clinic or health center that performs at least 10 abortions a month to be licensed and inspected by the department.

Opponents said the bill would have held clinics where pregnancies are terminated to a different standard than other types of clinics that don't require licensing and inspection, such as clinics where gall bladders and cataracts are removed.

In his veto letter, Dayton said he was advised by the department that the method of licensure was “inappropriate and unworkable.”

Under the bill, inspections would not have required advance notice and could have been conducted once or twice a year per facility.

“The six abortion clinics in Minnesota affected by the legislation are members of the National Abortion Federation, which sets clinical policy standards for performing abortions and inspects every member about every five years for the following standards: infection control, sonography, analgesia and sedation, antibiotics use, complications and emergencies. A lack of oversight of clinics that provide abortions is not an issue,” Dayton wrote.

HF2340/SF1921*/CH233

— S. HEGARTY

Administering an abortion pill

Gov. Mark Dayton vetoed a bill that would have required a doctor to physically be in the patient's room when administering the RU-486 abortion pill.

Rep. Joyce Peppin (R-Rogers) and Sen. Paul Gazelka (R-Brainerd) sponsor the bill, which would also have required the doctor to encourage the woman to return within 12 to 18 days to confirm that the pregnancy was properly terminated.

The federally-approved drug carries

a restriction that only a physician can administer the drug. But for some women, access can be a problem, so some doctors use tele-medicine practices, which matches doctor and patient, who are physically miles apart, together on a closed-circuit camera for consultation and instruction.

Peppin said there have been reported cases of excessive bleeding, incomplete termination of pregnancies or death as a result of taking the drug.

In his veto letter Dayton said, “Telemedicine has been a commonly used form of health care service delivery for nearly two decades. ... This bill's unique, new regulatory burden for a single procedure would increase the cost of health care and add unnecessary new barriers to a constitutionally protected health care service for women.”

HF2341*/SF1912/CH252

— S. HEGARTY

Request to join compact denied

Republicans hoping to ask Congress for the authority to join a health care compact are denied by a gubernatorial veto.

“This bill would be a drastic departure from our current system of shared state and federal responsibility for delivering health care services,” Gov. Mark Dayton wrote in his veto letter.

Rep. Steve Gottwalt (R-St. Cloud) and Sen. David Hann (R-Eden Prairie) sponsor the bill, which may have resulted in Minnesota requesting that Congress return Medicaid contributions to be managed by the state, without federal oversight.

Opponents said the bill was propagated by the American Legislative Exchange Council, an association for conservative state lawmakers. Gottwalt said ALEC is not the reason he sponsors the bill and that Minnesota could receive \$13.5 billion as a block grant to design its own health care system. Compact states would presumably then opt out of the federal Patient Protection and Affordable Care Act.

“Far beyond any objection to the federal Affordable Care Act, this bill asserts the notion that the federal government has no authority for health policy whatsoever,” Dayton wrote. “Regrettably, this Legislature has almost completely ignored the very real opportunity to assert greater control over our health care system by establishing

a state-level health insurance exchange.”

HF2339/SF1933*/CH256

— S. HEGARTY

Public Safety

Fireworks expansion is a dud

Minnesotans wanting to celebrate the Fourth of July with some personal pyrotechnics will have to remain satisfied with sparklers.

Primarily over safety concerns, Gov. Mark Dayton vetoed a bill to expand legal fireworks in Minnesota to include bottle rockets, firecrackers and other fireworks classified by the American Pyrotechnics Association as consumer fireworks. “Most Minnesotans are responsible enough to ignite and explode those inherently dangerous devices properly and safely. Unfortunately some are not,” Dayton wrote in his veto message.

“It is government's foremost responsibility to protect the safety and the well-being of its citizens. Sometimes, that requires laws which protect citizens from others. Sometimes, it requires laws to protect people from themselves. In this case, government has the responsibility to do its utmost to protect vulnerable young Minnesotans, courageous firefighters and police officers, and innocent bystanders of all ages, who could become victims of someone else's carelessness.”

Dayton further noted the state fire marshal, public safety commissioner and nearly 50 other organizations — including the police and fire chiefs associations — all expressed opposition.

Current Minnesota law allows for the use of party poppers, snappers, toy smoke devices, snakes, glow worms or sparklers, but supporters note that many Minnesotans already cross into neighboring states to spend their money for other types of fireworks and will continue to do so.

To address some local control concerns, the bill would have permitted local governments to enact ordinances restricting the use to ensure they are being safely used and in a limited timeframe. The sale and use of aerial and audible fireworks would have been restricted in Minnesota from June 1 to July 7 of any year.

Rep. John Kriesel (R-Cottage Grove) and

Sen. Michael Jungbauer (R-East Bethel) are the sponsors.

HF1774/SF1694*/CH243

— M. COOK

State Government

Redrawn lines to stay as is

There is an apartment complex in Edina where the line separating House districts cuts through a building. For the past decade, that inconsistency has caused headaches for people trying to figure out in which precinct to vote on Election Day.

While sympathetic to the situation, Gov. Mark Dayton vetoed a bill that would have clarified the line in Senate District 49, as well as a situation in Stillwater (Senate District 39). The bill is sponsored by Rep. Sarah Anderson (R-Plymouth) and Sen. Geoff Michel (R-Edina).

Every 10 years, after the census, new district lines are drawn to evenly reflect population shifts. Because the Legislature could not agree on a redistricting plan, the courts developed the new legislative and congressional lines to meet a mandated Feb. 21, 2012 deadline.

“Modifying the redistricting plan, months after the Special Redistricting Panel’s order was released is not appropriate,” Dayton wrote in his veto letter. He encouraged the cities requesting the boundary change to petition the panel.

Additionally, he indicated the bill would set a “bad precedent” and could lead to requests for further legislative adjustments. Dayton also noted his insistence that any change in election law must have broad bipartisan support. “The votes in both Chambers on this bill did not meet that requirement,” he wrote.

HF2821*/SF2424/CH265

— L. SCHUTZ

Rulemaking stays as is

Citing objections by former Gov. Tim Pawlenty to a similar bill in 2003, Gov. Mark Dayton vetoed a bill that would set limits on state agency rulemaking authority.

Sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Senate Majority Leader David Senjem (R-Rochester), the bill calls for state agencies to seek legislative approval before implementing administrative rules that cost businesses or individuals \$10,000 or more.

“This would add another lengthy step to

the existing rulemaking procedures,” Dayton wrote in his veto letter. He excerpted a portion of Pawlenty’s 2003 veto letter:

“The bill essentially shifts authority for conducting rulemaking from the executive branch to the legislative branch. Under current law, the Legislature has granted the Governor’s office final approval authority on all rulemakings. This is sound policy as it provides accountability in a way that does not paralyze either branch of government.”

Dayton said the objections remain valid for this bill as well.

HF203*/SF261/CH275

— L. SCHUTZ

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To be acted on

Parenting time presumption

A bill that stirred emotional debate on the House floor is the last of the session to be resolved.

Gov. Mark Dayton has 14 days from the session’s May 10 sine die date to act on all legislation that reached his desk. As of May 23, he had yet to act on a bill termed the “Children’s Equal and Shared Parenting Act.” Inaction results in a “pocket veto,” and the governor is not required to provide a reason for the veto.

Feelings ran strong and crossed party and gender lines in floor debate on the bill, with members characterizing the measure

that would change the state’s child custody and parenting laws as “long overdue,” while others termed it “problematic and would negatively affect children for years to come.”

The bill, sponsored by Rep. Peggy Scott (R-Andover) and Sen. Pam Wolf (R-Spring Lake Park), would change the current parenting time presumption from 25 percent for each parent to at least 35 percent.

The effective date, if the governor chooses to sign the bill into law, is July 1, 2013, and it would apply only to orders adopted or modified on or after that date.

The bill specifically notes that there must be no modification of an existing parenting time order based on the amendment to the parenting time presumption until July 1, 2014, unless the child’s environment presently endangers the child’s physical or emotional health or impairs the child’s emotional development.

Earlier versions of the bill set the presumption at 45.1 percent, and would have extended this presumption to those who are not married, but where parentage has been established.

HF322*/SF1402/CH297

— L. SCHUTZ

From soils to consumption

Ag law helps gardeners determine what plants are suitable for state climate

By SUE HEGARTY

Minnesota now has a state soil. The designation of Lester as the state soil in the omnibus agriculture law coincides with the University of Minnesota's 2013 celebration of the 100th Anniversary of the soil science program and the 40-year-old Minnesota Association of Professional Soil Scientists, according to Rep. Paul Anderson (R-Starbuck), who sponsors the law with Sen. Doug Magnus (R-Slayton).

However, a large portion of the law will require new labeling of landscape and garden stock designed to help consumers choose hardy stock for Minnesota's extreme growing conditions.

The law is effective Aug. 1, 2012, unless otherwise noted.

Planting guidelines

The new law defines "non-hardy" as a plant that cannot be expected to survive or produce flowers in certain growing zones and requires non-hardy nursery stock to be labeled as such. Sellers of nursery stock will also be required to keep balled and burlapped stock moist at all times.

Similarly, nursery stock collected from the wild must be labeled as such when sold, unless it has been grown in nursery rows at least two years; and vegetable and flower seed packets could list the number of seeds in the packet, instead of the net weight.

The Department of Agriculture's nursery and plant inspection and enforcement powers will expand to include the department's Wholesale Produce Dealer, Grain Buyer/Grain Storage, and Warehouse oversight responsibilities. The department can enter sites, inspect and sample products,

issue commissioner's orders, and pursue administrative and criminal penalties for failure to follow the Wholesale Produce Dealer, Grain Buyer/Grain Storage, or Warehouse laws.

Grains and livestock

A public grain warehouse operator's license must currently be filed before the purchase or storage of grain may occur. The operator is required to post a bond, which under the new law, is determined according to annual average storage liability.

When a grain operator takes the product to the scale, an electronic scale ticket will no longer require a signature.

Farmers who grow feed for their own livestock use will no longer be charged an inspection fee on that portion. The provision is retroactive to Jan. 1, 2012.

Dairy producers have until Aug. 1, 2017, to establish a Dairy Research, Teaching and Consumer Education Authority and to find a site for the design and development of a research, teaching and visitor facility. There is no state appropriation for the authority, which shall depend upon grants, gifts and donations for support.

Another livestock provision dealing with

diseased animals will remove the required quarantine zone of up to three miles from the diseased animal.

Research, renewable energy, grants


The agricultural growth, research and innovation program, which was scheduled to sunset next year, is extended until June 30, 2015. Established to promote the advancement of the state's agricultural and renewable energy industries, the authority will also be allowed to provide cost-share grants for the installation of biofuel blender pumps.

Regarding biodiesel fuel content mandates, the law exempts Coast Guard vessels from having to comply with minimum content requirements and exempts No. 1 diesel fuel from blending during the winter months due to gel problems at colder temperatures. The exemptions are effective April 29, 2012, and expire May 1, 2015.

A report is due the Legislature in 2013 and 2014 from the agriculture commissioner, in consultation with the commerce commissioner and Biodiesel Fuel Task Force, on whether to continue with any biodiesel fuel exceptions.

The law delays until Aug. 30, 2015, the current mandate that gasoline sold in Minnesota contain at least 20 percent ethanol.

The Rural Finance Authority will now be able to accept gifts, bequests, grants or interest in property for purposes pertaining to the authority, which aids farmers in securing loans to purchase acreages. In addition, the authority will establish a revolving loan account to offer loans up to \$10,000 to minorities and women for the purpose of growing horticultural products or to raise chickens to bring to market. The program will receive funding through a transfer of the balance in the agroforestry account, which is abolished.

HF2398*/SF2061/CH244 

Open season

Omnibus game and fish law OKs wolf hunting, higher fees

By Nick Busse

Minnesotans will have to pay more for virtually every game and fish license they acquire in the state, but they will also have the opportunity to hunt and trap wolves.

The omnibus game and fish law raises dozens of license fees charged to anglers and hunters in the state. The fee increases, most of which take effect March 1, 2013, were requested by the Department of Natural Resources and many private hunting and fishing groups with the goal of improving the state's conservation and wildlife management programs. As examples, a resident fishing license will increase from \$17 to \$22, and a resident deer hunting license will increase from \$26 to \$30. Fees for snowmobile registrations are also increased.

The law establishes a wolf-hunting license and specifies that revenue from the licenses is to be deposited into a special account that will be used for "wolf management, research, damage control, enforcement, and education." Wolf licenses will cost \$30 for residents and \$250 for nonresidents. The law also includes various requirements and restrictions for wolf hunters.

A "walk-in access" program is established to provide hunters with access to wildlife habitat on private land. The DNR will be allowed to enter into agreements with landowners and local units of government for this purpose, and the law specifies how and when hunters may use lands enrolled in the program. Hunters will be given the option to donate to the program when paying for their small game licenses.

Among other provisions, the law will require publicly owned shooting ranges (such as police ranges) in the seven-county metropolitan area to open their doors to the public twice in the spring and twice in the summer for DNR youth firearms safety instruction courses. This provision does not apply to Minneapolis or St. Paul, or to correctional facilities.

The following is a summary of selected provisions in the law. Except where otherwise noted, they take effect Aug. 1, 2012. Rep. Tom Hackbarth (R-Cedar) and Sen. Bill Ingebrigtsen (R-Alexandria) are the sponsors.

Fishing:

The following provisions are included:

- allowing certain species of fish to be harvested from infested waters and used as bait under certain circumstances;
- requiring anglers using portable ice-fishing shelters to remain within 200 feet of them unless they are properly marked with the owner's identifying information; and
- allowing the winter season for brown trout, brook trout, rainbow trout and splake to begin on Jan. 1 for lakes located entirely within the Boundary Waters Canoe Area.

Hunting:

The following provisions are included:

- providing additional options for bear hunters to leave their portable stands overnight in a wildlife management area by leaving their driver's license number or their DNR license identification number;
- allowing the DNR to issue replacement turkey hunting licenses, under certain circumstances, for those who wish to change permit areas and/or time periods;
- strengthening penalties for those who take deer using bait and those who are convicted of a violation that involves taking of a trophy deer;
- requiring nonresident 10- and 11-year-olds to pay the big game license fee;
- clarifying restrictions on when hunters may discharge firearms within 500 feet of

- occupied buildings or livestock enclosures;
- exempting hunters from blaze orange clothing requirements when hunting deer by archery in a stationary location and when hunting small game by falconry;
- allowing certain disabled hunters to use mounted firearms or bows and electronic or mechanical devices used to discharge them;
- allowing the DNR to use administrative rulemaking to determine the payment rates for control programs for coyotes, foxes and wolves;
- eliminating a 2008 law requiring a four-week fall season for turkey in a certain permit area;
- allowing hunters to take migratory waterfowl, coots or rails in certain open-water areas designated specifically by the DNR; and
- restricting the use of body-gripping or conibear-type traps.

Miscellaneous:


The following provisions are included:

- adding the recruitment of new anglers, hunters campers and other "outdoor recreation participants" to the DNR's mission, and requiring the DNR to collect information on hunter participation and satisfaction;
- allowing electronic transactions for game and fish licenses to continue even during a state government shutdown; and
- requiring that when land is donated to the state via the DNR, the deed conveying the land must state whether the DNR is allowed to resell it.

Snowmobiles:

The following provisions are included:

- exempting snowmobiles registered by tribal governments and that have not been outside of reservation boundaries for more than 30 consecutive days from DNR registration requirements;
- requiring that at least 60 percent of the revenue collected from snowmobile registrations go toward developing and maintaining state trails; and
- clarifying when snowmobilers are allowed to use "metal traction devices" on paved public trails.

HF2171*/SF1943/CH277 

A positive balance

Omnibus health care law focuses on reform, restoring cuts and delaying pending cuts

By SUE HEGARTY

An omnibus health and human services law lays out a path for reform in several health care sectors, and restores or delays some of the cuts made in 2011 to balance the state budget.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. David Hann (R-Eden Prairie), the law authorizes spending \$18.1 million.

Because the bill accounts for \$35 million in repayments from managed care organizations, whose gross revenues were

capped at 1 percent, there is a positive balance of \$16.8 million for the fiscal year ending June 30, 2013.

Except where otherwise noted, the law takes effect Aug. 1, 2012.

Welfare reform initiatives

- Restricting electronic benefit transfer cash card uses to Minnesota and surrounding states;
- disqualifying anyone found guilty of using an EBT card to purchase tobacco or alcohol for one year for the first offense, two years for the second offense and permanently for the third offense;
- allowing data sharing between the Department of Public Safety and the Department of Human Services for purposes of preventing welfare fraud, effective July 1, 2013;
- stopping landlord vendor payments on public assistance rent for convicted drug felons when the shelter is deemed uninhabitable;



PHOTO BY ANDREW VONBANK

Surrounded by legislators and interested parties, Gov. Mark Dayton presents Alexandra Fitzsimmons, legislative affairs and advocacy director for Children's Defense Fund-Minnesota, and her 20-month-old, Frankie, a pen used to sign the omnibus health and human services law during an April 30 ceremony.

- looking back 10 years for felony drug offenses when determining eligibility for Minnesota Family Investment Program benefits; and
- requiring personal care providers to grant immediate access to records to the Health Department if investigating Medicaid funds.

Children and family policy reforms

- Extending the number of absent days that child care providers can be reimbursed when children of young mothers, still in school, miss day care, effective Jan. 1, 2013;
- using 80 percent of grants for construction or rehabilitation of early childhood, crisis nursery or parenting centers for counties outside the seven-county Twin Cities metropolitan area;
- implementing a pediatric care coordination service for children with high-cost health conditions;
- requiring managed care and county-based purchasing plans to implement strategies to reduce incidences of low-birth weight; and
- requiring postpartum depression information to be available at Women, Infants and Children (WIC) Program locations.

Change to previous legislation

- Repealing the Minnesota Comprehensive Health Association's six-month residency requirement for Healthy Minnesota Contribution Program enrollees;
- repealing a mandate that managed health care plans report the company's five highest salaries, including all types of compensation, in excess of \$50,000;
- delaying the 20 percent rate reduction to personal care assistants who are related to the assisted person until July 1, 2013;
- delaying the mandatory bed closure for adult foster care homes until July 2013 and conducting a needs determination study during the interim; and
- delaying the 1.67 percent continuing care rate reduction until July 1, 2013, or until a federal waiver is received for persons with

intermediate care facility or developmental disabled waivers.

Adult-related provisions

- Raising the allowable earned income level to \$500 per month for employed adults with mental illness living in group homes, effective Oct. 1, 2012;
- providing exemptions to the nursing home moratorium;
- establishing a critical access nursing designation, effective April 29, 2012;
- issuing a mental health certification for adult foster care homes;
- enabling a variance for a fifth bed in a four-bed adult foster care facility to respite care;
- requiring adherence to new regulations regarding overnight supervision of residents in adult group homes;
- developing a Senior LinkAge Line referral service for older adults at-risk for long-term care;
- removing the Medical Assistance asset cap for employed persons with disabilities reaching age 65, to prevent "spending down" of finances or moving into more expensive shelter care, effective April 1, 2012;
- encouraging a provider for persons in individualized community living facilities to transfer the lease to the resident within two years; and
- expanding the shelter options for "shelter needy" adults to live in units with more than four beds, provided no more than 25 percent of the units are used for this purpose.

Studies and task forces

- Appropriating \$200,000 for a study focused on the incidence of autism among the Somali community;
- directing the Departments of Human Services; Education; Health; and Employment and Economic Development to study supportive housing models for children diagnosed with autism disorders;
- changing the name of the Ladder Out

of Poverty Task Force to the Asset Development and Financial Literacy Task Force;

- establishing the Minnesota visible child work group to improve homeless children's well-being;
- analyzing the differences in asset limit requirements in human services assistance programs and reporting findings by Jan. 15, 2013;
- requiring a nonemergency medical transportation advisory committee to advise and make policy recommendations to the Health Department;
- requiring the Human Services Department to do an emergency Medical Assistance study;
- establishing a Maternal and Child Health Advisory Task Force;
- conducting a study of health record access;
- requiring the Health Department to publicly report sexual violence data;
- directing the Human Services Department to do a feasibility study on licensing personal care attendant services;
- adding marriage and family therapy counselors to the State Advisory Council on Mental Health; and
- appropriating \$137,000 to study the capacity need for radiation therapy facilities.

Miscellaneous provisions

- Reimbursing for services performed by physician assistants and covered under Medical Assistance;
- biennially conducting an independent third-party audit of managed care plans and county-based purchasing plans, beginning Jan. 1, 2014;
- lifting the moratorium on advanced diagnostic imaging facilities, effective Aug. 1, 2014, if certain criteria are met; and
- appropriating \$300,000 to Gillette Children's Specialty Healthcare, upon federal approval, for medical education and research costs payments.

HF2294*/SF2093/CH247 

Frequently called numbers

Area code 651

House Public Information Services

296-2146

Meeting call line, House

296-9283

Chief Clerk of the House

296-2314

House Index

296-6646

Senate Information

296-0504

Secretary of the Senate

296-2344

Voice mail/order bills..... 296-2343

Senate Index

296-2887

Governor's Office

201-3400

Looking out for children and families

Law offers new safe haven option for newborns; addresses adoption and child safety

By SUE HEGARTY

Policies regarding adoption, child support, and the care and safety of children, as well as Minnesota Family Investment Program provisions, are included in a new Department of Human Services policy law.

Rep. Jim Abeler (R-Anoka) and Sen. Michelle Benson (R-Ham Lake) sponsor the law.

Child protection and foster care

The “Give Life A Chance” provision gives mothers wishing to relinquish their newborns without prosecution another legal option besides hospitals.

Effective Aug. 1, 2012, ambulances can pick up a child after a 911 call is placed by the mother or a person with the mother’s permission to give up the child. The timeline of when the mother may relinquish her child will expand from 72 hours after giving birth to seven days.

Children in foster care who turn 18 will be able to stay in foster care until age 21, if they have not been adopted.

If a child is discharged from foster care, the social service agency must develop a personalized transition plan with the youth during the 90 days preceding discharge.

Effective Aug. 2, 2012, all children in foster care for at least six months will receive a progress review for permanent placement, whereas previously only children under age 8 were reviewed. At the review, the court may order the child’s placement agency to develop a plan for permanent legal custody under certain circumstances, such as when a parent is not maintaining regular visits with the child.

If the Department of Human Services learns that a parent of a newborn was involved in the child protection system, the department may share information with

local social service agencies who may take action to ensure the newborn’s safety.

Technical updates are made to laws regarding state and federal adoption assistance funding policies and the language moved into a new section of law, effective Aug. 1, 2012.

Child protection policies are consolidated into the same chapter of law and amended so that when trying to reunify a child with a parent, an agency does not need to seek reunification if a court determines that the parent has committed an act of sexual abuse or is required to register as a predatory offender.

Child support and assistance

Another section of the law may establish a reciprocal agreement between Minnesota and Bermuda to enforce child support laws. Larger countries have reciprocity with the United States, but the federal government leaves it up to each state to share reciprocity with smaller countries. The provision was also signed into law as HF795*/SF639/CH204. The provision is effective only if Bermuda provides written agreement to enforce reciprocal child support orders.

Those who provide day care to children on child care assistance will have to follow more detailed procedures as outlined in modified provisions. For example, the daily attendance record required must be completed daily and include the times when each child was dropped off and picked up. If possible, the person dropping off or picking up the child should be the one making the recorded entry.

A program for school-age children that cares for children before or after school hours will receive an exemption from a licensing requirement until July 1, 2014.

MFIP, the state’s welfare reform program for low-income families with children, will be amended to simplify program requirements. In addition to face-to-face interviews, phone interviews will be allowed between county agencies and MFIP participants seeking to recertify their eligibility, effective Oct. 1, 2012.

Adult services


The law also addresses provisions for continuing care services, including delaying a moratorium on new adult foster care licenses from 2011 until June 30, 2014.

The human services commissioner will provide a biennial report beginning Jan. 1, 2013, about goals and priorities for administering home care services and waivers for people with disabilities. In addition, the commissioner is directed to seek federal approval for disability and community-based waivers to allow up to five individuals in a licensed adult foster care home, effective July 1, 2012.

People on elderly waivers will receive case management services from their health plan and a written coordinated service and support plan to identify the level of service needs and how those needs will be met.

The delivery of human services is transferring from Mahanomen County to the White Earth Nation and the new law directs the human services commissioner to identify, evaluate and report on efforts to effectively continue with the transfer of services. Specific recommendations are due to the Legislature by Feb. 1, 2013, on any needed legislation to complete the transfer of services to the tribe.

Another new responsibility of the commissioner is to develop a new list of diagnostic codes to define mental illness for the statewide mental health system. An advisory committee will be established to help with determining the codes.

HF1967/SF1675*/CH216 

Planes, trains and automobiles

Omnibus law addresses spectrum of transportation issues

By MIKE COOK

A merging of two omnibus bills has resulted in one new transportation law.

Sponsored by Rep. Mike Beard (R-Shakopee) and Sen. Joe Gimse (R-Willmar), the law includes provisions from both the 2012 policy bill and the 2011 version that was awaiting action in the Senate when the 2011 session concluded.

“We have a very good (law), I believe,” Gimse said.

“Although not perfect ... it moves transportation forward,” said Rep. Frank Hornstein (DFL-Mpls).

All provisions are effective Aug. 1, 2012, unless otherwise noted.

The Departments of Transportation and Employment and Economic Development are to conduct a freight rail economic development study.

“We have over 20 railroads in this state that move over 235 million tons of freight each year. For many manufacturers they’re a vital link to the customers around the country and around the world,” Beard said earlier in the session. “I believe a study can help us identify some other opportunities, some things that are hazards that we may want to avoid in the future and help us create more jobs.”

The law establishes a temporary program whereby MnDOT can enter into contracts with a construction manager/general contractor for parts of construction project administration. This section is effective May 11, 2012, and expires one year following the acceptance of 10 construction manager/general contractor contracts.

Supporters said the efficient project delivery method — best used on unique and challenging projects for which MnDOT personnel may not have the expertise — is considered a hybrid of design-bid-build, which is the majority of MnDOT contracts,

and design-build, for which the department was given authority in 2001. According to a department fact sheet, “During the design stage, the CM/GC assists the owner with developing the project scope to meet the budget, optimizing the design to reduce costs, and improve quality through innovation. When the design is nearing completion, the contractor and owner enter into a negotiated construction contract.”

One of the more controversial parts of the law will prevent speed limit violations of up to 10 mph over the limit in both 55 mph and 60 mph zones from going on a driver’s record. Currently, a ticket does not appear on someone’s driving record if the person was driving up to 10 mph over the speed limit in a 55 mph zone, or 5 mph over the limit in a 60 mph zone. The change is only effective until Aug. 1, 2014, after which point the cut-off for violations in a 60 mph zone will revert back to being up to 5 mph over the limit. A report on the impacts of the change is due the Legislature by Jan. 15, 2015.

Other provisions in the law include:

- treating electric-assisted bicycles more like pedal-powered bikes, including no longer requiring registration with the state, eliminating a license or permit requirement and preventing prohibition of e-bikes on any state or local trail where bikes are allowed, unless there is a safety issue;
- authorizing bicycles to be equipped with studded tires for better traction in snowy or icy conditions, and allowing bikes to have forward-facing white flashing lights;
- allowing payment of driver’s license and identification card fees by credit or debit card, and authorizing driver’s license


agents to impose a convenience fee;

- broadening a “first haul” exception to vehicles that exceed weight limits by no more than 10 percent and are performing the first transport of unprocessed farm products or unrefined forest products to a location within 100 miles;
- MnDOT can issue, effective May 11, 2012, a variance for licensing a public seaplane on Flekkefjord Lake, which abuts the Elbow Lake Municipal Airport; and
- funds granted for land acquisition purposes for the Highway 23 bypass project may instead be used as the state’s share of funds for airport improvements and other aeronautical purposes at the Paynesville airport.

The law provides for \$17.5 million in trunk highway fund appropriations for five projects: \$7.5 million to construct a maintenance facility addition at the Willmar district headquarters building and a remodeling of the current building; \$5.6 million for a new truck station and bridge crew building in Plymouth; \$3.3 million to construct a truck station facility in Cambridge; \$1.1 million for additions to the existing truck station buildings in Crookston, Eden Prairie and Mendota; and \$30,000 to modify a permit system that allows MnDOT to collect registration taxes for overweight vehicles being re-registered at a higher weight classification. This section is effective May 11, 2012.

Also effective that day, \$16.1 million from bond proceeds in the trunk highway fund will go to construct a Rochester maintenance facility and remodel the existing district headquarters.

Not included in the law was that in the event of a government shutdown, construction projects funded with constitutionally dedicated trunk highway funds could continue. “The governor vehemently opposed this provision and encouraged us to find a test case so that the courts could settle it,” Beard said.

HF2685*/SF2321/CH287 

GOVERNOR'S DESK

JAN. 24 - MAY 23, 2012

CHAPTERS 118 - 299

New Laws and their effective dates

Editor's note: The following chart includes the 182 bills that passed both the House and the Senate and were sent to the governor for consideration. The bills are, for the most part, sorted according to the committee of origin. An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

Governor's options

- **Enactment**

The date the governor signed the bill into law.

- **Line-item veto**

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

- **Veto**

The governor did not approve the bill.

Effective dates for new laws

Each act takes effect at 12:01 a.m. on the day stated in the act itself, unless it specifies a different time. Examples:

- **Aug. 1, 2012**

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following final enactment, unless the act specifies a different date.

- **July 1, 2012**

An appropriations act, an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

- **Day after enactment**

The act becomes effective the day after the governor signs it.

- **Upon local approval**

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

- **Various**

Different parts of the act have different effective dates.

- **With exceptions**

Act includes other effective dates.

- **With qualifications**

Act adds conditions to the effective date.

- **Retroactive**

Act goes into effect as of a specified date in the past.

2012 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 23, 2012

HF—House File SF—Senate File							R—Resolution CH—Chapter	we—with exceptions wq—with qualifications
CH	Bill that passed	Sponsor	Companion	Sponsor	Description			Effective date

Agriculture

124	HF1926	Swedzinski	SF1527	Dahms	Certification provided for good manufacturing practices for commercial feed and feed ingredients, voluntary certification fees authorized, rule provisions relating to animal feed modified and money appropriated.	3/2/2012
203	SF396	Koch	HF539	Anderson, B.	Agricultural pursuit clarified as not being determinative for property tax classification, and agricultural operation defined.	8/1/2012
244	HF2398	Anderson, P.	SF2061	Magnus	Omnibus agriculture law.	Various

Bonding

293	HF1752	Howes	SF1463	Senjem	Omnibus bonding law - 2012.	Various
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Budget

294	HF2690	Davids	SF2136	Ortman	Individual income, corporate franchise, property, sales and use, and other taxes and tax-related provisions changed; supplemental targeting refund provided; city aid payments modified and cities exempted from 2011 aid payment penalties; technical, minor, and clarifying changes made in enterprise zone and economic development powers, and obsolete provisions eliminated; fund transfer required, and money appropriated.	5/11/2012
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Business and Commerce

134	HF2152	Vogel	SF1739	Kruse	Real estate licensee responsibility specified for property management activities on real property owned by the licensee or by an entity in which the licensee has an ownership interest.	3/21/2012
142	SF1735	Sparks	HF2227	Anderson, D.	State bank closures for holidays clarified, state bank lending limits changed to comply with federal law, and obsolete language repealed relating to deposits payable on demand.	Various
157	SF2069	Brown	HF2544	Loon	Travel insurance offer and dissemination regulated.	7/1/2012
160	SF1793	Dahms	HF1998	Sanders	Health plan company definition modified.	8/1/2012
162	SF1934	Dahms	HF2342	Davids	Township mutual fire insurance company combination policies regulated.	4/6/2012

2012 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 23, 2012

HF—House File
SF—Senate File

R—Resolution
CH—Chapter

we—with exceptions
wq—with qualifications

CH	Bill that passed	Sponsor	Companion	Sponsor	Description	Effective date
166	SF2173	Kruse	HF2626	Lohmer	Automated drug distribution system authorized.	8/1/2012
182	SF1964	Daley	HF2263	Stensrud	Window cleaning safety measures implemented.	4/19/2012
225	HF2335	Sanders	SF1888	Thompson	Debt collection agency and registration of individual debt collector procedures amended.	8/1/2012
234	HF2173	Kieffer	SF2067	Daley	Fraud prevention measures established for money transmitters, and home solicitation sale definition clarified.	8/1/2012
235	SF2392	Gerlach	HF2784	Atkins	Liquor regulations modified, and liquor licenses authorized.	Various
242	SF1754	Parry	HF2259	Dettmer	Lawful gambling net profits for military marching, color guard, or honor guard units allowable per diem reimbursement increased.	8/1/2012
254	SF1597	DeKruif	HF1821	Dettmer	Small business set-aside program changed for veteran-owned small businesses, county set-aside programs authorized for veteran-owned small businesses, and reporting requirements changed.	7/1/2012
255	SF2342	Gazelka	HF2749	Abeler	Auto insurance claims practices regulated.	1/1/2013
259	HF2638	Anderson, D.	SF2310	Gazelka	Portable electronics insurance sale regulated.	1/1/2013
260	HF2705	Mazorol	SF2340	Newman	Closing agents regulated, and licensed attorneys and direct employees of licensed attorneys exempted from the licensing requirements for closing agents.	5/2/2012
262	SF2324	Pederson	HF2732	Sanders	Electrical licenses modified.	10/1/2012
267	HF2136	Sanders	SF1734	Gazelka	Motor vehicle damage disclosure modified.	8/1/2012
279	HF2795	Hoppe	SF1727	Robling	Card club and pari-mutuel wagering provisions modified, and regulatory threshold concentrations provided to be set by the commission.	5/5/2012
288	HF1721	Gunther	SF1441	Rosen	Redevelopment demolition loans authorized, semiannual report eliminated, small business advocate office established in the Business Assistance Center, and Albert Lea granted the authority to establish an industrial sewer charge rebate program.	Various
289	SF1983	DeKruif	HF2172	McElfratrick	Construction code fund transfer to the General Fund eliminated, and surcharges modified.	Various
Civil Law						
131	SF1183	Ortman	HF32	Dill	State and local government tort liability limits restored to pre-2008 levels, and state and local government contracts that require contractors to provide liability insurance or other security in excess of those limits prohibited.	3/16/2012
143	HF382	Hoppe	SF352	Thompson	Receiverships, assignments for the benefit of creditors, and nonprofit corporation statutes amended; and Uniform Disclaimer of Property Interests Act changed, updated, and clarified.	8/1/2012
178	SF2184	Limmer	HF2763	Westrom	Time share interests registration provided.	8/1/2012
183	SF2114	Newman	HF2476	Holberg	Child support 20-year survival judgements provisions eliminated.	Retroactively from 4/15/2010
184	SF1620	Kruse	HF1833	Dittrich	Relocation assistance amount or denial hearing required.	4/19/2012
185	SF1875	Dahms	HF2307	Daudt	Guaranty association coverage written disclosure permitted when a policy is delivered, and access expanded to accident reports to include all parties involved.	4/19/2012
201	SF2224	Pederson	HF2582	Gunther	Unemployment insurance federal conformity, policy, and other housekeeping changes made.	Various
204	HF795	Hoppe	SF639	Ortman	Bermuda; human services commissioner instructed to initiate a foreign reciprocal agreement.	Various 12/31/13
216	SF1675	Benson	HF1967	Abeler	Children and family services provisions modified, child safety and permanency reform provided including adoptions under guardianship of the commissioner, statutory provisions modified related to child support, child care provisions modified, fees modified, MFIP provisions modified, criminal penalties provided, and technical changes made.	Various
241	HF2447	Scalze	SF2106	Marty	Office of Administrative Hearings judge authorized to perform marriages.	8/1/2012
248	SF2137	Dahms	HF2553	Hoppe	Claims practices regulated.	8/1/2012
280	HF2647	Myhra	SF2409	Hall	Public data definition relating to agreements involving payment of public money clarified.	5/5/2012
283	SF506	Ortman	HF868	Shimanski	Conciliation court civil claim limit increased.	Various
Consumers						
159	SF1993	Pederson	HF2354	Sanders	Plumbing requirements modified relating to sump pumps and drain tiles.	8/1/2012
163	SF2273	Howe	HF2736	Swedzinski	Junked motor vehicle buyer class eligibility expanded, and commissioner of public safety directed to make changes to Minnesota Rules.	8/1/2012
Education						
122	HF1770	Kieffer	SF1493	Daley	Teacher candidates required to pass basic skills exam.	2/23/2012

2012 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 23, 2012

HF—House File SF—Senate File					R—Resolution CH—Chapter	we—with exceptions wq—with qualifications
CH	Bill that passed	Sponsor	Companion	Sponsor	Description	Effective date
125	HF1585	Anderson, P.	SF1322	Gimse	Minnesota State High School League; time period reduced for good faith effort before interscholastic conference membership arrangement.	3/2/2012
130	SF1213	Nelson	HF1484	Kelly	Adult education tracking system modified.	3/9/2012
136	HF300	Erickson	SF1160	Hann	Early childhood development screening notice modified.	3/27/2012
138	HF2376	LeMieur	SF1971	Gazelka	School food service fund equipment purchase approval process simplified.	7/1/2012
139	HF1524	Mariani	SF1932	Bonoff	Substitute principal continuing education requirements clarified.	3/30/2012
144	HF2078	Dittrich	SF1990	Kruse	Nonpublic pupil textbook aid expanded.	7/1/2012
145	HF2291	Mariani	SF2346	Nelson	Adult basic education; process created for contact hours lost due to a service disruption.	7/1/2012
206	HF2506	Loon	SF2059	Nelson	School district reserved staff development revenue allocation requirement stricken.	Various
207	SF1073	Nelson	HF1272	McFarlane	High school transition plan for students to successfully pursue postsecondary education and employment.	4/24/2012
209	HF2174	O'Driscoll	SF1737	Lillie	District money deposit investments authorized, and designated depositories provided.	4/24/2012
239	HF2949	Garofalo	SF2482	Olson	General education, education excellence, special education, and other programs provided for, and money appropriated.	Various
257	SF2535	Olson	HF2759	Erickson	Board of School Administrators provisions modified.	5/1/2012
263	SF946	DeKruif	HF755	Erickson	School district pilot project established to examine joint operations to provide innovative delivery of programs.	7/1/2012
273	SF1528	Nelson	HF2127	Myhra	Online learning parameters modified, graduation requirements modified, and digital learning provided.	Various
Elections						
167	HF2738	Kiffmeyer	SF1577	Newman	Voters required to present photographic identification, photographic identification provided to voters at no charge, equal verification standards required for all voters, and constitutional amendment proposed.	
208	SF2379	Limmer	HF2680	Shimanski	Jury selection limitation removed on voter list data received by courts.	8/1/2012
250	SF2296	Chamberlain	HF2545	Sanders	Absentee ballot envelope certificate modified.	Various
251	SF2334	Vandever	HF2684	Peppin	Lobbying principal reports modified.	For reports due 3/15/2013 and thereafter.
282	HF2269	Lanning	SF1832	Parry	Help America Vote Act funds determined and money appropriated.	7/1/2012
Employment						
205	HF1850	Downey	SF2253	Ortman	State employee gainsharing program maximum award increased.	8/1/2012
224	HF2614	Mahoney	SF2227	Lillie	Administrative law judge and compensation judge mandatory retirement age changed.	4/24/2012
286	SF1808	Rosen	HF2199	Lanning	Omnibus pension law.	Various
295	SF1653	Pederson	HF2093	Sanders	Independent contractor employee classification clarified, and contractor registration pilot project provided.	5/14/12
Energy						
179	SF1815	Brown	HF1989	Hackbarth	Incumbent electric transmission owner rights established, and commission procedures established.	8/1/2012
196	SF2181	Rosen	HF2650	Beard	Renewable development account regulated.	7/1/2012
237	HF2731	Torkelson	SF2216	Magnus	Community energy technical assistance and outreach assessment and grant required.	7/1/2012
268	SF2098	Sparks	HF2747	Murray	Cooperative utilities under the integrated resource planning process reporting obligations modified.	5/3/2012
Environment and Natural Resources						
150	SF1567	Ingebrigtsen	HF2095	Fabian	Environmental permitting efficiency provided, environmental review requirements modified.	4/3/2012
264	SF2493	Ingebrigtsen	HF2430	Urdahl	Legacy bill; Outdoor Heritage Fund, Clean Water Fund, and Arts and Cultural Heritage Fund money appropriated; Outdoor Heritage Fund appropriation requirements modified.	Various
272	HF2164	McNamara	SF1830	Ingebrigtsen	Omnibus environment and natural resources law.	Various
277	HF2171	Hackbarth	SF1943	Ingebrigtsen	Omnibus game and fish law.	Various
Health and Human Services						
146	SF1917	Wolf	HF2293	Davnie	School districts; ability to use prone restraints extended to one additional year, and data collection.	4/3/2012
148	HF2253	Lohmer	SF1861	Benson	Out-of-state residential mental health treatment allowed for children who are deaf, deafblind, or hard of hearing and who use American Sign Language as their first language.	8/1/2012

2012 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 23, 2012

<div> <div>HF—House File SF—Senate File</div> <div>R—Resolution CH—Chapter</div> <div>we—with exceptions wq—with qualifications</div> </div>						
CH	Bill that passed	Sponsor	Companion	Sponsor	Description	Effective date
152	HF2676	Howes	SF2330	Carlson	Abortion; grant eligibility modified for abortion alternative programs.	2/1/2012
164	SF1809	Hann	HF2237	Gottwalt	Hospital community benefit programs and health maintenance organization collaboration plans; evidence-based strategy requirements removed.	Various
169	SF1543	Rosen	HF2060	Mack	Medical Assistance coverage provided for community paramedic services.	7/1/2012, or upon federal approval, whichever is later.
170	HF2216	Hoppe	SF1910	Gerlach	Minnesota Comprehensive Health Association; premium rate-setting process flexibility permitted.	4/10/2012
175	SF1586	Limmer	HF1945	Gottwalt	Criminal neglect of vulnerable adult penalty modified.	8/1/2012
177	SF1621	Kruse	HF2097	Peppin	Child care accreditation provisions modified.	8/1/2012
180	SF1553	Carlson	HF1972	Davids	Dentists, dental hygienists, and dental assistant guest license provisions modified.	8/1/2012
181	SF1626	Nelson	HF2094	Norton	Volunteer dental services coverage provided for and regulated.	8/1/2012
189	SF2360	Koch	HF2587	Garofalo	Health professional education loan forgiveness program requirements amended.	4/19/2012
193	HF2128	Quam	SF1876	Hoffman	Emergency medical personnel licensed.	4/19/2012
197	SF753	Rosen	HF1191	Abeler	Social worker licensure provisions modified.	Various
215	HF1236	Hamilton	SF973	Hoffman	Pharmacy audit integrity program established.	8/1/2012
217	SF248	Fischbach	HF383	Hamilton	New radiation therapy facility construction criteria established, and capacity study required.	8/1/2012
228	HF2276	Kiffmeyer	SF1811	Nienow	Advanced diagnostic imaging services operator accreditation required.	8/1/2012
247	HF2294	Abeler	SF2093	Hann	Omnibus health and human services law.	Various
253	HF2627	Gottwalt	SF2208	Hann	Electronic claims and electronic transaction requirement changed, health care and disability service provisions changes made, supplemental agreement provided to a contract for community social services, family stabilization service provision changes made, procedures required to establish reciprocal child support agreement with Bermuda, and public pool exemption provisions changed.	Various
266	HF2046	Woodard	SF1958	Limmer	Department of Human Services electronic civil commitment data access permitted to law enforcement for background checks on explosives possession permit applications.	Various
269	SF288	Howe	HF614	Kelly	Dental laboratories regulated, and money appropriated.	Various
Higher Education						
270	SF1573	Fischbach	HF2065	Nornes	Omnibus higher education law.	Various
Housing						
132	HF1515	Holberg	SF1272	Newman	Late fee provisions modified, and provisions clarified relating to eviction from property subject to foreclosure.	8/1/2012
198	SF1416	Fischbach	HF1595	Murdock	Manufactured home unaffixing process from real property provided.	8/1/2012
Local Government						
135	HF1738	Howes	SF1450	Carlson	Municipality detachment provided.	8/1/2012
199	HF2132	Lohmer	SF2050	Vandever	Washington County Housing and Redevelopment Authority and the Anoka County Housing and Redevelopment Authority jurisdiction clarified.	Upon local approval
219	HF1175	Buesgens	SF929	Robling	Scott County; additional deputy registrar of motor vehicles authorized.	8/1/2012
226	HF2861	McElfrick	SF2466	Saxhaug	Municipalities authorized to make grants to emergency medical services agencies.	8/1/2012
Military and Veterans Affairs						
149	HF1903	Urdahl	SF1814	Parry	Honor guard stipends preference modified.	7/1/2012
186	SF1599	Daley	HF2100	Kriesel	Veterans and spouses of a disabled or deceased veteran hiring and promotion preference by private employer permitted.	8/1/2012
192	SF1689	DeKruif	HF1416	Gruenhagen	Military affairs; nonpublic employees reemployment rights protections extended.	4/19/2012
202	SF2271	DeKruif	HF2494	Anderson, B.	State award issuance to Minnesota National Guard nonmembers allowed.	8/1/2012
230	SF2316	Magnus	HF2495	Anderson, B.	Veterans removal hearing board appointment procedure modified.	8/1/2012
231	SF2354	Daley	HF2493	Anderson, B.	Noncompetitive appointment of disabled veterans in the classified service provided.	8/1/2012

2012 MINNESOTA LEGISLATURE

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CH—Chapter

we—with exceptions
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CH	Bill that passed	Sponsor	Companion	Sponsor	Description	Effective date
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Public Safety

123	HF2394	Lohmer	SF1994	Ortman	Minnesota sex offender program; community notification required when a person is released from the program.	2/24/2012
127	SF1371	Gazelka	HF1468	LeMieur	Forfeited firearm sale by law enforcement agencies authorized to federally licensed firearms dealers.	8/1/2012
128	SF1240	Thompson	HF1535	Cornish	DWI, off-highway vehicle, drive-by shooting, designated offense, and controlled substance forfeiture laws changes made to provide more uniformity; monetary cap raised on the value of property forfeitures that may be adjudicated in conciliation court; forfeited property prohibited from being sold to prosecuting authorities or persons related to prosecuting authorities; and general criminal code forfeiture law, and necessity of conviction.	Various
151	HF1384	Davids	SF1084	Kruse	Charitable or religious organization transfers excluded from the fraudulent transfers act.	4/4/2012
153	SF2297	Dahms	HF1899	Vogel	Jacob's Law established, law enforcement notification required to social services if a child is neglected or abused outside the home, and parental rights under custody orders amended to include police reports on minor children.	7/1/2012
155	SF2084	Limmer	HF2415	Cornish	Fugitive apprehension unit authorized to apply for search warrants, commissioner directed to implement a garden-ing program at state correctional facilities, selection criteria narrowed for challenge incarceration program, and victim notification permitted to include electronic and written notification.	8/1/2012
156	SF1981	Newman	HF2409	Shimanski	Police civilian review uniform authority procedures provided.	8/1/2012
171	HF1829	Cornish	SF1648	Ingebrigtsen	County attorneys and assistant county attorneys authorized to carry firearms on duty.	4/10/2012
173	HF2333	Swedzinski	SF1870	Newman	Motor fuel theft specifically included in the theft crime, and permissive inference created.	8/1/2012
188	SF1492	Daley	HF2365	Wardlow	Fallen Firefighters Memorial Day designated date changed.	8/1/2012
194	HF1816	Benson, M.	SF2125	Ingebrigtsen	Federally licensed firearm importers, manufacturers, and dealers authorized to possess and sell firearm silencers to government agencies, the military, and other licensed firearms importers, manufacturers, and dealers.	8/1/2012
200	SF1123	Harrington	HF1245	McFarlane	Firearm possession by a minor included as unlawful for purposes of orders to enjoin gang activity.	8/1/2012
210	HF2373	Cornish	SF1874	Ingebrigtsen	Felony of fraudulent or other improper finance statements extended to include retaliation against a sheriff or county recorder for performance of official duties regarding real property.	8/1/2012
211	HF2160	Cornish	SF2108	Ingebrigtsen	Fingerprints permitted to be taken by law enforcement for any offender interacting with the criminal justice system for any offense to eliminate a suspense record.	8/1/2012
212	SF1678	Hall	HF2059	Woodard	Public defender representation, appointment, and reimbursement obligation provisions amended; and financial responsibility outlined for public defender cost, cost for counsel in CHIPS cases, pretrial appeals costs, and standby counsel costs.	Various
218	HF738	Cornish	SF1000	Ingebrigtsen	Public notice provided for the release hearing for killers of peace officers, and harassment restraining order provisions modified.	8/1/2012
222	HF2246	Daudt	SF1825	Nienow	Convictions under the original criminal vehicular operation law allowed to enhance DWI offenses, and legislative oversight corrected.	4/24/2012
223	HF469	Gruenhagen	SF574	Chamberlain	Harassment restraining order petitions jurisdiction provided.	8/1/2012
227	HF2149	Simon	SF1657	Latz	Domestic violence-related offense qualifying definition expanded.	8/1/2012
229	SF2464	Limmer	HF2896	Wardlow	Sex offender sentencing grid modification required.	4/24/2012
240	HF2508	Barrett	SF2319	Newman	State-controlled substance schedules aligned with federal controlled substance schedules, Board of Pharmacy's controlled substance regulation authority modified, and penalties provided.	8/1/2012
246	HF2532	Barrett	SF2128	Hann	Electronic prescribing of controlled substances allowed.	8/1/2012
258	HF1607	Woodard	SF1283	Benson	State patrol authorized to provide security and protection to certain government officials, and Capitol Complex security committee established.	5/2/2012

Recreation and Tourism

299	HF2958	Lanning	SF2469	Rosen	Vikings stadium bill; National Football League stadium in Minnesota provided for; Minnesota Sports Facilities Authority established; Metropolitan Sports Facilities Commission abolished; local tax revenue provided for; electronic pull-tab games; electronic linked bingo games; and sports-themed tipboard games provided for; conditional imposition of taxes and collection of other revenues provided for; tax rates on lawful gambling modified; bonds issued; and money appropriated.	5/11/2012
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State Government

187	SF2060	Limmer	HF2770	Wardlow	Legislative enactments; erroneous, ambiguous, and omitted text and obsolete references corrected; redundant, conflicting, and superseded provisions removed; and miscellaneous corrections to laws, statutes, and rules made.	8/1/2012
220	HF1813	Benson, M.	SF1650	Nelson	Eligible contractor list required to be made available under a master contract program.	8/1/2012
232	SF2112	Jungbauer	HF2437	Smith	Correctional facility claims settlement against the state provided for and money appropriated.	8/1/2012

2012 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 23, 2012

HF—House File
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R—Resolution
CH—Chapter

we—with exceptions
wq—with qualifications

CH	Bill that passed	Sponsor	Companion	Sponsor	Description	Effective date
236	SF1750	Carlson	HF2214	Hancock	State parks, state recreation areas, and state forests added to and deleted from, and conveyances and public and private sales of state and county lands authorized.	Various
238	SF1922	Pederson	HF2169	Beard	State agency notice to the Legislature and requirements modified for statements of need and reasonableness.	8/1/2012
249	HF2244	O'Driscoll	SF1889	Kruse	Permanent School Fund Advisory Committee changed into a legislative commission, and director provided for school trust lands.	Various
271	SF1679	Hall	HF1993	Barrett	Advisory council provisions modified.	8/1/2012
278	HF2555	Kiffmeyer	SF2304	Bonoff	Sunset review process changes implemented and Sunset Advisory Commission permitted to enter into contracts, and other provisions modified relating to state councils and agencies, and money appropriated.	Various
290	SF1143	Limmer	HF1466	Scott	Data practices technical changes made.	5/11/2012
292	HF2967	Holberg	SF2558	Robling	Equalizing factors and threshold rates updated to reflect the changed adjusted net tax capacity tax base, education and human services appropriations updated for changes reflected in the February forecast, veterans job-training program provided for, supplemental budget appropriations provided, disposition of fees modified, newborn screening provisions modified, Housing Finance Agency provisions modified.	Various
298	SF1420	Limmer	HF1702	Kelly	Legislative enactments miscellaneous oversights, inconsistencies, ambiguities and technical errors corrected.	5/11/2012
Transportation						
137	HF392	Howes	SF992	Wolf	School bus safety and standards provisions modified.	8/1/2012
141	SF1542	Gazelka	HF2441	Loon	Defensive driving refresher course requirements modified.	3/31/2012
147	HF2793	Shimanski	SF2426	DeKruif	Vehicle combination allowed to transport property and equipment.	3/31/2012
161	SF1860	Pederson	HF2316	Sanders	Solid waste definition modified to exempt highway construction, improvement or repair activities.	4/6/2012
165	HF1992	Kelly	SF1687	Ortman	Motor carrier contract indemnity provisions prohibited.	4/6/2012
172	SF2394	Howe	HF2775	Fabian	Towed implements of husbandry brake requirements amended.	8/1/2012
174	HF2187	Vogel	SF1791	DeKruif	Motor vehicle registration plate and sticker provisions amended, and dealer allowed to obtain cancellation of lien more than seven years old.	Various
176	SF2131	Howe	HF2378	Vogel	Design-build projects approved under pilot program completion authorized.	4/19/2012
195	HF2239	Benson, M.	SF2202	Nelson	Motor vehicle titling and license plate requirements amended and clarified for pioneer vehicles.	8/1/2012
287	HF2685	Beard	SF2321	Gimse	Omnibus transportation law.	Various
Vetoes						
118	SF149	Ortman	HF211	Wardlow	Liability limits modified for tort claims against the state and political subdivisions, conciliation court claims regulated, right of appeal provided on class action orders, statute of limitations on claims modified, prejudgment interest modified, attorney fees regulated, and cause of action for sex trafficking violations provided.	
119	SF373	Ortman	HF654	Wardlow	Limitation period reduced for bringing certain actions.	
120	SF429	Newman	HF747	Mazorol	Attorney fee relation to damages awarded factor provided.	
121	SF530	Ortman	HF770	Mazorol	Interest on verdicts, awards, and judgments regulated.	
126	HF1467	Cornish	SF1357	Hoffman	Firearms; public official authority to disarm individuals at any time clarified and delimited, law clarified on use of force in defense of home and person, Minnesota's self-defense and defense of home laws codified and extended, common law duty to retreat in cases of self-defense outside the home eliminated.	
129	SF134	Robling	HF212	Beard	Public employee definition modified.	
133	HF1560	Wardlow	SF993	Newman	Office of Administrative Hearings disposition of contested case hearings provided.	
140	HF545	Downey	SF1600	Daley	State budget documents required to include federal contingency planning.	
154	HF2083	Garofalo	SF2492	Olson	Omnibus K-12 bill.	
158	SF2014	Kruse	HF2404	Scott	Metropolitan Council staggered, four-year terms provided for members.	
168	SF1236	Parry	HF1418	Woodard	Successor corporation asbestos-related liabilities limited.	
190	HF1766	Lohmer	SF1630	Lillie	Child care assistance fund payments modified.	
191	SF2183	Thompson	HF2596	Doepke	Commissioner of education prohibited from enforcing unadopted rules.	
213	SF247	Dahms	HF371	Hoppe	Local government employees required to approve participation in or withdrawal from the public employees insurance program.	

2012 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 23, 2012

HF—House File SF—Senate File					R—Resolution CH—Chapter	we—with exceptions wq—with qualifications	
CH	Bill that passed	Sponsor	Companion	Sponsor	Description	Effective date	
214	HF1812	Stensrud	SF1846	Gazelka	Department of Administration permitted to contract for waste-hauling without determining whether state employees are able to do the work.		
221	HF1976	Leidiger	SF1842	DeKruif	Federal E-Verify program use by state appointing authorities required.		
233	SF1921	Robling	HF2340	Holberg	Abortion facility licensure required, facility license fee set, and money appropriated.		
243	SF1694	Jungbauer	HF1774	Kriesel	Fireworks personal use authorized.		
245	HF1974	Drazkowski	SF2078	Parry	Contract terms continuance not allowed after expiration of a collective bargaining agreement.		
252	HF2341	Peppin	SF1912	Gazelka	Abortion; prescribing physicians required to be physically present when abortion-inducing drugs are administered.		
256	SF1933	Hann	HF2339	Gottwalt	Health care compact created.		
261	HF1134	Hoppe	SF877	Chamberlain	Annuity products regulated, and National Association of Insurance Commissioners model regulation enacted and modified relating to suitability in annuity transactions.		
265	HF2821	Anderson, S.	SF2424	Michel	House of Representatives district boundaries adjusted within Senate districts 39 and 49, and obsolete district descriptions repealed.		
274	HF1870	Petersen, B.	SF1690	Wolf	School districts allowed to base unrequested leave of absence and discharge and demotion decisions on teacher evaluation outcomes.		
275	HF203	Westrom	SF261	Senjem	Legislative approval of rules modified.		
276	HF8	Gottwalt	SF32	Hann	Unified personal health premium accounts permitted.		
281	SF1656	Nelson	HF1847	Erickson	High school graduation requirements and academic standards revision authorization required by the Legislature.		
284	SF1717	Miller	HF2087	LeMieur	State Building Code and apprenticeship training changes made.		
285	HF2337	Davids	SF1972	Ortman	Omnibus tax bill.		
291	SF1755	Gazelka	HF1977	Drazkowski	Executive branch employee representative negotiations authorized to avoid layoffs.		
296	HF247	Davids	SF872	Ortman	State and local government finance provisions changed relating to income and corporate, property, sales and use, mineral, and miscellaneous taxes; and other provisions changed relating to local development, estate taxes, and homestead market value cleanup; and money appropriated.		
297	HF322	Scott	SF1402	Jungbauer	Parenting time presumption increased.		awaits action

BILL INTRODUCTIONS

APRIL 20 - MAY 9, 2012

HOUSE FILES 3007 - 3052

Friday, April 20

HF3007-Greiling (DFL)

Education Reform

Education provided in care and treatment settings.

HF3008-Abeler (R)

Health & Human Services Reform

Newborn screening for critical congenital heart disease required.

HF3009-Wardlow (R)

Commerce & Regulatory Reform

Freedom of employment established and constitutional amendment proposed.

Monday, April 23

HF3010-Falk (DFL)

Government Operations & Elections

Minnesota Vikings public ownership provided.

HF3011-Mullery (DFL)

Commerce & Regulatory Reform

Real estate; mortgage lenders who have foreclosed on real estate within a city required to deed the property to the city when the foreclosure has been completed, city permitted to charge the lender for any costs of repair or demolition, and lender required to pay those charges.

HF3012-Mullery (DFL)

Commerce & Regulatory Reform

Mortgage loan balance reduction and calculations required.

HF3013-Mullery (DFL)

Commerce & Regulatory Reform

Foreclosure forbearance for unemployed long-term homeowners provided.

HF3014-Mullery (DFL)

Commerce & Regulatory Reform

Homeowners facing foreclosure provided with information about the current owner of the mortgage interest in the property, the current holder of the mortgage and the third-party servicer of the mortgage loan if any.

HF3015-Mullery (DFL)

Commerce & Regulatory Reform

Future mortgage foreclosures by advertisement ineffectiveness, and homestead property foreclosure deficiency judgment unavailability by action or advertisement provided.

HF3016-Cornish (R)
Public Safety & Crime Prevention
Policy and Finance

Peace officer murderer release hearings public notice required and public participation allowed.

HF3017-Howes (R)
Taxes

Class 1c property requirements modified.

HF3018-Cornish (R)
Government Operations & Elections

Blue Earth County library board made advisory to the county board.

HF3019-Slawik (DFL)
Education Finance

Early education scholarship program funding dedicated from remaining revenue net increases raised to fund a Minnesota Vikings stadium.

HF3020-Dettmer (R)
Taxes

Sales and use tax filing requirement thresholds changed, vendor allowance provided and address-based sales tax calculator development revenue required.

HF3021-Beard (R)
Government Operations & Elections

Public contract affirmative action goals rulemaking required.

HF3022-Hilty (DFL)
Rules & Legislative Administration

Personhood and campaign contributions; application to Congress to call a constitutional convention to propose amendments to the Constitution of the United States clarifying that the rights protected under the United States Constitution are the rights of natural persons and not the rights of artificial entities and clarifying that campaign contributions to influence elections are not speech under the First Amendment.

HF3023-Clark (DFL)
Health & Human Services Finance
Reparative or conversion therapy Medical Assistance coverage prohibited.

Tuesday, April 24

HF3024-Dettmer (R)
Education Reform
Military Interstate Children's Compact compliance by Department of Education required.

HF3025-Kahn (DFL)
Civil Law
Genetic information and test definitions modified.

HF3026-Abeler (R)
Health & Human Services Reform
Laser treatment regulated.

HF3027-Mullery (DFL)
Commerce & Regulatory Reform
Foreclosed homeowners' right to stay in the home for a longer period of time provided.

HF3028-Mullery (DFL)
Commerce & Regulatory Reform
Lenders required to make calculations prior to foreclosure.

HF3029-Mullery (DFL)
Commerce & Regulatory Reform
Lenders required to make post-foreclosure offers to former homeowners.

Wednesday, April 25

HF3030-Murphy, E. (DFL)
Government Operations & Elections
Minnesota Constitution amendment method changed and constitutional amendment proposed.

HF3031-Downey (R)
Education Reform
Open enrollment decisions; student's resident district basis provided.

Friday, April 27

HF3032-Mullery (DFL)
Commerce & Regulatory Reform
Lender sale regulated for a foreclosed property to a person who has an unremedied local housing code violation.

HF3033-Loeffler (DFL)
Government Operations & Elections
Metropolitan Sports Authority established to provide planning and financing for a new stadium for the Minnesota Vikings.

Saturday, April 28

HF3034-Dettmer (R)
Higher Education Policy & Finance
Title IX implementation study required in Minnesota public and postsecondary education.

HF3035-Hilstrom (DFL)
Transportation Policy & Finance
Driver feedback and safety-monitoring equipment requirements added, and annual reporting provided for.

Monday, April 30

HF3036-Petersen, B. (R)
Transportation Policy & Finance
State-aid road system apportionment sum to counties amended.

HF3037-Hausman (DFL)
Capital Investment
Jobs created through rehabilitation and construction of affordable housing, green energy investments in public buildings and capital improvements at institutions of higher education, nonprofit housing bonds authorized, bonds issued and money appropriated.

HF3038-Clark (DFL)
Taxes
Liquor gross receipt taxes amended, housing infrastructure bonds authorized and money appropriated.

HF3039-Clark (DFL)
Jobs & Economic Development Finance
Public housing preservation rehabilitation funding provided, bonds issued and money appropriated.

HF3040-Loon (R)
Taxes
Inflation growth eliminated from the areawide pool, contribution percentage phased down, 1971 base value subtraction eliminated, distributions limited from the pool for certain municipalities, fiscal capacity definition modified and areawide pool portion provided to be used for economic development by funding costs related to light rail transit.

HF3041-Westrom (R)
Taxes
Property's value amount limited which can increase from the previous year and small business targeted property tax refund provided.

HF3042-Daudt (R)
Commerce & Regulatory Reform
Metering required for motor vehicle fuel delivered to underground storage tanks.

HF3043-Hortman (DFL)
Health & Human Services Reform
Family Economic Security Act created, minimum wage rates increased, child care assistance modified, new child care tax credit provided, working family tax credit expanded and money appropriated.

HF3044-Lohmer (R)
Taxes
Local project costs of trunk highway system bridge borrowing authorized and supplemental fiscal disparities distribution provided for.

Thursday, May 3

HF3045-Hoppe (R)
Commerce & Regulatory Reform
Department of Commerce charge back authority for investigations clarified.

HF3046-Westrom (R)
Taxes
Property tax mandate relief credit established, homestead market value exclusion repealed and local government state mandate opt-out procedure provided.

HF3047-Westrom (R)
Civil Law
State agency civil penalty imposition regulated and fees and expenses awarded to prevailing parties in actions involving state agencies.

Tuesday, May 8

HF3048-Hornstein (DFL)
Jobs & Economic Development Finance
Live theater production partnership credit established and money appropriated.

Wednesday, May 9

HF3049-Anderson, S. (R)
Jobs & Economic Development Finance
Small business technology transfer corporate tax exemption created.

HF3050-Fritz (DFL)
Health & Human Services Reform
Child care sudden infant death syndrome (SIDS) licensure requirement modified.

HF3051-Clark (DFL)
Agriculture & Rural Development Policy & Finance
Genetically engineered food regulated.

HF3052-Erickson (R)
Education Reform
Armed Services Vocational Aptitude Battery considered for eligibility admissions to state colleges and universities, and career readiness assessment included in student planning for postsecondary education and employment.

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.

2011-2012 Minnesota House of Representatives Members

District	Member/Party	Room*	Phone 651-296-	District	Member/Party	Room*	Phone 651-296-
48B	Abeler, Jim (R)	479	1729	50A	Laine, Carolyn (DFL)	287	4331
61B	Allen, Susan (DFL)	389	7152	9A	Lanning, Morrie (R)	379	5515
19A	Anderson, Bruce (R)	365	5063	34A	Leidiger, Ernie (R)	415	4282
38A	Anderson, Diane (R)	525	3533	12B	LeMieur, Mike (R)	567	4247
13A	Anderson, Paul (R)	445	4317	40B	Lenczewski, Ann (DFL)	317	4218
43A	Anderson, Sarah (R)	549	5511	66A	Lesch, John (DFL)	315	4224
3A	Anzelc, Tom (DFL)	307	4936	30A	Liebling, Tina (DFL)	357	0573
39B	Atkins, Joe (DFL)	209	4192	55A	Lillie, Leon (DFL)	281	1188
15B	Banaian, King (R)	411	6612	59A	Loeffler, Diane (DFL)	335	4219
17B	Barrett, Bob (R)	413	5377	56A	Lohmer, Kathy (R)	521	4244
35A	Beard, Michael (R)	417	8872	42B	Loon, Jenifer (R)	403	7449
43B	Benson, John (DFL)	289	9934	37A	Mack, Tara (R)	557	5506
30B	Benson, Mike (R)	515	4378	67A	Mahoney, Tim (DFL)	237	4277
37B	Bills, Kurt (R)	533	4306	65B	Mariani, Carlos (DFL)	203	9714
23B	Brynaert, Kathy (DFL)	327	3248	9B	Marquart, Paul (DFL)	313	6829
35B	Buesgens, Mark (R)	381	5185	41B	Mazorol, Pat (R)	581	7803
45B	Carlson Sr., Lyndon (DFL)	283	4255	19B	McDonald, Joe (R)	523	4336
58B	Champion, Bobby Joe (DFL)	329	8659	3B	McElfrick, Carolyn (R)	545	2365
61A	Clark, Karen (DFL)	277	0294	53B	McFarlane, Carol (R)	597	5363
24B	Cornish, Tony (R)	437	4240	57B	McNamara, Denny (R)	375	3135
8B	Crawford, Roger (R)	421	0518	5B	Melin, Carly (DFL)	309	0172
17A	Daudt, Kurt (R)	487	5364	65A	Moran, Rena (DFL)	227	5158
31B	Davids, Greg (R)	585	9278	23A	Morrow, Terry (DFL)	211	8634
62A	Davnie, Jim (DFL)	215	0173	58A	Mullery, Joe (DFL)	387	4262
52B	Dean, Matt (R)	459	3018	10B	Murdock, Mark (R)	593	4293
52A	Dettmer, Bob (R)	473	4124	64A	Murphy, Erin (DFL)	345	8799
6A	Dill, David (DFL)	273	2190	6B	Murphy, Mary (DFL)	343	2676
47A	Dittrich, Denise (DFL)	311	5513	27A	Murray, Rich (R)	439	8216
33B	Doepke, Connie (R)	579	4315	40A	Myhra, Pam (R)	517	4212
41A	Downey, Keith (R)	407	4363	46A	Nelson, Michael V. (DFL)	229	3751
28B	Drazkowski, Steve (R)	401	2273	10A	Nornes, Bud (R)	471	4946
2A	Eken, Kent (DFL)	243	9918	29B	Norton, Kim (DFL)	233	9249
16A	Erickson, Sondra (R)	509	6746	14A	O'Driscoll, Tim (R)	369	7808
1A	Fabian, Dan (R)	431	9635	64B	Paymar, Michael (DFL)	301	4199
20A	Falk, Andrew (DFL)	239	4228	31A	Pelowski Jr., Gene (DFL)	295	8637
11B	Franson, Mary (R)	429	3201	32A	Peppin, Joyce (R)	503	7806
26B	Fritz, Patti (DFL)	253	8237	4A	Persell, John (DFL)	223	5516
36B	Garofalo, Pat (R)	537	1069	49B	Petersen, Branden (R)	577	5369
7B	Gauthier, Kerry (DFL)	225	4246	45A	Peterson, Sandra (DFL)	337	4176
15A	Gottwalt, Steve (R)	485	6316	27B	Poppe, Jeanne (DFL)	291	4193
60A	Greene, Marion (DFL)	331	0171	29A	Quam, Duane (R)	569	9236
54A	Greiling, Mindy (DFL)	393	5387	5A	Rukavina, Tom (DFL)	303	0170
25A	Gruenhagen, Glenn (R)	575	4229	53A	Runbeck, Linda (R)	583	2907
24A	Gunther, Bob (R)	591	3240	51A	Sanders, Tim (R)	449	4226
48A	Hackbarth, Tom (R)	409	2439	54B	Scalze, Bev (DFL)	259	7153
22B	Hamilton, Rod (R)	559	5373	22A	Schomacker, Joe (R)	433	5505
2B	Hancock, David (R)	529	4265	49A	Scott, Peggy (R)	477	4231
39A	Hansen, Rick (DFL)	247	6828	18A	Shimanski, Ron (R)	367	1534
66B	Hausman, Alice (DFL)	255	3824	44A	Simon, Steve (DFL)	279	9889
46B	Hilstrom, Debra (DFL)	261	3709	55B	Slawik, Nora (DFL)	245	7807
8A	Hilty, Bill (DFL)	207	4308	63B	Slocum, Linda (DFL)	359	7158
36A	Holberg, Mary Liz (R)	453	6926	33A	Smith, Steve (R)	543	9188
34B	Hoppe, Joe (R)	563	5066	42A	Stensrud, Kirk (R)	553	3964
60B	Hornstein, Frank (DFL)	213	9281	21A	Swedzinski, Chris (R)	527	5374
47B	Hortman, Melissa (DFL)	377	4280	63A	Thissen, Paul (DFL)	267	5375
14B	Hosch, Larry (DFL)	349	4373	51B	Tillberry, Tom (DFL)	231	5510
4B	Howes, Larry (R)	491	2451	21B	Torkelson, Paul (R)	371	9303
7A	Huntley, Thomas (DFL)	351	2228	18B	Urdahl, Dean (R)	571	4344
67B	Johnson, Sheldon (DFL)	217	4201	13B	Vogel, Bruce (R)	507	6206
59B	Kahn, Phyllis (DFL)	353	4257	62B	Wagenius, Jean (DFL)	251	4200
26A	Kath, Kory (DFL)	201	5368	12A	Ward, John (DFL)	221	4333
28A	Kelly, Tim (R)	565	8635	38B	Wardlow, Doug (R)	551	4128
56B	Kieffer, Andrea (R)	531	1147	11A	Westrom, Torrey (R)	443	4929
1B	Kiel, Debra (R)	423	5091	44B	Winkler, Ryan (DFL)	321	7026
16B	Kiffmeyer, Mary (R)	501	4237	25B	Woodard, Kelby (R)	539	7065
50B	Knuth, Kate (DFL)	323	0141	32B	Zellers, Kurt (R)	463	5502
57A	Kriesel, John (R)	451	4342	20B	open seat		4346

List as of April 18, 2012

Saying Goodbye

House members who won't be seeking re-election to the House

Following this year's redistricting, all House and the Senate members are up for election. Here is an unofficial listing of members, as of May 23, who won't be returning to the House.

Stepping down

Rep. Mark Buesgens (R-Savage)
Rep. Denise Dittrich (DFL-Champlin)
Rep. Marion Greene (DFL-Mpls)
Rep. Mindy Greiling (DFL-Roseville)
Rep. Bill Hilty (DFL-Finlayson)
Rep. Larry Hosch (DFL-St. Joseph)
Rep. Kory Kath (DFL-Owatonna)
Rep. Kate Knuth (DFL-New Brighton)
Rep. John Kriesel (R-Cottage Grove)
Rep. Mike LeMieur (R-Little Falls)
Rep. Pat Mazorol (R-Bloomington)
Rep. Carol McFarlane (R-White Bear Lake)
Rep. Mark Murdock (R-Ottertail)
Rep. Tom Rukavina (DFL-Virginia)
Rep. Ron Shimanski (R-Silver Lake)
Rep. Nora Slawik (DFL-Maplewood)

Seeking Senate Seats

Rep. Bruce Anderson (R-Buffalo Township)
Rep. Bobby Joe Champion (DFL-Mpls)
Rep. Connie Doepke (R-Orono)
Rep. Keith Downey (R-Edina)
Rep. Kent Eken (DFL-Twin Valley)
Rep. Mary Kiffmeyer (R-Big Lake)
Rep. Branden Petersen (R-Andover)
Rep. Bev Scalze (DFL-Little Canada)
Rep. Torrey Westrom (R-Elbow Lake)

U.S. Senate Hopeful

Rep. Kurt Bills (R-Rosemount)

The 2013 legislative session is, by statute, scheduled to convene noon, Jan. 8, 2013.

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— M. Cook

Sources: House Public Information Services Department; Legislative Reference Library; Governor's Log 2011-12; Journal of the House.

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1. Where do you live? (Please circle.)

(a) Mpls./St. Paul (b) Suburbs (c) St. Cloud (d) Duluth (e) Rochester (f) Greater Minn. (g) Out of state

2. Your age (Please circle.) 18 and under 19-24 25-39 40-59 60 +

3. Which sections of the magazine do you read? (Please circle.)

Highlights:	Always	Sometimes	Never
News Features:	Always	Sometimes	Never
Bill Introductions:	Always	Sometimes	Never
Minnesota Index:	Always	Sometimes	Never

4. What day of the week do you typically receive Session Weekly in the mail? _____

5. How often do you use the following sources for legislative information and news? (Please circle.)

Session Weekly:	always	sometimes	never
Session Daily:	always	sometimes	never
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Online newspapers:	always	sometimes	never
Social Media:	always	sometimes	never
Your legislator:	always	sometimes	never
Commercial television:	always	sometimes	never
Public television:	always	sometimes	never
Commercial radio:	always	sometimes	never
Public radio:	always	sometimes	never

6. Have you viewed Session Weekly online? (a) frequently (b) sometimes (c) once or twice (d) never

7. Have you personally contacted your state representative or state senator within the last year? Yes / No

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9. How can we improve Session Weekly?
