

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
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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

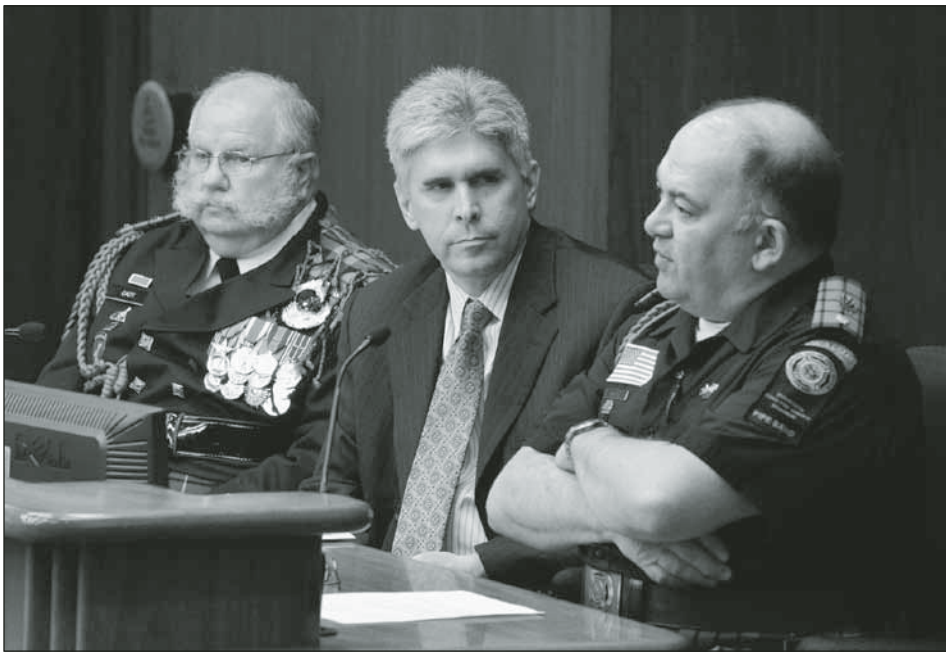


PHOTO BY ANDREW VONBANK

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

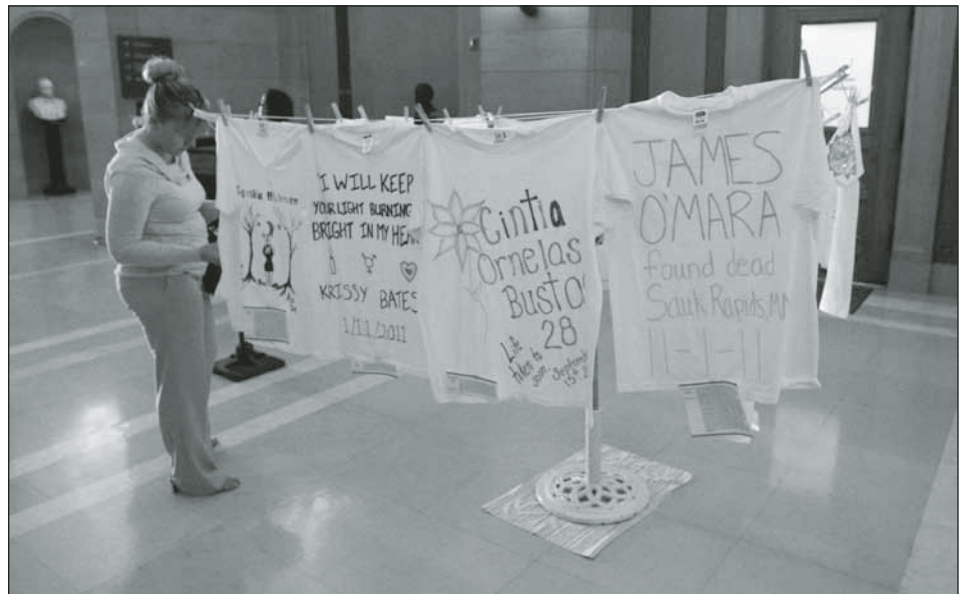


PHOTO BY PAUL BATTAGLIA

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

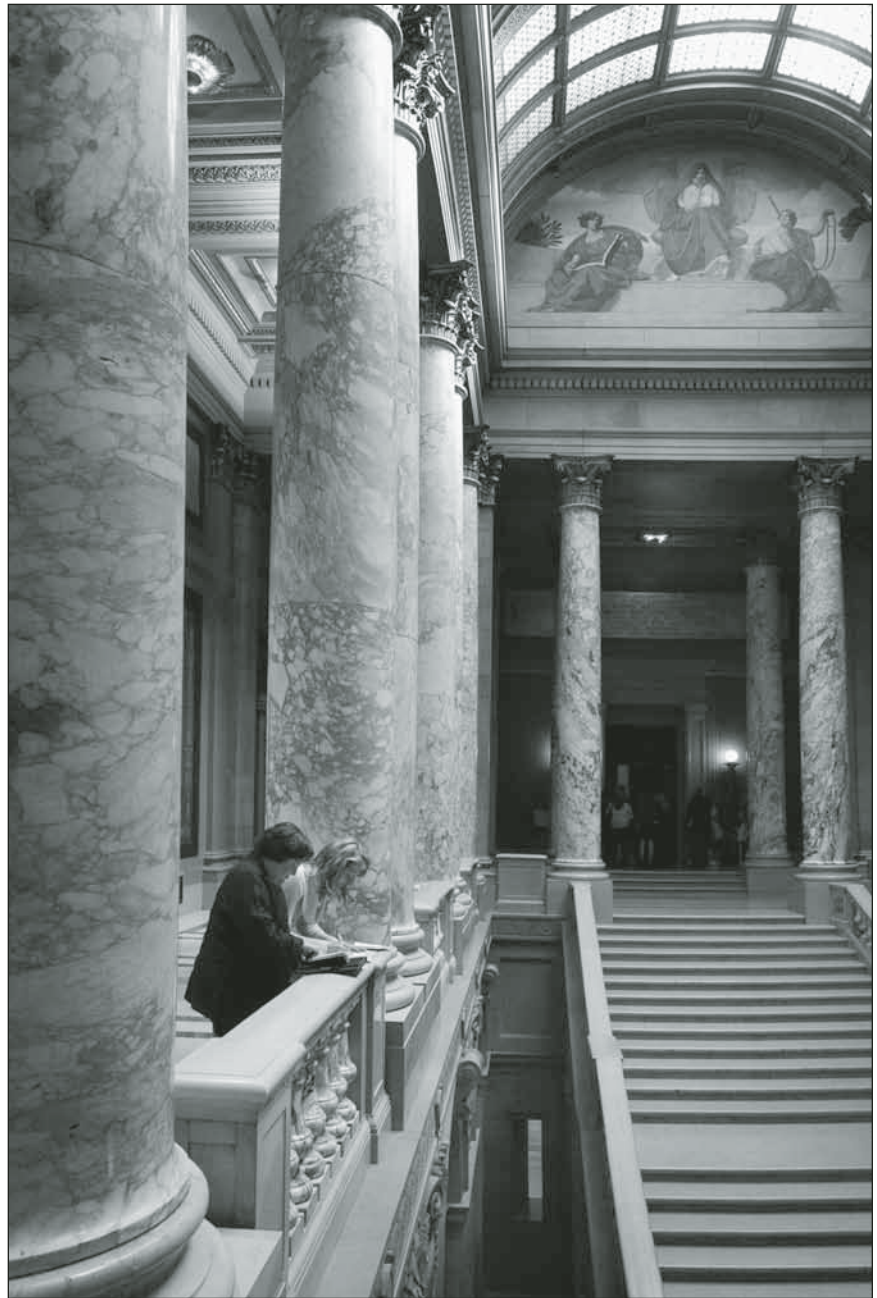


PHOTO BY ANDREW VONBANK

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-McElfattrick (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.