

# SESSION WEEKLY

CAPITAL FOR THE CAPITOL  
SENS. ANDERSON, DOEPKE, PETERSEN?  
STEINS AT THE STADIUM  
PROVE WHO YOU SAY YOU ARE

HF2913 - HF2961

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
VOLUME 29, NUMBER 8 • MARCH 23, 2012

# Flashback to 1992 and 2002

## Defense satellite to track local buses

With the easing of East-West tensions, the U.S. Department of Defense is making available its dedicated satellite time to municipal transit planners. Local transit officials are planning to equip buses with transmitters that will bounce their signals off the defense department's "eyes in the sky" and back to the Twin Cities where they'll be displayed on screens telling passengers exactly how far away the next bus is. The provision is contained in HF2191, which was approved by the House Transportation Committee.

The screens are planned for selected bus shelters in the not-too-distant future, said Regional Transit Board Chairman Mike Ehrlichmann.

— Session Weekly March 20, 1992

## Twins stadium plans head to the floor

The latest House proposal to help finance a stadium for the Minnesota Twins is a hit with the team's president.

Jerry Bell told the House Ways and Means Committee that the amended bill (HF2214) is the first proposal in six years that the team thinks will work.

The bill, sponsored by Rep. Harry Mares (R-White Bear Lake), would divide construction costs equally between the team and revenue bonds issued by a host city. The proposal calls for a variety of taxes including a ticket tax, a hotel/motel tax in the community, and a statewide sales tax on newspapers and magazines to pay off the bonds.

Under an amendment, successfully put forward by Rep. Dan McElroy (R-Burnsville), the state would issue up to \$330 million in revenue bonds to make a loan to the host city. The Twins and other private sources would be responsible for contributing \$165 million up front that would be put into a gift fund.

— Session Weekly March 22, 2002

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## SESSION WEEKLY

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. Produced during session, it covers the previous week's news from the House. No fee.

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at St. Paul, Minn., and additional offices. POSTMASTER: Send address changes to Session Weekly, House Public Information Services, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled, 50% post-consumer content.

**On the cover:** A group from the Boys and Girls Clubs of the Northland in Duluth walks down John Ireland Boulevard under a canopy of budding trees March 21. The group was in St. Paul making legislative visits in conjunction with the Minnesota Youth of the Year award presented by the Minnesota Alliance of Boys & Girls Clubs.

— Photo by Paul Battaglia



# Nursing home funding models

Should residents who can afford to, pay more?

By SUE HEGARTY

**N**inety-two-year-old Christine Stone spends a lot of time visiting friends in Minnesota nursing homes.

"And I've been impressed that the care has been at the same level for all patients in all those nursing homes," said Stone, a senior advocate from AARP.

She credits a Minnesota law that requires nursing home residents who pay privately for their care to pay the same rate as those on public assistance.

That would change under HF2374, which would allow nursing homes to increase rates 2 percent on private pay residents above those on public assistance.

Opponents of the bill fear those on public assistance would receive inferior treatment.

Driven to Tiers, a 2004 study published in the Milbank Quarterly, revealed that nursing homes create a two-tiered system of care, with residents on public assistance receiving worse care, according to Rick Varco, political director for SEIU Healthcare Minnesota, which represents 3,500 Minnesota nursing home employees.

"It's wrong to treat residents unequally. This bill will lead to unequal treatment," Varco said.

But nursing homes say they can't afford to care for residents at the rates paid by Medicare and Medicaid. Every day, they are providing care at a deficit of \$28 per

resident, according to Aging Services of Minnesota. The Department of Human Services acknowledges there is a problem.

Rep. Steve Gottwalt (R-St. Cloud) supports the bill, saying, "We're forcing everybody to pay below cost. If you're a business, you can't do that."

Park River Estates Care Center, a 99-bed facility in Coon Rapids, provides daily care at a cost of \$194 per resident, but is reimbursed at \$164, according to Administrator Thomas

Pollock. His staff has not had raises in four years and he's had to increase the deductibles on employee benefits.

Rep. Mary Kiffmeyer (R-Big Lake), who sponsors the bill, said "Our nursing homes and long-term care facilities are very challenged in this environment."

The provision was in the omnibus

health and human services bill that was vetoed by the governor last year. Sen. David Hann (R-Eden Prairie) sponsors the companion, SF1948. Both bills await action by their respective full legislative bodies.

## Fair share or penalty

The bill won't cost the state any more, but opponents say it's a tax on private-pay residents.

"My husband and I lived frugally our

whole lives. I would like to be able to pay my own care if I should need it, but when you allow nursing homes to charge me more, I worry that my money will not last as long, and then maybe I, too, will end up on Medicaid. Should I be penalized for living frugally and saving money?" Stone said.

AARP also opposes the bill.

"This proposal will force nursing home residents who pay their own way to pay more, resulting in a significant cost shift," said Michele Kimball, AARP senior state director.

The objective may, in fact, backfire.

"Increasing costs to private-pay residents means they spend down faster and become eligible for Medical Assistance sooner," Kimball said.

Others say the bill is a solution devised in the seven-county Twin Cities metropolitan area but isn't supported by many Greater Minnesota nursing homes.

"We're all in need of funding, but the Legislature is missing the point — that they have the responsibility to finance nursing homes but they shouldn't do it on the backs of private-pay residents," said Phil Lord, administrator of Belgrade Nursing Home. Using his facility as an example, he said a private pay resident could see rates increase \$5,361 within four years if the bill passes.

Minnesota ranks 21st among states in private pay nursing home affordability. As the cost of care rises, rates have stayed the same, along with employee salaries and benefits. Some facilities have reduced or eliminated benefits, said Kari Thurlow, vice president of advocacy for Aging Services of Minnesota. That directly impacts the level of care.

Some nursing homes have remained open because they were able to maximize their federal Medicare payments. "That's not a viable option any longer," Thurlow said. The Centers for Medicaid and Medicare Services decreased Medicare rates to nursing homes by 11 percent last October, adding to the problem.

First Reading continued on page 4

Of all the models for elder care, such as assisted living centers, hospital care centers and group housing, nursing homes are the only model required to charge equal rates. They have adapted to the federal cuts and frozen state rates by diversifying their operations and spending down their reserves.

"There's no hidden revenue here. They're running out of options," Thurlow said.

Kiffmeyer worked her way through nursing school by working in a nursing home.

"This at least fixes the private-pay side," she said.

But Rep. Patti Fritz (DFL-Faribault), a nursing home nurse for 41 years, doesn't think raising rates on some residents is the right solution. "This tiny bit of money is not going to solve this," she said.

### Nursing home sustainability

Not all nursing homes appear to be created equal, however. For-profit nursing homes generally do better than not-for-profit or

government run facilities, according to Greg Tabelle, audit director with the Department of Human Services.

"If you're in the business for profit, then you're more motivated to make a profit. Their costs are lower and they watch their expenses better," Tabelle said.

There also are a few allowances for charging private payees more, such as a private room upgrade.

Pollock estimated that at his facility, \$164 per day represents a \$6.83 per hour reimbursement

based on a 24-hour period.

North Dakota is the only other state that requires equal rates at nursing homes, but it has a higher Medicaid rate than Minnesota.

"It's not a problem because they cover our costs," said Robert Dahl, CEO of Elim Care, which operates nursing homes in Minnesota, North Dakota and Iowa. "In Minnesota, reimbursement has not kept pace. The policy can work and it was intended to work well, but that requires a state to keep up with costs."

Elim Care's Iowa nursing homes charge private pay residents "what the market will bear," Dahl said.



***"Some of the nursing homes in this state are profitable. Others are struggling. I'm not sure this is the right solution. I'm trying to figure that out."***

— Rep. Erin Murphy  
DFL-St. Paul

Rep. Erin Murphy (DFL-St. Paul) said the debate is too focused on not meeting costs. She wants someone to show her what those costs are. "Some of the nursing homes in this state are profitable. Others are struggling. I'm not sure this is the right solution. I'm trying to figure that out."

Then there are clients who maybe could afford to pay more, but they default to hiding or spending off their assets to go on Medical Assistance.

"Many people will feel justified transferring their assets if they feel like they're going to be picking up not only the cost of their care but the underpayment of government," said Rep. Diane Loeffler (DFL-Mpls). She thinks a better solution would be to find a way for government to adequately fund nursing homes.

While DFLers on the committee said government needs to sufficiently fund nursing homes, Republican members argued that the current model is not sustainable.

"We get more and more people on a program that we can less and less afford," said Gottwalt. "We have created perverse incentives in this society for people not to do for themselves and rely on public programs. If you have the resources to pay for your care, we'd like you to do that because Medical Assistance funding should be saved for the people who absolutely can't afford it."

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# HIGHLIGHTS

MARCH 15 - 22, 2012

**Editor's note:** The following Highlights are coverage of select bills heard in House committees or divisions and other House activities held March 15-22. Designations used in Highlight summaries: HF-House File; SF-Senate File; Ch-Chapter; and \*- the bill version considered by the House or the bill language acted on by the governor.

## Bonding

### Bonding bill met with little joy

A \$280 million bonding bill was met with a lukewarm response during its debut in the House Capital Investment Committee.

"It's on a long journey to the governor's desk, and I assume it will change many times," said Rep. Larry Howes (R-Walker), the committee chairman and sponsor of HF2622.

Even the roll-call vote to move the bill to the House Ways and Means Committee March 21 was ambiguous. Both the yes and no votes crossed party lines; some members passed, and others explained they would approve the bill only in hopes that it gets improved as it moves along.

The bill would support few new construction projects, but would provide maintenance and repair funding for state assets, including:

- \$46 million to the Department of Employment and Economic Development, with \$15 million targeted for economic development grant programs;
- \$44 million to the Minnesota State Colleges and Universities system;
- \$39 million to the University of Minnesota;
- \$38 million to the Department of Transportation for road, rail and bridge improvements;
- \$21 million to the Department of Natural Resources for dam, road and bridge construction as well as some park development; and
- \$14 million to the Department of Corrections for asset preservation.

Rep. Alice Hausman (DFL-St. Paul) was unsuccessful in her attempt to amend the bill to total \$879 million, \$119 million more than the total proffered by Gov. Mark Dayton. Not only would it have funded the top four priorities of the various state departments,

including \$198.9 million to DEED and \$102 million to MnDOT, it would take advantage of federal matching dollars for some projects.

"People are still hungry for jobs — architects, engineers and construction workers. The taxpayer's dollars go further today because interest rates are low," she said.

But Rep. Steve Drazkowski (R-Mazeppa) pointed to the state's increasing debt service payments.

"This isn't money that just falls like manna from heaven. We are projected to go over \$1 billion in debt service. ... This breaks the budget resolution."

Rep. Morrie Lanning (R-Moorhead) said the bill needs work. "But we need to get the process started and work with the Senate, and get the necessary votes (to pass)."

The companion, SF2169, sponsored by Sen. John Carlson (R-Bemidji), awaits action by the Senate Capital Investment Committee.

— L. SCHUTZ

### Capitol repairs could begin this year

After years of commissions, studies and plans, it's time to "commit" to the renovations needed to the 107-year-old State Capitol.

It will take approximately \$221 million and, in the process, temporarily displace nearly 300 workers and offices for elected officials. But Rep. Larry Howes (R-Walker), chairman of the House Capital Investment Committee, says it's time to get the job done. "That's what I want you to vote on today," he said before the committee approved HF2754 March 20 and moved it to the House Ways and Means Committee.

Howes sponsors the bill that would bring to life the most recent plan to update the historical building, with an appropriation from bond proceeds.

Restoration would take place over a four-year period, with work limited to that "necessary to restoring building integrity and structural soundness," according to the bill. Besides mechanical and electrical retrofits, new security would be implemented and there would be a telecommunications upgrade.

Wayne Waslaski, senior director of real estate and construction services for the Department of Administration, said the plan would be "sequenced" so as to cause minimal disruption to the governmental work that takes place in the facility; however, it would require temporary displacement of some offices.

While supportive of the restoration, DFLers question the need to bond the complete project this year.

Rep. Alice Hausman (DFL-St. Paul) said that the amount to fund the project will directly affect bonding for other infrastructure. She referred to the roughly \$250 million capital investment bill the committee was to act on the next day. "The reason tomorrow's bill has to be so small is because of this bill ... yet none of this can be spent right away," she said.



PHOTO BY PAUL BATTAGLIA

Wayne Waslaski, senior director of real estate and construction services for the Department of Administration, outlines a \$221 million plan to renovate the State Capitol during a March 20 meeting of the House Capital Investment Committee. Spencer Cronk, the department's commissioner, right, looks on.

Rep. Peggy Scott (R-Andover) reminded members that a \$500 million bonding bill was enacted last year, as well.

Howes said that it is time to commit, in law, future Legislatures to the protection of the building. "I've chosen, with advice, to go for a full package."

Rep. Tom Rukavina (DFL-Virginia) said financing for this project should stand on its own. "We want to remain proud of our building. It behooves the citizens of the state to find money for the Capitol."

The companion, SF2531, sponsored by Sen. Carla Nelson (R-Rochester), awaits action by the Senate Capital Investment Committee.

— L. SCHUTZ

## Business & Commerce

### Inspections during shutdown

Electrical inspections could continue unimpeded in the event of another state government shutdown, under a bill that won committee approval.

Rep. Carolyn McElfattrick (R-Deer River) sponsors HF2548/SF1551\* that would tap into an existing special revenue fund to allow electrical inspections to continue in the event that their biennial funding runs out.

The House Jobs and Economic Development Finance Committee approved the bill March 15 and sent it to the House Ways and Means Committee. Sen. Al DeKruif (R-Madison Lake) is the Senate sponsor. The Senate passed it 37-28 March 12.

The bill is one in a series of proposals following the 2011 state government shutdown that seek to ensure key government operations are able to continue in the absence of a biennial appropriation. McElfattrick said that because electrical inspections involve matters of public safety, they should not be allowed to stop.

"I feel like a large portion of our responsibility here is to protect the public," she said.

Bill Strusinski, representing the Minnesota Electrical Association, said last summer's shutdown halted a wide variety of public and private building projects and created a number of safety concerns. As an example, he said 20 carnivals and fairs opened last summer without proper electrical inspections.

Rep. Tim Mahoney (DFL-St. Paul) questioned why electrical inspectors are being singled out among all the other trades impacted by the shutdown. He noted that Ramsey District Court Chief Judge Kathleen Gearin did not deem the inspections an essential state service.

"This is a way to get around the fact that we didn't get our work done," Mahoney said.

— N. BUSSE

## Civil Law

### Timeshares face foreclosure problem

Timeshares, seen as the affordable way to own a vacation getaway, are facing their own foreclosure problems, with owners defaulting on maintenance assessments.

Associations, formed to look out for all the owners' interests, including property maintenance, are left to foreclose on those who are delinquent in payments. For some associations, how the property's title is recorded can make the process extremely expensive.

A bill, HF2763, sponsored by Rep. Torrey Westrom (R-Elbow Lake), could provide some relief and eliminate a barrier to timeshare resale. Approved March 19 by the House Civil Law Committee, it now moves to the full House for action.

Carrie Ruud, a governmental lobbying consultant from Breezy Point, told the committee that there are 12,000 timeshare owners in Breezy Point represented by 14 timeshare associations. She displayed a list from one association with more than 70 timeshares going through the foreclosure process. Because the county uses a Torrens recording system, the legal costs can be prohibitive for associations.

Timeshare values average between \$200 to \$600 a week. The cost to foreclose can average \$2,000 to \$2,500, she said; however, in a Torrens situation, the costs can double.

"This would remove the additional barrier to getting the timeshare units back into the hands of new owners who will pay the dues, use the units and support the local economy during their vacation visits," Ruud wrote in support of the bill.

Westrom's bill, while protecting due process, would allow associations to secure new certificates of title after the completion of property conducted foreclosures.

The companion, SF2184, sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action on the Senate floor.

— L. SCHUTZ

### Judges performing marriages

Larry Neilson of St. Paul would like his sister to perform the marriage of his daughter. His sister is a judge, and while most judges are able to perform the duty, as an administrative judge, she cannot.

Rep. Bev Scalze (DFL-Little Canada) sponsors HF2447 that would add administrative judges to the list of those who can solemnize a marriage.

The House Civil Law Committee approved the bill March 19 and moved it to the full House for consideration.

Rep. John Lesch (DFL-St. Paul) quipped that Neilson's sister could go online "and for 5 bucks be able to perform weddings," noting that is the process he followed.

Neilson termed that "unethical."

The companion, SF2106, sponsored by Sen. John Marty (DFL-Roseville), awaits action on the Senate floor.

— L. SCHUTZ

## Consumers

### Beer could be sold at U stadium

A House committee sent the omnibus liquor bill to the House floor March 21.

The bill, HF2784, received approval from the House Commerce and Regulatory Reform Committee. Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), the measure includes nine bills previously laid over by the committee, including those relating to farm winery licenses, wine tastings, liquor store clothing sales and out-of-state craft brewers.

Sen. Chris Gerlach (R-Apple Valley) sponsors the companion, SF2392, which awaits action by the full Senate.

Atkins successfully offered an amendment that would allow alcohol to be served at the University of Minnesota's TCF Bank Stadium during intercollegiate football games. Sale would take place in the suites and at the west end of the stadium near the end zone. Atkins explained the amendment was created as part of a compromise between stakeholders.

Several members expressed skepticism, including Rep. Leon Lillie (DFL-North



St. Paul). He supports the concept as an attempt to eliminate fans bringing in their own alcohol. However, he worried that if the amendment were to become law, thousands of fans could attempt to purchase alcohol out of a single location at the stadium.

Lillie also proposed, and later withdrew, an amendment allowing sale of alcohol at other university locations, such as Mariucci Arena. He indicated that this is an issue he may address when the bill reaches the House floor.

During a March 20 meeting, the committee laid over four bills for possible inclusion in the omnibus bill. The bill that generated the most debate, HF1035, sought to lift the state ban on issuing more than one liquor license to a business within a single community. Sponsored by Rep. Sarah Anderson (R-Plymouth), the bill would allow liquor or grocery stores to sell alcohol at multiple locations within a city. Senate Majority Leader David Senjem (R-Rochester) sponsors SF1273, the companion that awaits action in the Senate Commerce and Consumer Protection Committee.

Proponents claim the bill would foster opportunity for entrepreneurs without creating a mandate for local government. Owners of small liquor stores assert that the bill would intensify the difficulty of competing with national companies.

Because of the controversy surrounding this bill, it was laid over and not included in the omnibus bill.

The other three bills incorporated into the respective body's omnibus bills are:

- HF2871/SF2408, sponsored by Rep. Bobby Joe Champion (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), which seeks to authorize the relocation of Kick's Liquor Store in north Minneapolis that was damaged beyond repair during last summer's tornado;
- HF2812/SF2410, sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Ron Latz (DFL-St. Louis Park), which would authorize liquor stores to hold classes, for a fee, that include beer and wine tastings; and
- HF2719/SF2374, sponsored by Rep. Bob Gunther (R-Fairmont) and Sen. Julie Rosen (R-Fairmont), which would provide that out-of-state brewers could receive an exemption from standard Minnesota alcohol license requirements. The bill only authorizes the exemption for brewers who sell alcohol in very limited capacities in Minnesota, such as at beer festivals.

— E. SCHMIDTKE

## HONORED VETERAN



PHOTO BY ANDREW VONBANK

**Ken Krueger, a recipient of the Knight of the Legion of Honor medal, and who served in World War II in the U.S. Army Signal Corps, is recognized on the House Floor March 21.**

## Education

### Accountability for charter schools

Charter schools could have a new set of accountability standards as early as this year.

Rep. Kelby Woodard (R-Belle Plaine) sponsors HF2714, which would establish heightened guidelines for charter schools throughout the state. The bill would designate student achievement as the primary purpose of these schools, and propose schools achieve that by maintaining a rate of 35 percent or greater student proficiency in reading and math. All pupils would have to demonstrate at least an average rate of "on-track" growth as well, or the school could be shut down.

The House Education Finance Committee laid the bill over March 20 for possible inclusion in a later bill. It has no Senate companion.

Woodard said the bill was necessary to ensure all charter schools in Minnesota meet the highest standards. He highlighted a portion of the bill that would broaden the pool of teachers available to charter schools by allowing those with out-of-state licenses to instruct students, if they meet certain requirements.

Rep. Carlos Mariani (DFL-St. Paul) successfully offered an amendment that further emphasizes the need for student

achievement in charter schools. The amendment also aligns the bill with a new law requiring teachers to pass a reading, writing and mathematics skills test.

The bill received support from some charter school administrators, who claimed that many existing charter schools are not sufficiently closing the education achievement gap. Eric Mahmoud, founder of Harvest Preparatory School and Best Academy in the Twin Cities, described the need for increased accountability and student achievement in charter schools.

"We have an opportunity to change the landscape of education. Even though we face challenges, I am very optimistic," Mahmoud said.

Other educators and administrators urged the committee to reconsider the need for the bill. Eugene Piccolo, executive director of the Minnesota Association of Charter Schools, expressed concern that parents and school staff could be cut out of the charter school governing process. He also criticized the bill for allowing teachers with out-of-state licenses to teach in Minnesota, a concern echoed by Rep. Jim Davnie (DFL-Mpls).

"I can't see that the agenda here is about teaching and learning. So it does make me wonder what the agenda is about wanting unlicensed teachers in the state teaching in our public schools," Davnie said.

— E. SCHMIDTKE

## NATIONAL CHAMPIONS



PHOTO BY ANDREW VONBANK

Members of the University of Minnesota women's hockey team are recognized in the House Gallery during the March 20 floor session. The Gophers beat Wisconsin 4-2 two days earlier to win the national title.

### Charter school grad requirements

Charter schools that teach a high number of struggling pupils could be exempted from some requirements in Minnesota's No Child Left Behind waiver.

Rep. Kelby Woodard (R-Belle Plaine) sponsors a bill that would group qualifying charter schools with alternative learning centers, which teach students who have difficulty learning in traditional schools. The state looks at these groupings to determine priority schools. Under the NCLB waiver, priority schools must design and submit turnaround plans to the state.

The House Education Reform Committee approved HF2801 March 15 and sent it to the House floor. Sen. John Harrington (DFL-St. Paul) sponsors the companion, SF2460, which awaits action by the Senate Education Committee.

The proposed change would affect how certain charter schools' graduation rates are reported, removing what some charter school administrators are calling a long-standing disadvantage. Some charter schools specifically accept students who need additional help. Educators at these schools say that this effort to help students in need

hurts their achievement scores and funding.

Paula Anderson, education director at the High School for Recording Arts, explained that her school takes in a large number of students who need additional help to graduate. These students are also frequently at-risk, having higher than average rates in areas like homelessness, which can impact their school performance.

David Ellis, the school's founder, said that the current system punishes them for the kind of students they admit, not the results of the work they are doing.

"We're fighting a crazy issue when we could be helping students succeed," he said.

The bill received criticism from St. Paul Public Schools Legislative Liaison Mary Gilbert. She argued that, while charter schools like the High School for Recording Arts face challenges, the bill is unfair to public schools that also enroll students who have difficulty achieving success.

"If we're going to do this, we should do it for all schools that qualify," she said.

Rep. Mindy Greiling (DFL-Roseville) said she opposed establishing different standards for public and charter schools. Woodard indicated that amendments to address this

issue, as well as the bill's consistency with federal law, may be forthcoming.

— E. SCHMIDTKE

### School debt limit change proposed

State law limits the majority of school districts' debt to 15 percent of the taxable market value. Districts located partly or wholly within cities of 100,000 or more people may only have debt at 0.7 percent of their market value. This could change.

Rep. Duane Quam (R-Byron) sponsors HF2917, which would standardize the debt limit at 15 percent for all districts in Minnesota. The House Education Finance Committee laid the bill over March 21 for possible inclusion in a later measure. Senate Majority Leader David Senjem (R-Rochester) sponsors SF2515, the companion that awaits action by the Senate Education Committee.

Quam explained that this change would help rid the state of an "arcane" law, creating a more equal system for schools.

Rep. Mindy Greiling (DFL-Roseville) said the bill fits with her personal philosophy of creating laws that uniformly apply to all districts.

"I still go back to charging next year's



Legislature to examine why we seem to want to cling to different statutes for different school districts,” she said.

Rep. Jim Davnie (DFL-Mpls) accused Quam of trying to mold state law in ways that would be advantageous to his district. Quam represents cities in and around the Rochester area, which the 2010 census newly designated as a “city of the first class,” meaning it has over 100,000 residents.

“Rochester is a city of the first class except when (Quam) doesn’t want it to be a city of the first class. It’s not just a historical, dusty artifact of statute. It’s political fun for people,” Davnie said. Both he and Greiling said they hoped to see no future legislation that would treat districts in cities of the first class differently from other districts.

— E. SCHMIDTKE

### Individualized learning bill advances

Anath Pai is a teacher who uses individualized learning plans for his students. He told a House committee that because not all children learn the same way, teachers should instruct them differently.

“I believe that all children can learn provided the environment allows them the flexibility to stretch the elasticity of their brains,” Pai said.

A House committee approved a measure sponsored by Rep. Connie Doepke (R-Orono), which would authorize districts to work with students to develop unique curriculums based on their individual interests and strengths. The House Education Reform Committee sent HF2658 to the House floor March 20. Sen. Gen Olson (R-Minnetrista) sponsors SF2201, the companion that awaits action by the Senate Finance Committee.

Supporters hope to remove what they call “one size fits all” learning from the classroom. They believe academic motivation stems from engaging students on an individual basis.

Ted Kolderie, senior associate at the Center for Policy Studies’ project Education Evolving, testified in favor of work like Pai’s, but claimed that transforming schools with individualized learning plans would create more sweeping change.

“We can’t get where we need to go at the rate we need simply by making itty bitty changes on all the schools simultaneously,” he said.

While Rep. Mindy Greiling (DFL-Roseville) expressed support for the bill’s concept, she questioned its permissive language, which directs schools who have

successfully implemented individualized learning plans to expand that program to other sites in the district. Doepke insisted the bill offered strong encouragement, but not a mandate, for program expansion.

— E. SCHMIDTKE

### Parents involvement in schools

Parents could collectively work for change in education.

Rep. Jennifer Loon (R-Eden Prairie) sponsors HF2580, which would empower parents in chronically low-performing districts to petition their school boards for reform. A majority of parents would agree on one of four intervention models proposed in the bill, such as school restart and closure, which the board would be required to implement.

The House Education Finance Committee approved the bill March 15 and sent it to the House Ways and Means Committee.

Parents urged members to support an increase in their involvement in schools, which they said would share the burden of reform between educators and local families.

“I can tell you that nothing hurts me more than looking at my kids and telling them there’s nothing I can do,” said Randel Pronschinske, a Lakeville parent.

Rep. Keith Downey (R-Edina) praised the bill’s intent, adding that he felt it did not take drastic enough action to help parents speak out in failing districts.

“Frankly, I’m shocked that we haven’t moved stronger in this direction previously,” he said.

School administrators and educators questioned the logistics and funding for these petitions. They also cautioned against a series of unintended consequences the bill could produce.

Roger Aronson, legal counsel for both the Minnesota Association for Secondary School Principals and the Minnesota Elementary School Principals’ Association, said the bill lacked flexibility and would “trigger rigid reform” in districts that parents might not expect or want.

Rep. Carlos Mariani (DFL-St. Paul) complimented Loon’s idea to involve parents in key education decisions, but said he was unsure about the method outlined in the bill.

“We’re new in this area and for us to implement those into state statute, I think, is a very premature step,” Mariani said.

The companion, sponsored by Sen. David Hann (R-Eden Prairie), awaits action by the Senate Education Committee.

— E. SCHMIDTKE

## Elections

### State primary could move to June

In 2010, Gov. Tim Pawlenty signed a law moving the state primary from September to August. The September primary date was seen as disadvantageous to military and overseas voters, and the change had overwhelming bipartisan support in the Legislature.

Rep. Kurt Daudt (R-Crown) sponsors HF2704 that would move the date up further — to put Minnesota in closer alignment with neighboring states and potentially help boost voter turnout, he said.

The bill would designate the first Tuesday following the third Monday in June as the date for the state’s primary elections. Currently, primary elections take place on the second Tuesday in August.

The House Government Operations and Elections Committee approved the bill March 16 and sent it to the House floor. Sen. Ray Vandever (R-Forest Lake) sponsors the companion, SF2415, which awaits action by the Senate Local Government and Elections Committee.

Rep. Steve Simon (DFL-St. Louis Park), who sponsored the House bill making the September-to-August change, said he supports the June change as well. He said it would give voters more time to focus on candidates and issues in the General Election rather than intra-party fights.

Rep. Mike Nelson (DFL-Brooklyn Park) said he doesn’t oppose the bill, but is concerned that the accelerated time frame might create difficulty for local party units to organize conventions between precinct caucuses and the primary.

— N. BUSSE

## Energy

### Easing co-op regulations

Electric cooperatives that generate more than 80 percent of their business outside Minnesota could be relieved of filling out Minnesota regulatory forms.

HF2747, sponsored by Rep. Rich Murray (R-Albert Lea), was approved on a divided voice vote March 21 by the House Environment, Energy and Natural Resources Policy and Finance Committee.

Murray’s bill, which proceeds to the full House, would relieve electric cooperatives

from filing integrated resource plans to state regulators.

"Our staff spends six months developing this report," said Steve Tomac, senior legislative representative for Bismarck, N.D.-based Basin Electric Power Cooperative.

Kenric Scheevel, head of government relations for Dairyland Power Cooperative, said the size of the integrated resource document has grown from 50 pages in 2000 to more than 4,000 pages. "This document is over 2 feet high. ... This is excessive for an advisory-only filing."

Peter Brickwedde, assistant director of government affairs with the Department of Commerce, said there is no set form or length of the regulatory document. "Xcel Energy's plan was a couple of hundred pages."

The electric cooperative representatives say the cost of filing the regulatory documents with Minnesota ranges between \$20,000 and \$30,000 a year.

Rep. Andrew Falk (DFL-Murdock) said the electric resource plans help state regulators create a road map for future energy use. "Simply saying that 'We don't want to follow the status quo' isn't good enough," Falk said.

Rep. Mike Beard (R-Shakopee) objects to the cost burden of the reports. "Just a penny here and a penny there — pretty soon it starts adding up to some real money."

A companion, SF2098, sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the full Senate.

— B. GEIGER

### Wind easement extension approved

Development of renewable energy on land leased for wind rights could be extended five years.

The House Environment, Energy and Natural Resources Policy and Finance Committee approved HF2226, sponsored by Rep. Bruce Vogel (R-Willmar), March 21 and sent it to the full House. Its companion, SF1534, sponsored by Sen. David Brown (R-Becker), awaits a vote by the Senate.

Both bills would extend the current June 1, 2012 expiration date until June 1, 2017. Originally, the bill was intended to terminate wind easements on land if commercial wind production failed to commence on leased land.

That language arose from concerns that wind rights for land were being purchased without intention to erect wind turbines.

Thom Petersen, director of government relations for the Minnesota Farmers Union,

testified that his group supported extending the "use it or lose it" date to 2017.

— B. GEIGER

## Env. & Natural Resources

### Hunting for higher revenues

Hit by declining federal funding and more than \$2 million in fishing license sales revenues lost during the 2011 government shutdown, the Department of Natural Resources aims to shore up its ailing Game and Fish Fund with higher license fees.

Several sets of proposed higher angling and hunting fees were presented March 15 to the House Environment, Energy and Natural Resources Policy and Finance Committee. Bottom line: boost fees or the Game and Fish Fund will be exhausted by July 2013.

Bob Meier, assistant commissioner of policy and government relations for the DNR, said the sinking balance in the fund, which is fed primarily by hunting and fishing license revenues, is in dire need of replenishment.

Meier spoke during a presentation of HF1583, sponsored by Rep. Rick Hansen (DFL-South St. Paul), which outlines a variety of angling and hunting license fee increases. Meier outlined a "new forecasts, new urgency" situation that resulted in a \$7.6 million fund decrease over the last year.

No action was taken on the bill.

Fee changes proposed in the bill include increases in resident fishing licenses from \$17 to \$24; married couple fishing license from \$25 to \$40; and individual resident deer hunting licenses from \$26 to \$30. Additional revenue is expected in the next year from a \$26 wolf hunting license and \$44 bear hunting license.

Meier said if fees aren't increased soon, Minnesotans will feel a "drastic impact" on their hunting and fishing experience.

Rep. Tom Hackbarth (R-Cedar), said, "We need to get our youth out hunting and fishing."

— B. GEIGER

### Fighting Asian carp

Minnesota prairies, forests, water and arts and cultural heritage projects got good news March 21, while Asian carp received a shot across the bow.

Projects benefitting state lands and waters could receive \$107.6 million if funding by the House Legacy Funding Division is approved.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF2430 is expected to be heard March 22 by the House Environment, Energy and Natural Resources Policy and Finance Committee. There is no Senate companion.

The Outdoor Heritage Fund received the most funding — just over \$99.9 million — compared to \$6 million

## FISH STORY



PHOTO BY PAUL BATTAGLIA

**Rick Carlson of Hanska does a show-and-tell for Rep. Denny McNamara with a big head carp he caught in an Illinois lake about a week ago. Carlson brought the frozen fish to the Capitol March 21 to show state officials the danger the fish pose to Minnesota waters.**



for the Clean Water Fund and \$1.7 million for the Arts and Cultural Heritage Fund.

Included in the proposal is a \$12.2 million bipartisan effort that combines \$5.5 million from the Outdoor Heritage Fund with other Legacy Amendment funds to research aquatic invasive species, fund Asian carp barriers and provide grants for aquatic habitat restoration.

The plan calls for some funds to be diverted from the Mississippi River Northwoods Habitat Complex Protection project to help pay for the aquatic invasive species efforts. Paying for the invasive species projects is “absolutely critical because we don’t have any other funds available and we have to start on this,” said Rep. Paul Torkelson (R-Nelson Township).

Torkelson worked with Rep. Jean Wagenius (DFL-Mpls) on a plan to combat such aquatic invasive species as Asian carp and zebra mussels from overrunning the state’s rivers and lakes.

Quick action is important, said Rep. Denny McNamara (R-Hastings) because planning barriers at lock and dams and other efforts takes at least six months.

“The reality is these deterrents will not protect us this season. It will have to wait until next season,” said McNamara, who characterized the proposed aquatic invasive species effort as “aggressive.”

The proposed effort includes a \$2.2 million appropriation from the Legacy Amendment’s Clean Water Fund to the University of Minnesota to fund three assistant professors to research environmental DNA, zebra mussels and fish ecology, one fish care technician and five graduate students and equipment through June 30, 2018.

— B. GEIGER

### Oversight of renewable account

Management of the state’s Renewable Development Account, previously overseen by the Public Utilities Commission, would switch to Xcel Energy under HF2650, sponsored by Rep. Mike Beard (R-Shakopee).

The bill was passed 104-26 on March 20. It now moves to the Senate where it is sponsored by Sen. Julie Rosen (R-Fairmont).

Beard spoke to the bill during the House Environment, Energy and Natural Resources Policy and Finance Committee. He said that the renewable fund “was the price that was extracted from the utility for building a nuclear plant.” Xcel has deposited more than \$180 million into the account since

1999, based on the number of nuclear waste casks stored at the utility’s Prairie Island and Monticello nuclear power plants.

An attempt to restructure and streamline selection of future renewable energy projects for funding, the bill follows an October 2010 report from the Office of the Legislative Auditor that examined the structure and use of the account. Last year, the Legislature suspended the PUC’s authority to approve spending from the account until July 1, 2012.

It specifies that funds from the account can be used to increase renewable electricity use; promote the start-up and expansion of renewable electric projects and companies; stimulate renewable electric technology research and development; and develop demonstration scale infrastructure efficiency products.

DFLers voiced skepticism about a utility managing the fund — albeit with mandatory supervision of the renewable grant advertising and application process by an advisory group — because of a bill provision that Xcel Energy would be able to apply for grants from the account it pays into.

Rep. Jean Wagenius (DFL-Mpls) asked if any funding for renewable energy technology could include “clean coal” projects. Beard replied that coal-burning projects would not qualify under provisions in his bill.

— B. GEIGER

### House passes trust land reform

The House voted 104-26 March 19 to remove the responsibility of overseeing school trust lands from the Department of Natural Resources, which critics say it has mismanaged.

When it became a state, Minnesota received the lands from the federal government, with the requirement of using, selling or leasing the land to fund education.

Rep. Tim O’Driscoll (R-Sartell) sponsors HF2244, which would transfer management to a Permanent School Fund Board of five members appointed by the governor. They would be advised by a bipartisan Permanent School Fund Commission made of state lawmakers, who would also review legislation affecting the lands.

The bill moves to the Senate where Sen. Benjamin Kruse (R-Brooklyn Park) is the sponsor.

Proponents say the DNR cannot manage the land effectively because the department’s purpose is to facilitate land conservation, not raise money for education. With proper management, supporters say schools could receive millions of dollars.

Rep. Denise Dittrich (DFL-Champlin), who has advocated for school trust land reform for years, called on legislators to remove the DNR as the land’s primary manager.

“I will fight every day of my life, which



PHOTO BY PAUL BATTAGLIA

**Rep. Denise Dittrich congratulates Rep. Tim O’Driscoll after his bill that would transfer management of the Permanent School Fund lands to five members appointed by the governor was passed by the House March 19.**

I have for the past five years, to make sure that every child in this state knows that they are the recipient of a trust fund in this state given to them by the founding fathers of this country,” Dittrich said.

The DNR opposes the proposed change, expressing concern that it overextends legislative responsibility. Several lawmakers echoed that concern, questioning whether unintended consequences could outweigh the benefits of passing the bill.

Rep. Jean Wagenius (DFL-Mpls) spoke in support of an amendment successfully offered by Rep. Rick Hansen (DFL-South St. Paul) that would facilitate a reimbursement agreement with the federal government for trust lands located within the Boundary Waters Canoe Area, which is protected land. However, she expressed concern that the bill could violate the state constitution and harm education funding.

Rep. Tom Rukavina (DFL-Virginia), while a co-sponsor of the bill, also voiced concern. He unsuccessfully offered an amendment that would make changes to the Permanent School Fund Board.

“My experience is that putting citizens on boards around here is that we abdicate our responsibility as legislators to manage the money,” he said. Rukavina explained that, while he supported the bill, he was concerned O’Driscoll was “taking it into the weeds.”

— E. SCHMIDTKE

## Health & Human Services

### Alternative autism shelter study

Several parents of children with severe autism are asking lawmakers to allow more choices in the type of foster care settings for their children, under a pair of bills approved by a House committee.

Rep. Kim Norton (DFL-Rochester) sponsors HF1683, which would instruct the human services commissioner to work with counties to create an autism-specific foster care license for providers with the training and skills to meet the special needs of children with autism.

Rep. Kathy Lohmer (R-Lake Elmo) sponsors HF2252, which would ask the commissioner to develop a plan to create a residential campus for persons diagnosed with autism up to age 21.

Both bills were approved by the House Health and Human Services Reform Committee March 21. Norton’s bill was

## VOTER ID PROTEST



PHOTO BY ANDREW VONBANK

**Opponents of a constitutional amendment requiring a photo identification for voters gather in front of the House Chamber March 20.**

referred to the House floor. Lohmer’s bill, which has an unspecified cost to develop the plan, was referred to the House Health and Human Services Finance Committee.

Many of the parents said their children were put in group home settings when their needs could no longer be met at home, but that many group homes are not properly trained in autism management.

Dr. Sheryl Grassie, a parent of a child with autism, said there are several alternative models in other states that have been effective in providing a supportive environment that’s not available in smaller foster care settings, such as horse therapy and swimming pools. Grassie said the cost of the alternative settings is significantly less than the \$175,000 to \$350,000 annual cost for a four-bed facility.

Minnesota is known to have the highest incidence of people with autistic diagnosis among the states. There are about 400-600 children with the most severe cases (non-verbal and sensory sensitive) who may benefit from an autism-focused housing campus, according to Grassie.

Senate Majority Leader Sen. David Senjem (R-Rochester) sponsors both companion bills: SF1412, a companion to Norton’s bill, awaits action on the Senate floor; and SF1882, a companion to Lohmer’s bill, awaits action by the Senate Health and Human Services Committee.

— S. HEGARTY

### Administering abortion pill

For some women, access to counseling and having an abortion can be a problem, especially in rural areas. Some doctors have taken to tele-medicine practices to assist women in having a non-surgical abortion.

The practice matches doctor and patient, who are physically miles apart, together on a closed-circuit camera for consultation and instruction. The RU-486 pill is dispensed by remotely unlocking a drawer. The woman swallows the pill and then a second drug is taken up to 48 hours later that helps complete an abortion.

But complications and even death have occurred. Rep. Joyce Peppin (R-Rogers) sponsors HF2341, which would require the doctor to be in the room when RU-486 or any other drug or chemical used to induce an abortion is administered. The doctor would also need to encourage the woman to return within 12 to 18 days to confirm that the pregnancy was properly terminated.

The House Health and Human Services Reform Committee voted 14-6 March 20 to approve the bill and referred it to the House Civil Law Committee.

The U.S. Food and Drug Administration approved RU-486 with the restriction that only a physician can administer the drug.

“In other words, the FDA believed that the drug was dangerous enough and the physician’s role important enough that RU-486 cannot be gotten at a pharmacy, but



only directly from a physician,” said Jordan Harris, a legislative associate with Minnesota Citizens Concerned for Life.

Since its approval in the U.S., 14 women have died and more than 2,200 adverse affects have been reported. An estimated 8 percent of women will require a medical procedure to complete the abortion or to stop excessive bleeding.

“Women deserve better than a webcam abortion,” Harris said.

Dr. Jan Strathy said the risk is not when the pill is taken, but rather days later, so having the doctor in the room when administering the pill should not be required.

Rep. Tina Liebling (DFL-Rochester) said the bill is an attempt to stop women from exercising their legal right to decide what’s best for their own bodies.

Awaiting action by the full Senate is a companion bill, SF1912, sponsored by Sen. Paul Gazelka (R-Brainerd).

— S. HEGART

### Guest license for charity dental care

In preparation for an Aug. 17-18 Minnesota Mission of Mercy event in Mankato to provide \$1 million in free dental care to 2,000 residents, lawmakers are being asked to allow licensed dentists from other states to obtain a guest license to practice in Minnesota.

HF1972 would grant a guest license to a dentist, dental hygienist or dental assistant to provide free dental services for up to 10 days annually in Minnesota.

The House Health and Human Services Finance Committee approved the bill March 20 and referred it to the House Ways and Means Committee.

The Board of Dentistry would be able to grant a guest license not to exceed \$25, which would be paid by the Minnesota Dental Foundation. Laura Kramer, director of government affairs for the Minnesota Dental Association, said up to 1,000 volunteers are expected to work at the temporary dental clinic this summer.

The bill’s sponsor, Rep. Greg Davids (R-Preston), said the visiting dental professionals will provide charity care, including free fillings, cleanings and extractions.

Sen. John Carlson (R-Bemidji) sponsors a Senate companion, SF1553, which awaits action by the Senate Finance Committee.

Event planners hope that if the Mankato event is successful, it can be used as a model in other areas of the state, such as Bemidji.

— S. HEGARTY

## Housing

### Subsidized renters and fees

Signed  
by  
the  
governor

Those renting under a federally subsidized program will see their interest rate on late fees come down from the current 8 percent to correspond with the federal standard, under a new law signed by Gov. Mark Dayton March 20.

The law will take care of an “inadvertent oversight when state statutes were updated in 2010,” according to the House sponsor, Rep. Mary Liz Holberg (R-Lakeville). The Senate sponsor is Sen. Scott Newman (R-Hutchinson). The law applies to any eviction action on or before Dec. 31, 2014.

The law, effective Aug. 1, 2012, will allow landlords operating a lease under a federally subsidized tenancy program to charge late fees, but on a schedule consistent with that of federal guidelines.

It would also delay the effective dates on provisions related to tenant evictions in a foreclosed property from Jan. 1, 2013, to Jan. 1, 2015.

HF1515\*/SF1272/CH132

— L. SCHUTZ

### Dayton signs real estate law

Signed  
by  
the  
governor

A new law will not hold real estate brokers responsible for management of properties they have an ownership interest in or outright own.

Signed March 20 by Gov. Mark Dayton, it is effective the next day. The new law only applies to property management performed on that date or later.

Rep. Bruce Vogel (R-Willmar) and Sen. Benjamin Kruse (R-Brooklyn Park) sponsor the law.

HF2152\*/SF1739/CH134

— E. SCHMIDTKE

## Local Government

### Met Council budget oversight

Lawmakers could be given veto power over the Metropolitan Council’s annual budget and its capital improvement projects, under a proposal that supporters say will improve the council’s transparency.

Rep. Peggy Scott (R-Andover) sponsors HF2863 that would require the council to

submit both its operating and capital budgets for annual legislative approval. Unless authorized by the Legislature, the council could not change its tax levy or spending levels.

The House Government Operations and Elections Committee approved the bill March 20 with an amendment successfully offered by Scott. It now moves to the House Ways and Means Committee.

The council is the regional planning agency for the Twin Cities metropolitan area. Its members are appointed by the governor and it has an annual operating budget of \$739 million. Scott said an agency that size should have oversight from elected officials. Many committee members agreed.

“We have here a non-elected body that can raise your taxes, condemn your property, and can sue a local government. We need more control of the situation,” said Rep. Bev Scalze (DFL-Little Canada).

Judd Schetnan, the council’s government affairs director, said the bill would wrongly put the Legislature in charge of budgeting for an agency that only receives 10 percent of its funding from the state. Moreover, he said lawmakers already have oversight powers via the Legislative Commission on Metropolitan Government — a joint legislative panel that holds hearings and makes recommendations regarding the council.

“I think that everything that is trying to be accomplished by this bill can be done through the oversight commission,” he said.

Patricia Nauman, executive director of Metro Cities, said her organization did not support the bill because they do not believe it would serve to enhance cooperation between the council and local governments.

Sen. Benjamin Kruse (R-Brooklyn Park) sponsors the companion, SF2179, which awaits action by the Senate Finance Committee.

— N. BUSSE

### Met Council staggered terms

A desire for stability and continuity at the Metropolitan Council is at the heart of a plan to stagger the terms of its 17 members — but the council itself doesn’t approve.

The Met Council is a regional planning agency serving the Twin Cities metropolitan area. Its members are appointed by the governor. Local government officials say the ability to have all members replaced simultaneously makes the council less effective.

“It’s a very large learning curve to become a member of the Met Council,” said Anoka

County Commissioner Carol LeDoux. “It’s just a good idea not to have a council turn over and have all new members at the same time.”

Rep. Peggy Scott (R-Andover) sponsors HF2404 that would prevent that from happening. The House Government Operations and Elections Committee approved the bill March 16 and sent it to the House floor. Sen. Benjamin Kruse (R-Brooklyn Park) sponsors the companion, SF2014, which awaits action by the full Senate.

A January 2011 report on metropolitan transit governance from the Office of the Legislative Auditor recommended staggered terms for the Met Council. Scott noted that staggered terms were also proposed by the Legislative Commission on Metropolitan Government.

Judd Schetnan, the council’s government affairs director, said the council opposes the change on the basis that its members serve at the pleasure of the governor and should continue to do so. He dismissed the legislative auditor’s recommendation, noting that the audit only looked at transit issues and not the council’s other functions like urban planning and parks.

Rep. Frank Hornstein (DFL-Mpls) praised the bill and said it represented a first step to reforming the council.

“This is not going to be the end-all and be-all of what needs to happen with Met Council governance,” he said.

— N. BUSSE

## Public Safety

### Tougher restraint of children penalty

A troubling incident in Mower County could lead to harsher penalties for people who mistreat children.

“A 5-year-old child was bound (to his bed) by a chain daily from the time he came home from school to the time he went back to school,” said Steve Sandvik, a detective with the county sheriff’s office. “That is a gross misdemeanor. That’s all we could charge. It was the most horrible thing. ... We are not allowed to treat first-degree murderers that way, and yet, less than a year in jail.”

Rep. Jeanne Poppe (DFL-Austin) sponsors HF2220 that would reduce the level of harm required for a felony offense by replacing “substantial bodily harm” with “demonstrable bodily harm” in the definition.

The bill was approved March 15 by the House Judiciary Policy and Finance



PHOTO BY ANDREW VONBANK

**Holding chains that were used to restrain a child, Steve Sandvik, a detective with the Mower County Sheriff’s Office, testifies before the House Judiciary Policy and Finance Committee March 15 in support of a bill that would change the demonstrable harm level in the unreasonable restraint of children.**

Committee and sent to the House Public Safety and Crime Prevention Policy and Finance Committee.

“We didn’t have substantial bodily harm,” said Mower County Attorney Kristen Nelsen. “We had demonstrable bodily harm. We had bruising, we had some swelling, and, quite frankly, there was a rust stain on this child’s ankle because of the time that this chain was spent to that child.”

She said demonstrable bodily harm — any harm that can be observed by another person — is used elsewhere in statutes, including assaulting a peace officer.

“We don’t think that we’re asking for too much to ask that somebody that chains, cages or ties their child in a cruel manner for a prolonged period of time should get a gross misdemeanor,” Nelsen said. “In this case it was clearly felonious conduct that we simply couldn’t charge.”

A companion, SF1725, sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the Senate Judiciary and Public Safety Committee.

— M. COOK

### Court security fee proffered

Courthouse security varies across the state with some buildings having weapons screening, while others have little more than a bailiff.

Rep. Sheldon Johnson (DFL-St. Paul) sponsors HF2000 that would authorize a

county board to establish a court security fee of up to \$15.

The bill was tabled by the House Judiciary Policy and Finance Committee March 15 for further discussion. There is no Senate companion.

As proposed, the fee would be collected from both sides in district court civil and criminal matters. For the latter, the fee could only be imposed once per case and would be imposed whether the sentence were imposed or stayed. No fee would be imposed for petty misdemeanors where the defendant pays a fine without a court appearance or no fine is part of the sentence.

Johnson said funds could be used to purchase, repair, upgrade and maintain security systems and equipment.

Randy Maluchnik, a Carver County commissioner and president of the Association of Minnesota Counties, spoke in support of the bill.

“Carver County is one of the few metro counties without weapons screening,” he said. “The cost to implement weapons screening in the county is a significant one-time cost estimated at \$150,000 with ongoing operating costs at \$250,000 per year. If there were a \$15 court security fee, it is estimated the county would generate \$123,000 annually. ... Even with the security fee there would be a significant burden on the county’s main revenue source: the property tax.”

In Hennepin County, four of the eight



courthouse facilities have some sort of weapons screening. "We confiscated over 3,400 different weapons from people who were attempting to enter our courtrooms during the last six months of 2011," said Sheriff Rich Stanek. "Those weapons range from small pocketknives to handguns."

Although he wouldn't endorse the bill, Stanek said he hopes it encourages a discussion about greater courtroom security the state. "The time is now for state and county officials to come together on this."

— M. Cook

### Juvenile delinquency hearings

If a 16- or 17-year-old has committed a felony-level crime, the juvenile hearing is currently open to the public. The resulting records are also public, even if the charges are later reduced or dismissed.

A bill proffered by Rep. Steve Smith (R-Mound) would keep those hearings as is for adult certification and extended jurisdiction juvenile proceedings, but the standard could change for delinquency hearings.

The bill would require a court to determine that, due to the seriousness of the charge, the hearing should be open because the public safety benefits outweigh potential consequences to the child due to the resulting public record.

"This change will give judges the discretion to decide if an offense is serious or violent enough to make it public," said Mark Haase, vice president of projects and operations for the Council on Crime and Justice.

Approved March 20 by the House Judiciary Policy and Finance Committee, HF876 was sent to the House floor.

"We've got 2-3,000 felony-level delinquency petitions filed every year," Smith said. "Later, when the young people seek work, try to get their life back on track or gain employment or housing, they'll often be denied sometimes not even knowing that it's (because of) their juvenile record. This situation is contrary to rehabilitative services of our public juvenile system."

Smith said there is a need to hold youths accountable so they can learn from their mistakes, but one dumb youthful transgression shouldn't necessarily hold them back for the rest of their lives.

Assistant Hennepin County Attorney Tom Arneson, manager of the office's Juvenile Prosecution Division, spoke against the bill at the committee's March 13 meeting.

"Current law allows some light to be shed on the juvenile justice system. This bill creates a presumption of secrecy for an additional class of serious offenses," he said. "Additionally, it will be difficult to have these decisions made on a case-by-case basis and will lead to disparities in treatments of these cases."

A companion, SF602, sponsored by Sen. Michael Jungbauer (R-East Bethel), awaits action by the Senate Judiciary and Public Safety Committee.

— M. Cook

### Interstate reimbursement costs

When the Lower St. Croix Valley Fire Department responds to an incident along Interstate 94 between Woodbury and Wisconsin, its expenses are not always fully covered.

National fire department protocol calls for extra vehicles and equipment when an incident occurs on a high-volume, high-traffic roadway to ensure a safe working environment for any emergency responder. "We've estimated the cost per run to I-94 is a little over a \$1,000, whereas the average call within the district is right around \$800," said Burl Haar, a volunteer member of the board of directors for the Lower St. Croix Valley Fire Protection District.

Because many of the patients are non-Minnesotans, it can be difficult to track them down to recover insurance and other payments. In addition to receiving some tax dollars from the communities it serves, the department relies on the revenues from providing emergency services to pay for itself.

Sponsored by Rep. Kathy Lohmer (R-Lake Elmo), HF2836 would establish a pilot program to reimburse an ambulance service for unrecovered costs of attending to people on interstate highways. Although the program cost would come from the state's General Fund, no fiscal note was provided.

Approved by the House Public Safety and Crime Prevention Policy and Finance Committee March 20, the bill was sent to the House Health and Human Services Finance Committee.

"Changes in reimbursement for emergency response has decreased \$37 million a year as a result of federal policy changes, and as a result of the Balanced Budget Act of 1997, Minnesota has lost in the last 10 years for emergency response reimbursement \$72 million," said O.J. Doyle, a lobbyist for the Minnesota Ambulance Association.

Almost one-third of the state's 87 counties

have a major interstate in them, and almost half (380) of the state's 743 fire departments are in the 28 counties. Of that total, 304 responsible for interstate coverage come from communities of no more than 10,000 people.

A companion, SF2416, sponsored by Sen. Ray Vandeveer (R-Forest Lake), awaits action by the Senate Health and Human Services Committee.

— M. Cook

### No DWI immunity for legislators

Except in cases of treason, a felony and breach of the peace, House and Senate members can constitutionally avoid arrest "during the session of their respective houses and in going to or returning from the same."

A bill approved March 15 by the House Public Safety and Crime Prevention Policy and Finance Committee and sent to the House floor would specify that a DWI offense constitutes a breach of peace as it relates to legislative immunity.

"I think it sends a wrong message to our constituents, to the people of the state of Minnesota, that we have the ability to make laws down here, but some of them we are exempted from arrest," said Rep. John Kriesel (R-Cottage Grove).

He sponsors HF1838 that was brought to him by a group of students from Concordia University in St. Paul.

"In 2010, 82 Minnesotans were arrested for impaired driving a day. One out of every eight Minnesotans currently has a DWI," said Nate Thienes, a junior at the school. "We are for public safety first, but we cannot ignore fairness."

Senior Taylor Gittens said "seven to eight other states" have recently changed their immunity laws for various crimes.

This is not a cause-and-effect bill, said Rep. Joe McDonald (R-Delano), noting there was no incident that led to this proposal.

Rep. Joe Mullery (DFL-Mpls) said that the change could leave a district without someone to represent them at the Capitol while the legislator is under arrest. "They have a right to have that legislator voting here. ... I see no problem with why can't the evidence be taken and the booking and all that kind of stuff that goes along with an arrest happen later when it's not gonna interfere with somebody's representing their people here."

"It's more than just an issue of are they fit to vote or are the people of that district getting that voice," Kriesel said. "I would consider that a dereliction of duty."

A companion, SF2226, sponsored by Sen. Mike Parry (R-Waseca), awaits action by the full Senate.

— M. Cook

Troopers could guard lawmakers

State Patrol officers could be assigned to protect state lawmakers and other high-ranking state officials if they're believed to be in danger.

That's the premise of HF1607, sponsored by Rep. Kelby Woodard (R-Belle Plaine). The bill would authorize state troopers to provide security on a short-term basis in response to "credible threats" against legislators, Supreme Court justices and constitutional officers.

The House State Government Finance Committee approved the bill March 20 and sent it to the House floor. Sen. Michelle Benson (R-Ham Lake) sponsors the companion, SF1283, which awaits action by the full Senate.

Woodard said the bill is partially a response to the January 2011 mass shooting near Tucson, Ariz., that killed or wounded 19 people, including former congresswoman Gabrielle Giffords. After that incident, Gov. Mark Dayton convened a joint executive-legislative committee to make recommendations on improving security in the Capitol Complex. The provisions of the bill were among their recommendations.

The bill does not specify criteria for what constitutes a credible threat. Instead, Woodard said that decision would be left to the governor and the commissioner of public safety.

The bill would also establish an Advisory Committee on Capitol Area Security. The committee would address day-to-day security concerns as well as make recommendations to the Legislature on security issues. It would be subject to the state's open meeting law and would sunset on June 30, 2022.

— N. Busse

State Government

Contested cases bill vetoed

Vetoed by the governor

A plan to give administrative law judges the final say in contested cases involving state agencies did not meet the approval of Gov. Mark Dayton.

Under current law, when someone has a dispute with a state agency, the case goes before an administrative law judge, who reviews the facts and issues a recommendation. The agency then takes the report into consideration and issues a final decision.

The vetoed bill, sponsored by Rep. Doug Wardlow (R-Eagan) and Sen. Scott Newman (R-Hutchinson), would have given the judge the final decision in the case. Wardlow said it would provide a check against the power of state agencies.

Dayton disagreed. In his March 20 veto letter, the governor wrote that the bill would "confuse decision-making, lessen accountability, and needlessly increase the cost of government."

HF1560\*/SF993/CH133

— N. Busse

Transportation

License plate placement clarified

Passenger vehicles in Minnesota are required to have a license plate displayed on the front and rear of the vehicle.

However, there have been some different interpretations as to what is considered acceptable for the plate placement.

"Current law says it has to be displayed in the front. If I have it in my front windshield, some can argue that's displaying it in the front of my car, and I think there are some judges

that agree with that opinion," said Mary Ellen Heng, a Minneapolis city attorney.

Sponsored by Rep. Ron Shimanski (R-Silver Lake), HF2517 aims to clarify the situation.

Approved March 21 by the House Transportation Policy and Finance Committee and sent to the House Judiciary Policy and Finance Committee, the bill would require that license plates be mounted on the vehicle's bumper or in a location designed for license plate display.

"We seek clarification and guidance to help us do our jobs better and eliminate those extra costs of time associated with processing citations, going to court and other kind of things," said Jim Franklin, executive director of the Minnesota Sheriffs' Association.

The infraction would still be considered a primary offense, meaning law enforcement could stop a driver for the infraction.

Shimanski said about 9,300 citations are annually issued for not having a front license plate displayed. "About 25 percent of those citations are dismissed when taken to court because the statute isn't clear about what displaying the front license plate really means," he said.

The bill was successfully amended by Committee Chairman Rep. Mike Beard (R-Shakopee), so that the fine for an improper plate locale would be \$20 with no other surcharges or fees imposed.

"If people only had a \$20 fine they wouldn't even bother coming down (to court) and they'd probably just pay it," Beard said. "My hunch is the hundred-and-some-dollar surcharge probably drives more people to come down, take the day off and fight it than anything else."

A companion, SF1140, sponsored by Sen. Mike Parry (R-Waseca), awaits action by the full Senate.

— M. Cook

Frequently called numbers

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# Tax bill moves through House

Critics say business-targeted tax relief will create long-term funding deficit

By LEE ANN SCHUTZ

**A** phase-out of a state property tax levy paid by seasonal/recreational property owners and business property owners is the cornerstone of HF2337, the omnibus tax bill. But critics say the tax benefit comes at the expense of renters, namely seniors and the poor, through a decrease in the renters property tax credit.

The bill passed the House March 21 on a 72-62 party-line vote and now goes to the Senate, where Sen. Julianne Ortman (R-Chanhassen) is the sponsor.

Sponsored by House Taxes Committee Chairman Rep. Greg Davids (R-Preston), the bill's journey to the floor came after a week of committee testimony, including a nine-hour meeting where the DFL put forward approximately 20 amendments, with few being accepted. On the House floor, however, only two were proffered, and both were accepted by Davids.

He said the bill's provisions are aimed at improving the state's business climate by phasing out the state property tax levy over 12 years beginning in 2014 and excluding 70 percent of the first \$150,000 value of all business property in 2013.

The bill would also:

- freeze local government aid at 2012 amounts;
- provide targeted tax relief for homeowners equal to 90 percent of any tax increase over 12 percent for pay 2012 only;
- replace the foreign operating cooperation deduction with a tax credit;
- increase, in some cases, the research and development tax credit, as well as the angel investment credit;
- reinstate the bovine tuberculosis property tax credit;
- provide a jobs credit for businesses hiring qualified veterans; and
- create an internship grant program



PHOTO BY PAUL BATTAGLIA

**Rep. Greg Davids is the sponsor of the omnibus tax bill.**

administered through the Office of Higher Education directed to attracting youth to Greater Minnesota businesses.

To prevent these credits and the phase out from negatively impacting the General Fund by more than \$69 million in fiscal year 2013, the current renters credit would be decreased with some relief provided for qualified seniors and people with disabilities.

The bill would reduce the credit from the current 17 percent to 15 percent. Last year's

budget agreement reduced the credit from the previous 19 percent.

Rep. Steve Drazkowski (R-Mazeppa) told members to call the renters credit what it really is: "The renters credit is a subsidy. They don't pay property taxes."

DFLers fault the bill on two premises: it represents misplaced priorities by having businesses benefit at the expense of renters, and it is not fully funded in future years, leaving a \$900 million deficit by fiscal year 2019.

"This is not Minnesota nice," said Rep. Paul Marquart (DFL-Dilworth). "We are asking senior citizens who make \$30,000 or less to foot the bill for a tax benefit that the wealthy corporations haven't asked for."

Rep. Jim Davnie (DFL-Mpls) called the bill's funding "deficit by design." He said recent Legislatures have been unwilling to face economic realities, and have continually borrowed money, rather than raise revenue. "We played games; kicked the can down the road and designed the next deficit. We are doing it again with this bill," he said.

However, Republicans say that high business taxes are affecting Minnesota's recovery from the recession and that ultimately consumers pay through lower wages and higher prices.

Rep. Jenifer Loon (R-Eden Prairie) praised the bill, but acknowledges the state's tax structure needs change.

"I think this bill does a good job for a couple of reasons: It is targeted at small businesses, which provide about half the jobs in the state. We bumped the R&D credit up a little bit. We want these types of jobs in the state. They provide the type of income we want to have in Minnesota. This is a very modest step in that direction. If we want to get out of this recession, we have to do some things differently," Loon said.

Several provisions related to tax increment financing extensions are in the bill, including two to help kick-start the stage two development plan for the Mall of America.



# Proving who you say you are

House votes to approve ballot question on photo ID for voters

By Nick Busse

**M**innesota is one step closer to requiring voters to show a picture ID at their polling place.

On March 21, the House voted 72-62 to put a question on this November's ballot asking Minnesotans whether a government-issued photo ID should be required for voting. Sponsored by Rep. Mary Kiffmeyer (R-Big Lake) and Sen. Scott Newman (R-Hutchinson), HF2738\*/SF1577 proposes amending the state constitution so that voters would have to present an approved photo ID card at their polling place on Election Day.

The bill now moves to the Senate.

Republicans have spent years pushing for a photo ID requirement. Last year, they made it as far as the governor's desk, where Gov. Mark Dayton dashed their hopes with a stroke of his veto pen. Now, photo ID supporters say it's time to let voters have the last word.

"Frankly most people are shocked when they go to the polls and they pull out their driver's license or their ID and the election judge says, 'Oh, you don't need that, that's not required,'" said Rep. Joyce Peppin (R-Rogers). "They think it's outrageous."

Republicans argue photo ID is needed to prevent voter fraud. DFLers argue it will disenfranchise voters, particularly poor people and minorities. Each side says the other has no evidence to back up its claims.

Kiffmeyer, a former secretary of state, said Minnesota's election system has lots of integrity when it comes to counting votes accurately, but very little when it comes to verifying that voters are who they say they are.

"Every single vote in that ballot box deserves to be counted accurately and

The proposed constitutional amendment as it would appear on the November 2012 ballot: "Shall the Minnesota Constitution be amended to require all voters to present valid photo identification on election day and that the state provide free identification to eligible voters?"

honestly, in a fair and transparent manner," Kiffmeyer said.

DFLers have long contended that requiring photo ID would fence certain eligible voters out of the electoral process. They argue that for some, it is an unnecessary hurdle that will discourage or prevent them from exercising their constitutional right.

"How many eligible voters have to be denied the right to vote before this is a bad bill in your eyes? What's the number? Is it 10 students at Bethany (Lutheran College)? Is it five women in a Good Sam nursing home?" said Rep. Terry Morrow (DFL-St. Peter).

Others argued that voter ID is too partisan an issue to be put into the state constitution. Rep. Steve Simon (DFL-St. Louis Park) said Republicans are being irresponsible by enshrining mere policy preferences in the state's founding document.

"You are starting an arms race that I think you will regret, because now the standard is, if you feel passionately about an issue, if your base loves it, and if it polls well, forget the legislative process, go over the head of the governor and just slap it onto the constitution," he said.

As written, the bill would allow absentee voting to continue using the same process that's already used. It would also allow voters to use photo IDs that don't show their current address as long as they have some other way to prove their residency. The practice of vouching would cease to exist, and a provisional ballot system would be implemented for voters who can't prove their identity in the polling place on Election Day.


If passed by the Senate, the proposed constitutional amendment would be the second ballot question facing voters this year. A proposed constitutional ban on same-sex marriage was passed in 2011. 



PHOTO BY PAUL BATTAGLIA

Rep. Mary Kiffmeyer responds to a question from Rep. Ryan Winkler during March 20 debate on her bill that proposes amending the state constitution to require voters to show a government-issued photo ID card at their polling place on Election Day.



# Stepping down and across new lines

Doepke plans to take her education focus to the Senate

By Nick Busse

When the state's redistricting maps were released Feb. 21, Rep. Connie Doepke (R-Orono) found that her entire district had shifted northward. With her state senator retiring, she faced two choices: represent an almost totally new group of constituents in the House, or represent her new constituents and her former ones simultaneously in the Senate.

She's opted for the latter. The two-term House lawmaker will retire and make a run for the Senate seat currently held by the outgoing Sen. Gen. Olson (R-Minnetrista).

"I don't view it as stepping down from the House. I've loved my four years in the House. I love the people here and the way we work," Doepke said.

Doepke arrived at the Legislature in 2009 as an accomplished business executive and former chairwoman of her local school board. Those two themes — business and education — defined much of her career in the House.

She became a champion for mandate relief for K-12 school districts. Her efforts earned her nods from the Minnesota School Boards Association ("Outstanding Legislator for 2010") and the Association of Metropolitan School Districts ("2011 Friend of Education").

Doepke said she was especially pleased to receive the latter award with Olson, noting that it was the first time two legislators from the same district were so honored simultaneously.

"I'm very proud of that, because I worked very hard for our school districts, and I was able to do it in a way that continued to support the GOP goal," she said.

When the Republicans took control of the House and Senate last year, Doepke found her business experience and her focus on fiscal accountability fit right in with the new agenda. But as a legislator, Doepke also emphasizes the importance of bipartisanship.

"Every bill that I'm authoring this year has Democrat co-authors on it. I'm not authoring

any bill that doesn't have bipartisan support, and that was one of my goals this year," she said.

Doepke was a member of the bipartisan small business caucus, and said she generally looks to sponsor bills that will find support from both sides of the aisle. She doesn't criticize those who take a more partisan approach to lawmaking, but she also wants to ensure that a repeat of last summer's state government shutdown doesn't occur.

"It's all about doing the right thing for your constituents, but I also think it's got to be the right thing for the people of our state as well," she said.

As for advice to her successor, Doepke said the next person to take her House seat should be prepared to address the needs of a highly engaged, highly educated constituency. During session, Doepke said she often receives between 300 and 400 emails, letters and phone calls a week. She does her best to answer all of their questions and concerns.

"My constituents they expect you to be involved in the community. They want to know who their representative is, because that's just the way they run their lives. ... They're used to having a say in what goes on," she said.

Her other bit of advice is that it's important to get your family's support. She said her husband Mark, an actuary, and their children Matthew and Rebecca have all done their share of door-knocking, driving her around and bringing her food during long workdays at the Capitol.

"I couldn't do this without my family," she said.

As for what she'll do if and when she's sworn in as her district's next senator, Doepke said she plans to pick up where she left off in the House.

"It's a beautiful, wonderful state and I'm going to fight hard to keep it beautiful and wonderful for all of us," she said. "It's kind of a boring thing to say, but it's true." 🗽



PHOTO BY ANDREW VONBANK

During her time in the House, Rep. Doepke says she became a champion for K-12 mandate relief.

# One less Anderson in the House

**'Anderson, B.' strives to put people first, rather than government**

**By SUE HEGARTY**

Four House Republicans share the last name Anderson. Next year the House will lose "Anderson, B.," but Rep. Bruce Anderson (R-Buffalo Township) hopes to add his name to the Senate rolls. He's running for the District 19 seat currently held by Sen. Amy Koch, who is not seeking re-election.

That wasn't his plan. He's represented District 19A for 18 years, and his goal was to step down after 20 years, which he thought was "a good round number." But

a higher power has other plans, he said.

"God always says, 'My ways are not your ways.'"

That became clear to him years ago and he has been reminded often whether in or out of public office.

For example, he always thought he'd inherit the family dairy farm. But he joined the U.S. Navy and was assigned to work on aviation electronics in Norfolk, Va., which is where he met his first wife, Dottie. Her father was a retired Army major who served in President Lyndon Johnson's administration.

After growing up with a father in government, she didn't want her husband involved, too. That all changed when federal legislation was introduced that would have required the removal of religious symbols in Dottie's home day care business. Although the law was vetoed, she urged her husband to get more involved. He ran unsuccessfully for Congress, and then he was tapped to run for a state House seat.

He was reminded again that things don't always go his way after the birth of their twin daughters. One of the girls was diagnosed with cerebral palsy and was not expected to live.

"We had pulled life support and were allowed to stay at the hospital overnight. The next day she was breathing on her own. The doctors said, 'We don't understand.'" She's now in her 30s.

Anderson's faith was tested again when Dottie died from cancer. He is now remarried to Ruth, who

works with children with special needs.

Former Gov. Arne Carlson acknowledged Anderson's experience raising a child with disabilities and appointed him to the Governor's Council for People with Disabilities.

His first bill was a "sunshine" bill that asked state agencies to show how they spend taxpayer money, which went nowhere because he was a member of the minority party at the time and the bill wasn't given the necessary hearings. But he learned from Rep. Phyllis Kahn (DFL-Mpls) to "never throw away a bill you think is good." He's glad to see recent legislation passed to require more transparency in state government, even if he isn't the bill's sponsor.

As one of the senior members of the Legislature, he's thankful for the positive relationships he's built within his party and across the aisle.


To his successor, he said the person should "put a lot of trust in the Lord." In addition, he offers the advice he received from his grandfather, who said there's a reason God gave him two ears and only one mouth.

"People want to hear themselves talk, so you need to be the sounding board and that's what you're there for — to serve the people," he said.

In the future, he wants to work toward "people running the government, not the government running people." He said it used to be that private companies such as Honeywell, 3M and IBM were the top job providers, but now it's the state and federal governments, and the university system.

"Let's reverse the situation and bring back some private sector jobs," he said.

As chairman of the House Veterans Services Division, Anderson is a strong advocate for military members. He's most proud of a bill he sponsored to mandate that school children say the Pledge of Allegiance at least once a week.

"It may not have been monumental legislation, but I wanted to let younger people know this is a great country." 



FILE PHOTO BY TOM OLMSCHIED

**As chairman of the House Veterans Services Division, Anderson is a strong advocate for military members.**



# An educated first term

After two years in House, Petersen looks to join the Senate

By **BOB GEIGER**

It's an understatement to say Rep. Branden Petersen (R-Andover) experienced an active first — and last — session in the House.

The 26-year-old married his wife during the 2010 election campaign, added daughter Paisley to the family in 2011; and introduced significant bills dealing with teacher effectiveness and personnel decisions during his first term.

With redistricting on the horizon, Petersen conferred with Rep. Peggy Scott (R-Andover) and Rep. Jim Abeler (R-Anoka) about which seats they would run for if new legislative maps paired them a 2012 House race.

"When the maps came out we all circled back to each other and made a decision that I was running for Senate," said Petersen, who was mapped into the same district as Scott.

Not running was never an option.

"I don't think anybody runs for the Legislature just to be in one term. And once

you've been here you realize you have to serve a couple or three terms to really accomplish some significant legislative items," Petersen said.

He will run for Senate in the newly formed District 35.

Reflecting on his initial House term, he said, "I don't know if my experience is a good reference point for all the other sessions. 'What I will say is in one short session, I've seen just how extreme things can get. Things can only get better from here on out.'"

Typically, a freshman legislator's existence is similar to that of an apprentice; learning the tricks of the trade and determining the wants and needs of constituents.

Petersen got involved quickly as sponsor of HF945, which contained a teacher appraisal system that based teacher assessments on their students' annual progress and reviews by parents and principals.

"I think it was a combination of right

place, right time, right issue — and I would also say that I worked hard on that issue," he said.

The bill eventually was folded into the 2011 omnibus education law.

"I was actually in the room with the commissioner and the governor in the final day of the shutdown at 1 o'clock in the morning, discussing what the (teacher) evaluation law was going to look like," he said.

Education interests Petersen because it is a "huge issue" for the Anoka-Hennepin School District, the largest employer in his district.

This year Petersen furthered his involvement in high-profile education bills by sponsoring HF1870, the "last-in, first-out" bill that would rank teacher effectiveness over seniority in school hiring and dismissal decisions if signed into law.

"We have a system now that is centered essentially on some industrial age labor model. And in this case, we're not talking about widgets; we're talking about the impact on student achievement and the futures of these students," Petersen said.

As he begins posturing for his Senate run, Petersen cited transportation and infrastructure projects as other issues of interest.

"The northwest suburbs have long been neglected for infrastructure improvements. Highway 10 west through Anoka (to Elk River) has been talked about for decades. And how long have we waited for Highway 610 to be completed?" said Petersen, referring to the east-west highway linking Highway 10 and Interstate 94.

Petersen said running for the Senate gives him an opportunity to continue to represent his community. "I love the House. I enjoy my relationships here, being a little bit more wild or less formal. But really it's the opportunity to continue to represent my community, my hometown area. I grew up in that area. That's why I'm running for the Senate."

If he wins election to the Senate, Petersen will represent twice as many constituents.

He'll also be called on to help with twice as many children at home after the expected birth of a son in late May. He has been named Cash. "That's Cash, like Cash money," Petersen said. 🏠



PHOTO BY ANDREW VONBANK

**Rep. Branden Petersen says that not running for the Legislature was never an option.**

# BILL INTRODUCTIONS

MARCH 19 - 22, 2012

HOUSE FILES 2913 - 2961

## Monday, March 19

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### **HF2913-Mack (R)**

#### **Transportation Policy & Finance**

Gasoline and special fuel tax exemptions modified.

### **HF2914-Mack (R)**

#### **Health & Human Services Reform**

Medical Assistance transfer prohibition exception clarified.

### **HF2915-Gottwalt (R)**

#### **Health & Human Services Reform**

Health and human services policy provisions changed; family stabilization services, disability services and Medical Assistance provisions amended; health insurance provisions and licensed health professionals requirement modified.

### **HF2916-Mack (R)**

#### **Taxes**

Hospitals and health care providers gross revenue tax credits and exemptions modified to include eating disorder treatment.

### **HF2917-Quam (R)**

#### **Education Finance**

School district debt limits repealed.

### **HF2918-Anzelc (DFL)**

#### **Education Finance**

School district transportation aid provisions modified.

### **HF2919-Persell (DFL)**

#### **Higher Education Policy & Finance**

Bemidji State University funding provided, bonds issued and money appropriated.

### **HF2920-Persell (DFL)**

#### **State Government Finance**

Northern Minnesota Veterans Home establishment funding provided, bonds issued and money appropriated.

### **HF2921-Persell (DFL)**

#### **State Government Finance**

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

### **HF2922-Vogel (R)**

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

Energy conservation requirements modified.

### **HF2923-Scalze (DFL)**

#### **Commerce & Regulatory Reform**

Early education scholarship program created and funded, electronic pull-tabs and bingo authorized, and money appropriated.

### **HF2924-Kath (DFL)**

#### **Transportation Policy & Finance**

Motor vehicle taxes regulated, misdemeanor public defender representation authorized and public safety and public defenders money appropriated.

### **HF2925-Hortman (DFL)**

#### **Commerce & Regulatory Reform**

Foreclosure prohibited if the lender has not acted on a loan modification request.

### **HF2926-Lillie (DFL)**

#### **Commerce & Regulatory Reform**

University of Minnesota sports attendee full service required and scholarships established.

### **HF2927-Hortman (DFL)**

#### **Taxes**

Metropolitan Council and Three Rivers Park District spending authority modified.

### **HF2928-Slawik (DFL)**

#### **Jobs & Economic Development Finance**

Autism spectrum disorder employer training required and money appropriated.

### **HF2929-Benson, J. (DFL)**

#### **Health & Human Services Reform**

Day care facility property requirements changed.

### **HF2930-Howes (R)**

#### **Taxes**

Homestead resort classification allowed for property adjacent to state trail.

### **HF2931-Champion (DFL)**

#### **Jobs & Economic Development Finance**

High-risk adult demonstration project funding provided and money appropriated.

### **HF2932-Hoppe (R)**

#### **Commerce & Regulatory Reform**

Wine festivals authorized to offer limited off-sales of wine by the bottle.

### **HF2933-Murphy, E. (DFL)**

#### **Commerce & Regulatory Reform**

Small and craft brewer structure changed.

### **HF2934-Persell (DFL)**

#### **State Government Finance**

State government and veterans affairs funding provided, fund transfers provided for, various fees and accounts provided for, military burial honor provisions clarified, GI bill program modified and money appropriated.

### **HF2935-Westrom (R)**

#### **Transportation Policy & Finance**

Local road improvement funding provided, bonds issued and money appropriated.

### **HF2936-Westrom (R)**

#### **Civil Law**

Landlord's right established to seek police or emergency assistance; fees, penalties and charges prohibited, and local law preempted.

### **HF2937-Norton (DFL)**

#### **Government Operations & Elections**

Polling place roster photograph use required and money appropriated.

### **HF2938-Anzelc (DFL)**

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

Koochiching renewable energy clean air project funding provided, bonds issued and money appropriated.

## Tuesday, March 20

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### **HF2939-Downey (R)**

#### **Education Finance**

School district detachment and annexation proposal petition requirements modified.

### **HF2940-Murphy, E. (DFL)**

#### **Health & Human Services Finance**

Medical Assistance income limit increased for qualified adults without children.

### **HF2941-Murphy, E. (DFL)**

#### **Health & Human Services Reform**

Medical Assistance enrollee adults without children coordinated care system established.

### **HF2942-Lesch (DFL)**

#### **Civil Law**

Virtual parenting time allowed.

### **HF2943-Smith (R)**

#### **Transportation Policy & Finance**

City of Maple Plain; Oak Street reconstruction funding provided, bonds issued and money appropriated.

### **HF2944-Kiffmeyer (R)**

#### **Health & Human Services Reform**

Prescription drug labeling best practices established.

### **HF2945-McNamara (R)**

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

General permits, wolftaking and product stewardship program provided; wild animal taking, fees and surcharges, and aquatic plant control permit provisions modified; loan program and report requirements eliminated; money appropriated.



## Wednesday, March 21

### HF2946-Dettmer (R)

#### State Government Finance

Peace Officer's Memorial funding provided, bonds issued and money appropriated.

### HF2947-Davnie (DFL)

#### Education Reform

Department of Education Post Secondary Enrollment Options (PSEO) data report to the Legislature required.

### HF2948-Moran (DFL)

#### Jobs & Economic Development Finance

Mobile barber shops allowance rulemaking required.

### HF2949-Garofalo (R)

#### Education Finance

Early graduation education finance provisions modified.

### HF2950-Woodard (R)

#### Transportation Policy & Finance

Highway safety rest areas contingent appropriation provided.

### HF2951-Hackbarth (R)

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

Wild animal taking license requirements and fees modified, receipt disposition provided and money appropriated.

### HF2952-Petersen, B. (R)

#### Government Operations & Elections

State government zero-based budgeting system required.

### HF2953-Persell (DFL)

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

Department of Natural Resources school trust land acquisition funding provided, bonds issued and money appropriated.

### HF2954-Hosch (DFL)

#### Health & Human Services Reform

Minnesota Children and Family Investment Program Act created, MFIP and child care assistance programs modified, appointments provided and money appropriated.

## Thursday, March 22

### HF2955-Morrow (DFL)

#### Commerce & Regulatory Reform

Minnesota Cooperative Housing Act provided.

### HF2956-Paymar (DFL)

#### Taxes

New tax credit enactment moratorium imposed.

### HF2957-Quam (R)

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

Stagecoach Trail appropriation extended.

### HF2958-Holberg (R)

#### Ways & Means

Federal funds spending requests consideration by the Legislative Advisory Commission required and federal money spending authority without legislative review limited to emergency management purposes.

### HF2959-Brynaert (DFL)

#### Transportation Policy & Finance

Mobile medical units exempted from motor vehicle sales tax.

### HF2960-Barrett (R)

#### Education Finance

General Fund appropriations reduction required to provide an annual increase in the school district aid payment percentage.

### HF2961-Erickson (R)

#### Education Reform

Teacher candidates' basic skills examination passage provisions amended.

## CONSIDER THE AMENDMENTS



PHOTO BY PAUL BATTAGLIA

Wayne Lindholm, a developmental disability parent advocate from Edina, checks out the long line of amendments outside the March 22 meeting of the House Health and Human Services Finance Committee.

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# MINNESOTA INDEX

## Child support

Approximate percent of Minnesota child support cases with a child support order in place.....	86
In federal fiscal year 2011 (Oct. 1, 2010 to Sept. 30, 2011), approximate number of cases in the state's child support program.....	242,000
Approximate number of cases in FFY 2009 (Oct. 1, 2008 to Sept. 30, 2009).....	245,695
Of the FFY 2011 cases, approximate number that are public assistance cases .....	27,000
Children who have a Minnesota child support case who were born outside of marriage, as approximate .....	178,000
Millions collected and distributed by the state's child support program in FFY 2011...	\$602
Millions in FFY 2009 .....	\$598.1
Percent of cases with ongoing support obligations that had some payment toward the obligation during FFY 2011 .....	81
Average annual collection per order .....	\$2,895
Cumulative amount of past due support as of Sept. 30, 2011, as approximate in billions .....	\$1.65
Total as of June 30, 2010 .....	\$1,648,768,928
Millions, as estimate, paid on child support debt in FFY 2011 .....	\$140
Percent of cases in arrears, as estimate, that received arrears payment in FFY 2011 .....	70
Average debt owed in cases with child support debt .....	\$ 8,538
Approximate percent of child support cases with debt .....	80
Millions collected by employers withholding child support from parents' paychecks in FFY 2011 .....	\$426
Through tax refunds and rebate intercepts, millions collected in FFY 2011 .....	\$39.5
Millions spent on child support expenditures in FFY 2011 .....	\$167
Percent funded by federal government .....	73
Percent funded by counties .....	18
Percent funded by the state .....	9
Millions spent in 2009 .....	\$166.3
For every \$1 spent on Minnesota's child support program, amount collected in FFY 2011 in support of Minnesota children .....	\$3.59
In state fiscal year 2010 .....	\$3.67
Parents, as approximate, who had their driver's license suspended for failing to pay child support as of Nov. 30, 2011 .....	91,000
Phone numbers for the Department of Human Services' child support information line .....	651- 431-4199 or 800-657-3954

— M. Cook

Sources: Department of Human Services, including Child Support in Minnesota: facts and figures, January 2012 and 2010 Minnesota Child Support Performance Report; Minnesota Judicial Branch